

## Corporate Welfare Crime: Two Case Studies in State-Corporate Harm.

### Introduction and Methodology.

This dissertation examines the neoliberal welfare state, where privatisation has transformed welfare recipients into the 'consumers', 'customers' and 'commodities' required for profit generation and maximisation. The social harm perspective provides the necessary framework to conceptualise such processes, as its broader investigative scope better explains the mechanisms of harm production and relocates harm as crime (Kleinig, 1978). Society's focus on crime, individualisation and redress serves to maintain social relations, while providing the necessary guise for elites to dismiss the many structural inadequacies which contribute to crime. This dissertation also highlights how the harms inflicted by powerful actors outweigh traditional notions of crime, and how the colluding forces of power maintain current formats to aid their interests. Harm perspectives are applied to expose the corporate-political powers within contemporary welfare structures that contribute to human anguish (Hillyard and Tombs, 2004).

Moreover, this dissertation argues that corporations are criminogenic by nature, largely due to their organisational cultures, the pressures of capitalism and the passive legal and political structures which fail to reprimand business for their deviant acts (Apel and Paternoster, 2009). Furthermore, the dissertation highlights how corporations dominate all aspects of contemporary life, and also shows how their all-encompassing characteristics leave all citizens susceptible to harm – especially welfare dependants. Corporations are unable to conduct business without breaking laws and inflicting harm, and for this reason, this dissertation argues that it is irresponsible for the state to subject vulnerable people to corporate control. Any acknowledgment of contemporary corporate dominance must be viewed against the backdrop of the state-corporate relationship. It is discussed how the state and business act in collusion, as both generally share the same neoliberal conviction on how society should function. This partnership is no more evident than within welfare, where the state have established proxy measures to outsource harm production to distance themselves from potential ramifications: This is central to the discussion, and social harm theory has been applied throughout to make it clear that the state and corporations collude to create and maintain harmful welfare systems. This dissertation also details how austerity is undermining service quality through unprecedented cuts and by creating exploitative working conditions. This occurs while the state ascribes 'mock regulation' of services- such as the Care Quality Commission (CQC) (for example) - which attempts to control corporations while the state simultaneously provide the context for profit generation (Tombs and Whyte, 2015).

A case study approach to investigate social harms within welfare services was adopted for this dissertation. This enables a concentrated analysis of topics due to the detail and high level of credibility they provide. Theoretical content, in this case zemiology (the study of social harm), can also be applied to real life processes via the case study approach. The ability to theorise contemporary welfare is essential for the quality of the research and the outcomes it wishes to provide – as well as adding to the existing literature on the subject matter. The case study approach is a good method for modest research with limited resources. This is because case studies as a research method are often viewed as lacking objectivity and rigour, in comparison to other social research methods. However, despite such criticism, case studies are widely used as they offer insights which may not be achieved through different avenues. The most challenging aspect of adopting a case study approach has been lifting the investigation from a mere descriptive account, into a piece of credible research which can contribute to existing knowledge and literature (Rowley, 2002).

This dissertation has used case studies to attempt to make sense of the wide array of secondary data considered for this piece. It could be argued that the criteria for source selection has hindered the research, because the values of the author may appear biased towards those without a voice<sup>1</sup>. The dissertation provides contrasting accounts through the case study approach, because analysis of different forms of harm production was required to view how such mechanisms compare and contrast. Two case studies are provided to explore the structuring of harm in welfare services. The first applies zemiology to elderly social care, where outsourcing has institutionalised harm through poorly resourced labour processes. Current formats undermine human, welfare and labour rights, as care corporations seek to maximise returns in a deteriorating sector (Domingos, 2014; Krajewski, 2014). The second case study uses zemiology to examine the Work Programme (WP). The state's demonization of the non-working population can be construed as the mass organisation of mental distress, as societies most vulnerable are systematically targeted to enhance control and

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<sup>1</sup> However, it is arguably impossible to conduct value-free research, and such values are not aimed at constructing bias, but to provide an account of the harmful reality for those being subject to the control of welfare corporations (Becker, 1967). Such angles are rarely explored in mainstream media. Thus, the author felt that case studies were the best way to conceptualise the welfare mechanisms which will likely effect citizens at some point throughout their lives. This however, is not without its problems and critics could feel this research presents a crisis of representation, as the author has not conducted the research from the standpoint of service users, but of a person in a privileged position. The secondary data used may also have such bias because authors will probably not know first-hand what life is like at the doors of destitution (Packer, 2011).

compliance. Enhanced conditionality is geared towards punishment rather than support, and the harms inflicted by the WP are unprecedented in the welfare setting (Slater, 2012). The ideologies and processes driving the rise in illnesses, and mortality (many by suicide) are questioned, as the dissertation draws attention to how the state's insistence of implementing corporate facilitated welfare could be deemed state crime by proxy (SCBP).

This dissertation provides an examination of the unprecedented levels of harm produced by neoliberal welfare arrangements. The evidence shown will highlight why resistance must occur to prevent further corporate participation in service delivery, because the needs and rights of service users are neglected in favour of the needs of capital. Contemporary welfare arrangements only serve the very corporations who disregard the humanistic consequences of their endeavours. All people have innate dignity, compassion and self-respect and are more than mere corporate commodities. This dissertation argues that citizenship rights must be upheld in order to prevent the scale of harms currently dogging contemporary welfare.

## **Chapter 1.**

### **Corporate Crime, Social Harm and the Welfare State.**

#### **The neoliberal welfare state: the shifting relationship between the state and private sector, creating opportunities for corporate involvement.**

The welfare state's origins lie within the Beveridge Report (1942) which provided the Atlee administration the blueprint to introduce modern welfare, which operated in concomitance with Keynesianism. This consensus endured until the mid-1970s, where monetarist economic strategies to reduce state expenditure and privatise welfare were introduced (Lavalette and Penketh, 2003). The new right's position condemned public welfare, and liberalisation and market forces became the overriding sentiment (Nash, 2010). The market, traditionally presented as the creator of social problems was recast to cure these ills, as political discourse was shaped to align with "pro-business" agendas (Block, 1987; Beresford, 2005). Costs were transferred from the state to individuals and markets were freed from red tape as private capital infiltrated welfare (Gamble, 2001). New Labour pursued similar ideals, as modernization rested on assumption's that remaining politically popular depended on committing to welfares neoliberal conviction (Hay and Watson, 1999). Even with New Labour's continuation of neoliberalism, few foresaw Cameron's welfare revolution which aimed to dismantle the post-war consensus. The 2007/8 banking crisis presented the opportunity to shift the debate from market failure to public services crisis, resulting in expanded corporate involvement in welfare (Tyler, 2013; Farnsworth, 2015). The government successfully re-packaged private debt into public debt, shifted corporate recklessness into public profligacy, meanwhile recasting corporations as the only route to economic recovery (Tombs and Whyte, 2015). Welfare neoliberalization has exposed service users to numerous harms as corporations continually fail to deliver up-to-standard services (Holden, 2012). Corporate involvement in welfare has sat comfortably within neoliberal economic developments and UK social policy over the last 30 to 40 years. However, this dissertation is concerned with the harm produced by corporations as they carry out their functions in delivering public services. The following section details the yardstick by which we can measure harm in the hope to potentially develop a means of conceptualising the injurious nature of corporate welfare delivery.

#### **The social construction of crime and social harm.**

Crime is a contested notion as its meaning differs across space and time (Deflem, 2015). Hulsman calls crimes 'problematic situations' because they occur in varying forms for differing reasons, meaning that many issues are dealt with under the crime banner. The term 'crime' invokes seriousness, although the majority of defined crimes are minor, most cause little physical or financial

harm, and they are predominantly victimless, therefore standard responses of punishment cannot be assumed effective (1986). Clarity is needed over events defined as crime and criminal justice processes. Crimes are ranked in terms of seriousness through varying degrees of punishments enforced by the state, with the aim of inflicting suffering, and where the prison sentence is the ultimate symbol (Hillyard and Tombs, 2004; Pollock, 2014).

Although the state is not the sole definer of social problems, it largely shapes and defines many social issues before dictating the legal and social solutions to maintain existing social relations (Barton *et al*, 2007). Although the Criminal Justice System (CJS) has the capability to reprimand illicit state-corporate actions, it neglects such activities to concentrate on individual acts. By focussing on individuals, the structures contributing to harm such as social deprivation, poverty and inequality can be concealed (Hillyard and Tombs, 2004). 'Pyrrhic defeat theory' claims that the social reality of crime is established and reproduced through policy and the CJS, which preserves 'the implicit identification of crime with the dangerous acts of the poor' (Reiman, 1998: 61). This brief explanation shows how the present legal system devotes more time and resources for punishing working class crimes, while highlighting the system's neglect of the more harmful crimes of the powerful.

Crime and criminal justice distort crime and harm in society because the focus on individual 'criminals' has generated fear over one type of harm while sustaining the precedence of crime (Barkan and Bryjak, 2011). The study of zemiology however, allows wider investigative scopes into what or who may be responsible for harm production, whilst being unrestricted by the narrow confines of criminal justice (Hillyard and Tombs, 2007). The concept of *harm* does not arouse the same 'organised public resentment' to that of *crime*, and criminalisation processes are directed towards lower-class offenders, while powerful actors continually evade culpability (Croall, 2001). Zemiological perspectives allow investigation from a starting-point which permits the development of more effective methods of harm prevention, rather than continuing the fixation on the punishment of crime. This would arguably surpass current criminal justice procedures, where many negative consequences emerge through separating crime from harm. The focus on criminal acts promotes biased and distorted views of the extent and nature of the harms people endure. This aids the consensus of criminalisation, and neglects more dangerous and damaging forms of harm, whereas zemiological approaches could potentially be emancipatory and proactive. There is little doubt that the excessive attention allocated to events defined as crime not only deflects attention from serious harms, but largely excludes them (Hillyard and Tombs, 2004; Ward, 2004).

The marked benefit of zemiology is its basis for developing more precise analysis of what will likely harm people throughout their lives. For example, it defines physical harms, including early death or injury through an array of circumstances such as, work-related accidents, insufficient food and shelter, brutality, even democide, as well as encompassing financial/economic harms, where poverty and diverse forms of property and capital loss would be incorporated. Further, zemiological perspectives consider frauds differing domains, including mortgage and pension mis-selling, the misappropriation of state funds to private individuals or corporations, price-fixing and cartelisation, and wealth redistribution via regressive taxation and welfare policies. Expanding the scale of economic or financial harms necessitates recognising the many personal and social impacts of poverty, unemployment, etc. (Hillyard and Tombs, 2004; Beninger and Francis, 2015). These factors highlight aspects of zemiology which would enable deeper understandings towards mechanisms contributing to harm production.

Social harm is a contested term (Pemberton, 2015), and definitions are generally split into two categories. The first draws upon legal frameworks (normally human rights) which expands 'crime' to include forms of structural oppression (Schwendinger and Schwendinger, 1975). However, legal discourses pose problems, as the instruments needed to map state induced harms derive from state systems, limiting objective analysis. Therefore, the separation of measuring harm production from sites of state power is pivotal in generating more comprehensive and objective definitions (Pantazis and Pemberton, 2009). The second category considers sociological understandings of harm. For example, Munchie (2000) attempts to deconstruct harm to establish typologies that encompass positive and negative emotions. Whereas Hillyard and Tombs (2004) categorise harm in regard to economic, physical, psychological, sexual and cultural safety. Defining harm is both positive and productive – more so than tip-toeing around fields of inquiry demarcated by government through law. A social harm approach is partially defined in its operationalisation, which requires the consideration of the nature and relative impacts of harms and people's expressions or perceptions of what those harms constitute. Therefore, the field is partly defined through people's attitudes, understandings, experiences and perceptions, instead of pre-ordained state instruction (Hillyard and Tombs, 2007).

This section has shown how the zemiological perspective has many potential benefits for government, however, its adoption would simultaneously expose their current failings. Zemiology requires well-defined attention to political responsibility, and warrants the politicisation of topics to exact debates over national policy, priorities and resources, which makes it obvious why government feel it appropriate to limit such debates to the closed corridors of power. This is why considerations of the scale of harms must be understood with regard to political imperatives and the economics

behind the neoliberal paradigm (Tombs and Hillyard, 2004, 2007; Mason, 2008). Moreover, attention has been given to how zemiology would broaden the CJS purview, and provide better understandings towards the mechanisms inflicting harm. This would develop further knowledge over what will likely effect people throughout their lifespan and would benefit contemporary society, where corporations dominate every aspect of life and are the largest producers of harm (Benn *et al*, 2014; Butts, 2003). The following section highlights the importance of applying zemiological approaches to corporate practices to show how legal, and political processes are designed to serve corporate interests'. The section exemplifies differing domains of corporate crime and argues that because corporate actions harm all citizens, especially those who depend on welfare services, that the term 'crimes against citizens' is more fitting to explain corporate deviance.

### **Corporate crime.**

Corporate responsibility is a myth and in their current form, corporations are allowed and encouraged to systematically steal, maim, and kill for profit. Through law and politics, corporations are constructed in ways which motivate harm production and law-breaking (Tombs and Whyte, 2015). This is because competition within capitalist markets make it foolhardy for corporations to undertake profit-minimising moral responsibilities unless the law mandates them to do so (Michalowski and Kramer, 2006). This is sustained through legal obligations and reinforced through the courts which stipulate that corporations must legally maximise profits for stakeholders (Mitchell, 2001). Corporate crime occurs because of the growth in opportunities to amass profits offered by deregulated economic systems (Tombs and Whyte, 2015).

Corporations by design combine wealth into one entity to collectively absorb responsibility. This formats primary advantage is the concept of 'corporate personhood', which removes human content from corporate activity and creates the principle of limited liability. This allows investors to not pay for financial losses or damages, which limits losses when social costs of business are high (Glasbeek, 2013; Tombs and Whyte, 2015). Sutherland's (1949) differential association theory provides a social psychological perspective which aims to identify processes leading to deviance, particularly how the law, and corporations protect identities making actors more inclined to deviance. Although this theory helps explain some corporate crime facets, organisational theory is arguably a better conceptualisation, as it argues that corporations are criminogenic because of defective operating procedures and their goal orientated emphasis (Gross, 1978). Gross claims that, for a number of reasons, "there is built into the very structure of organisations an inherent inducement for the organization itself to engage in crime" (1978: 56). The guise of 'corporate personhood' enables enhanced rights within law, as criminal justice processes seemingly bend to ensure actors are rarely held accountable (Tombs and Whyte, 2015).

Once corporate crimes have commenced, corporations are generally not obliged to foot the costs. Costs associated with damages and long-term harms are branded 'externalities' because stakeholders are only liable for fractions of the costs- if any- because the majority of these costs are either socialised (for example cost to the NHS) or borne by individuals (Tombs and Whyte, 2015). This is why Bakan (2004) uses the term 'externalising machines', as corporations largely elude liability for their actions. These factors are woven into the fabric of the corporate-legal form, and as such this construction is ultimately lodged in the laws failure to rectify the resolvable problem of capitalism: i.e. how to credibly claim the law propounds social protection, whilst simultaneously providing the infrastructure which enables harmful profit generation. The corporations 'citizen' status- endowed through law- consolidates capitalism as part of individualism and class-based law. Crime and harm are not insignificant aspects of corporate activity. The nature of 'corporate personhood' dislocates the responsibility that can be ascribed to corporations, which contributes to their standing as powerful, all-encompassing entities that dominate all aspects of contemporary life. In essence, the corporate need for profit makes them violent, rapacious and systematically criminal, and for these reasons cannot be subdued (Tombs and Whyte, 2015).

Thus far, this section has shown how corporations have privileged positions within law that enables them to act illicitly. The criminal avenues that corporations venture affect all citizens in varying ways. To help conceptualise the scope of corporate crimes, Tombs and Whyte categorised them into four dominant areas. These categories are: 1) Corporate crime against consumers. 2) Corporate crimes against workers. 3) Corporate crimes against the environment. 4) Corporate theft and fraud. These kinds of cases are largely immune from prosecution due to the legal processes which render them so. However, the examples given are technically 'punishable', therefore should be criminalized (2015). As corporate crime operates on such a massive scale, this dissertation only exemplifies a few cases, and environmental crimes are omitted as they are beyond the scope of this dissertation.

The first category of interest is crimes against workers, which includes: wage violations, discrimination, safety and occupational offences, attacks on collective organisation, breaches of data protection and human rights (Whyte, 2015). Austerity has produced extensive exploitation and diminishing employment rights, and the combination of deficit cuts and privatisation have caused waves of public sector redundancies (Chaston, 2012). The introduction of the Superannuation Act (2010) reduced redundancy benefits, as amendments to redundancy consultation law mean that employers only engage with workers and trade unions for 45 days, rather than 90 (Ludlow, 2015). Public sector workers fortunate enough to escape redundancy have had pay freezes below inflation rates, only rising in 2016 by a mere 1%, effecting 2.5 million workers. Some public servants have

endured a 15% real terms pay reduction since 2010 as the state attempts to abolish “progression pay” (Stone, 2015; Watts, 2014; Syal, 2016). The weakening of redundancy laws, alongside the attacks on the minimum wage debases any notion of social justice, which is no more evident than in the WP.

Part of the WP is the apprenticeship scheme, where the state pay businesses £2.65 an hour for employing apprentices (Peacock, 2010). Rather than having the desired effect of training and development, it has turned into an exploitative opportunity (Lee, 2015). This scheme has been met with open arms by businesses such as Homebase and Poundland, who frequently advertise for unskilled positions where ‘apprentices’ find themselves conducting the same duties as their colleagues for a fraction of the wage (Williams and Scott, 2016; Jones *et al*, 2015). Elsewhere, workers are exposed to further state-corporate exploitation through measures like the Enterprise and Regulatory Reform Bill (2013), which grants workers the ‘choice’ to forgo their rights to redundancy settlements and unfair dismissal compensation. Workers are instead offered shares, however they are often of little value and are overwhelmingly presented as employment conditions (Hughes and Ferrett, 2016; Munro Wright, 2014). Workers in this regard are powerless, especially considering that factors like tribunal fee increases, reductions in legal aid and the demise of unionisation, have made it almost impossible for individuals to fight against exploitation (Collins *et al*, 2012).

Corporate theft and fraud is a category which includes: mergers; takeovers; bribery; illegal share dealings; tax evasion; and other manifestations of illegal accounting. Elites inflict misery on the public to enhance socio-economic positions. For instance, notwithstanding the proliferation of fraudulent activities leading to the 2007/8 recession the financial sector saw no charges levied at it (Tombs and Whyte, 2015). The derivatives market remains unregulated as traders continue amassing debt which will inevitably implode (Pilkington, 2014). The paucity of investigation is striking: In 2013 for example, the Serious Fraud Office made only 20 prosecutions compared to around 40,000 burglars prosecuted by the Crown Prosecution Service. This is transparent class based law (Tombs and Whyte, 2015). Welfare corporations are not exempt from committing crime, evidenced in the WP employment services, where corporations profit from administering work experience and training for the unemployed.

Concerns over WP motives are warranted, considering scandals such as A4e being found guilty of numerous counts of fraud, only fuel apprehension over this policy’s appropriateness (Ross, 2016). CEO Emma Harrison’s annual salary was £365,000, and in 2011 she paid herself an additional £8.6 million in share dividends despite her service failing to hit targets. From 2010-12, A4e received

contracts worth upwards of £200 million despite being investigated for fraud nine times since 2005 (Morrison and Merrick, 2012; Greenhill and Martin, 2012). Further, between February 2009 and February 2013 nine A4e employees committed numerous fraud offences, leading to 60 criminal charges, including multiple counts of forgery, conspiring to defraud, and producing and possessing articles to use in fraud. Instances of fraud continued to materialise despite legal proceedings as in 2015, six A4e employees were jailed for their part in fraud which saw them claim nearly £300,000. These employees conjured up files, forged signatures, created 167 false claims and deceitfully claimed they helped jobseekers find employment (BBC News, 2015). This raises questions over the corporation's ability to legally provide services when opportunities to commit theft and fraud are so accessible. The ethics of profit motives within such services are questionable, especially when they claim to aid societies disadvantaged.

The final category of interest to this dissertation is corporate crimes against consumers. This includes: selling unfit goods, illegal sales/marketing practices, false/illegal labelling, and conspiracies to fix prices and/or carve up market share (Tombs and Whyte, 2015). However, this dissertation contends the term 'corporate crimes against *consumers*' should be resisted, because 'corporate crimes against *citizens*' is arguably better to conceptualise the overall argument. The state and corporations use highly-sophisticated strategies that are supported by convoluted ideological rationales, to collaborate in harm production against citizens using certain public services. Therefore, corporate crime against citizens not only reflects the impacts of neoliberalism, but is a way of understanding how corporations exploit citizens for profitable ends. Neoliberalism claims that markets present greater choice, however, current welfare processes relocate citizens as consumers of services they have no choice in selecting, which are resourced through taxation which they have no choice in paying (Sayer and Wilkinson, 2016; McDonald and Wearing, 2013). This contradicts market rule and the freedom professed by neoliberals. The harms produced by marketization are arguably crimes against citizens. Under the guise of austerity, corporations reduced labour and welfare rights, while assaulting human, political and civil rights - creating an unattainable environment for a functioning democracy (Domingos, 2014; Krajewski, 2014). Tombs and Whyte's (2015) categorisation of corporate crime breaks down ways that corporations inflict harm. However, *crimes against citizens* is arguably better to identify corporate criminogenic potential. This dissertation hopes to have highlighted that: directly or indirectly, corporate profit generation exposes all citizens- especially the most vulnerable- to harm.

This section has highlighted specific corporate crimes and their impacts. Furthermore, the argument was put forward that the term 'crimes against citizens' portrays a better, more fitting way to conceptualise the extent and scale of the harms corporations inflict upon society. This section has

shown how the CJS serves to maintain power relations, by focusing on lower level crimes negating attention from structural inadequacies. By highlighting CJS failures in reprimanding contributors of mass harm, the dissertation hopes to have highlighted the state's role in maintaining capitalisms interests. A driving factor into the continuation of corporate crimes is the lack of political will to initiate substantial regulatory bodies to monitor such activities, thus any acknowledgement of corporate crime can only proceed with greater understanding of the state's role in manufacturing it (Michalowski and Kramer, 2006). The following section aims to further examine how government and business act in collusion, in order to illuminate the toxicity of this relationship and gain greater comprehension of why state-corporate harm occurs.

### **Regulation and the state-corporate partnership.**

Neoliberalism has re-cast the state as an impingement on corporate freedoms. Misconceptions that government and business are opposing entities with separate interests are common, even though free markets have never existed, nor could they ever exist (Sayer, 1995; Tombs and Whyte, 2015). Markets are unstable, fluctuating systems. Therefore, the state must act to guarantee the material and political conditions required for capital accumulation. Markets fail to guarantee, for example, a healthy and educated population that is fit for labour. The state traditionally guides market developments, but the neoliberal evolution of capitalism has enhanced the state role, which, it has been argued, indicates that politics and economy are now indistinguishable: only a political economy remains (Bent, 2016; Lane and Ersson, 2002). Arguably, the state is not an arena of concentrated power, but an ensemble of processes, and institutions which organise social forces. The state creates and preserves institutional frameworks to guarantee the quality and rectitude of capital, as well as the legal structures needed to secure functioning markets, market conditions, infrastructures and rules for business operations which form the institutional ordering of society (Harvey, 2005). This means the state can be considered a network of mechanisms which organises and mediates social relationships of power, and corporations play a decisive role (Jessop, 1990).

Corporations take form from the rules which govern commodity/labour markets, and by regulatory laws which establish the economic and social contracts of corporations. Corporations recognise the state's role and are generally unwilling to subject themselves to the un-predictability of the market (Pearce, 1976). This highlights how corporations couldn't have developed such power or even function as they do without state infrastructure. Thus, the state and the market cannot be construed as binary opposites, as administrative and judicial structures position corporations in relation to the state, suggesting that capital can never be autonomous from government. The state is key in aiding economic enterprise by specifying rules, liability and incorporation, which are put in place by regulatory agencies (Tombs and Hillyard, 2004; Sklar, 1988).

The government's regulatory bodies police corporations, although they are separated from criminal law. Quantifying the extent of corporate crimes is impossible as they are predominantly uninvestigated or unreported (Whyte, 2007). This occurs because of close corporate-political relations. The circles of party leadership have largely been replaced by overlapping networks of consultants, lobbyists and advisors - primarily corporate representatives seeking favours (Crouch, 2004). Corporations exploit these relationships to influence definitions of crime, harm, and the nature of regulation through five avenues: 1) their direct, and organised policy making process interventions; 2) their ability to shape policy agenda; 3) covert forms of intervention; 4) their influence over 'non-decision making'; and 5) their ability to create and maintain their own regulatory conditions (Fooks *et al*, 2013).

The crimes of powerful actors are typically seen as "regulatory violations," and are deemed less serious than "real" crimes, even though the harm they produce greatly exceeds the financial and physical damage caused by "street" crimes (Russell and Gilbert, 1999; Gobert and Punch, 2003). Regulatory agencies recognise that key aspects of their positions is allowing, even encouraging economic progression, and to only intervene in clear cases for protection. State-corporate relationships are therefore complex and are characterised theoretically via mutual interdependence. Corporate crime is produced through this symbolic relationship and restraining corporate crime largely relies on the extent to which this symbiosis can be broken. It cannot be denied that different categories of corporate crime are amenable to more or less effective enforcement. However, regulation is fundamentally the result of social relations of power (Tombs and Whyte, 2009).

Regulation as the link between corporate sectors and the state can be categorised into three theoretical approaches - a 'compliance' school, a neoliberal perspective and capture theories, each are implied theories of the state's role (Ward, 2004). Compliance perspectives dominate advanced economies, as states seek corporate compliance. This is the normative stance based on recognising business power; an acceptance of constraints of state resources in regulating corporations; and the state's consideration to not arouse counter-productivity through punitive enforcement (Pearce and Tombs, 1998; Tombs and Whyte, 2009). Neoliberal theorists argue that states have interventionist tendencies which obstruct efficient regulation of economic activity (Tombs and Whyte, 2008). There are also theories which characterise state regulatory agencies as pregnable to the 'capture' of business - achieved by lobbying, interests of the elite being served in private and public sectors, and the 'revolving door' of private and public personnel. This implies regulation is counter-productive as it inherently institutionalises corporate influence (Hertz, 2001; Monbiot, 2001). Correlations between these perspectives accentuates how regulation includes state processes of autonomous agencies intervening against autonomous private organisations. For compliance theorists, regulatory

agencies forge consensus across antagonistic parties which are viewed as having mutual interests with an effective business sector. Neoliberals feel government's optimal role is withdrawing from social/economic life, only to perform arbitration roles when market mechanisms have failed, whereas capture theorists prophesise governments are sites to be dominated, even seized by external, organised and powerful interests. Despite these differences, the correlation is that the state and corporations are externally opposite, that is, the state is ontologically separate from civil society (Tombs and Whyte, 2009).

Lobbying dominates politics, and the volume of private capital within politics raises scepticism over how politicians and corporate executives can be reliable avenues for change. Until politicians introduce meaningful legislation, create decent regulatory agencies, and corporate officials practice ethically, protecting the public from corporate characteristics is impossible (Kauzlarich and Mathews, 2006). Once public services are ridiculed, and the pursuit of profit is elevated into human goals, politicians and advisers regard selling their influence as legitimate facets of political participation. The power that corporate actors possess has been translated into political power which threatens the democratic balance (Crouch, 2004). Neo-pluralism recognizes the privileged role of corporations within capitalist society. Lindblom argued this in three ways: 1) equality of influence is negated by economic and social inequalities; 2) politicians organise the support of the people; 3) organised interest groups- particularly businesses- influence society's direction (1977). This relationship has enhanced corporate-political privilege under the guise of free competition, and the private influence over political decisions has extended corporate participation in civil society, as they are viewed as the "only" way to ameliorate societal problems while providing economic growth. This results in public sectors being outsourced further, and what follows is the principle policy recommendation of modern economic orthodoxy: the state is impotent beyond guaranteeing market freedoms (Farnsworth, 2004; Crouch, 2004; Wiggan, 2011).

Thus far, the myth that the state and corporations being binary opposites with differing interests has been dispelled. The state has positioned regulatory agency power outside of criminal law to aid capital accumulation while providing the legislation and infrastructure which breathes life into corporations. Likewise, the section has indicated the political reliance on corporate funding, and how this threatens the democratic balance. Corporate donations are viewed as investment opportunities to enhance privileged positions to collaborate further with the state over policy implementation, and to capitalise on welfare markets. The following discussion aims to accentuate transnational corporations' (TNCs) role, and the influence they possess within international regulatory institutions and 'supragovernmental' organisations. The power and ideology within such establishments often undermines individual states, and coerces them into maintaining/enhancing

neoliberalism, regardless of the harmful implications such processes produce upon passive citizens (Barnett and Finnemore, 2004; Baylis *et al*, 2011).

Neoliberal advocates occupy influential positions in international institutions such as the World Bank (WB), the International Monetary Fund (IMF) and the World Trade Organisation (WTO). Such institutions regulate global trade, instil market precedence, control regimes and shape structural conditions upon individual states which may be either conducive to, or restrain against state-corporate crime (Harvey, 2005; Kawzlarich and Mathews, 2006). These bodies materially impact nations, evidenced in the IMF's Structural Adjustment Programmes (SAPs) which currently dominate European politics under the guise of austerity (Petrakis *et al*, 2013). The WTO aided this by imposing the liberalization of the international exchange of goods and services, while introducing markets which were formally governed by different principles. This is no more evident than within welfare, where the WTO's rules and regulations have resulted in wide-ranging privatisation, the breakdown of the citizenship package, and increased harm (Price *et al*, 1999; Hatcher, 2000). Close state-corporate ties are just as apparent within 'supragovernmental' organisations like the European Union (EU).

The EU's fanatical commitment to neoliberalism has imposed market rule upon states while diminishing their power (Richardson, 2001). In EU countries, privatisation is required under the *Treaty of Amsterdam* (1997) and is widely encouraged by the Organization for Economic Development (Clifton *et al*, 2003). A nation's destiny is thus linked to their cooperation with TNC interests. Global economic competitiveness, combined with political willingness to partake in globalisation has subordinated social policies (Yeates, 2001). To appease business and maintain global competitiveness, market organisations demand: low overheads; freedom of movement, capital and operations; flexible labour markets; and low wages. The by-products of such conditions are: insecure employment/unemployment; deplorable work/life balance; more accidents; increased morbidity, mortality, physical and psychological harm; inadequate pension provision; environmental damage; and the marginalisation and exclusion of groups, such as the disabled, elderly workers and service users from the labour market. These factors fundamentally stem from neoliberalism, and the harms such processes produce are externalised onto individuals and welfare systems (Beresford, 2005; Tombs and Whyte, 2015).

This section has shown how corporations, supragovernmental bodies, international financial institutions and states work in collusion to impose market ideals. By imposing legal frameworks favourable to corporations, states have permitted crimes and preventable harms against its citizens. This indicates that the ultimate role of international bodies and governments is to reproduce the

interests, and unequal power relations inherent to capitalism (Tombs and Whyte, 2009). Furthermore, attention has been given to the markets domination over politics and the state reliance on private capital, which essentially imprisons policymaking (Lindblom, 1982). Rather than accepting the definition of the free market as under state supervision, which was the embryonic formula of liberalism, contemporary governments are under market supervision (Foucault, 2008). This is because the circulation of elites ensure any significant decision makers are generally harvested from the same ideological crop (Wright Mills, 1956). Such relations mean corporate crimes often occur with the permission, or at the behest of government (Tombs and Whyte, 2015).

The government's regulatory bodies are central to this discussion. In order to understand the nature of corporate wrongdoing within welfare, a comprehensive understanding should be established of the state-corporate relationship. This takes an institutional form through the state's regulatory efforts, and particularly the way government attempts to control business while simultaneously providing it with the context for profit generation. The state designs and supposedly 'enforces' the rules by which the market is supposed to operate, yet the state continually fails in devoting resources towards regulation. The following section details the mechanisms and motives behind the state's working relationship with corporations, and shows how this relationship is a deliberate ploy which enables the state to remain at arm's length of the harms associated with outsourced welfare. The dissertation contends that such formats can be construed as SCBP, as the government is as intimately involved in the production of harm as the corporations delivering services.

### **State Crime by Proxy.**

Welfare privatisation has increased service user harm (Clarke and Newman, 1997), and to better understand this phenomena, analysis into the mechanisms linking the state and corporations with the proxy measures they impose on public life is essential. Corporate and governmental goals, their methods of achieving those goals, and their ability to conceal their activities are complex, and makes studying SCBP difficult (Mathews, 2006). However, the idea of state-corporate crime supplies a framework for analysing organisational deviance created or facilitated at the cross-section of economic and political institutions. This framework locates individual actors within institutional contexts, and further defines them within broader political networks of economic forces which expound their functioning environment. The discussion of collaboration categorises state-corporate crime in two varieties: 'state-facilitated' crime: a category which describes crimes arising from negative complicity (inadequate regulation, wilful blindness etc.), and state-initiated crime: where state agencies lead and organise crime, and are assisted by corporations (Kramer, 1992; Friedrichs, 1996; and Michalowski and Kramer, 2006).

The pressures of profit accumulation are useful in understanding the corporation's criminogenic potential, but it appears a less convincing model for the state. Having said that, there are threads linking economic and political organisational deviance. The majority of state-corporate crimes are "socially injurious acts that arise from the ownership or management of capital or from the occupancy of positions of trust in institutions designed to facilitate the accumulation of capital" (Michalowski, 1985: 314). In short: The state and corporations interact as partners in crime (Whyte, 2009). The depth of this partnership increases the possibility of particular groups and institutions, normally considered to exist 'outside' of the state are used to project state power. The extent to which institutions are considered to exist 'outside' the state when they commit acts on behalf of the state is questionable (Tombs and Whyte, 2015).

Under Cameron's administrations, the state has renounced its role in public services, inflicted marketized strategies on public outlets and outsourced services (Toynbee and Walker, 2015). As well as market creation, the motivation for these processes is to enable the state to become almost phantom like in their operations, as they distance themselves from any direct responsibility and liability within the conduct of public services (Crouch, 2004). As Aulette and Michalowski (1993) noted, state-corporate crime is commonly characterised by cases "in which government omissions permit private business to pursue illegal and potentially injurious courses of action which in a general way, facilitate the fulfilment of certain policies" (p175). This has been a long-established approach to evade responsibility for actions undertaken by state agencies in pursuit of organisational goals, and distance themselves from responsible actors who are administering illicit/harmful activities on the government's behalf (Green and Ward, 2004). This is worrying, as when economic and political powers act in collusion to achieve common interests, the potential for harm is magnified. Therefore states regularly burgeon spoken and unspoken arrangements for deliberate ignorance regarding such actions within broader strategies of denial (Michalowski and Kramer, 2006; Cohen, 2001).

The concept of SCBP aims to fracture the conceptual wall between political and economic crimes, and to fashion new lenses to more accurately investigate the manner in which harms and crimes emerge from intersections of political and economic power. Organisational frameworks combined with political power have led to heinous acts which would otherwise never occur. Economic and political crimes always involve complex causations, as the crimes stemming from elitist decisions are rarely seen to be committed by the officials which authorise them. Should anything questionable or illicit arise, politicians and corporate actors claim 'plausible deniability,' as the blame is passed to other bodies while claiming they never ordered the crimes/harms is question. SCBP occurs when organisations within the state sector, and the private sector pursue goals in

cooperation with one another for their own self interests in a manner which produces harm (Autlee and Michalowski, 2006; Kramer and Michalowski, 1990). These illegal and harmful actions stem from a reciprocated reinforcing interaction between either; policies and practices pursuing the goals of one or more institutions of *economic production and distribution*; or policies and practices pursuing goals of one or more institutions of *political governance* (Autlee and Michalowski, 1993). SCBP are therefore the harmful consequences of deviant inter-organizational relationships between government and business (Kramer and Michalowski, 2006). The public seem blind to these arrangements, which is a purposeful design by the architects of the state-corporate relationship.

The production and control of harm within welfare involves complex interdependency between the state and corporate sectors. Social harm analysis into SCBP allows greater understanding of this phenomena which has three principle characteristics: 1) It draws attention to the ways in which deviant organisational outcomes are not detached acts, but rather the result of inter-organisational relationships: 2) How the horizontal relations between political and economic institutions contain the potential to inflict harmful actions: 3) It also gives scope to consider the vertical relationships of differing levels of organisational action: the institutional, the individual, and the political-economic. This relational approach provides a more nuanced understanding of the processes leading to deviant organisational outcomes, than perspectives which treat either government or business as closed systems (Kramer and Michalowski, 2006; Wonders and Solop, 1993). It is important to look beyond organisational forms to show how power is configured in and through the state (Coleman *et al*, 2009). Using 'other' bodies to conduct crimes on their behalf is a purposeful, and beneficial ploy to disguise true intentions and functions of the state, as well as allowing political leaders to distance themselves from the harms their actions, or orders produce. The criminal courts struggle with the government's ability to 'other' their deviant activities, making accountability hard to come by. Moreover, the wider networks which govern corporate-state surrogates, causes the job of identifying and prosecuting those involved in harm production particularly difficult, which further conceals the actors responsible for harm infliction (Jamieson and McEvoy, 2005).

### **Concluding thoughts.**

This chapter has shown how zemiology provides a wider investigative scope into what or who may be responsible for harm production. By looking beyond the narrow proxy measures or the responsibility of intent sought by criminal justice, zemiology permits consideration towards the political, corporate and collective responsibility of harm. This is especially important in contemporary Britain where neoliberal welfare reform has allowed corporations to profit from people's vulnerabilities (Hillyard and Tombs, 2004; Beresford, 2016; Farnsworth, 2012). This is

concerning as harms are produced systematically by markets, permitted in the knowledge and functions of policy which permit corporations to act in an uncontrollable fashion (Tombs and Whyte, 2004). It has also been highlighted how the focus on crime and individualism serves to maintain existing social relations, and that research around social harm is neglected as it would likely implicate the state (Hillyard and Tombs, 2004).

The state, and corporations act in collusion to create welfare systems which embed various forms of harm. Moreover, the implementation of austerity and the limited funding allocated to services makes it difficult for corporations to maximise financial returns (Deloitte, 2016). This occurs simultaneously with the many forms of 'mock regulation' that the state engages in which permits private welfare providers to continue facilitating harmful practices. The dissertation has indicated that state-corporate designed irresponsibility within legal structures and policy, grants actors separation from their actions. This dismisses any notion of accountability for the various illicit/harmful actions performed routinely by these forces (Tombs and Whyte, 2015). The state's proxy measures within welfare provide the necessary guise for the continuation of neoliberal practices, and the harmful by-products which occur evermore frequently, due to systems of structured irresponsibility. The reality of such notions is the establishment of new harm production mechanisms, with insufficient regulatory agencies to enforce legal repercussions for the harmful practices the state and corporations subject service users too.

The austerity agenda neglects human need and basic welfare interests, whilst denying the general standards of wellbeing necessary for people to function as purposeful agents (Feinberg, 1984; Doyal and Gough, 1991; Gerwirth, 1978). Although the state has frequently claimed that austerity impacts all of society, evidence indicates those of lower socio-economic standing are more susceptible to welfare transformations (Edyrane, 2013). It is generally assumed that living in a supposed free/civilised society brings along the right to be free from pain, coercion or confinement; to have access to systems that aid people's physical/mental health needs, and ample resources to enable people to live an inclusive and fulfilled life (Hayek, 2011). However, the implications of welfare neoliberalisation subject's service users to isolation, shame, ill health and premature deaths, as people are unable to access the basic provision they need to protect them from harm (Barr *et al*, 2015; Mendoza, 2015). The political debate surrounding welfare commonly focusses on gain and costs; dependence and interdependence; wealth creation and consumption. The state is said to be a costly and inefficient provider of services, and various forms of institutional power have successfully promoted the notion that publicly organised welfare is harmful to both individuals and the economy. However, privatised welfare has continually failed to achieve targets and has proved more expensive

while enhancing levels of harm, therefore the proclaimed benefits of privatisation are purely fiction (Beresford, 2005; Parker, 1998).

The following chapters provide case studies to explore the structuring of harm in contemporary welfare services. The first case study analyses elderly care, where austerity has resulted in the institutionalisation of harm through poorly resourced labour processes. The impacts of outsourcing social care to the private sector are discussed as profit overrides the welfare of service users. The state have under-resourced elderly care to the point where neglect and harm are embedded throughout the sector (Skills for Care, 2015). Contrary to government rhetoric of enhanced consumer choice and independence, the elderly 'clients' in need of support have little choice in deciding their fate, and are often trapped in harmful, un-dignified conditions in a system unfit to cater for their needs (Krajewski, 2014; Domingos, 2014). The second case study explores the WP, and argues such processes can be construed as the mass organisation of mental distress. Attention is paid to the sanctioning regime, as it represents direct state-facilitated harm for non-compliance to the conditionality agreements which control the unemployed population (Wiggan, 2012; Wright, 2012). It is important to highlight how the state is fundamentally at fault for all welfare related harms, however sanctioning represents direct state harm, out in the open and away from the proxy measures which dominate contemporary welfare. The chapter goes onto discuss further eligibility measures through the Work Capability Assessments (WCA), which seek to determine whether ill or disabled claimants are fit-to-work, or whether their conditions warrant Employment and Support Allowance (ESA) (Pierson, 2016). This aligns more with the general topic of this dissertation, as WCAs are outsourced to Maximus who facilitate the state's agenda on their behalf (White, 2016). The harms this proxy measure produces are astounding, and arguably define the government's assault on society's weakest citizens.

## Chapter 2.

### Case Study: Elderly Care.

#### Institutionalising harm through poorly resourced labour processes.

Elderly care has always been problematic for government (Lewis, 2001). Discourses relating to elder policy have historically taken for granted the low priority of the elderly, and the burden that ageing places on government and its institutions (Hieda, 2012). Whilst all services have experienced uncompromising financial limits, austerity has dragged social care into new depths of despair (Jordan and Drakeford, 2013). Regardless of the elderly population's growth rate, £4.6 billion has been drained from social care over the past five years (31% real terms reduction). Thus, funding fails to mirror demographical changes and other factors elevating demand. Cameron's governments have also shifted resource allocations based upon party affiliation, limiting funding redistribution to materially deprived areas (Mortimer and Green, 2015; Adass, 2015; Buck and Dixon, 2013; Carr-Hill *et al*, 1997; HCHSC, 1996). Such impacts are grave considering 70% of the home care market and 60% of residential care are dependent on public funds (Laing, 2014). Local authorities now only provide direct care for elderly people when it is demonstrated that corporate provision cannot meet a person's needs (Drakeford, 2000).

There are roughly 17,300 social care organisations generating billions per annum. Financialised interests reflect fleeting profit goals to secure the sectors long-term commercial stability (Skills for Care, 2015; Clark, 2009; Thompson, 2013). However, around half of local authority care directors felt that cost-saving pressured the sectors sustainability, and warned the industry will be financially unviable should cuts continue at current rates (Franklin, 2015). Such market conditions have expanded the role of private equity, as 8% of the residential sector, and 11% of the home care sector are owned by such corporations, reflecting wider trends of larger organisations entering the market (Laing and Buisson, 2012; Buchanan *et al*, 2012). Care privatisation largely entered public consciousness with the Southern Cross Group fiasco (News Item, 2011). Southern Cross was an arm of Blackstone Capital Partners, a private equity firm who orchestrated complex sale-and-leaseback systems which increased rents when local authority funding was ailing, resulting in the firm plunging into administration (Bawden and Alcock, 2011). The government's response was enshrining new responsibilities in the 2014 Care Act, which permitted the CQC to assess care providers' financial sustainability (DH, 2014). However, following the Serious Case Review (SCR) findings in the Orchid View care home, the private equity model came under revived scrutiny. The inquest declared 19 'unexplained deaths' had occurred, and 'neglect' contributed to five of these. The coroner deduced that 'institutionalised abuse' had transpired (BBC News, 2013).

Profit motives are rationalising services. Privatisation has reduced sector wide performance, while diminishing workers' rights and sustaining low pay (Lopez, 1998; Folbre, 2006). These factors contribute to rifts between employer expectations of staff, and the actual ability of workers to deliver decent care (Greener, 2015). Management's formal rules, alongside the informal practice of staff, diverge into 'parallel universes' (Lopez, 2007: 225), because breaking rules guiding care conduct is a 'fix' for the incongruity between formal expectations of staff, and their inability to deliver sufficient care (Bolton and Wibberley, 2004). Care is a relational activity which cannot be rationalised without impacting its central function – to meet the needs of others in a compassionate, responsive and emphatic manner (McDonald and Merrill, 2002; Shah *et al*, 2010; Darton *et al*, 2012). Industries revolving around people cannot reconfigure labour processes effectively to achieve efficiency gains. However, this is neglected as managers fashion labour processes on a commodity production model. Explaining harm infliction through labour processes links malpractice to both the wider political economy and managerial proceedings (Thompson and Smith, 2009).

Private sector carers have worse pay and conditions compared to the public sector. For instance, 59% of workers have had their hours unfavourably altered; 52% had increased workloads; and 51% had pay reductions as corporations capitalise from austerity (Unison, 2013). Labour process theory conceptualises the nature of work, paying specific attention to how contemporary capitalism organises human activities into spatial and temporal processes to create surplus value (Braverman, 1974). This theoretical approach emphasises how care suffers when it becomes rationalised to generate profit. Austerity has resulted in sector wide downward pressure on wages, thus decreasing the value of the labour (Gardiner, 2015). Marx argued the ultimate profit source is unpaid labour (Hodges, 1972). Between 150,000 and 200,000 workers are paid below the minimum wage, and 300,000 workers operate on zero-hour contracts (Skills for Care, 2015; Hussein, 2011). Further, carers frequently work upwards of 12 hours per day and domiciliary workers being unpaid for commuting is statutory. These conditions maximise surplus value for shareholders (Lewis, 1998; Unison, 2013; Bellofiore, 2013). This theoretical standpoint reveals shareholder wealth derives from unpaid labour, while enhancing understanding of social care's exploitative mechanisms. These processes undermine care work, as the poor conditions and status of carers contrasts the skills and responsibilities the job entails.

Poor working conditions contribute to the 25% staff turnover rate, as around 300,000 workers leave the care sector annually. There are worrying levels of inexperienced staff, as 31% (around 372,000) started their role within the past year (Skills for Care, 2015; Unison, 2013; EHRC, 2011). The inexperienced labour force is concerning, especially considering care training is notoriously poor and generally fails to prepare employees for the occupation (Braye and Preston-

Shoot, 1995). The ability to deal with specialised needs is integral to care work, yet training is merely a formality, where the needs of service users are covered with brief explanations to save expenditure (Howarth and Morrison, 1999; Unison, 2013). Training provides managers the alibi needed in the event of mishaps to shift the blame onto workers and disguise structural failures. This is best understood as managers and care providers distancing themselves from responsibility and culpability of potential ramifications. Managers can thus argue the appropriate training practices were followed and bureaucratic instruments were functioning - should accidents occur staff are liable (Greener, 2015).

Staff could have unresolved conflicts due to frustration engendered by the low pay and status associated with care, or the discouragement they feel from the underfunded and understaffed facilities they work in (Keeping, 2014; McDonald, 2010). It could be argued that carers are victims of their situation, as their employment conditions have concurring features with other low pay/status occupations, such as stressful working conditions, few training opportunities, limited career prospects and minimal managerial support (Donovan and Wynne-Hatly, 1986; Downey, 1991; Mitchell, 1991). These factors may contribute to stress, and feelings of unfulfillment, and because of these symptoms they may be less concerned about the welfare of the elderly. In such circumstances, abusive practices are more likely to occur (Marriot, 1997).

Elderly harm must be viewed against the backdrop of poor service development, with the understanding that their dependence is structural (Phillipson, 1977; Townsend, 1981). Explaining harm through a labour process approach links malpractice to the political economy and corporate hierarchy, where harm production is embedded (Thompson and Smith, 2009). Political economy approaches emphasise the economic, and structural issues that are detrimental to personal or interpersonal aspects of harm, as well as the relationships which negatively portray the elderly as passive victims of capitalism (Biggs *et al*, 1995). Elderly people with psychological or physical frailties, illnesses effecting memory and communication, are dependent on others, have poor carer relationships or are socially isolated, are more susceptible to harm (Payne, 2005; Brogden and Nijhar, 2000). Harms can be inflicted in peoples' homes, hospitals and residential care, and may occur when power imbalances are present (Whittacker, 1997; Anderson and Braun, 1999). However, harm infliction and abuse can occur in a variety of forms, as '*No Secrets*' states:

A violation of an individual's human and civil rights by any other person or persons... Abuse may consist of a single act or repeated acts. It may be physical, verbal or psychological. It may be an act of neglect or an omission to act, or it may occur when a vulnerable person is persuaded into a financial or sexual transaction to which he or she has not consented or cannot consent. Abuse can occur in any relationship

and may result in significant harm to, or exploitation of, the person subjected to it.  
(DH, 2000: 9)

If the exercise of rights is the hallmark of citizenship then many elderly people are exempt. Elderly people are often confined in institutional settings where they are at greater risk of harm than those in the community (Bonda and Bello-Haas, 2009). They often have little choice where they are placed, and frequently find themselves in a disorientated state in unfamiliar surroundings. This causes many elderly residents to lose their remaining skills, suffer from isolation, loneliness, depression and emotional distress having lost their existing support networks, making them more susceptible to inappropriate care (Prichard, 1997). Abuse takes many forms. Physical abuse may involve being hit, burned, sexually assaulted, or physically restrained, whereas psychological abuse can involve a person being humiliated, insulted, intimidated, or frightened (Hickey and Douglas, 1981). Thus, elderly abuse consists of the systematic maltreatment by care-givers (Eastman, 1984). There have been countless cases of abuse and cruelty although deliberate abuse from staff is less common. Physical neglect however, is common, and is evidenced in the countless cases of insufficient nutrition, bedsores, and improper medication administration (Kimsey *et al*, 1981). It is customary to draw distinctions between individual harmful/abusive acts in institutions and clear institutional or institutionalised harms/abuse (Glendenning, 1997). Although direct abuse does occur, the scale of it does not compare to institutional abuse, where the rules, environment and practices of institutions become harmful/abusive in themselves (Decalmer, 1993).

It would be naïve to argue that the neglect which mars elderly care occurs because care staff are simply bad people who are unfit to practice. Sector wide neglect is a consequence of privatisation/marketization as understaffed and under resourced services, combined with overworked and undertrained staff culminate to the point where mistakes are incessant in care settings. The government should acknowledge that harm is created through their policies, their insistence in engineering social care as a market, and from failing to stop regulatory bodies from furthering corporate interests. However even if the CQC had the capabilities to criminalise guilty actors, the fact that they are set up to advance corporate interests over the safeguarding of vulnerable people means that such regulatory bodies are unlikely to be credible (Tombs and Whyte, 2008; Glendenning, 2012).

### **Concluding thoughts.**

What is the point of state run regulatory bodies such as the CQC when it is the state who is promoting the market values that are at the root of the mass malpractice in the sector? The CQC is central to the discussion because it embodies the fact that the state oversees the sector while

simultaneously providing it with the context for profit generation. This shows how the state designs, and supposedly enforces the rules for the market, and exemplifies how it fails in its operational duty of protecting the elderly from the market's vagrancies. Care corporations hold significant political weight (under current conditions) because without them there would be few avenues to cater for Britain's ageing population. The state's funding reductions to the CQC, it could be argued, is a recognition that a key aspect of its operations is to permit, even encourage economic progression, and only intervene in clear cases of protection (Tombs and Whyte, 2008; Glendinning, 2012). Less regulation means greater corporate freedom (Leonard, 2015), and it benefits the state for such practices to continue as they have outsourced the responsibility of harm - at least perceptually - to other bodies. This enables them to remain at arm's length of the harms their policies produce.

This chapter has shown how care providers only generate profit by cutting financial corners. However, many harms inflicted upon both staff and service user's stretch wider than this, as human and welfare rights are frequently violated in this deteriorating sector (HRW, 2013). As long as service users are subject to the control of corporations these crimes/harms will continue. The fragmentation of care has led to an array of accountability problems, as the state and corporations both claim plausible deniability to protect their interests (Streifer and Barr, 2008; Martin *et al*, 2010). The state's proxy measures have resulted in actions that could be considered crimes, especially because they represent the mass mistreatment of the elderly. These people often have mental, physical and cognitive illnesses which further deteriorate as their needs are neglected under current formats (Naylor *et al*, 2012). It can be argued that this a SCBP, as the outsourcing of care is to hide the mistreatment of innocent people from the electorate. By permitting corporations to facilitate this state function, the government has distanced itself from guilt, perceptually playing no part in the harms their orders produce (Michalowski and Kramer, 2006). The following chapter analyses differing aspects of the WP where punishment rather than support is the dominant ideal within welfares unemployment remit (Slater, 2012).

### **Chapter 3.**

#### **Case Study: Mental Health and Welfare Reform: The mass organisation of mental distress through austerity driven welfare reform.**

This chapter analyses the structuring of harm within welfare and details how austerity driven reforms can be construed as the mass organisation of mental distress. The Welfare Reform Act (2012) transformed welfare into workfare, as claimants now partake in enhanced conditionality requirements to receive relief (Fletcher, 2015). The WP paints a disturbing picture of the harmful reality of contemporary welfare, as reforms have increased suspicion and control over citizens, whilst justifying it as incentivising the ‘feckless’ (Garthwaite, 2013). This chapter covers the Jobseekers Allowance sanctioning regime, where the state withdraw benefits following non-compliance (Beatty *et al*, 2015). Zemiology enables qualitative assessment of the implications of sanctioning and WCAs, which determine the eligibility of ill and disabled adults (Morrison, 2013). Unlike sanctioning, where the state directly controls the operation of harm production, WCA represents state-corporate facilitated harm and can be construed as SCBP. The chapter contends the state and corporations act in collusion to commit crimes against citizens to achieve economic ends. It is noteworthy to mention how the inclusion of further conditionality arrangements, such as the ‘bedroom tax’ were considered however, it was beyond the scope of this dissertation.

#### **Welfare conditionality and the sanctioning regime.**

Sanctions are essential to enforcing mandatory participation, because participation is not truly mandatory unless there is a consequence for not participating.  
(Besharov and Germanis, 2004: 99)

Welfare conditionality is a longstanding practice, however the introduction of enhanced sanctioning in 2012 intensified it. Non-compliance now results in benefit withdrawal for any time between two weeks and three years, as the state attempt to deter and control claimant numbers (Wright, 2012; Wiggan, 2012). The Claimant Commitment agreement specifies requirements such as: job-seeking for 35 hours per week; job application targets; and attending meetings and courses. Benefits are conditional on such requirements (HCWPC, 2014). The state assumes sanctions are amenable remedies to reform delinquent characteristics (Watts *et al*, 2014). This ideology is detrimental to the health and prospects of Jobseekers, as punishment rather than support and development is the dominant ideal (Mind, 2014). Justifications for conditionality generally derive from paternalism, as the state acknowledge sanctions cause short-term harm, but feel they are in claimants long-term

interests (Watts *et al*, 2014). From 2010-2015, around 3.4 million sanctions were served effecting 22% of Jobseekers (Field and Forsey, 2016; AY, 2014). Most claimants know about sanctions but fail to understand the severity of the principles, meaning the state effectively punish for poor understanding rather than deliberate non-compliance (Griggs and Evans, 2010).

Sanctioning decreases employment prospects - in 2013 for example, only one in seven JSA claimants gained employment within 12 months of WP participation, and only one from 25 ESA claimants (DWP, 2013; Watts *et al*, 2014). Such figures appear to be a failure, however, the majority of DWP targets are based around benefit off-flow making sanctions crucial (Beatty and Fothergill, 2011). Jobcentre advisors are obligated, even incentivised to increase benefit off-flow (Langman, 2012). How the state expect people to continue seeking employment without adequate resources is unfathomable considering benefits are essential for survival (O'Hara, 2015). Furthermore, the financial disruption of sanctions falls disproportionately upon those with the least capacity to absorb them, leaving many destitute (Clark and Heath, 2014). Destitution arises within welfare arrangements when vulnerable groups have insufficient social security entitlements to meet essential needs. Claimant's precarious socio-economic position leaves them little capacity to withstand income 'shocks' (Fitzpatrick *et al*, 2016).

Disturbingly, harm to health is a deliberate facet of sanctioning. This seems a farfetched accusation, however the DWP guidance acknowledges sanctions deteriorate health:

It would be usual for a normal healthy adult to suffer some deterioration in their health if they were without (1) essential items, such as food, clothing, heating and accommodation or sufficient money to buy essential items for a period of two weeks.  
(DWP, chapter 35, para 35099, 2015a)

It's alarming that the welfare system deliberately exploits people's vulnerabilities to enhance social control. Claimants' income is around the destitution threshold, meaning slight financial alterations make necessities unattainable (Fitzpatrick *et al*, 2016). It is common for claimants to have inadequate clothing, heat or light in homes, or to fall behind on bills (CAS, 2014). Food and hunger are constant sources of stress. Many claimants rely on food banks for survival, and the stigmatisation associated with this contributes to anxiety, as the embarrassment of being poor and reliant on others for support ads to feelings of helplessness. Many take out debt, joining the one million households dependent on pay day loan companies to cover basic expenditures. These economic hardships, and the culmination of stressful factors are triggering unprecedented levels of depression, anxiety and self-harm (Barnes *et al*, 2016; Clifton, 2013). People losing their benefits is one thing, but how sanctions impact people's dignity and health is another. It may seem obvious that economic

hardship effects mental health, however the shame, isolation, powerlessness and insecurity associated with poverty are exacerbated by sanctioning. Jobseekers have mental health issues at nearly twice the rate of the general population, with almost a quarter living with symptoms of anxiety or depression. The shame and stigma associated with the WP is proving too much for claimants, many of whom see suicide as the only option to relieve themselves from mental strain (Fitzpatrick *et al*, 2016).

95% of suicides are due to mental distress and in 2013, 6,233 people committed suicide (Cavangh *et al*, 2003; ONS, 2015). Suicides increase in times of economic hardship, with those of a lower socio-economic position being 10 times more susceptible to suicide than those of affluence, with unemployed citizens being three times more likely to commit suicide than those in employment (Durkheim, 1897; Kennelly and Connolly, 2012; Wyllie *et al*, 2012). Applying zemiology to such harms would investigate beyond prevalent assumptions of mental distress as a personal, or public health problem, as the issue is largely political (Wright Mills, 1959; Duterte, 1984). The causes of suicide predominantly derive from socio-economic factors such as inequality, socio-economic deprivation, unemployment, health inequalities, social exclusion, as well as precarious welfare processes (Wyllie *et al*, 2012). People perceive themselves as burdens, promoting the isolation and social disconnection associated with sanctioning (Robiero and Joiner, 2011). This is no more evident than within the male unemployed population.

Men are four times more likely to commit suicide than women at 19 deaths per 100,000 and 5.1 per 100,000 respectively (Leone, 2012; Scowcroft, 2015). Imposed gender roles alongside benefit conditionality contribute to suicide discrepancies (Maris *et al*, 2000; McCartney, 2014). The unfortunate culmination of mental health issues, feelings of entrapment, defeat and worthlessness are manufactured within particular economic, social and cultural contexts contributing to male suicide rates. Definitions of masculinity are counterproductive amongst claimants, as poor living standards, combined with suspicion and material punishment, contradict the ideals of hegemonic masculinity. Having to depend on others undermines expectations of security and stability, meaning unemployed men lack key aspects of masculine identity (Fitzpatrick *et al*, 2016; Wyllie *et al*, 2012; Tomlinson, 2012; Kreitman *et al*, 1991). This enhances risk of depression, alcohol and drug abuse, and social isolation which are also contributing factors in suicide (Lundin and Hemmington, 2009).

Sanctioning exacerbates the shame, isolation, powerlessness and insecurity which have long been endemic to poverty. The threat is ever-present, and leads to perpetual cycles of uncertainty, as claimants are only ever one mistake or misunderstanding away from destitution. Unfortunately for some claimants, a life of being disrespected and dishonoured is too unbearable. This section has

highlighted the socio-economic factors of the increase in suicides, and how they were exacerbated by sanctions. The state must address the causes of the clamant vulnerability for lower socio-economic demographics. Inequality and socio-economic deprivation should also be addressed, but in the short-term the state must reconsider its punitive stance on benefit conditionality as this would alleviate many unnecessary harms and deaths (Wyllie *et al*, 2012).

So far this chapter has devoted attention to direct state-facilitated harm through the sanctioning regime. The chapter has shown that sanctions are counterproductive and dangerous, as the state is punishing people in their lowest, most desperate hour for the 'cardinal' sin of unemployment. The following section highlights another aspect of the WP through analysing WCAs. This section will show how the state's proxy measures systematically target society's most vulnerable demographics, and the subsequent effects such processes have upon those most in need of state relief.

### **Work Capability Assessments.**

The WP systematically targets vulnerable people who often do not have the capacity to work (Sinclair, 2016). Corporations aid the government's classicist agenda, as private company Maximus administer WCAs to determine if ill or disabled claimants are fit-to-work or eligible for ESA (Pierson, 2016). People claim ESA when their GP's deem them unfit to work, the DWP then assess medical evidence when claimants apply for ESA (Griffiths and Patterson, 2014). Claimants are required to complete the ESA50 questionnaire for initial assessment (Harris, 2013). It is un-dignifying to have to justify conditions, especially considering doctor's notes are legally binding documents evidencing medical ailments (Blackwell, 2010). WCAs consist of Maximus's healthcare officials asking questions regarding claimant's day-to-day activities to assess how their disability, or illness effects working capabilities. WCAs are points based – a minimum of 15 points deems people as having limited capacity to work (Litchfield, 2013). Assessors ask health related and generic questions which manipulate claimant responses to align with preferred outcomes. Claimants may also be required to carry out physical tasks to assess their capabilities (DWP, 2014; DS, 2012; NAT, 2015). Maximus's healthcare professionals have the power to override GP's should they deem claimants fit-to-work (DPAC, 2012). However, health conditions are rarely consistent, and people may be able to perform greater physical activities on some days than others, and for those with mental illnesses, a 'normal day' is hard to define (Hausman, 2015; Rogers and Pilgrim, 2003). Such conditions are not as simple as black and white, yet such factors are disregarded.

Maximus's health professionals adhere to DWP performance targets to increase benefit off-flow, thus setting claimants up to fail (NAO, 2016; Bailey and Jeffrey, 2012). Healthcare professionals

make recommendations to the DWP based on WCA outcomes, and claimants must then wait for the DWP's 'decision makers' call. They assess the evidence of the ESA50 and the WCA to decide if claimants should be placed into the "unfit to work" category where claimants can continue claiming ESA, or the "Work Related Activity Group" (WRAG). This means ESA is withdrawn and claimants are transferred to Jobseekers Allowance (Adams *et al*, 2012). This process significantly reduces income, and claimants must adhere to Jobseeker conditionality regulations (discussed previously). However the WRAG subjects claimants to more stringent conditionality because they could face open ended sanctions, followed by fixed period sanctions (Watts *et al*, 2014). WCAs have little regard for how ill or disabled claimants need the extra capital ESA provides to live a safe and dignified life (Hemingway, 2011). These processes further marginalise some of society's most vulnerable, as claimants struggle to manage their new living conditions, which result in increased harms and deaths amongst those unfortunate enough to be subject to WCAs:

The government's own statistics show that, between 2010 and 2011, 10,600 sick and disabled people died while going through the Atos Assessment process. This is 204 people a week, or 29 people a day. Some 2,200 of these people died before finding out if they were still entitled to their social security, and an astonishing 1,300 had been declared 'fit to work' by being placed in their Work Related Activity Group. These people spent their final weeks alive being harassed by the Job Centre, answering pointless questions, and fretting over late-payment notices and threats of eviction as their social safety net was ripped away.  
(Mendoza, 2015: 65)

As well as this wave of unnecessary and preventable deaths, the WCAs impacts include 279,000 additional self-reported mental health cases and 725,000 additional anti-depressants prescriptions, such mental distress levels contributed to the 590 associated suicides between 2010-13 (Barr *et al*, 2015). These figures failed to deter the continuation of WCAs, and a Freedom of Information Request forced the government to release up-to-date statistics on WCAs impacts (Butler, 2015). *Mortality Statistics* (2015) revealed 80 people a month have been dying after being declared 'fit-to-work'. These statistics point to two noteworthy facts: between December 2011 and February 2014, 2,380 people died after being deemed fit-to-work and rejected for ESA; and 7,200 deaths occurred after being granted ESA and placed in the WRAG category (DWP, 2015b). The impacts of the WCA on mental distress and mortality rates are concerning, and can be deemed SCBP. This is because the harms produced by Maximus are produced by order of the state, whose policies permit- even encourage- the mistreatment of claimants. WCAs could be deemed criminal because they represent the systematic targeting of societies weakest citizens (Crisis, 2012). These people are helpless against such institutional power, as the strain the WP places upon claimants pushes many into the social abyss or early graves.

WCA processes could arguably be viewed as democide, as some claimants are, in essence, killed by the state or officials acting on their behalf (Totten and Bartrop, 2008). This means that Maximus are also culpable because they are acting according to DWP policy which is proven to cause death with the approval of state officials. These deaths therefore can be considered democide as the government is purposely permitting and/or creating conditions which systematically produce death. Moreover, WCAs features share many genocidal traits: Targeted groups, like the ill and disabled, suffer gross mental and physical harm. The state have also deliberately inflicted physical destitution on a group which fails to align with their ideology (Simon, 2007; Nersessian, 2010). When WCAs are conceptualised with the language of *democide* and *genocide*, it fashions new lenses to view contemporary welfare arrangements. These words are normally associated with the horrors of the Holocaust (Rubinstein, 2004), and if the public viewed the WP in this light they would likely deem such actions/processes criminal and demand accountability. This is why the state establish proxy measures - to distance themselves from the harmful consequences of WCAs, as the state is as intimately linked to harm production via Maximus. These processes stem from a reciprocated, reinforcing interaction between governmental policy, and the formats which enable the pursuit of aligned state-corporate goals. Such proxy measures provide the essential guise for the state to distance themselves from potential legal ramifications, and for the electorate to disassociate the harms and deaths caused by WCAs from the state. This is a purposeful design of the government's proxy measures, because in the event of mishaps the state can blame Maximus for the mass mistreatment of society's welfare dependents.

### **Concluding thoughts.**

This chapter has shown how the state and corporations use highly sophisticated strategies that are supported by ideological rationales to collaborate in the production of crime/harm against state dependent citizens. State-corporate crime- where select corporations exploit citizens to achieve profitable ends- reflects the impacts of neoliberalism. The term 'crime against citizens' is arguably a more fitting way to conceptualise the extent and scale of harms the state-corporate partnership inflicts on society's vulnerable. This chapter has shown the cleft between the rhetoric justifying the WP and the evidence of its impacts, and shown how neoliberal processes severely undermine the welfare state's underlying philosophy (Morgen *et al*, 2010). People are subject to the market's vagrancies as the current system strips people of their only income for non-compliance of overly strict rules, or being deemed not ill or disabled enough to receive correct entitlement (Paz-Fuchs, 2008). Welfare claimants have committed no crime, yet are being punished for failing to meet capitalisms ideals.

The WP is unjust, discriminative and harmful, and has increased the propagation of material disadvantage and poverty, shame and stigma, exclusion and isolation, and dwindled assistance entitlement and recognition of infirmity. This chapter has detailed how death is now a standardised component of contemporary welfare, as a combination of sanctions, multiple cuts and defective “fit-to-work” tests have increased harms and mortality (Embargo, 2013). Such preventable harms are structural failures to protect the poor, ill and disabled. In blatant view, welfare principles are being stripped; moving away from respect, solidarity and opportunity, towards isolation and destitution (Hansen, 1999). It is difficult to justify a system that impacts so severely on people seeking support. Irrespective of class, circumstances or material need, all citizens have innate human dignity and deserve to be treated with respect (Nussbaum, 2011). It is concerning that foundational Beveridgean welfare principles are being contradicted so viciously as society should reflect people’s mutual dependence instead of demonizing those in need. Central to concerns is a rudimentary question: what are the goals of contemporary welfare? If it is merely to reduce welfare recipients then it is operating optimally. If this is society’s goal however, then what is the purpose of welfare provision? If the state wants a healthy, labour engaging population, performing sustainable, fulfilling and economically viable jobs, then current processes are causing more harm than good. Societies aim should be to avoid hardship, but as this chapter has shown, the state is unequivocally causing direct mass harm, destitution and death to achieve neoliberal objectives.

#### **Chapter 4. Conclusion.**

This dissertation has detailed how the past 30-40 years of neoliberalism has transformed welfare into a key arena for corporate profit generation, and how such social and economic developments have been exacerbated under recent Conservative rule. Further, attention has been paid to how the concept of crime serves power relations and permits the state to discredit the structural determinants contributing to harm (Tombs and Whyte, 2015). The social harm perspective provided the yardstick by which harm could be measured, to develop a means of conceptualising the injurious nature of corporate welfare delivery. Corporations are criminogenic by nature and have further compounded the problems associated with contemporary welfare. Myths have been dispelled that the state and corporations are binary opposites with opposing interests, as austerity, whilst being propagated as a necessity, has proved to be the necessary guise for privatisation (Berry, 2016). Austerity has ignored basic human needs and denied people the ability to function as purposeful agents. This dissertation has discussed how austerity has limited the funding allocated to corporate services, which in turn coerce providers into implementing marketized strategies to reach profitable ends (Deloitte, 2016). This is exemplified in the case study analysing elderly care, where such processes have resulted in the institutionalisation of if harm through poorly resourced labour processes.

Political economy approaches within elderly care emphasise the economic and structural issues, where practices geared towards saving expenditure result in harms being incessant in care settings (Ugwumada, 2011). A cross-sector drive to diminish workers' rights and sustain low pay has had negative effects on performance. Contrary to political and corporate assertions, industries revolving around people cannot reconfigure labour processes to achieve efficiency gains. Care is a relational activity which cannot be rationalised without impacting upon its central functions (McDonald and Merrill, 2002; Shah *et al*, 2010; Darton *et al*, 2012). The government rhetoric claiming enhanced consumer choice and independence has been questioned, and it has been shown that elderly social care 'clients' are often trapped in the harmful and un-dignifying conditions defining this deteriorating sector (Domingos, 2014; Krajewski, 2014). The government must acknowledge that because of their insistence on engineering social care as a market, their policies are the source of mass devastation. To further analyse contemporary welfare, the second case study provided an overview of the WP, which the dissertation contended could be construed as the mass organisation of mental distress through austerity driven welfare reform.

By providing contrasting accounts of both direct state-facilitated harm through the sanctioning regime, and state-corporate facilitated harm by way of WCAs, this dissertation aimed to highlight the different ways in which harm is produced by the WP. The dissertation has shown how

the state assumes sanctions are necessary remedies to reform delinquent characteristics, however such ideologies have proved counterproductive considering how DWP targets are based around benefit off-flow (Bailey and Jeffrey, 2012; Beatty and Fothergill, 2011). It has been asserted that sanctioning deliberately inflicts harm and exploits people's vulnerabilities to achieve control and compliance. The isolation, powerlessness and insecurity which have long been endemic to poverty are proliferated through sanctioning, and it has been detailed how such processes have increased mental distress and suicides, particularly within the unemployed male population. This is attributed to not only poor living standards, but also to the suspicion, material punishments and the shame associated with being supplicant on others (Wyllie *et al*, 2012; Marris *et al*, 2000; McCartney, 2014). The dissertation has shown how sanctioning represents direct state-facilitated harm out in the open, and away from the proxy measures which dominate contemporary welfare, unlike WCAs which defines the state-corporate assault on the non-working population.

The WCA, like sanctioning, is geared towards benefit off-flow and sets claimants up to fail. The increasing harms and deaths associated with WCAs have failed to deter the state from implementing neoliberal ideals, which- it has been asserted- could be construed as SCBP. The WCA can also be viewed as criminal because it systematically targets citizens who often do not have the capacity to work, and are helpless against the institutional forces consigning them to a marginalised existence. The mortality rates associated with the outsourcing of WCAs are astounding, and is arguably democide, because the state has created and continue to permit the conditions for Maximus to act according to policy which is proven to cause death. Should the public be aware of such practices, they would likely deem them criminal and demand accountability. This dissertation contends that this is why the state establishes proxy measures – to distance themselves from the harmful consequences of contemporary welfare arrangements. It has been argued that the state is as intimately linked to harm production as the corporations acting on their behalf, as these processes stem from a reciprocated reinforcing interaction between state policy, and the formats pursuing aligned goals.

Attention has been given to how proxy measures provide the state distance from potential legal ramifications and how this is a purposeful design to disguise the mass mistreatment of welfare dependents. Moreover, arguments were put forward that the term 'crimes against citizens' is more fitting to conceptualise the extent and scale of harms that state-corporate partnerships inflict on society's vulnerable, as it not only reflects the impacts of neoliberalism, but is also a means where select corporations exploit citizens to achieve profitable ends. Analysis into SCBP allows greater understanding of the mechanisms of harm production, and draws attention to how such processes are the consequences of deviant inter-organisational relationships between government and

business. The concept of SCBP and zemiological approaches has been used to rupture the conceptual wall between political and economic crimes/harms. This has fashioned new lenses with which to better view the ways in which harms and crimes emerge from the intersections of political and economic power (Autleee and Michalowski, 2006; Kramer and Michalowski, 1990).

This dissertation has provided an examination of the unprecedented levels of harm produced by neoliberal welfare arrangements. The evidence shown highlights why resistance must occur to prevent further corporate participation in service delivery, because the needs and rights of service users must be prioritised over the needs of capital. Contemporary welfare arrangements only serve the very corporations who disregard the humanistic consequences of their endeavours. All people have innate dignity, compassion and self-respect and are more than mere corporate commodities. Citizenship rights must be upheld in order to prevent the scale of harms currently dogging contemporary welfare. To achieve this, the corporate ethos must be replaced with public service ideals in order to re-create the fundamentals of the post-war consensus. Contrary to state-corporate rhetoric, neoliberalism is not inevitable, and the harms produced by the profit process do not have to occur. The public should be made aware of how the state is committing crime and inflicting harm through various proxy measures. This will take further, more detailed research than what this dissertation provides, and will take the political will of citizens, who more than likely, throughout their lifespan will be subject to the control of welfare corporations should neoliberalism be allowed to continue. Society has an ethical obligation to fight against the neoliberal tide sweeping away the services which made Britain a social democracy. If resistance doesn't occur, the various forms of institutionalized power will only enhance their already powerful positions and establish new forms of state-corporate harm production to the detriment of all citizens.

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