

Home Affairs Select Committee Inquiry: Young Black People and the Criminal Justice System

First Annual Report
December 2008

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Introduction

The House of Commons Home Affairs Select Committee (the Committee) published the report of its Inquiry on *Young Black People and the Criminal Justice System (CJS)*¹ on Friday 15 June 2007. The Inquiry looked at the relationship between young black people and the CJS, focusing on the reasons for their over-representation in the system.

The Government's response to the Committee's Report was published on 18 October 2007² and set out a detailed response to each of the Report's recommendations. The paper included a commitment to publish detailed operating proposals and a governance framework³ for delivery of the cross-Government commitments made in the main response. This framework was published, accompanied by a Written Ministerial Statement (WMS)⁴ laid by the Secretary of State for Justice and Lord Chancellor, on 13 December 2007.

The WMS and the governance framework committed us to reporting progress annually to the Committee. This report is the first such Annual Report.

Addressing unfair disproportionality requires sustained, cross-governmental action to tackle the socio-economic, cultural and CJS issues that may impact adversely on young black peoples' lives and make them more susceptible to contact with criminal justice services. Outlined in this report are the strategies and activities that will make, and are, making a difference. These are the building blocks that will deliver real changes on the ground. We are determined to ensure that we can demonstrate to communities that our work is having a positive impact on the lives of young black people and to do this we must first and foremost improve the data that we collect on their experiences of the CJS. This report outlines the significant work we are undertaking to improve data collection and use. That in isolation will not change outcomes but will inform and underpin the activities that will.

For the first time, the Government's public service agreement (PSA) targets require departments to work together to deliver the socio-economic and cultural shifts needed to improve the life chances of all young people. PSA 24 (Deliver a more effective, transparent and responsive criminal justice system for victims and the public) requires that Local Criminal Justice Boards (LCJBs) look critically at the data that tracks the experience of Black and Minority Ethnic (BME) people in the CJS in their area and to implement action plans to eradicate unfair disproportionality where it is found.

This report updates the Committee on the progress we are making on the range of commitments we set out in our response to the Committee's recommendations. Whilst the focus of the Inquiry and report is on young black people in the CJS, we also recognise that many of the recommendations are equally applicable to other over-represented groups in the CJS.

To make it easier for the reader to track progress, we have used the same structure in this report as in our response to the Committee's original report. Each recommendation or conclusion from the Committee's report is identified (with its paragraph reference) and is accompanied by an update on progress.

1 House of Commons Home Affairs Committee (2007): *Young Black People and the Criminal Justice System*, The Stationery Office, London
URL: www.publications.parliament.uk/pa/cm200607/cmselect/cmhaff/181/181i.pdf

2 'The Government's Response to the House of Commons Home Affairs Select Committee Report: *Young Black People and the Criminal Justice System*' (CM 7214) (2007), Ministry of Justice, London
URL: <http://www.justice.gov.uk/docs/ybp-and-cjs.pdf>

3 'Delivering Improved Outcomes for Young Black People in the Criminal Justice System' (2008-2011), Ministry of Justice, London
URL: <http://www.justice.gov.uk/docs/delivering-improved-outcomes.pdf>

4 Hansard, Volume 469, Column 64WS, 13 December 2007
URL: <http://www.publications.parliament.uk/pa/cm200708/cmhansrd/cm071213/wmstext/71213m0004.htm>

A Coherent Strategy

Recommendation 1

To provide a focus and structure for change, we recommend that the Government should draw together a specific, cross-departmental strategy to reduce the over-representation of young black people in the criminal justice system. The strategy should bring together a coherent overview of what is being done by all government departments and at national and local level at present to reduce over-representation and should make an assessment as to why it has failed. It should make specific recommendations as to the contribution which is needed from each department and agency in order to reduce over-representation. (Paragraph 219, Main Report; Paragraph 8, Conclusion & Recommendations)

Recommendation 2

The strategy to reduce over-representation will need to set out clearly the responsibility of central Government departments. Co-operation between the Home Office and the new Ministry of Justice over this issue will be key. The Department for Communities and Local Government, Youth Justice Board and the National Offender Management Service (NOMS) will also have a vital role to play. (Paragraph 220, Main Report; Paragraph 9, Conclusion & Recommendations)

The vast majority of young black people lead purposeful lives and achieve their full potential. But too many young black people are coming into contact with criminal justice services and we need to change this. We are determined to do this through co-ordinated activity by the government departments that have the potential to impact on young people's lives. We have the tools we need to drive this activity. New Public Service Agreements for

the period 2008-11 provide the framework through which we are delivering the socio-economic and cultural shifts needed to improve the life chances of young black people and to decrease the likelihood of detrimental involvement with the CJS. For the first time, all departments are required to work together to deliver these thirty PSAs. This requirement is set out for each PSA in a single *Delivery Agreement*,⁵ binding upon all contributing departments and agencies, championed by Ministers and delivered collectively by local delivery partnerships.

The core aims of the cross-cutting strategies that we have put in place to improve the lives of young people, including young black people, are enshrined in the PSA Delivery Agreements and delivery plans. Each PSA has its own delivery structure to drive, focus and monitor activity and we report progress at regular intervals through publication of key statistical and performance data and through the Departmental Annual Reporting and Autumn Performance Reporting processes.

In our response to the Committee we agreed that young black people's experience of the CJS was shaped both by factors external to the CJS and by the workings of the CJS itself. To galvanise activity across criminal justice services, PSA 24 includes a priority action, fundamental to delivering justice for all but with a specific focus on improving the experience of those from minority ethnic communities, which requires that, by the end of the target period (March 2011):

Criminal justice agencies will be better able to identify and explain race disproportionality at key points within the CJS and will have strategies in place to address racial disparities which cannot be explained or objectively justified.

⁵ Comprehensive Spending Review 2007: Public Service Agreements, November 2007
URL: http://www.hm-treasury.gov.uk/pbr_csr07_public_service_agreements.htm

At the heart of this target is the drive to ensure that local agencies, under the leadership of Local Criminal Justice Boards, are able to identify, understand and address race disproportionality at key stages in the criminal justice process. The target requires that by 2011, all LCJBs will be able to produce the minimum data set (a comprehensive collection of ethnicity data across all the agencies); 70% will have analysed that data and identified the causes of disproportionality and 55% will have in place action plans to reduce unfair disproportionality.

Delivery of this priority action, along with the remaining priority actions, is governed by the Race Disproportionality Delivery Board, reporting to the Criminal Justice System Operational Board. Both Boards have representatives from across the criminal justice departments and agencies and the Operational Board is responsible for driving a national programme of activity to deliver the PSA as a whole. It is accountable to the National Criminal Justice Board, which includes membership from key non-CJS departments and on which the Secretary of State for Children, Schools and Families is represented. Ultimate accountability rests with the Cabinet sub-Committee on Justice and Crime. Comprehensive arrangements are in place to monitor and drive delivery of this work.

At the local level each LCJB is required to produce a three-year strategy with supporting periodic action plans for the PSA period setting out activities which will enable them to deliver against each of the priority actions. This approach allows for plans to be tailored to meet the needs of local communities and respond to local issues with local solutions.

Furthermore, the cross-Government *Youth Crime Action Plan*⁶, published in July 2008 sets out a national strategy to tackle youth crime. This plan is a fundamental tool to help deliver PSA 14 – particularly the national indicator to reduce the number of first time entrants going into the Criminal Justice system.

Recommendation 3

We do not believe there should be an explicit target to reduce over-representation. Such a target would create the perception and perhaps real danger that the exercise of justice was being distorted to meet a Government target. Instead, we believe that the Government's aim should be to work towards a situation in which levels of recorded crime, self-report surveys about involvement in the Criminal Justice System and levels of victimisation reflect the proportions of young people from different socio-economic backgrounds in the population. The Section 95 statistics published annually by the Home Secretary should include details of progress towards this goal. (Paragraph 222, Main Report; Paragraph 11, Conclusion & Recommendations)

In our original response to the Inquiry, we agreed that an explicit target to reduce over-representation was potentially unhelpful. Indicator 4 of PSA 24 target requires criminal justice services, acting collectively through LCJBs, to undertake a series of incremental actions to enable them to identify, understand and address unjustified race disproportionality in their area. There is no directional target. Instead, criminal justice agencies have been jointly tasked with delivery of priority action 4 within the PSA target and are being equipped and supported to deliver improvements through:

⁶ 'Youth Crime Action Plan' (2008), COI, London
URL: <http://www.homeoffice.gov.uk/documents/youth-crime-action-plan/>

Data collection

- achieving consistent collection of good quality ethnicity data according to the Minimum Data Set;
- adopting the I6+I standard for recording of ethnicity data established by the Census 2001;
- publishing data from local agencies for local communities.

Data analysis

- using national data to identify key areas of disproportionality;
- using local ethnicity data and information to identify areas of disproportionality at key stages of the criminal justice process;
- understanding the causes of disproportionality locally using diagnostic tools.

Local action plans

- using the products of the improved data collection and analysis, to determine local priorities to reduce disproportionality;
- ensuring action plans meet the needs and aspirations of minority communities through effective consultation, engagement and feedback;
- publishing action plans;
- implementing and evaluating actions within the plan to reduce disproportionality.

To focus the work we have identified key areas where disproportionality is likely to have a direct impact on community confidence.

- Stop and Search
- Charging decisions
- Prosecutions of hate crime

- Bail decisions
- Reconviction rates
- Custodial sentences for first-time offenders
- Quality of life in prison establishments
- Victim satisfaction rates
- Employment, retention and progression

We recognise that LCJBs, using local data and local knowledge and working collaboratively with local communities, are best able to analyse and address unfair disproportionality in their areas. To support them to do that we are developing a series of diagnostic tools that guide them through a critical analysis of the data to develop evidence-based responses.

The Practice Orientated Package (POP), which is one such tool, is already supporting a number of police forces to reduce unjustified disproportionality in stop and search. We are piloting a diagnostic tool on staff retention across all the criminal justice agencies in the Durham LCJB and with the police service in Sussex. Following live testing, we aim to publish the tool in early 2009 and embed its use, where appropriate, across all 42 LCJBs. We are also working with seven LCJBs to research and develop a similar diagnostic tool on the handling of hate crimes and aim to publish and implement this in early 2009. A diagnostic tool on bail is also being developed.

We aim to have all the tools in place by the end of 2009.

The Ministry of Justice continues to publish the annual collection of statistics on race and the CJS (the Section 95 statistics) and to use the data and that from other surveys and data sources to track levels of disproportionality in key areas of the Criminal Justice System. We

do not believe the statistical publication itself is the right vehicle to report progress. The Departmental Annual Reports and Autumn Performance Reports are more appropriate mechanisms for reporting progress against the PSA priority action on race disproportionality. In addition, we are currently reviewing the content and format of the accompanying policy document to the section 95 Statistics, the Overview Report, and will consider how this might be used to reflect progress.

Recommendation 4

The department which 'owns' the strategy to reduce over-representation should make regular assessments of progress towards a reduction in disproportionality and should challenge other departments to report regularly on progress towards indicators for reducing over-representation.

Recommendation 5

We are aware that the Government has published several strategies aimed at tackling elements of social exclusion in areas as diverse as housing, educational attainment and employment. Several of these have addressed the particular needs of BME communities in general and of particular BME communities. The effectiveness of these strategies needs to be kept under regular review.

Regular assessments of progress against plans to deliver each of the priority actions within the PSA are made through the PSA governance arrangements. This includes six-monthly assessments of the individual PSA targets by the Prime Minister's Delivery Unit and periodic scrutiny by the Cabinet sub-Committee on Justice and Crime, on behalf

of the Government, to assess the likelihood of delivery and recommend remedial action where necessary.

The Government Equalities Office (GEO) is a new self-standing department, whose mission is to put equality at the heart of Government. It has a key role challenging departments to narrow gaps between BME people and white people in key areas such as education, health, employment and criminal justice. In conjunction with the Department for Communities and Local Government (CLG), the GEO has developed a guide to help Government Departments meet their public sector duties which sits alongside the new Civil Service Diversity and Equality Strategy. The purpose of the guide, which was published recently, is to help Government departments to ensure that their strategic processes and policies support them in their aim to deliver fair and equitable outcomes.

Recommendation 6

Statutory services which impact on or aim to tackle social exclusion such as education, youth and careers advice, youth housing services and drug treatment should be routinely monitored to assess the extent to which different ethnic groups are able to benefit from them. This data should be regularly reviewed to explore the reasons for any shortcomings in the ability of all young people to access and benefit from services.

We agreed with the Committee and highlighted the positive role that robust and effective Equality Impact Assessments (EIAs) have in ensuring that our services are accessible to young people. EIAs are a core part of policy development and service delivery, and require effective monitoring of impact.

Support for positive adult influences

Recommendation 7

We believe a full evaluation of Government support for parenting – from parenting orders to interventions for struggling families – should be carried out to assess the extent to which current provision is accessible, appropriate and relevant to the needs of black groups. (Paragraph 227, Main Report; Paragraph 15, Conclusion & Recommendations)

We agreed with this recommendation.

The Department for Children, Schools and Families (DCSF) funds a number of targeted parenting and family support programmes including Family Intervention Projects, the Parenting Early Intervention Programme, Parenting Experts and Family Pathfinders. These projects are either being independently evaluated, or in the case of Parenting Experts, local authorities are providing reports on parents that are being reached.

Evaluation of the original 53 Family Intervention Projects (FIPs) was undertaken by the National Centre for Social Research. The findings from the evaluation were published on 10 July 2008⁷. There are currently 65 FIPs and plans to further expand them were announced in the *Youth Crime Action Plan*, with additional funding of £22 million to expand the number of FIPs available. The projects both challenge and support problem families to address the root causes of their anti-social behaviour and make the necessary changes so that they can live within a community without causing any problems. The FIP approach combines sanctions to reduce anti-social behaviour (ASB) with intensive support to maintain tenancies and tackle wide-ranging family problems. Families that are referred to the service are those that have been identified as causing anti-social behaviour.

Early outcomes reported by FIP staff for the families involved indicate improvements in all the key areas of the FIP work. For example:

- sixty-one per cent of families who were reported to have engaged in four or more types of anti-social behaviour when they started working with a FIP reduced their levels of ASB to seven per cent when they left the FIP.
- The proportion of families facing one or more ASB enforcement action(s) halved from 45% to 23%.

The evaluation found that white families seemed to be over-represented in FIPs. The FIPs will continue to be independently evaluated to identify who is being referred to the service, so that we can continue to monitor access of specific groups including BME communities.

A separate small study undertaken by one local authority area in 2007 explored the reasons why BME families appear to be under-represented in referrals. Families that are referred to the FIP are usually living in social housing, with some exceptions. The study found that there were few examples where the type of anti-social behaviour within the BME community would impact on an individual tenancy, and therefore lead directly to a threat to their tenancy.

This could be broadly explained as follows:

- BME families were predominantly not living in local authority housing, and were much more likely to be owner occupiers or in private rented accommodation;
- cultural differences might make some types of ASB less prevalent in BME households, for example the use of alcohol is lower in Muslim families;

7 'Family Intervention Projects: An Evaluation of their Design, Set-up and Early Outcomes' (2008), National Centre for Social Research, London
URL: <http://www.dcsf.gov.uk/research/data/uploadfiles/ACF44F.pdf>

- there was more likely to be resistance or difficulty in reporting ASB, for example anxiety about bringing shame on the family or community; and
- ASB committed by BME individuals were more likely to occur away from the family home, or local community, and therefore not lead to tenancy difficulties.

To meet the needs of families with multiple and complex problems, not just anti-social behaviour, Family Pathfinders are being developed which aim to improve outcomes for families caught in a cycle of low achievement. Services are testing the Think Family approach which supports families in an integrated way, responding to the needs of the whole family rather than individual problems. This project is being evaluated over the next three years and will identify which families are accessing the service. The final report will be published in Spring 2011.

The *Youth Crime Action Plan* also committed to ensuring by the end of the Comprehensive Spending Review (2008-2011), period that all families with children most likely to become prolific offenders benefit from better targeting of existing services. Building on the learning from the Family Pathfinders, the Think Family approach will be expanded to ensure the needs of all relevant families are identified, assessed and addressed.

The Parenting Early Intervention Programme (PEIP) aims to increase support for the parents of 8- to 13 13-years year-olds at risk of negative outcomes and ensure that they receive a co-ordinated package of parenting support including access to a parenting programme. The PEIP evaluation published in July 2008⁸ found that programmes were targeted appropriately and that courses had been accessed by a wide range of BME groups

⁸ 'Parenting Early Intervention Pathfinder Programme' (2008), University of Warwick and King's College, London.
URL: <http://www.dcsf.gov.uk/research/data/uploadfiles/DCSF-RW054.pdf>

who comprised 23.9% of the total (76.1% were White British).

All local authorities have received guidance on setting up a project, ensuring that they are clear about their approach to recruiting parents for the programme and are identifying and targeting local need. Local authorities with large BME populations have run courses aimed at those specific groups.

Recommendation 8

We recommend Youth Offending Teams and social services should consider making greater use of voluntary organisations who have established success in providing parenting support to black families. (Paragraph 228, Main Report; Paragraph 16, Conclusion & Recommendations)

We agreed with the Committee. The Government recognises that effective engagement with third sector organisations, many with expertise in working with particular groups, can play a crucial role. This may be done through local partnership arrangements such as the local Children's Trust. The Government has made significant investment in the third sector so that they can be effective in delivering support services or complementing existing services using its expertise. The Government has made significant investment in the third sector so that they can be effective in delivering support services or complementing existing services using its expertise. DCSF has provided funding of over £1.8m to key strategic partner organisations who specialise in supporting Black families, such as the Institute of Wellbeing and the Race Equality Foundation, as well as over £2.5m to smaller third sector organisations through the Parenting Fund (2006-09). The Voluntary Organisations section later in this report under Recommendations 38-42 explores in more detail support for the third sector.

As we outlined in our response to the Committee, the Youth Justice Board (YJB) has been developing joint working arrangements agreed through partnerships and Memoranda of Understanding with the Prince's Trust, the YMCA and Clubs for Young People. An event with the Prince's Trust is planned to take place by March 2009 on education, training and employment which it is anticipated will include a seminar on access issues for BME groups. A demonstration project, in conjunction with the YMCA, is now underway in Peterborough and includes a focus on issues for BME groups within its scope.

Recommendation 9

We recommend that the National Parenting Academy, which is due to become operational in Autumn 2007, should offer specific advice to practitioners on the needs of families of African and Caribbean origin. It could also draw on the support of voluntary organisations working in this area to deliver its training programmes for practitioners. (Paragraph 229, Main Report; Paragraph 17, Conclusion & Recommendations)

We agreed with the Committee.

The National Academy for Parenting Practitioners consulted widely before it agreed with DCSF a Strategic Plan for 2008-2010⁹. The Academy is targeting free parenting training to those practitioners who work with parents the most in need, as identified by the 150 local plans and priorities and through statutory and third sector services. The priority practitioners include those in Youth Offending Teams (YOTs), the Family Intervention Projects, the PEIP, and also those working in extended schools, children's

centres and any other local priorities. Not all local areas identify BME parents as priority but most are very clear about specific issues facing particular ethnic groups. The Academy is encouraging local partnerships to work with third sector organisations to bring knowledge or credibility on specific issues, or engagement with particular parents.

Our response to the Committee set out that the Academy would undertake a mapping exercise about local service provision. That exercise has been conducted and reports are in preparation on the mapping surveys of local service provision. They make limited comment on some of the specific needs and interests of BME parents. Research on parenting reiterates the findings elsewhere that some BME groups are more likely to live in areas of social deprivation and to experience poverty. Links between poverty, poor mental health, discrimination and social exclusion emphasise the importance of support services that take account of family and neighbourhood circumstances.

Service planners should recognise that social and environmental factors that can place parents under stress – such as relative poverty and poor housing – are more common among some BME groups than others. Some BME parents also face challenges raising children in circumstances where the prevailing culture is different to their own. It is also apparent that families from some BME groups are disproportionately represented among those receiving services from local authorities, while others are under-represented. A more considered response to community needs can also help to prevent BME children being needlessly drawn into the child protection system.

⁹ National Academy of Parenting Practitioners: Strategic Plan 2008-2010
URL: http://www.parentingacademy.org/UploadedFiles/StrategicPlan_200810_200811260545.pdf

The reports will consider research concerning groups of parents whose support needs are especially likely to be high including asylum seeker and refugee parents, those with language barriers and fears of racist harassment. The Academy's focus is on the parent-child relationship and factors other than ethnicity are crucial such as persistent family poverty, parents who are teenagers, alcohol and drug misuse by parents and parents with mental health problems. All these are associated with reduced capacity to parent children consistently and maintain good communication, and have high risks of poverty and unemployment.

The conclusion reached from research findings is that the extent to which parents are involved in the planning and delivery of services is, in practice, extremely variable.

Specific approaches to encourage engagement with BME families include:

- developing a wider community development role;
- recognising that relationship building takes time;
- recognising the difference and diversity within and between minority groups;
- avoiding a 'colour-blind' approach by making better use of translation and interpreters.

The Academy's research includes a trial with a YOT of a promising American approach, Functional Family Therapy, to assess its effectiveness in helping teenage offenders and their families. A literature review on approaches used in YOTs is under way and likely to be submitted for publication in a peer-reviewed journal in 2009.

Recommendation 10

It is important to take urgent steps to expand support for mentoring programmes which are focused on young black people. The Government should evaluate promising schemes working with young black people currently, such as 'Generating Genius' and the 'From Boyhood to Manhood' programme, and in the long term, should build on this research when prioritising funding. In the shorter term we recommend that there should be a presumption in favour of expanding the existing work of organisations which have grown from local communities and which are well supported by them. (Paragraph 231, Main Report; Paragraph 18, Conclusion & Recommendations)

We accepted the Committee's recommendation.

In July 2008 the Government launched the first ever Black Boys' National Role Model programme. An independent panel, supported by young black men and boys, identified and recruited national black and mixed heritage role models who will work to help raise aspirations and attainment of black boys across the country. The national role models will share their stories with black boys and young black men across the country to provide inspiration, challenge stereotypes and shine a light on positive images of black male achievement. The Secretary of State for Communities and Local Government also announced on 3 December 2008 a consortium of third sector organisations to run the role models scheme, and provide mentoring opportunities for those applicants not selected as one of the 20 national role models.

In addition, the Prime Minister is shortly to launch a multi-skilled taskforce of Ambassadors, involving business, sport, community and other high-profile contributors, to focus on violent crime. A key component of the Government's Tackling Knives Action Programme (TKAP) is also to establish both national and local role models to deter young people from involvement in knife crime. The Home Office is currently working with communities in the ten police force areas involved in TKAP to identify such suitable individuals.

Recommendation 11

School is an environment in which guidance and motivation can make a crucial difference. We suggest that schools should, where appropriate, make use of mentoring to assist and inspire young black people in the classroom and outside. (Paragraph 232, Main Report; Paragraph 19, Conclusion & Recommendations)

We agreed that mentoring can have a positive impact on young people's lives.

For the two years up to 31 March 2008, DCSF supported a formal Peer Mentoring Pilot in 180 of the 809 schools participating in the Peer Mentoring Programme. It provides a supporting infrastructure and resources and information on best practice, with the aim of raising standards of provision in pre- and post-16 education. The pilot enabled the programme to be evaluated independently. It showed that the programme supports a number of areas including attainment improvement, behaviour, anti-bullying measures and transition between primary and secondary school. It can also act as a vehicle for effective citizenship. It is part of our drive to improve standards of provision in education as well as work-based

training. There are currently 930 schools in England taking part in the national programme, involving 19,300 young people.

The evaluation suggested ways to strengthen and develop peer mentoring further. It concluded that its positive findings provided a basis for encouraging further schools to engage with the programme and existing schools to embed it more firmly within their strategies and targeted approaches concerning pupils with particular needs.

DCSF has also launched three further pilot schemes designed to test the effectiveness of different approaches to peer mentoring in schools in tackling bullying. The schemes are being taken forward by three leading children's charities over the next two years. There is evidence to suggest that peer mentoring schemes of this kind are a very effective way of picking bullying up early and preventing it from escalating into a major problem.

Recommendation 12

DCSF could create a database of organisations offering mentoring support in different parts of the country and track their methods and effectiveness. Information on the benefits of mentoring and advice on how best to procure and deploy it should be disseminated to schools. The department should assess whether, and how much, additional funding schools will need to engage these organisations and make this available where necessary. (Paragraph 232, Main Report; Paragraph 19, Conclusion & Recommendations)

Our original response to the Inquiry disagreed with this recommendation, as we considered it is for local authorities to consider how best to meet local needs. However, the Mentoring

and Befriending Foundation, which delivers the Peer Mentoring Programme for DCSF through a grant funding agreement, will develop a new database of local information to support the Peer Mentoring Programme. Their existing database system will be developed enabling it to facilitate the collation and reporting of information about peer mentoring across England. A web portal will be developed to allow schools to provide data about their school and their programme. It will provide access to evaluation tools that they can use with individual young people.

As part of the dissemination process, the Mentoring and Befriending Foundation will produce guidance which will include:

- how to successfully measure hard and soft outcomes and the key indicators to evidence success;
- examples of good practice identified in individual schools/organisations; and
- a framework for measuring impact.

The guidance will be disseminated to schools and organisations across the Mentoring and Befriending Foundation's networks and will be embedded into their national training programme. The impact measurement framework will be made more widely accessible to schools/organisations through the website following completion of a pilot.

Recommendation 13

Mentoring should be preventative rather than solely curative. Ken Barnes told us that mentoring organisations are currently often brought in on a remedial basis, "after our children have reached a kind of psychosis where they are beginning to rebel against society". (Paragraph 233, Main Report; Paragraph 19, Conclusion & Recommendations)

We agreed with this recommendation and the Government remains very keen to develop mentoring as a method of supporting young people in education and training. It can help to resolve disputes and encourage friendships for children who might otherwise struggle to fit in or to be accepted.

The Mentoring and Befriending Foundation is planning to promote peer mentoring through the Peer Mentoring Programme as:

- a key vehicle to support the engagement of young people in learning in a pre and post-16 setting,
- a practical vehicle for demonstrating effective citizenship; and
- a 'positive activity'.

The programme is aiming to support the measures to reform services for young people aged 14-19¹⁰, in particular providing evidence to show how:

- peer mentoring can support retention and progression in learning;
- the promotion of a peer mentoring continuum can support young people pre-16 and into chosen post-16 arrangements; and
- training and ongoing support can support those developing such arrangements.

¹⁰ 'Delivering 14-19 Reform: Next Steps' (2008), DCSF, London.
URL: <http://www.dcsf.gov.uk/publications/14-19nextsteps/downloads/7923-DCSF-Delivering%2014-19%20Reform.pdf>

The central role of schools

Recommendation 14

Our evidence suggested that school exclusion and under-attainment are closely correlated with young black people's disproportionate involvement in the Criminal Justice System. It is therefore vital that the DCSF is closely involved in the development of strategy to reduce over-representation. (Paragraph 234, Main Report; Paragraph 21, Conclusion & Recommendations)

We agreed with the Committee. The Government is particularly concerned about the extent to which permanent exclusion continues to bear disproportionately on certain groups of children and young people, such as Black Caribbean children.

DCSF is already working with local authorities and schools to reduce the numbers of exclusions of Black Caribbean and Mixed Black/White Caribbean pupils. The programme began in September 2007 and is testing a set of approaches and materials to effect cultural change in the way the education system treats Black Caribbean and Mixed White/Black Caribbean pupils. It involves targeted intervention work with almost 100 schools in 12 local authorities with high proportions of Black Caribbean and Mixed White/Black Caribbean pupils and high or disproportionate exclusion rates for these pupils. The Government anticipates that support materials developed as part of the programme, including a DVD, will be launched on a phase-by-phase basis by the end of February 2009, followed by further embedding nationally through National Strategies regional advisers. DCSF will monitor the impact of this work through statistics on exclusions. National work is unlikely to become fully embedded until 2009/10; exclusions data for this period will not be available until 2011.

Children's Trusts, which include partners from the youth justice system and the social welfare services, provide a mechanism in which these issues can be addressed locally.

Furthermore, in the *Youth Crime Action Plan* we committed to make permanent exclusion from school an automatic trigger for a Common Assessment Framework (CAF)¹¹ assessment to ensure that children and young people receive the help they need when they are excluded from mainstream education. Permanent exclusion from school is a significant contributing factor to the likelihood of subsequent criminal activity and engagement in the CJS.

Recommendation 15

Many respondents believed disciplinary problems began with misunderstandings between teachers, pupils and parents. We are encouraged that the new Professional Standards for teachers, which will come in from September 2007, require specifically that teachers must know how to adapt teaching, learning and behaviour management strategies for those they teach, including how to take practical account of diversity and promote equality and inclusion in their teaching. School inspection should prioritise assessment of the extent to which disciplinary measures are appropriate and fair. (Paragraph 237, Main Report; Paragraph 23, Conclusion & Recommendations)

The Black Pupils' Achievement Programme (BPAP) delivered through the National Strategies, which began in 2003 and ended in July 2008, focused on high quality teaching and learning including:

¹¹ Every Child Matters - Common Assessment Framework
URL: <http://www.everychildmatters.gov.uk/delivering/services/caf/>

- developing the capacity of local authorities to raise the attainment of Black African, Black Caribbean and mixed heritage pupils;
- developing the skills of those in senior and middle leadership roles to lead a whole-school approach to raising the attainment of black pupils;
- developing knowledge and understanding of the specific issues relating to the attainment of Black African, Black Caribbean and mixed heritage pupils;
- providing teachers with practical and useful strategies to raise expectations and strengthen teaching;
- tailoring existing mainstream resources and guidance produced by the National Strategies and Department to address local authority and school priorities relating to black pupils' attainment; and
- instilling high expectations to succeed in pupils and teachers, recognising and respecting diversity, intolerance of racism, and working with parents and the wider community.

BPAP promotes the value of strong leadership in developing a whole school ethos where there are high expectations to succeed among both pupils and teachers and where there is an active programme of engagement with parents and the wider community. BPAP also places a strong emphasis on the use of and interrogation of data to ensure that the experiences and outcomes for all pupils from BME groups are monitored and where appropriate effective targeting and intervention is put in place.

Following the success of this programme, it will be mainstreamed, its main features

being consolidated into the work of local authorities through the publication of guidance materials.

In September 2008, we also launched the consultation on new ways of handling complaints from parents about their child's school. A new independent service will help parents who feel their concerns cannot be resolved at school level on issues from behaviour to school uniform. The idea delivers on a commitment in the Children's Plan to make the process of handling complaints more open and transparent for all.

The new proposals:

- strengthen the arrangements for reaching resolution in disputes between schools and parents;
- provide effective redress where the school has been at fault in providing a service or handling a complaint, or support schools in their decisions where they are correctly reached;
- streamline, where possible, current arrangements for complaints; and
- replace the Secretary of State's role in considering individual complaints with a new service independent of central Government.

DCSF are consulting on the possibility of independent hosts for the new complaints service, as well as its principles and the range of remedies where a complaint is upheld.

The intention is for the independent service to look at the substance of a complaint but not to seek to substitute its own judgement for sensible decisions properly taken by the school. However, where they feel an inappropriate decision has been made they

will be able to ensure schools take action. Possible outcomes from the service could include: requiring a governing body to reconsider their decision, requiring a school to review the appropriate school policy, or requiring a school to apologise and put the original situation right.

School inspections currently evaluate the impact of schools' disciplinary policies on overall behaviour and the extent to which pupils enjoy their education. Each of these elements is graded separately.

When evaluating the impact of teachers' implementation of behaviour strategies, inspectors judge the extent to which behaviour policies are effective and appropriate. Inspectors also consider how well school leaders monitor and evaluate the impact on all pupils, including those from BME groups. For example, inspectors might analyse pupils' exclusion and attendance rates, including that of pupils from BME backgrounds, and compare with national, local and school averages. A range of data is used to support this analysis and this is a routine element of any inspection preparation. Ofsted uses *Raiseonline*¹², which allows for statistical comparisons.

Ofsted's strategic plan emphasises its firm commitment to equality and diversity and the interests of service users: children, young people and parents. This is reflected in its approach to school inspection.

The judgement on the overall effectiveness of a school is strongly determined by the achievement and standards of individuals and groups of pupils. Any school where the pupils make less than good progress cannot be judged

as better than satisfactory overall. Similarly, a school can only be judged good overall if there are no marked differences between the achievement of different groups of pupils, such as those of different ethnicity. Current guidance to inspectors already requires them to take into account the achievement of BME pupils which is then reported on separately, if appropriate.

Inspectors pay particular attention, in determining the achievement and standards within a setting, to the following.

- Whether learners achieve their academic targets and whether the targets are adequately challenging;
- The *Raiseonline* data which highlight significant variations in the achievement of different groups of learners
- Other evidence such as observing pupils' progress in lessons.

Since 2007, all inspectors have received additional training to support the inspection of equalities, including race and disability, the inspection of the schools statutory duty to 'promote community cohesion' and how well schools tackle discrimination.

Ofsted recently consulted on proposals for the new school inspection framework planned for September 2009. One of our proposals is to focus more on the achievement of different groups of pupils. Pilot inspections are currently being undertaken and will involve more time spent in the classroom observing teaching and learning.

¹² Reporting and Analysis for Improvement through School Self-Evaluation (RAISE) Online
URL: www.raiseonline.org

Recommendation 16

It is significant that the Government's own Priority Review concluded that there are measures which can and should be taken to reduce the exclusions of young black people. We urge the Government to implement the findings of the Priority Review carried out by the Department for Education and Skills in 2006, which recommended that additional guidance and training should be provided to help school leaders and staff reduce gaps in areas where they are greatest and that compliance mechanisms should be strengthened to 'turn up the heat' on schools which fail to address persistent gaps. Attention should be given to ensuring all schools are fully meeting their responsibilities under the Race Relations (Amendment) Act 2000 to eliminate unlawful discrimination and promote equality of opportunity and good relations between persons of different ethnic groups. (Paragraph 238, Main Report; Paragraph 24, Conclusion & Recommendations)

As our response under Recommendation 14 sets out, the Government remains committed to tackling the extent to which permanent exclusion continues to bear disproportionately on Black Caribbean children and young people. The programme of work referred to under Recommendation 14 was specifically developed in response to the Priority Review undertaken in 2006¹³.

Recommendation 17

We stress the importance of ensuring that proper educational provision is made for those young people who are excluded from school. (Paragraph 239, Main Report; Paragraph 25, Conclusion & Recommendations)

¹³ 'Priority Review: Exclusion of Black Pupils – "Getting It. Getting It Right" (2006), DfES, London.
URL: www.standards.dfes.gov.uk/ethnicminorities/resources/PriorityReviewS-ept06.pdf

We agreed that educational provision for those excluded from school was important. *The Children's Plan*¹⁴, published in December 2007, recognises that children who behave poorly and are excluded from school, those unable to attend a mainstream school, and those disengaged from education are a relatively small number of pupils. However, they include some of the young people with the worst prospects for success in later life and most likely to develop behavioural problems. The quality of the education they receive is highly variable, despite the difference it can make to their prospects.

On 20 May 2008, we published the alternative educational provision White Paper, *Back on Track*,¹⁵ which set out our proposals for transforming the quality of alternative education provision. Central to our strategy is a focus on early intervention, to prevent behavioural problems leading to permanent exclusions; stronger accountability, by holding local authorities to account for the outcomes of young people in pupil referral units; and better partnership working between local authorities, mainstream and special schools, pupil referral units and providers from the voluntary and private sectors.

We have already begun implementing the *Back on Track* proposals. On 23 October, DCSF:

- announced the names of the local authorities and schools which were successful in bidding to run pilots to explore a range of innovative ways of arranging and delivering alternative provision – there will be 12 pilots and we are supporting them with up to £26.5 million of funding over

¹⁴ 'The Children's Plan: Building Better Futures' (2008), DCSF, London
URL: http://www.dcsf.gov.uk/publications/childrensplan/downloads/The_Childrens_Plan.pdf

¹⁵ 'Back on Track: A strategy for modernising alternative provision for young people' (2008), DCSF, London
URL: <http://www.dcsf.gov.uk/publications/backontrack/>

the next three years – over half of these pilots will involve organisations from the voluntary and/or private sectors.

- published new guidance for local authorities and schools on commissioning alternative provision, to improve the commissioning process.
- launched the database of providers of alternative provision. – this is an online directory of providers across England which will give local authorities and schools ready access to information about providers to help them match their pupils with appropriate providers.
- published the specifications of the role of ‘named officer’ in local authorities, who will be responsible for overseeing alternative provision and ensuring that it meets the needs of pupils.
- published Taking ‘*Back on Track*’ Forward¹⁶, a report on the responses to the White Paper and ambitious plans to take this agenda forward.

The next step will be to publish a suite of guidance shortly on a core entitlement for pupils in alternative provision (covering the curriculum, hours and waiting time for placement) and on Personal Learning Plans and the Information Passport for pupils in alternative provision. Further measures proposed in *Back on Track* which will also be taken forward include collecting and publishing data on the attainment of pupils in alternative provision and attendance in pupil referral units, and legislating to give the Secretary of State greater powers to intervene in failing pupil referral units by directing local authorities to replace a failing unit with a specified alternative.

Recommendation 18

We also recommend that DCSF should increase its efforts to explore and publicise legitimate alternatives to full exclusion, such as excluding internally or giving disruptive students constructive duties within schools. (Paragraph 240, Main Report; Paragraph 26, Conclusion & Recommendations)

We agreed. We support unequivocally the right of head teachers to exclude pupils permanently where their behaviour justifies it. But we have also issued new statutory guidance that makes it clear that it is the responsibility of schools, local authorities, parents and carers to work together to reduce the need for exclusion and reintegrate excluded children into the mainstream wherever this is possible. As highlighted in our response to Recommendation 14, we are concerned about the extent to which permanent exclusion continues to bear disproportionately on certain groups of children, including Black Caribbean children. We are already working with local authorities and schools to reduce the numbers of exclusions of Black Caribbean children and intend to launch support materials on this.

We know from talking with parents, teachers, young people and children that standards of behaviour at school are still a concern. We are looking to improve standards through the spreading of good professional practice, including:

- encouraging local authorities and schools to work with parents to ensure good standards of behaviour, using voluntary parenting contracts for those who need help and support, and using parenting orders for those who are unwilling

¹⁶ ‘Taking Back on Track Forward: Response to consultation and next steps’ (2008), DCSF, London.
URL: [http://www.dcsf.gov.uk/exclusions/uploads/BACK%20ON%20TRACK%20Next%20Steps%20231008%20final%20\(3\).pdf](http://www.dcsf.gov.uk/exclusions/uploads/BACK%20ON%20TRACK%20Next%20Steps%20231008%20final%20(3).pdf)

to engage with improving their child's behaviour;

- accelerating the extended school programme in areas of high crime; and
- encouraging schools to work more closely with other local agencies such as the police and children's services, to tackle behaviour problems that affect whole communities such as drugs and gang culture.

The Government has set an expectation that all secondary schools should be in behaviour partnerships with a shared commitment to work together to improve behaviour, tackle persistent absence and improve outcomes for children and young people with challenging behaviour. The size of partnerships varies, but they usually consist of about six to ten schools. They operate on the principle that all pupils are the collective responsibility of the partnership and that they will intervene early with children at risk of exclusion and persistent absence. Partnerships collaborate and pool resources to offer a range of provisions to meet the needs of children with challenging behaviour or additional needs, including on-site learning support or nurture units and off-site provision such as pupil referral units and tailored courses provided by voluntary and private sector organisations. Although it is early days for these partnerships, they have already shown that this way of working can be effective in reducing the number of permanent exclusions and persistent absentees. We will continue to work with the National Strategies to embed the partnership approach and evaluate its success.

DCSF guidance on school discipline and behaviour policies, published in April 2007 and available on *Teachernet*¹⁷, includes a section of detailed advice on the use of disciplinary

sanctions to punish pupils. This suggests that schools should have an appropriately wide range of sanctions; how it will help if there is also a scale of disciplinary sanctions allowing responses which are reasonable and proportionate; and how the school behaviour policy should explain the reasons why these disciplinary sanctions are used. It also sets out examples of such punishments: one-to-one admonishments, removal from the group (in class), withdrawal from a particular lesson or peer group, withdrawal of access to the school IT system (if the pupil misuses it by, for example, accessing an inappropriate website), withholding participation in a school trip or sports event that is not an essential part of the curriculum, withdrawal of break or lunch-time privileges, carrying out a useful task in the school, a variety of forms of detention, a fixed-period exclusion or a permanent exclusion. In addition to producing this detailed guidance for schools, DCSF has made available to schools advice from the former Practitioners' Group on School Behaviour and Discipline, chaired by Sir Alan Steer, on *Learning Behaviour, Principles and Practice – What Works in Schools*¹⁸. This included a section on the use of rewards and sanctions, with specific reference to the importance of having an appropriately wide range available.

Recommendation 19

We recommend that DCSF should consult black voluntary and community groups and black pupils themselves to identify any gaps in the relevance of the curriculum to their needs. Attention should be given to identifying curricular content which interests and empowers young black people. (Paragraph 241, Main Report; Paragraph 27, Conclusion & Recommendations)

¹⁷ URL: <http://www.teachernet.gov.uk/wholeschool/behaviour>

¹⁸ URL: <http://publications.teachernet.gov.uk/eOrderingDownload/0281-2006PDF-EN-04.pdf>

We agreed with this recommendation. The Qualifications and Curriculum Authority (QCA) recently conducted a review of the entire secondary curriculum and, following Sir Keith Ajegbo's review of Diversity and Citizenship in the curriculum, a new strand entitled *Identity and Diversity: Living Together in the UK*¹⁹ was incorporated into the revised programmes of study for Citizenship at Key Stage 3 (ages 11 to 14) and Key Stage 4 (ages 14 to 16). Schools began teaching these programmes of study in September 2008.

The revised Citizenship curriculum for secondary schools (Key Stages 3 and 4) covers the key concepts:

- democracy and justice, which includes exploring the role of Parliament;
- rights and responsibilities;
- identities and diversity, living together in the UK.

In developing the new secondary curriculum, QCA has specifically addressed BME issues through consultation with academics; race organisations such as the Equality and Human Rights Commission, Race on the Agenda, the Black Parent's Organisation and the African Caribbean Network for Science and Technology; and practitioners to identify ways forward. QCA also undertook desk research, between August 2005 and December 2005, and examined existing evidence from: national curriculum performance data; its 'voices of the learners' project, school monitoring and visits; and existing consultation.

QCA's development of new programmes of study was also informed by carrying out a synthesis of desk-based research, questionnaires, and consultation with over 400 practitioners and school visits.

As part of its ongoing work related to diversity and inclusion, QCA has standing groups on race, English as an Additional Language (EAL), Special Educational Needs (SEN) and gender, all of which were consulted on the draft curriculum.

Recommendation 20

The Government should ensure history lessons are relevant to all young people in Britain. Attention should be paid to ensuring they include reference to the contribution of black communities – for example, their involvement in two World Wars. Several witnesses alluded to the importance of including reference to the slave trade in the curriculum. This could form part of the new focus on citizenship education recommended by the Ajegbo review of the citizenship curriculum and recently accepted by the Government. (Paragraph 241, Main Report; Paragraph 27, Conclusion & Recommendations)

We agreed that the History curriculum should be relevant to pupils of all ethnicities. The new programmes of study in the revised secondary curriculum, referred to under Recommendation 19, have been designed to give teachers a less prescriptive, more flexible framework for teaching, creating more scope to tailor the curriculum to meet the needs of each individual student.

Following a comprehensive review of the secondary curriculum, the slave trade and the British Empire have joined the Holocaust and two world wars as compulsory elements of the History curriculum at Key Stage 3. Studying the nature and effects of the slave trade and its abolition will help pupils to understand the make-up of the UK today and put immigration, the Commonwealth and the

¹⁹ URL: <http://curriculum.qca.org.uk/key-stages-3-and-4/cross-curriculum-dimensions/culturaldiversityidentity/index.aspx>

legacy of the Empire into a clear historical context. The new KS3 curriculum for History, effective from September 2008, also states that pupils should have opportunities to explore the ways in which the past has helped shape identities, shared cultures, values and attitudes today. This can help pupils prepare for life in a diverse and multi-ethnic society.

The curriculum complements the school's role in promoting community cohesion. Citizenship education, history, geography, religious education and personal, social and health education (PSHE) can all help young people develop a sense of identity. Links between different schools, whether on a local, national or international basis, enable sharing of experience – contributing significantly to schools meeting the new duty. Citizenship education addresses issues relating to social justice, human rights and global interdependence. It encourages respect for different national, religious and ethnic identities. The new citizenship programmes of study include a new strand of work examining the key concepts of identity and diversity and encouraging exploration of what it means to be a citizen in the UK today. This change was supported by the findings of the Review undertaken by Sir Keith Ajegbo. The new strand of study provides opportunities for pupils to explore diverse national, ethnic and religious cultures and the connections between them. They also learn about the impact of migration on diversity in communities living together in the UK.

Recommendation 21

We recommend that the Government should ensure specific teacher resources are available to all schools who have gun, gang or knife crime problems. (Paragraph 242, Main Report; Paragraph 28, Conclusion & Recommendations)

We agreed with the Committee.

Awareness-raising guidance for schools on tackling gangs and group offending was published online²⁰ on 22 May 2008 alongside other Home Office guidance on gang-related issues from the Tackling Gangs Action Programme (TGAP) and as part of a broader Government programme on tackling violent crime.

The guidance provides practical advice to schools that may be concerned about issues around gangs and group offending about what signs they should look for, action they can take to reduce the risks and what to do if an incident occurs, including advice on working with the police and other agencies. The guidance should help schools to safeguard young people who may be at risk of being drawn into gang or offending group membership as well as those who may feel threatened by such groups' activity.

In June 2008, the Government launched the Tackling Knives Action Programme (TKAP) to build on existing work to reduce serious violence, injuries and death caused by the use of knives amongst teenagers, with rapid and intensive work initially in the ten police areas with the highest prevalence of offences involving knives. TKAP is encouraging forces to work more closely with parents of potential offenders and, through Youth Forums, with young people themselves. For example, Essex Police are training all of their schools' police officers and Police Community Support Officers (PCSOs) to roll out knife education workshops in every secondary school in the county. The Home Office's national knife crime campaign aimed at reducing the number of young people carrying knives is outlined under Recommendation 46.

²⁰ 'Gangs and Group Offending: Guidance for Schools' (2008), Teachernet. URL: http://www.teachernet.gov.uk/_doc/12639/Guidance%20on%20Gangs%20and%20Group%20Offending%20for%20Schools%5BJune08%5D.doc

Recommendation 22

We were encouraged by the apparent success of Safer Schools Partnerships, which bring together schools, police and crime reduction partnerships to gather intelligence and prevent crime. Many of the plans involve a police or community support officer coming into school to work with the children and teachers. According to the Government, these have led to a drop in crime and anti-social behaviour and a reduction in the numbers of children excluded for poor behaviour. Other police forces should consider instigating Safer Schools Partnerships in high crime areas. (Paragraph 243, Main Report; Paragraph 29, Conclusion & Recommendations)

We agreed and recognised the effectiveness of Safer Schools Partnerships. In collaboration with the Association of Chief Police Officers (ACPO), YJB and the Home Office, DCSF is auditing current coverage of Safer Schools Partnerships, and is working to encourage expansion of such arrangements.

The *Youth Crime Action Plan* committed to expanding Safer Schools Partnerships, suggesting that they should be the norm rather than the exception for every school. As a result, DCSF has arranged a series of six regional conferences (from November 2008 to February 2009) to promote the benefits of Safer School Partnerships and to explore more widely issues around safety in schools. Teachers, police and local authority officers, trade unions and third sector organisations have been invited to attend. DCSF and the Home Office will use the conferences to begin a national debate on the role and priorities for Safer School Partnerships and to build consensus on shared outcomes. These discussions will inform the new practical

guidance that will be evidence-based and practitioner-focused – we expect to publish this guidance early in 2009.

The Home Secretary also announced an additional £3 million to keep young people safe in the TKAP police force areas where over 70% of knife crime occurs. The funding will support the roll-out of additional Safer Schools Partnerships, as well as after-school patrols and the use of Operation Staysafe under which police use safeguarding laws to remove young people at risk from the streets at night and take them to a place of safety.

Recommendation 23

We recommend that mentoring support within schools should be targeted at the primary-secondary transfer to help ensure a successful transition. (Paragraph 244, Main Report; Paragraph 33, Conclusion & Recommendations)

We agreed that mentoring can help ease young people's transition from primary to secondary school.

There is a particular risk of children's learning stalling when they transfer from primary schools to secondary schools. That may be because of abrupt changes in curriculum or teaching styles, because children are emotionally or socially unprepared for the change, or because of simple administrative barriers to the transfer of information about individual children. The reforms set out in the Children's Plan will help ensure that the change to secondary school is as seamless as possible, as part of our vision that services should be consistently designed around children's and families' needs. The move to greater personalised learning will help to

identify and prioritise those pupils who are in danger of stalling in their learning at the start of secondary school. It will also make much richer information on individual children's academic achievement at primary school available to secondary schools. Our new focus on supporting the development of children's social and emotional skills will help them to develop greater resilience and preparedness for change, both in learning and socially. The introduction of personal tutors will allow schools to strengthen the individual support available to pupils, and their parents, as they reach Year 7. We will explore the opportunity for parents to be offered an introductory session with their child's future learning guide, before their child starts secondary school, establishing before entry whether additional support may be required. This will involve Parent Support Advisers.

A commitment to explore how disengaged young people could be offered a mentor to advise and support their transition to adulthood was included in *Aiming High for Young People*²¹. The initial work has identified the association with the findings of the Committee's Inquiry and will be focusing on joining up with the wide range of existing mentoring provision that comes within the overarching brief on mentoring that rests with the Office of the Third Sector. This includes linking up with the activities of Learning Mentors, the proposals set out in the *Youth Crime Action Plan*, the Council for Social Action's proposals on one-to-one relationships, and with the Department's £31.5m Entry to Learning programme announced in the Children's Plan of which support through mentoring is a part.

21. 'Aiming high for young people: a ten year strategy for positive activities' (2007), DCSF, London.
URL: <http://www.dcsf.gov.uk/publications/tenyearyouthstrategy/>

Recommendation 24

Youth inclusion programmes should be targeted particularly at at-risk young people in this age group. Schools should be trained to swiftly identify those who are headed down the wrong track and divert them to appropriate interventions. (Paragraph 245, Main Report; Paragraph 31, Conclusion & Recommendations)

We agreed that youth inclusion programmes should be targeted at the most at-risk young people. The Youth Inclusion Programme (YIP) model has been developed precisely to work with young people identified and assessed as at-risk of offending. As set out in the Government's original response, as well as the main YIP model focusing on 13- to 16-year-olds, junior YIPs have been developed in some areas covering the 8 to 13 age range – a key transition period.

The YJB published a phase 2 evaluation report of research into the YIP programme in November 2008²². The evaluation found that the young people engaged by YIPs are broadly representative of the communities in which the YIP operates. Of the six YIPs in ethnically diverse areas studied in more detail in the evaluation, there was no evidence of those YIPs delivering interventions for specific groups, as this was considered to run the risk of segregating young people from their friends and peers according to previous experience. However, YIPs recognised a need for young people to address racial identity issues and to refer young people to suitable local programmes. For example, the YIP in Luton refers young black people to the 'Black Men

22. 'Evaluation of the Youth Inclusion Programme - Phase 2 (Summary)', YJB, London
URL: <http://www.yjb.gov.uk/publications/Scripts/prodView.asp?idproduct=379&eP=>

Can' group, a local group tailored to cater for identity issues. The evaluation also highlighted that YIP managers fully recognised the need to employ staff who reflect the communities they work in and with whom young people could identify.

Funding has been confirmed for YOT prevention programmes, including YIPs, up to 2010/11. While not a new development, the YJB's YIP management guidance provides in Chapter 3 '*Project Management*' a section on diversity which emphasises the YJB's Report *Differences or Discrimination*²³ (2004) and its findings on the over-representation of certain groups within the CJS, and suggests a checklist for YIPs which covers staff recruitment and training; selection of the YIP core group; data capture; engaging BME groups; cultural awareness and sensitivity; and codes of conduct.

Youth Offending Team prevention programmes funded by the YJB are estimated to have engaged with more than 50,000 children and young people on the cusp of offending and 11,000 parents since 2006.

In addition, since 2003, the ongoing DCSF-led Positive Activities for Young People (PAYP) programme has provided £46.5m per year to enable targeted developmental activities for 8- to 19-year-olds at risk of social exclusion and community crime. Young people can participate in activities during the school holidays and access out of school activities throughout the year. Those most at risk can engage in learning and/or employment with key worker support. By the end of 2005/06, 290,000 young people had participated.

In addition to the existing resource allocated to all local authorities for the PAYP programme, in 2008/09 15 local authorities, all of which have serious youth violence problems, will be prioritised to receive £6.5 million extra funding to prevent the most serious negative outcomes for young people such as involvement in gangs. Additional funding of £28 million and £48 million will be provided for all local authorities in 2009/10 and 2010/11 respectively. Funding flows through the Area Based Grant (ABG).

Recommendation 25

Attention should be given to informing young people about the law and the consequences of becoming involved in crime. (Paragraph 246, Main Report; Paragraph 32, Conclusion & Recommendations)

As we set out in our response last year, through citizenship education pupils learn about their rights, responsibilities, duties and freedoms and about laws, justice and democracy. Recommendation 19 explores the new citizenship curriculum for secondary schools.

Detailed guidance sent to all schools by the QCA includes specific units to help teachers to develop pupils' understanding of these issues. For example, the unit '*How do rules and laws affect me?*'²⁴ helps pupils in Key Stages 1 and 2 (ages 5-10) to discuss and learn about how laws are made in a democracy. Other units for pupils in Key Stage 3 (ages 11-14) and Key Stage 4 (ages 14-16) build on what they have learned in primary schools by looking at how laws are enforced, how crime

²³ 'Differences or Discrimination' (2004), Youth Justice Board, London
URL: <http://www.yjb.gov.uk/Publications/Scripts/fileDownload.asp?file=Differences+or+Discrimination+%2D+Summary%2Epdf>

²⁴ 'How do rules and laws affect me?': Unit 08, Citizenship at Key Stages 1 and 2
URL: <http://www.standards.dfes.gov.uk/schemes2/ks1-2citizenship/cit08/>

affects young people, victims of crime and their communities.

This work may be supplemented by more active engagement of young people in issues relating to crime and offending through, for example, the expansion of Neighbourhood Policing and Safer School Partnerships. This is set out in more detail under Recommendations 57 and 63.

Mapping the latest Citizenship and also PSHE curricula, the Ministry of Justice has developed a comprehensive educational resource to help young people aged from 7 to 16 understand the justice system. Named *Your Justice, Your World*, the resource is visually appealing and highly interactive. It is envisaged to be used by schools for Citizenship and PSHE teaching, by community youth group sessions and for independent learning at home. *Your Justice, Your World* will be launched in 2009.

Recommendation 26

The Government should conduct further research to evaluate the success of supplementary schools and the reasons for this. Where appropriate, it should encourage local authorities to promote knowledge among mainstream schools of the existence of supplementary schools in the area, and of the possibilities for co-operation. (Paragraph 247, Main Report; Paragraph 33, Conclusion & Recommendations)

We agreed with the Committee that further evaluation of the success of supplementary education should be conducted. DCSF will tender for research into this very subject shortly. Together with the Paul Hamlyn Foundation, DCSF jointly funded the establishment of the National Resource

Centre for Supplementary Education (NRC). The NRC exists to raise awareness of supplementary education and works closely with local authorities to facilitate the sharing of premises, teaching expertise and resources, thereby supporting the raising of standards of those who attend supplementary and mainstream schools.

Recommendation 27

We recommend that local authorities should adopt a strategic approach to over-representation, mirroring that which we have recommended for central Government. Local authorities should set out clearly the responsibilities of all relevant agencies - voluntary and independent as well as public sector- to reducing over-representation and should hold regular joint meetings to assess progress and address any shortcomings in the response. (Paragraph 248, Main Report; Paragraph 34, Conclusion & Recommendations)

Our response to the Committee made clear that it is for local authorities and their partners to determine how best to develop strategies to tackle over-representation, within the framework of the Local Government White Paper²⁵. The White Paper, published in October 2006, set out the Government's proposals for devolving significantly more responsibility and decision-making to local authorities. These proposals were codified in the Local Government and Public Involvement in Health Act 2007 and related guidance. Under the new system, local authorities now work with their local partners – including schools, colleges and the police – to agree the key priorities

25 'Strong and Prosperous Communities - The Local Government White Paper' (2006), The Stationery Office, London.
URL: <http://www.communities.gov.uk/publications/localgovernment/strong-prosperous>

for the area, and to set targets for improving them. They report to central Government on only a limited number of agreed indicators. This system has both considerably reduced the bureaucratic burden on local authorities and given them greater flexibility to address the key issues in their areas in new ways, and in closer partnership with other agencies. So where addressing poor performance in school, high unemployment, involvement in crime or whatever is identified as a local priority, generally or perhaps for certain groups, the council will now be free to focus on those issues, and address them.

We have also recently published guidance aimed at increasing the community's involvement in the decision-making process in *Creating Strong, Safe and Prosperous Communities*²⁶, launched in July 2008 alongside the Empowerment White Paper *Communities in Control: Real People, Real Power*²⁷. It covers the 'duty to involve' and the duties around Local Area Agreements in the Local Government and Public Involvement in Health Act 2007. It also replaces previous guidance on Local Strategic Partnerships and Sustainable Community Strategies. By shifting the responsibility for decision-making towards the local level, we are hopeful that this will lead to the inclusion of marginalised and 'hard to reach' members of society in this process, including young black people. An extensive consultation process informed the final guidance, during which largely favourable responses were received. Communities and Local Government (CLG) received detailed and useful responses from several third sector organisations either directly or indirectly

associated with the views and opinions of young black people.

Children's Trusts are a thematic partnership within the Local Strategic Partnership and bring together the organisations responsible for improving the well-being of all children, young people and their families by bringing together services around the needs of the children and young people in their area. The Children's Trust Board develops a local strategy to improve well-being and focus on particular issues which could include over-representation of BME young people in the youth justice system. The priorities, however, are for local determination within the framework of the Local Area Agreement.

Recommendation 28

We recommend that local authorities should consider as a matter of priority whether services are sufficiently accessible to young black people and vulnerable young people of all ethnicities, and should offer more user-friendly alternatives where necessary. (Paragraph 250, Main Report; Paragraph 35, Conclusion & Recommendations)

We agreed with the Committee's recommendation. The statutory duty placed on local authorities to secure access to positive activities makes clear that the local authority and its Children's Trust partners take account of the needs of groups of young people at greatest risk of negative outcomes and whose engagement in positive activities is often limited. This is likely to include, but will not be limited to, young people in care, young people with disabilities, and young people from the most disadvantaged neighbourhoods. Local authorities will also need to consider whether any part of a young person's background,

²⁶ 'Creating Strong, Safe and Prosperous Communities' (2008), HM Government.
URL: <http://www.communities.gov.uk/publications/localgovernment/strong-safeandprosperous>

²⁷ 'Communities in Control: Real People, Real Power' (2008), The Stationery Office, London.
URL: <http://www.communities.gov.uk/publications/communities/communitiesincontrol>

ethnic or faith identity limits or otherwise affects their ability to access activities and services. The Government expects that as a result of this legislation local authorities will increase participation in positive activities for all young people, but in particular for the most disadvantaged. Local authorities should monitor changes in participation, in particular amongst target groups, to ensure progress is being made.

In November, DCSF announced a new £4.5 million pilot scheme for teams of young people, supported by a third sector organisation, to assess the quality of local activities and youth services²⁸. The Young Inspector service will be piloted in up to 36 local authorities in England and will involve young people, drawn from the most disadvantaged neighbourhoods inspecting their local activities from a young person's perspective, scrutinising their local authority's youth services and making recommendations for improvements. Third sector organisations have been invited to bid to develop and implement the Young Inspector scheme; the successful organisation will be announced in February 2009 and the scheme will be trialled from April 2009 to March 2011.

28 URL: <http://ysdf.ecotec.com/>

Drug use

Recommendation 29

We recommend that the Department of Health explore ways to determine effectively the extent of drug use among young people of different ethnicities and that it conduct a review of the location and type of treatment currently available to determine how far treatment is meeting their needs and fill any gaps. We also believe that there is a need for a more detailed study of cannabis use and its use by, and effects on, young people of different ethnicities. (Paragraph 252, Main Report; Paragraph 36, Conclusion & Recommendations)

We agreed that tackling drug use by young people, and preventing young people from getting involved with drugs, was crucial. This is a central tenet of the Government's drug strategy.

We have now renewed our approach through the publication of *Drugs: Protecting Families and Communities*²⁹, the new ten-year drug strategy (2008-2018) which was published in February this year. The strategy has a renewed focus on prevention and early intervention, targeting those families most at risk. The strategy highlights that those services universally available do not necessarily meet the needs of all communities and that service providers and responsible authorities have a duty to proactively tackle discrimination in service provision and monitor the extent to which service provision meets the needs of all communities. In order to ensure that the needs of a diverse population of young people are met through the strategy, DCSF has produced a series of documents, including a checklist for commissioners and an Equality

and Diversity self-audit tool for services and interventions for young people's substance misuse.

The three-year action plan,³⁰ published alongside the strategy, set out specific actions to ensure that the needs of all groups are met: to ensure all local areas are fully aware of their duty to assess and meet the needs of all members of the local community; and that commissioners and providers of services have a better understanding of the needs of diverse communities and that appropriate services are provided.

Local areas have lead responsibility, through Drug and Alcohol Action Teams, for ensuring that the needs of all communities are met and local drug strategies should set out how this is to be achieved by a range of agencies across the full span of the strategy: from enforcement and supply reduction, to prevention and drug treatment. Where a local area fails to do this, the relevant regional Government Office will, via its regular liaison with local areas, identify such failure and work with the local authority concerned to ensure that measures for improvement are incorporated into the local drug strategy.

Monitoring of diversity practice is most appropriately conducted at a local level, as it is at this level that needs are identified and action to address those needs developed. However, the Government recognises that a lack of data and information relating to diversity is a fundamental issue at national, regional and local levels, and actions in the 2008-2011 drug strategy action plan relating to diversity therefore focus on meeting this need for data.

29 'Drugs: protecting families and communities': Strategy 2008-2018, Home Office, London.
URL: <http://drugs.homeoffice.gov.uk/drug-strategy/overview/>

30 'Drugs: protecting families and communities': Action Plan 2008-2011, Home Office, London.
URL: <http://drugs.homeoffice.gov.uk/publication-search/drug-strategy/drug-action-plan-2008-2011>

Our response also referred to the Prime Minister's announcement of 18 July 2007 that the Government would also consider whether it is right that cannabis should be moved from Class C back to Class B under the Misuse of Drugs Act.

The Advisory Council on the Misuse of Drugs (ACMD), which advises the Government on drug issues, was consulted and its findings were published in April 2008 in a report entitled *Cannabis: Classification and Public Health*.³¹ The report contained 21 recommendations about cannabis and public health.

The Home Secretary announced the Government's decision on 7 May 2008 to reclassify cannabis to Class B, subject to Parliamentary approval. On behalf of the Government, the Home Secretary accepted 20 of the 21 recommendations from the ACMD report. The Government's formal response was published on 13 October 2008.³² This coincided with the laying of the Order to reclassify cannabis to Class B. Reclassification will come into force on 26 January 2009 if approved following debate in both Houses of Parliament.

³¹ 'Cannabis: Classification and Public Health' (2008), COI, London.
URL: <http://drugs.homeoffice.gov.uk/publication-search/acmd/acmd-cannabis-report-2008>

³² Government response to the recommendations made by the ACMD in its report 'Cannabis: Classification and Public Health' (2008), HM Government.
URL: <http://drugs.homeoffice.gov.uk/publication-search/cannabis/acmd-cannabisreclassification?view=Binary>

Mental health treatment

Recommendation 30

We recommend that the Department of Health conduct a review to ensure mental health treatment is appropriate and sufficient to meet young black people's needs. (Paragraph 253, Main Report; Paragraph 37, Conclusion & Recommendations)

In response to the Committee, we set out that work to assess whether the mental health needs of people from BME groups were being met by service provision had already been undertaken. The Department of Health completed an extensive review of services for BME communities that led to the publication of the action plan *Delivering Race Equality in Mental Health Care (DRE)*³³ in 2005.

DRE is intended to improve access to, and the experience of, mental health services for BME communities (including young black men). The evidence suggests a significantly elevated risk of severe mental illness among African and African-Caribbean communities in England (for social, not biological reasons), coupled with inequalities in access to the services that can help people to manage their illness and keep their lives on track. DRE is working to ensure that no group loses out from the benefits that these services have delivered nationally over the last ten years.

DRE is a comprehensive and complex action plan, programmed to last until 2010 (although in practice many of its elements may well continue beyond that). Much has been learned so far, and the next challenge is to integrate that learning into mainstream mental health service commissioning and provision.

Monitoring, through the annual *Count Me In*³⁴ census of mental health in-patients introduced under the DRE programme, indicates persistently high numbers of African and African-Caribbean patients being admitted or detained in hospital, but the proportions are – at least to a large extent – related to differences in the incidence of severe mental illness. DRE is now focused on delivering change along the pathway of care, not just at the point where admission is considered.

To date, around 420 community development workers (CDWs) have been recruited (the target is to have 500 in post) and are working to build bridges between BME communities and local mental health services. For example, in Sheffield a CDW has worked with the local Pakistani Muslim community to better understand their needs and tailor services to them; as a result there have been tangible improvements, including reduced length of stay in hospital and increased patient satisfaction. The same approach is now being applied to the city's African-Caribbean and Somali communities. In Plymouth, the CDW has worked with the local communities to develop new, community-based care pathways for BME children and adolescents, and will soon be working in Bristol to develop pride and self-esteem among dual-heritage children.

The major expansion in access to psychological therapy in primary care has been subject to a rigorous equality impact assessment, and early monitoring indicates that both access to, and outcomes from, the new services are at least equal for black and Asian communities. Access was improved by allowing patients to self-refer, rather than be referred by a GP. Work is in hand to collect similar data for

³³ 'Delivering Race Equality in Mental Health Care', Department of Health, London.
URL: www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationPolicyAndGuidance/DH_4100773.

³⁴ URL: <http://www.healthcarecommission.org.uk/nationalfindings/nationalthemereports/mentalhealth/countmein.cfm>

other community-based services such as early intervention in psychosis, and to monitor the impact of the amended Mental Health Act.

DRE has produced new training modules in race equality and cultural capability for all mental health staff. Take-up has been good, and evaluation indicates improvement in BME patient satisfaction with care after staff have completed the training. DRE is also providing training for CDWs in how to run successful mental health promotion and awareness campaigns to encourage early access to mental health services. In Birmingham, for example, the CDW is running a campaign with the African-Caribbean community using local radio.

DRE organised and funded 18 local Focused Implementation Sites to act as trailblazers for the programme and 80 community engagement projects, which are helping BME communities to research and communicate their own needs for mental health services. The learning from both is currently being aggregated and evaluated so that it can be spread throughout the system. It is important to be able to monitor progress and as such, a 'dashboard' of key indicators is being compiled so that BME access to services like early intervention in psychosis, crisis resolution and home treatment, and psychological therapies – already monitored locally – can be properly measured nationally.

Housing

Recommendation 31

The evidence we received suggested there is a need for a review of housing, for vulnerable young people of all ethnicities. We recommend that within this, particular attention should be given to monitoring levels of access and success of interventions at local level for black young people to ensure the needs of this group are being met. (Paragraph 254, Main Report; Paragraph 38, Conclusion & Recommendations)

We did not accept the Committee's recommendation. As we set out in our response to the Committee, the Supporting People programme has been enabling the provision of housing-related support to young people of all ethnicities. Since the launch of the National Supporting People Outcomes Framework in 2007, we now have a robust evidence base which demonstrates the impact of housing-related support services, both locally and nationally.

Between May and March 2008, 35,324 young people (aged from 16 to 25) left short-term Supporting People funded services. Of these, 7,200 (20%) were from BME origins (defined as all 'non-white' origins) with 1,264 (3.6%) from Black Caribbean origins and 1,733 (4.9%) from Black African origins.

In general, higher proportions of young Black Caribbean and particularly Black African people had their needs met by housing-related support services compared to other people aged from 16 to 25. For example, 60% of young people who needed support to access training and education were successfully supported to do this, compared to 79% of young Black Africans and 64% of young Black Caribbeans.

Our response to the Committee last year also referred to the National Youth Homelessness Scheme, launched in March 2007. Since we responded to the Committee, a website to support the Scheme was launched in October 2007, providing a comprehensive knowledge base for local authorities and their partners. It includes a specific module on working with young people from BME communities developed for the Scheme by St Basil's, one of the largest agencies in the UK working with young people aged from 16 to 25 at risk of homelessness or actually homeless, and a leader in the field with an excellent track record of work with BME young people. The module contains case studies, tools and links to external resources and includes sections on knowing the local community; providing services and support and employing and training the workforce.

The website has been heavily promoted since its launch and feedback indicates that its user-base is growing. A 12-month review of the site, to ensure all content remains current and to add new resources, will be completed by the end of this year.

Safe spaces and youth activity

Recommendation 32

We recommend that the Government should look to increase awareness of, and access to, safe spaces in areas of high deprivation in which young people can meet informally with friends and gain access to information about organised activities and help and advice. Consideration should be given to how to make these centres 'single gateways' through which young people can gain access to a full range of other statutory services. (Paragraph 256, Main Report; Paragraph 39, Conclusion & Recommendations)

We agreed that access to safe spaces and awareness of those spaces could be increased. There is a clear demand from young people, parents and communities for more and better places for young people to go. The Government wants all young people to have access to high quality, attractive and safe places to go – offering a wide range of exciting positive activities both to support young people to reach their full potential but also to help improve relations between young people and the wider community.

Over the next ten years new Government investment and the re-investment of unclaimed assets will lead to new and improved youth facilities in every constituency – allowing ever more young people to participate and to benefit from support.

Aiming High sets out the Government's vision for improving youth facilities, in response to clear ongoing demand from young people, parents and communities for more and better places for young people to go. **myplace** (launched on 3 April 2008) will deliver £190 million of Government capital investment over the next three years through grants of between £1 million and £5 million.

myplace will fund projects that provide young people, particularly those living in disadvantaged communities, with exciting and safe places to go in their leisure time, so that they can participate in an attractive range of positive activities. **myplace** will provide opportunities for young people to build relationships with others from different backgrounds and encourage and improve intergenerational relationships. In addition, young people will be empowered and drive decisions about design, use and ongoing running of facilities. Funded projects will respond to local needs and priorities within the context of a wider strategy for improving places for young people to go and connect young people with information, advice and support services that they want and need within places they feel comfortable – ranging, for example, from sexual health advice, support to launch social enterprises or employability skills training.

Delivered by the Big Lottery Fund (BIG), **myplace** will provide world-class youth facilities driven by the active participation of young people and their views and needs. The first two bidding rounds (Fast track and Standard track) are now closed to applications; a new round will be launched in Spring 2009.

myplace investment may fund new builds or the refurbishment or redevelopment of existing assets and will focus on places dedicated to and driven by local young people – who should be active participants in every aspect of design and ongoing management. DCSF will be monitoring how much funding goes into each region and all projects have to demonstrate how they will reach the most disadvantaged young people.

We will fund projects within multi-purpose or community projects where this enhances the range of high quality opportunities and experiences available to young people and does not compromise their influence or sense of ownership over the project. Facilities will need to be delivered in cross-sector partnership. We expect local authorities to develop an integrated and strategic plan, involving the use of schools, community facilities, sports clubs, libraries and many more local assets for improving the range and quality of places for young people to go, including through greater levels of co-location.

In the *Youth Crime Action Plan* the Government committed to working to ensure that more youth centres stay open late at weekends and evenings, particularly on Fridays and Saturdays when young people say they need access the most.

DCSF published its *Play Strategy* and its response to the Fair Play Consultation on 10 December 2008. The Strategy outlines how the Government intends to make public space where children and young people can play and meet more safely. Amongst the proposals, we are taking forward actions from our consultation commitments to:

- increase supervision of play areas;
- improve safety of access routes to play areas;
- engage young people in the design and management of parks and public space to increase their sense of ownership; and
- an approach to provision which encourages social cohesion and inclusion.

Although the *Play Strategy* will provide support services through which children and young people may find routes to other

services and more structured activities, it is intended to create spaces where children and young people play freely and safely without overly structured intervention, to allow for experiential learning and the development of a sense of self-responsibility, social and emotional skills.

Recommendation 33

We recommend that funding should be given to provision of, and awareness-raising about, opportunities for all young people in deprived areas to get involved in organised youth activities such as sport, outdoor and environmental work and drama. Local authorities should look to raise awareness of, and access to, youth activities ranging from formal, national organisations to more informal or local associations. (Paragraph 257, Main Report; Paragraph 40, Conclusion & Recommendations)

We agreed with this recommendation.

All local areas are in the process of integrating their youth support services to improve local responsiveness to young people's needs and support their participation in learning. Local integrated youth support services will be:

- working to prevent problems occurring, rather than simply intervening when they do;
- working together more effectively to support the positive development of all young people, but with a clear focus on those experiencing disadvantage;
- providing improved information, advice and guidance to young people to support them to make better choices both in and outside learning;

- offering a comprehensive range of positive leisure-time activities and opportunities for young people, including those offered by extended schools, underpinned by a new duty on local authorities to secure young people's access to them; and
- providing targeted support for the most vulnerable teenagers involving tailored packages of education, informal learning opportunities, and personal support to help address more complex problems.

The roll-out of extended schools is central to this, increasingly enabling youth support services and schools to combine effectively to meet the aspirations and needs of teenagers in their communities. Over 14,400 schools, of which over 2,500 are secondary schools, are currently offering young people access to the core offer of extended services, including activities before and after school and in the holidays, and specialist support from services such as health and social care.

By 2010, all schools will be providing access to the core offer of extended services which comprises of:

- a varied menu of activities in a safe place including study support, play/recreation, sport, music, arts and crafts and other special interest clubs, volunteering opportunities, and business and enterprise activities;
- childcare from 8am to 6pm for 48 weeks a year for primary schools;
- parenting and family support;
- swift and easy access to specialist health and social care services such as speech and language therapy; and
- wider community access to services and facilities including adult and family learning and ICT.

The Government is investing a further £1.3 billion over the next few years. Evidence shows this approach is working. The recent evaluation of full service extended schools found positive impacts on pupil attainment and life chances, pupil engagement with learning, and on wider family stability. Children and young people also experienced positive personal, social and health outcomes. Overall, the impact was strongest for disadvantaged children, young people and families.

We have also established a Youth Task Force to ensure that we improve delivery of young people's services and so that they are designed around their needs. The Youth Task Force Action Plan made a £22.5 million available to 50 local areas to improve youth facilities in areas where crime and anti-social behaviour are a particular concern. The Youth Capital Fund Plus targets work and resources on the most deprived areas to increase young people's participation in activities, provide facilities and bring young people and the community together. This funding builds on additional Youth Opportunity Fund to ensure that young people, their parents and local people shape the activities offered in these areas.

In addition, the Youth Task Force has made £25,000 funding available to areas through the *Youth Crime Action Plan* and Tackling Knives Action Programme to deliver positive activities on Friday and Saturday nights in areas where crime and anti-social behaviour are an issue. The delivery of activities will be linked to police intelligence and young people are at the heart of the decision-making process to decide what type of activity is delivered.

To create more safe places to play, the Government will invest £235 million over the next three years (2008-11). This will offer every top-tier local authority capital funding that will allow up to 3,500 playgrounds to be rebuilt or renewed and made accessible to children with disabilities. As part of the funding requirement, local authorities are expected to consult and involve children and young people in development of ongoing support for play in their local areas. We are also producing guidance and communications for use locally to raise awareness of the benefits of play and how to access opportunities.

And because we have identified particular problems for children aged from 8 to 13 finding places to play we will support up to 30 new pilots of supervised play parks aimed at 8- to 13-year-olds in disadvantaged areas. The new Play Pathfinders started this September with 18 local authorities and over 400 schools. We will also pilot new volunteering schemes that will support play.

The Government has recently committed £265 million to provide disadvantaged children and young people with access to positive extended school activities of their choosing. We will look at how the new Play Pathfinders can support this.

Tackling deprivation and disadvantage to reduce attainment gaps is a core focus of extended schools. As aforementioned, we have already announced that we are making £265 million (part of the £1.3bn investment referred to earlier in this response) available by 2010/11 to help schools provide and commission an exciting range of activities for children and young people. This funding will help subsidise access to these opportunities by disadvantaged children, young people and children in care, who through their economic

circumstances would otherwise be unable to participate. The funding will give schools the confidence to focus on providing what would most benefit children and young people, not just limited to what they can afford to pay for.

DCSF recognises the importance of providing good quality, accessible information about positive activities with clear signposting to a range of opportunities which are available for young people in their area. We placed a duty on local authorities through the Education and Inspections Act 2006 to publicise information on positive activities, as part of a wider duty to secure young people's access to positive activities. DCSF are currently supporting local authorities in this work by providing funding for this purpose.

In addition to this, *Aiming High* made a commitment to reduce the barriers young people face to accessing positive activities caused by a shortfall in accessible information.

To support this commitment we commissioned a project from September 2008 to deliver an Information and Signposting project in 20 local authority areas which receive additional support and challenge from the Government's Youth Task Force. The project works with local authorities and their partner.

Central to this work is the need to explore the potential for making better use of existing technologies and 'formats' which young people use on a daily basis such as social networking and viral marketing. This project draws on the creativity of young people by enabling them to generate and share their own information and views about provision locally. The learning from the project will be shared more widely.

This work contributes to the Government's wider objective to support local authorities to make available information about local opportunities for young people with a view to increasing young people's participation in positive activities, particularly the most disadvantaged young people.

Recommendation 34

We recommend that the Government should work towards a situation in which there are sufficient places on YIPs to meet the needs of all high-risk young people in high crime areas. The Government should also look to ensure that there are adequate numbers of Youth Inclusion and Support Panels (YISPs) – groups which plan and manage interventions to prevent involvement in crime among at-risk young people – and that they have sufficient capacity to meet the needs of young people in their area. (Paragraph 258, Main Report; Paragraph 41, Conclusions & Recommendations)

As Recommendation 24 sets out, the Government recognises the contribution YIPs make to prevent those young people most at risk from offending from doing so. The Government has confirmed funding for YIPs and other Youth Offending Team prevention programmes up to 2010/11.

Gang membership

Recommendation 35

Local authorities should identify where gang exit programmes are necessary. Where it is required, Government should provide some additional pump priming funding to enable such programmes to get off the ground. Information about successful gang exit programmes should be collected at national level and disseminated to local agencies. (Paragraph 260, Main Report; Paragraph 42, Conclusion & Recommendations)

We agreed with the Committee.

The Connected Fund³⁵ provided a successful vehicle for funding projects supporting young black people, including helping them to leave gangs. Out of the 100 projects supported from the last round of the Connected Fund, 11 of those stated a primary focus on young black people, though many more projects had contact with young black people during the course of their work.

One such funded project is the Croydon Black Boys Can project. The project works with boys aged from 9 to 16 to maximise their academic and social potential and enable them to become respectable, successful men of tomorrow. The project targets those young black boys who are at serious risk of becoming involved in gang activity, aiming to engage them in a number of strategies to empower them with skills to make a positive step towards building self-belief and confidence.

A survey evaluating the Connected Fund was conducted at the beginning of 2008. It identified the need for more sustainable funding. In order to address this need, the Home Secretary also announced £3.8 million of funding (now £4.5m) for local community groups to run diversionary activities in the ten TKAP police force areas. The new fund

will provide grants for intensive work with young people most at risk of gun, gang or knife crime through mentoring and outreach work. This will energise local community projects and will enable people to get involved with projects in the neighbourhood.

The Home Office's Tackling Gangs Action Programme (TGAP) provided £1.5 million to tackle gun and gang problems in the cities of Birmingham, London, Liverpool and Manchester where over 65% of firearms homicides occur. TGAP has helped to deliver a 51% reduction of firearm-related injuries across those four cities from September 2007 to March 2008. For example, in Greater Manchester, TGAP funding supports Operation Cougar which, since February 2008, has delivered a 90% reduction in gang-related firearms discharges compared with the same period in the previous year. Since the end of TGAP, the Home Office has provided a further £1m to the TGAP cities and firearms offences have continued to fall, with a national reduction of 22% in April to June 2008 compared with the same period in the previous year.

Through TGAP, a number of third sector organisations providing exit strategy structures for gang members were supported financially. In Birmingham, for example, TGAP supported City United which provides a number of services to young people aged from 14 to 19 at risk or involved in gang crime.

Additionally, a multi-agency approach to this issue was also encouraged. For example, Manchester's Multi-Agency Gangs Strategy includes rehabilitation of those convicted of gun crime and gang-related offending; presenting young people with opportunities in education and employment as positive alternatives; and working in partnership with local businesses to create job opportunities for those leaving gangs.

³⁵ URL: <http://www.connected.gov.uk/index.html>

In the *Youth Crime Action Plan* the Government announced five young victim projects. The Lambeth project includes initiatives to support young victims who may become involved with gangs because they see it as a way to stay safe in the future. The Gangs, Advice, Training and Exit Service (GATES) project is a free text service and advice line for those affected by gang culture.

We also published guidance, *Tackling Gangs: A Practical Guide*,³⁶ launched on 22 May 2008, that aims to support local partnerships to identify an emerging gang problem, to set up a multi-agency team and a comprehensive response aimed at problem identification, risk assessment and management, prevention, enforcement and communications. The guide strongly emphasises to local areas the need to profile their individual gang problem, including looking at ethnicity, in order to develop appropriate solutions.

To help us better understand and take action on gang activity, YOTs are currently piloting new software to help monitor gang activity. Those involved in the pilot are reporting increased and more visible understanding of group and gang associations and are able to better manage the risk encountered when working with young people who may be hostile to each other. These YOTs report that they are beginning to see the patterns of association in relation to ethnicity and potential ethnic gang rivalries. The software will be rolled out nationally once all YOTs have received necessary upgrades to their IT systems. This is due to be completed by January 2009. The YJB plans to provide training for YOTs nationally to effectively use gang data recording tools. It is anticipated that this work on good practice guidance will culminate in the creation of a page on the YJB website through which best practice can be disseminated.

Recommendation 36

Key to most of the gang exit programmes we heard about was their separateness from local criminal justice agencies as perceived by their clients. Where there is a need, local authorities should consider contracting with community or voluntary sector organisations to provide gang exit programmes in their area. We also recommend that attention be given to the idea of creating 'safe-houses' for young people who wish to escape from gang violence but need protection in order to do so. (Paragraph 261, Main Report; Paragraph 43, Conclusion & Recommendations)

We agreed that voluntary and community organisations have a key role to play in delivering gang exit programmes. *Tackling Gangs: A Practical Guide*, mentioned under Recommendation 35, highlighted the need to involve third sector groups within local partnerships to tackle gangs, both to deliver exit and prevention programmes and to contribute to the broader tackling gangs strategy in an area. We are also aware of effective local authority-led exit programmes – an example of which is the X-it Programme in Lambeth, members of whom addressed the Committee during its Inquiry – and suggest that it is for local areas to decide what approach best fits their problem.

We recognised that safe houses may sometimes be necessary to protect gang members seeking to leave gangs. We also recognise that it is occasionally necessary to rehouse gang members who are seeking to leave gangs. CLG is working with local authorities and registered social landlords to gather and share good practice in rehousing gang members.

³⁶ 'Tackling Gangs: A Practical Guide' (2008), Home Office, London.
URL: <http://www.crimereduction.homeoffice.gov.uk/violentstreet/violentstreet012.htm>.

Recommendation 37

Where criminal gangs are clearly causing problems for local neighbourhoods, the police should use existing legislation to apprehend gang members. Where the concern is more about the potential for looser affiliations of young people who are not heavily involved in violence or crime as yet, we recommend that local youth services devote resources to draw these young people into focused activities through organised youth activities, improved access to facilities and the provision of one-to-one support and mentoring. We also believe there may be a need for more focused support at school to help young people say 'no' to gang membership and to raise awareness about where they can get help if they feel pressurised to join a gang. (Paragraph 263, Main Report; Paragraph 44, Conclusion & Recommendations)

We agreed that a range of safe places and activities should be offered for young people to prevent those at most risk of offending from doing so. Recommendations 32-34 and 45 set out at length the steps the Government is taking to enhance provision in this area.

Awareness-raising guidance for schools on tackling gangs and group offending was published online on 22 May alongside other Home Office guidance on gang-related issues from the TGAP and as part of a broader Government programme on tackling violent crime.

The guidance provides practical advice to schools that may be concerned about gangs and group offending about what signs they should look for, action they can take to reduce the risks and what to do if an incident occurs, including advice on working with the police and other agencies. The guidance should help schools to safeguard young people who may

be at risk of being drawn into gang or offending group membership as well as those who may feel threatened by such groups' activity. It includes advice on characteristics of gangs including links to factors such as ethnicity, gender, and particular 'territories'. DCSF are developing plans for a series of conferences beginning later this year to encourage the further development of Safer School Partnerships between schools and the police and to promote good practice in tackling issues such as gangs, to which delegates from all local authority areas in England will be invited. These conferences will help publicise the guidance, thus encouraging schools to use it, and help to embed its good practice advice. Local areas and individual schools will take the lead in implementing the guidance in ways that best address their needs.

Existing legislation, such as Anti-Social Behaviour Orders and civil injunctions, have been used by some local authorities to prohibit known gang members from going into the neighbourhoods which they consider to be 'their territory' as well as from associating with other known members of their gang. This has proved effective in breaking up gangs and reassuring local communities that these groups can no longer dominate their lives.

The Crown Prosecution Service (CPS) has also recently issued guidance on prosecuting gun and gang-related crime, entitled *Good Practice Guide to Prosecuting Complex Gun and Gang Related Crime* (2008). The guide aims to highlight good practice in relation to prosecuting complex gun and gang-related crime. It focuses attention on what seems to be working now, covering immediate action and investigative advice and charging, victim and witness care, disclosure, the trial process and sentencing, community engagement and media handling.

Voluntary organisations

Recommendation 38

Identification of the means by which voluntary organisations can be funded adequately and consistently over time should form a key part of the Government's strategy for tackling the over-representation of young black people in the Criminal Justice System. We do not think there can be a 'one size fits all' model for effective use of voluntary and community groups to reduce over-representation. We would urge grant-makers and the Government to consider grants for small voluntary organisations as well as support for larger charities working to reduce the numbers of young black people who are represented in the Criminal Justice System. (Paragraph 267, Main Report; Paragraph 45, Conclusion & Recommendations)

Our response to the Committee last year recognised the significant role of the third sector in improving services. The Government is working to further strengthen third sector involvement through a variety of vehicles.

Capacitybuilders is a non-departmental public body, set up in 2006, and sponsored by the Office of the Third Sector. It will provide funding of up to £88.5 million over the period 2008-2011. Its overall aim is to help create a more effective third sector, by improving support for third sector organisations. Support includes a wide range of services, such as provision of information, advice, mentoring and training.

Capacitybuilders has a strategic aim to ensure equal access for all third sector organisations to mainstream support services, and will target resources where necessary to address the needs of particular excluded groups. As well as robust expectations on all grant-holders to

demonstrate reach and access, *Capacitybuilders* has targeted funding programmes which have direct benefits for BME communities and their organisations.

For example, the new £18 million round of the *Improving Reach* programme was launched in 2007. This provides extra resources to extend support services to frontline groups working in and with excluded and marginalised communities, including BME groups. Specialised support will help these frontline groups to represent their community's voice and deliver services that meet their specific needs. Grant recipients were announced in July 2008. Over £3 million of funding has been granted to BME third sector organisations. Examples of BME third sector grant recipients include:

- MENTER £390,000
- African Caribbean Citizens Forum (East Midlands) £210,000
- Croydon BME Forum £415,953
- B:RAP Limited £398,400
- Cheshire, Halton and Warrington Racial Equality Council £410,555
- Oxfordshire Racial Equality Council £225,000
- Medway Ethnic Minority Forum £270,000
- Black Development Agency (South West) £176,448
- Black South West Network £160,713
- Consortia of Ethnic Minority Organisations (Yorkshire and Humber) £377,007

The new Equalities and Diversity National Support Service aims to improve support to frontline equalities organisations, run by and for people who experience discrimination

and abuse. This Equalities and Diversity workstream supports equality networks, facilitates collaboration between equalities and generalist support providers, and will improve support providers' abilities to support all frontline organisations on equality, diversity and human rights. This has been funded at £1.2m over a three-year period.

The *Futurebuilders* programme supports this through offering investment packages to organisations that are delivering public services, or would like to deliver services. Twenty-six per cent of applicants and sixteen per cent of investees are BME-led third-sector organisations.

The Government, in partnership with the Community Development Foundation and a network of local funders, was also proud to launch *Grassroots Grants*³⁷, in January 2008, a three-year £80m small grants programme for small voluntary and community groups. These third sector organisations will work closely with the community groups in their top-tier local authority area to identify and address local needs, with an emphasis on reaching out to marginalised groups and communities.

The Community Development Foundation were chosen as a partner in part for their value-driven approach to maintaining and supporting grants programmes, and their expertise in developing and disseminating best practice to third sector organisations, as demonstrated in their work on the *Connecting Communities +* programme and the Faith Communities Capacity Building Fund (FCCBF). The Office for the Third Sector are working with the Community Development Foundation to embed the learning and approaches they have into the ways that local funders work.

37 Grassroots Grants Programme (2008), Cabinet Office, London
URL: http://www.cabinetoffice.gov.uk/third_sector/community_action/grassroots_grants.aspx

The programme is augmented by a £50m endowment element that will help to sustain grant-making of this sort, at a local level, once the programme finishes in 2011.

In June 2008, the Ministry of Justice published its strategy³⁸ on how it would engage with the third sector to deliver better public services and improve policy through effective partnerships. This strategy provides an overarching framework within which policy leads across the Ministry will develop more specific actions related to their responsibilities. This led, in October 2008, to the Ministry of Justice/NOMS publishing its own paper on working with the third sector to help reduce re-offending³⁹. The plan includes an aim to engage diverse organisations including BME providers, in developing strategy and in planning and reviewing services, making use of their expertise and ability to reach and involve users and communities. It also outlines a commitment to work with representatives from infrastructure and the BME sector to identify mechanisms for ensuring that there is a voice for these parts of the third sector in reducing re-offending.

Ministry of Justice grants to the voluntary, community and faith sectors are currently being reviewed. The review offers the opportunity to identify areas of work effectively delivered by third sector partners that require financial support in line with the reducing re-offending agenda. Work with young black people is being considered as a potential area in recognition of the superior knowledge, skills and expertise that voluntary organisations can have in this area. We are looking to build on the findings of the review in the New Year.

38 'Third Sector Strategy: Improving policies and securing better public services through effective partnerships' (2008 - 2011), Ministry of Justice, London
URL: <http://www.justice.gov.uk/publications/third-sector-strategy.htm>

39 'Working with the third sector to reduce re-offending: Securing effective partnerships' (2008-2011), Ministry of Justice, London
URL: <http://www.justice.gov.uk/publications/third-sector-reoffending.htm>

The Home Office has also provided funding to the Damilola Taylor Trust and the From Boyhood To Manhood Foundation in order to support them in their work. In 2008/09, the Damilola Taylor Trust was awarded a grant of around £144,000 to support their core business and the development of an awards scheme. The From Boyhood To Manhood Foundation has been awarded funding of £220,000 in 2008/09 for their core business and the recruitment of a business manager and finance officer.

Recommendation 39

The Government should consider how it can support faith-based organisations delivering preventative interventions and make contact with young people who have fallen outside statutory activity. The Department for Communities and Local Government should carry out an evaluation of existing faith-based interventions in gang membership and should consult these groups on how they could best be supported to achieve their goals. Based on this, the Government should consider extending support to faith-based organisations whose interventions have proved successful. (Paragraph 271, Main Report; Paragraph 46, Conclusion & Recommendations)

We agreed with this recommendation. To better inform how we involve faith-based organisations, we have successfully evaluated the Faith Communities Capacity Building Fund (FCCBF). As part of the FCCBF evaluation, the Community Development Foundation conducted a survey of young people participating in those FCCBF organisations funded specifically to work with young people. The survey responds to one of the funding priorities: addressing the needs of young people in faith-based organisations and faith-based communities. The evaluation report was published recently.

The inter-faith framework document *'Face to Face and Side by Side: A framework for partnership in our multi faith society'*⁴⁰ contains a number of relevant FCCBF case studies. The document specifically considers the role that the Government, faith communities, inter-faith organisations and wider civil society can play in tackling the barriers experienced by young people from a wide range of different faith backgrounds.

A number of specific 'next steps' commitments are set out in the framework document. These include the launch of the Faiths in Action Fund which includes £4 million for locally based inter-faith activity and identifies the engagement of young people from a wide range of different faith backgrounds as a funding priority.

Recommendation 40

We recommend that local authorities should review their channels of communication with voluntary agencies to ensure they are responding to local need. Local authorities should seek to ensure that local agencies are giving appropriate weight to the concerns of voluntary organisations and taking action where necessary. (Paragraph 273, Main Report; Paragraph 47, Conclusion & Recommendations)

We agreed that local authorities could engage more actively with all their local partners, including third sector organisations.

As mentioned under Recommendation 27, the Local Government White Paper set out the Government's proposals for devolving

40 'Face to Face and Side by Side: A framework for partnership in our multi faith society' (2008), The Stationery Office, London.
URL: <http://www.communities.gov.uk/publications/communities/facetoface-framework>.

significantly more responsibility and decision-making to local authorities. Local authorities are now working with their partners to agree the key local priorities and to set targets for improving them. Recommendation 27 also referred to the publication of statutory guidance to local authorities and their partners – including third sector organisations representing the views of young black people – and serves as a comprehensive guide on how to engage their citizens, lead their communities, and find new and more effective ways to deliver high quality services.

A cornerstone of the guidance is the duty to involve (section 2 of the guidance). This duty seeks to involve citizens (referred to as ‘representative of local persons’) in local decision-making and service provision. The aspiration for the new duty is to embed a culture of engagement and empowerment and draw in a wider cross-section of the community. By shifting the responsibility for decision-making towards the local level, we are hopeful that this will lead to the inclusion of marginalised and ‘hard to reach’ members of society in this process.

An extensive consultation process informed the final guidance, during which we received largely favourable responses. A report summarising these responses was launched alongside the guidance. The consultation was open to the public and we actively sought to gain the opinions of as wide a cross-section of society as possible. We received extremely useful responses from several third sector organisations either directly or indirectly associated with the views and opinions of young black people. The comments and concerns of these organisations in some way helped inform the content of the final guidance.

Children’s Trusts are local partnerships which bring together the organisations responsible for services for children, young people and their families in a shared commitment to improving children’s lives. Third sector organisations are important members of Children’s Trusts at both strategic and operational levels. The Government intends to legislate to strengthen Children’s Trusts in the next parliamentary session.

Recommendation 41

We believe central Government and local authorities should review the timescales on which they offer funding, to ensure voluntary organisations have an adequate opportunity to effect change in a particular area. (Paragraph 277, Main Report; Paragraph 48, Conclusion & Recommendations)

We accepted this recommendation.

The Government aims to underpin the capacity of third sector organisations to deliver social and environmental benefits for communities, including those that work with young black people, by providing sustainable funding, so that organisations can plan, grow and innovate. Guidance for central departments on reporting on the three-year funding commitment was issued in August 2008⁴¹. The Government has committed to report annually to Parliament on its progress in implementing this commitment, as part of its annual review of the *Compact*.

Departments reported to the Minister for the Third Sector by the end of October 2008 on grants made to third sector organisations (including those working with young black people) and the proportion which is three

41. ‘Three Year Funding: Guidance for central Government departments on implementing the three year funding commitment – first stage of report’ (October 2008)
URL: http://www.cabinetoffice.gov.uk/third_sector/~/_media/assets/www.cabinetoffice.gov.uk/third_sector/Three%20Year%20Funding%20Guidance%20pdf.aspx

year funding or more. Departments were also asked for a rationale where three-year funding has not been given. The Minister will present a report to Parliament as part of the annual review of the *Compact* (February 2009).

A second report by Departments will be made by 31 October 2009. This will include grants and contracts to third sector organisations including by Non-Departmental Public Bodies and agencies of Government departments.

A review of the *Compact* is being undertaken, led by the Commission for the *Compact*, in order to ensure continued impact in its second decade. This will look at areas where the *Compact* needs to be strengthened and updated.

Recommendation 42

We recommend that the Government consider its guidance to the Youth Justice Board, local authorities and other grant-issuing bodies, to ensure that it is sufficiently flexible to allow criteria to be tailored to the particular client group in question. Where possible, monitoring and evaluation should take a long-term view and should use both qualitative and quantitative measures. (Paragraph 281, Main Report; Paragraph 49, Conclusion & Recommendations)

We agreed. We want to help third sector organisations, including those that work with young black people, to demonstrate to commissioners and practitioners the effectiveness of their programmes and intervention work.

In June 2008, the Social Exclusion Task Force (SETF), in partnership with Barnardo's, Research in Practice and the National Foundation for Educational Research, launched

*Think Research*⁴². This is a user-friendly tool to assist commissioners and service providers to use research to help select and monitor evidence-based services for vulnerable people. *Think Research* has been disseminated to commissioners and service providers. In July, SETF hosted two training sessions for commissioners based on the key messages within *Think Research*.

The Office of the Third Sector continues to implement the cross-governmental action plan *Partnership in Public Service*⁴³. One of the main actions under this part of the plan is the National Programme for Third Sector Commissioning, which was set up to improve commissioners' understanding of the potential of the third sector in designing, delivering and improving public services. The Programme aims to: co-ordinate guidance and support on commissioning services from the third sector; increase understanding of the third sector among commissioners; provide awareness training for councillors and officers on the benefits of involving the third sector in public services; and provide training for 2,000 commissioners involved with services to improve the third sector's bidding capacity. A portfolio of training has been agreed and developed with partners, including the Improvement and Development Agency (IDeA), to meet these objectives. The Office of the Third Sector had held a series of training days for commissioners in order to deliver this package. Third sector organisations contributed to these training days, providing the opportunity for them to promote their work directly to commissioners.

42 'Think Research' (2008), Cabinet Office, London
URL: http://www.cabinetoffice.gov.uk/social_exclusion_task_force/think_research.aspx

43 'Partnership in Public Service: an action plan for third sector involvement' (2006), Cabinet Office, London
URL: http://www.cabinetoffice.gov.uk/third_sector/public_services/public_service_delivery.aspx

Broadcasters' responsibility and popular culture

Recommendation 43

We believe that greater censorship would be both undesirable and impractical. Any Government role in relation to artists and the material they produce should be restricted to ensuring organisations and individuals are not contravening the Broadcasting Code or breaking other laws, such as those against incitement to commit hate crime. (Paragraph 283, Main Report; Paragraph 50, Conclusion & Recommendations)

Recommendation 44

Given the impact of music and videos on young people who are already vulnerable, we believe both service and commercial broadcasters should formulate and publicise policies on how they intend to tackle this key public concern. Broadcasters who receive videos and tracks from young artists which portray violence or crime should demonstrate that they are engaging in dialogue with young people, and showing them what is and what is not eligible to receive air time. (Paragraph 284, Main Report; Paragraph 51, Conclusion & Recommendations)

As stated in our original response to the Committee, these are matters for broadcasters, not Government.

Recommendation 45

The Department for Culture, Media and Sport should receive support to provide appropriate funding to music projects which involve young people expressing their creativity positively. We also recommend that DfES should explore what training and support should be made available to youth workers and teachers to help build resilience in young people

to negative messages in popular culture. (Paragraph 285, Main Report; Paragraph 52, Conclusion & Recommendations)

We agreed that involvement in the creative arts can have a positive impact on young people's lives, contributing to personal development and important life skills such as self-discipline, self-confidence and team work.

The Government is already committed to supporting young people's cultural education and makes significant investment in cultural provision for children and young people.

In November 2007, the Secretary of State for Children, Schools and Families announced a £332 million investment in music – to include singing, new instruments, performance and access to free music tuition for primary pupils to 2011. This investment is expected to make a real difference on the ground, so that all children are able to learn a musical instrument for free, normally in a large group or whole class setting, for at least one year in their primary school followed by more opportunities to continue to learn an instrument beyond that. Access to high quality and enjoyable programmes, supported by continuing professional development for teachers, access to high quality instruments and making music in ensembles are expected to have benefits for pupils, teachers and families/carers. Improved transition to secondary schools with the provision of pathways for pupils to follow and ensuring that all different musical interests and aptitudes are respected and developed were among the recommendations of *Making Every Child's Music Matter, Music Manifesto Report no.2*.⁴⁴ Revisions to the Key Stage 3 music curriculum and new approaches to music provision offered by programmes like Musical Futures, funded by the Paul Hamlyn

⁴⁴ 'Making Every Child's Music Matter: Music Manifesto Report No. 2'
URL: <http://www.standards.dfes.gov.uk/eyfs/resources/downloads/50226.pdf>

Foundation, can bring non-formal teaching and informal learning approaches into the more formal context of school.

The Department for Culture Media and Sport (DCMS) and DCSF have also launched *Find Your Talent*⁴⁵ – a £25m Pathfinder Programme in ten areas with the aim of exploring how best to deliver five hours of high quality cultural experience to every child in their area, both in and out of school. This offer will include a range of opportunities for young people as both creators and spectators of culture. A key aim is to make sure all young people in the pathfinder areas have the opportunity to take part in cultural activities, particularly those who would otherwise miss out. *Find Your Talent* will also give more young people the chance to discover and develop their talents, realise their full potential regardless of their background, and, where appropriate, progress into careers in the cultural and creative industries.

Participation in cultural activities can help young people to focus on positive and developmental activity and can contribute to putting them on the path to success, diverting them from anti-social behaviour, and raising aspirations.

To contribute to providing places for young people to go and enjoy creative activity, DCMS have just launched a two-year programme, in partnership with local authorities, to provide access to rehearsal spaces to all young people in deprived or isolated areas. The aim is to have ten pilot schemes set up by March 2010.

DCMS also funds mentoring schemes through third party bodies which are specifically aimed at young people who may be at risk. Ongoing funding has been agreed until 2011 for three mentoring schemes in music, media and sport.

The Youth Music⁴⁶ mentoring scheme, for example, includes one-to-one mentoring by adults to help young people realise aspirations and progression routes by developing an individual plan and small group mentoring sessions focused on specific topics linked to progression routes in music. This mentoring programme will allow young people to participate in the community in a positive manner and encourage motivation and self-esteem. It is hoped that by the participants receiving respect and consideration, particularly by their peers and by people they admire, they will begin to learn to respect both themselves and the communities they live in.

These mentoring programmes, originally targeted in 14 Respect areas have shown success in attracting black and mixed race young people. Monitoring of the pilots in the Music Programme, for example, suggests that 32% of participants who provided details of their ethnicity were from a black or mixed race background.

*Building Brighter Futures: Next Steps for the Children's Workforce*⁴⁷ set out the Government's ambition to ensure that everyone who works with children and young people has the highest level of skills and practice, and works together effectively. This includes ensuring the skills and knowledge required of the workforce meet the needs of young people including those from BME communities.

*Positive Futures*⁴⁸, the youth sport and positive activities scheme sponsored by the Home Office, is also expanding its capacity to deliver arts and music programmes alongside its highly successful sporting work.

46 URL: www.youthmusic.org.uk

47 'Building Brighter Futures: Next Steps for the Children's Workforce' (2008), DCSF, London
URL: <http://www.dcsf.gov.uk/publications/childrensplan/downloads/7482-DCSF-WorkforceMatters.pdf>

48 URL: <http://drugs.homeoffice.gov.uk/young-people/positive-futures/>

45 URL: <http://www.findyourtalent.org/index.html>

Recommendation 46

We also recommend that the Government should work with local and national broadcasters who reach a large black audience to disseminate messages about how to report and deal with crime. Radio stations, TV channels and websites may provide useful platforms from which to publicise weapons amnesties or to give our anonymous contact numbers for Operation Trident, Crime Stoppers or other helplines. (Paragraph 286, Main Report; Paragraph 53, Conclusion & Recommendations)

We agreed that communications about how to report and deal with crime could be strengthened. In addition to the campaigns we outlined in our response to the Committee, we have, this year, launched a significant campaign, *It Doesn't Have to Happen*, aimed at reducing knife possession among fearful young people, the second wave of which was rolled out recently. Adverts developed by young people who have experienced knife crime highlight the emotional and physical consequences of knife crime, and aim to challenge the 'glamour', fear and peer pressure that can drive young people to knife crime. They appeared on mobile phones, on targeted websites, radio and postcards.

The discussions that took place with young people to develop the campaign also highlighted that mothers remain a positive authority figure and can have influence over potential knife carriers. Accordingly, a representative of the group *Mothers Against Violence*⁴⁹ took part in the discussions; another strand of the campaign is a series of adverts aimed at mothers, encouraging them to talk about knives with their children.

The campaign is supported by an online community on Bebo⁵⁰. Over 61,000 people have visited the Bebo site and over 6,000 have become friends of the page. This is a high number when benchmarked against other Bebo pages.

Recommendation 47

We believe it is critically important that young people are involved in the formulation of any policy on popular culture and how it can be used to prevent involvement in crime. (Paragraph 287, Main Report; Paragraph 54, Conclusion & Recommendations)

We agreed it was important to involve young people in the formulation of policies that affect them and, further to the examples we set out in our response to the Committee, we have continued to do this.

We want young people to be at the heart of developing and shaping the culture offer and, in each of the ten pathfinder areas, partnerships will be consulting and working with young people to ensure that opportunities are offered to meet local needs. The Young Ambassadors programme in Leicester, for example, aims to increase participation in cultural activities, encouraging children and young people to determine their own cultural priorities and become more involved in their planning and delivery. Some examples might be a young promoters or young choreographers programme and visits to local and regional companies.

49 URL: <http://www.mothersagainstviolence.co.uk/>

50 URL: <http://www.bebo.com/itdoesnthavetohappen>

Youth Offending Teams

Recommendation 48

We recommend that the YJB should make greater efforts to ensure YOTs can demonstrate that they have identified and analysed any pattern of overrepresentation in their area. Where overrepresentation is a significant issue, YOTs should be required to show that the support they provide for young black people is designed to meet the particular needs of these young people and to reduce their risk of re-offending. (Paragraph 292, Main Report; Paragraph 55, Conclusion & Recommendations)

Recommendation 49

YOTs should be required to identify the support they will require from other agencies and voluntary organisations. They should be required to show that they possess or are developing appropriate partnerships with these organisations. (Paragraph 293, Main Report; Paragraph 56, Conclusion & Recommendations)

We agreed that greater efforts should be made by the YJB to identify and analyse any over-representation in the youth justice system. Research commissioned by the YJB has indicated that BME groups can receive different outcomes when they are brought into the youth justice system that cannot always be explained by differences in case characteristics. There are no simple patterns of disproportionate outcomes but it does point to potential discrimination.

In our response to the Committee, we highlighted that the YJB was committed to revising its performance and planning framework for Youth Offending Teams to further strengthen the emphasis on over-representation in the youth justice system.

Since then, the YJB has developed and introduced its new planning framework for YOTs and has ensured that the issue of over-representation is integral to the process. The framework includes a process by which YOTs undertake an annual assessment of their capacity and capability to identify and address key objectives. The process involves the issue of over-representation being assessed in each of the key areas of the work of the YOTs, including reducing first-time entrants into the system, reducing re-offending and reducing the number of children and young people sentenced or remanded to custody.

The new planning framework has been rolled out and YOTs' assessments have been undertaken and are now in the process of being validated and analysed by YJB regional teams. The findings will be used to agree priorities for improvement.

Alongside the new YOT framework, the YJB is finalising a new diversity and equalities strategy that, while focused on developing the YJB's internal approach to these challenges, includes actions where it will support the work of YOTs and the youth justice system further. These include ensuring that new national standards for youth justice and case management guidance includes information for YOTs on equality and diversity, increasing the sharing of best practice among YOTs on these issues and improved monitoring by ethnicity of secure accommodation for young people remanded or sentenced by the courts.

As noted in the Government's original response, the YJB has also commissioned a study to explore the specific needs of young BME people in the youth justice system and the associated levels of current service provision. This study has been undertaken and is in the process of being finalised; it maps the

level of risk and need amongst BME young people engaged with YOTs and the availability and perceived need (of both YOT staff and young people) for targeted interventions. The YJB will review the findings and will need to consider the implications for future programme developments. The report is due to be published in early 2009.

As statutory 'relevant partners' of Children's Trusts, YOTs are well placed to feed information on over-representation into the local needs assessment which informs the strategic Children and Young People's Plan and to embed it into the wider work to promote well-being for all children, young people and their families.

Recommendation 50

Given the multifaceted causes of the problem and the shared responsibilities involved in resolving these, YOT indicators should form part of the wider, overarching performance framework for local government and its partners. Throughout, close collaboration will be needed with the adult Probation Service to ensure a co-ordinated response at both local and national level. (Paragraph 294, Main Report; Paragraph 57, Conclusion & Recommendations)

We agreed with the Committee on this point. We have ensured that the proportionate ethnic composition of young people in the youth justice system has been included in the new national indicator set for local government and its partners in England.

As mentioned previously, the YJB's new planning framework for Youth Offending Teams has been developed and is designed to complement the new local government

performance framework. YOTs are assessing the contribution they are making to reducing over-representation in the youth justice system working with their local partners.

YOTs, as members of both the local Children's Trust and the Crime and Disorder Reduction Partnership (CDRP), are well placed to bridge the gap between the youth justice system and wider children's services. The Children's Trust as a whole has a key role in making sure young people leaving custody get the help and support they need to reduce substantially the risk that they will re-offend.

Further data and research

Recommendation 51

We understand that the Home Office has just commissioned the development of advice and guidance on the collection and use of a minimum dataset on race statistics, following the publication of the Root and Branch Review of Race and the Criminal Justice System in September 2006. We welcome this move, and would emphasise the importance of local criminal justice boards taking a holistic view of the working of the system on their area. This will require full and accurate monitoring by all agencies, including the CPS and the courts. A full set of recommendations on further data and research is set out in the Annex. (Paragraph 297, Main Report; Paragraph 58, Conclusion & Recommendations)

As the Committee acknowledged in its report, we are introducing the Minimum Data Set (MDS) to ensure consistent ethnicity data are available across all criminal justice agencies. We remain committed to doing so. The MDS will be rolled out to all LCJBs in England and Wales by March 2011.

The MDS will not only provide data on inputs at key stages of the CJS, as is currently provided in the *Section 95 Statistics of Race and the Criminal Justice System*⁵¹ report, but will also provide data on outcomes e.g. the number of offenders compliant with court orders. This level of granularity will allow a more comprehensive assessment of disproportionality in the CJS at each decision point and at a local level.

The pilot phase identified some challenges. A number of pilot LCJBs experienced difficulties in collecting certain datasets at a local level.

We have, therefore, revised the scope of the MDS to take account of this. In order to ensure the continued consistency and quality of data collected, all datasets will now be collected centrally and disseminated to LCJBs on a quarterly basis, apart from one police data item. This has reduced the burden on LCJBs and ensured that they have enough resource to analyse and use the data available in a meaningful way to address disproportionality.

The MDS will enable LCJBs to have available a dataset covering the full extent of the CJS from the point of arrest to supervision by the Probation Service. This dataset will use self-defined ethnicity classifications. A component of the dataset will be data supplied by the YJB on youth offending.

A number of the pilot areas have already begun to analyse the data collected, with disproportionality identified at a number of stages in the CJS. The next stage in the MDS project is for these areas to draw up action plans to address the issues identified. It is expected that action plans will be drawn up within one year of the initial analysis having been commenced in order to allow analysis on a number of quarters' data before firm conclusions are drawn. LCJBs will be supported throughout this process by the Office for Criminal Justice Reform (OCJR), including through the issuing of guidance to LCJBs on analysing the data and how to use this analysis to inform their action plans.

Following the implementation of the action plans, it is expected that changes to outcomes for BME groups will be evidenced by a reduction in disproportionality as seen in the MDS data.

⁵¹ 'Statistics of Race and the Criminal Justice System 2006/07', Ministry of Justice, London.
URL: <http://www.justice.gov.uk/publications/raceandcjs.htm>

Recommendation 52

The Government should undertake monitoring of CPS charging decisions to verify that any undue bias to charging decisions in cases where the suspect is black has been eliminated. (Paragraph 298, Main Report; Paragraph 59, Conclusion & Recommendations)

In the Government response to the Committee, the Crown Prosecution Service committed to continuing to undertake equality and diversity impact assessments of its charging decisions.

The specification for these impact assessments for 2007/08 has now been produced by the CPS. The specification addresses issues of difference in charging between young offenders and adults, and persistent young offenders and prolific priority offenders (PPOs) for the second year in a row.

A draft equality and diversity impact assessment (EDIA) is on schedule to be produced and consulted upon by January 2009 before being finalised by the end of March 2009. The aim of the assessment is to determine if the distribution of different types of charging decisions varied according to the ethnicity, gender, age, disability or principal offence category. It will also compare outcomes with those of previous years' to see if there is evidence of improvement or disproportionality in outcomes that can be drawn out and analysed more closely. This is in keeping with the CPS's Single Equality Scheme 2006-2010 which sets out how it will respond to its statutory equality duties (race, disability and gender), and also develop legal obligations in the 'new' equality strands, including age.

Stop and Search powers and policing

Recommendation 53

We recommend that existing measures to understand and combat disproportionality should be reviewed. We recommend that strategies for the use of Stop and Search should explicitly recognise the balance that needs to be struck between use of the power to prevent or detect crime and the negative impact its use has on public co-operation with, and support for, the police. Such a strategy would focus on halting the increase and then reducing the proportion of stops and searches which detect no crime or criminal intent and whose impact is damaging. (Paragraph 301, Main Report; Paragraph 61, Conclusion & Recommendations)

Our response last year agreed with this and we continue to be committed to reducing unfair disproportionality in Stop and Search. The Stop and Search Practice Orientated Package is a powerful tool to help us do so. It has already been rolled out to ten police forces, with at least a further 14 estimated as having adopted the principles of POP in order to address local disproportionality issues. Many of the remaining forces have shown an interest and are at various stages of utilising the principles contained in the package. The National Policing Improvement Agency (NPIA) are continuing to promote the use of POP to meet their target that all forces will be using the principles of POP by April 2009.

Evidence shows us that when forces embed the principles contained in the POP, it encourages a more intelligence led approach to Stop and Search, resulting in increased arrest rates, a reduction in unjustified disproportionality and better statistical performance mapping processes. The monitoring of, and feedback from, these forces has identified good practice

which will facilitate the drafting of an enhanced version of the POP. All police force diversity leads have now been briefed. NPIA is currently redrafting the POP workbook, together with regional road shows and workshops, to be rolled out to forces over the coming months.

The POP is a tool designed to identify both justified and unjustified elements of disproportionality and to assist in the subsequent development of localised action plans following substantial community and workforce consultation and feedback.

In his *Review of Policing*⁵² published in February 2008, HM Chief Inspector of Policing, Sir Ronnie Flanagan, recommended that the current reporting process for Stop and Account should be replaced with recording of ethnicity only and providing the person with a receipt of the encounter. The Review recognised that this would not only provide savings in terms of officer time and bureaucracy, but that far greater emphasis could be placed on the accountability an individual officer displays each time they stop a member of the public.

The removal of the existing recording requirement has been piloted in a number of force areas since the end of October 2008, following amendment to PACE Code A with the agreement of Parliament. Early findings from the pilot areas show that the quality of the encounters has increased and that officers retain accountability with the individual and their local community. The pilot areas continue to record the ethnicity of the person, and therefore when nationally rolled out, would retain the ability to consider at a national level issues of disproportionality.

⁵² Independent Review of Policing by Sir Ronnie Flanagan – Final Report (2008), Home Office, London.
URL: http://police.homeoffice.gov.uk/publications/police-reform/Review_of_policing_final_report/

The Government is looking to roll out nationally the removal of the existing lengthy recording requirements for Stop and Account by the end of the calendar year. In terms of its application to Stop and Search, we need to consider the value and degree of reassurance the level of information gathered during the more intrusive search process provides to the individual. We will use lessons learned from Stop and Account. We will also consider through public consultation how the information gathered during the stop and search process can be reviewed in order to minimise form filling and focus more on the quality of the search and officer accountability.

Recommendation 54

Clearly, the negative impact of stop and search on innocent young people can be greatly reduced if proper attention is given to the way in which the encounter is conducted. The evidence that we received suggested police efforts to improve the quality of the encounter have yet to be felt on the ground. Changes need to be made to the nature of the encounter to ensure that it is respectful, courteous and well explained. (Paragraph 302, Main Report; Paragraph 62, Conclusion & Recommendations)

Our response to the Committee outlined the work of NPIA's Stop and Search Delivery Board and Community Panel. The Panel's Action Plan and Strategy now prioritise specific actions in addressing disproportionality in Stop and Search. The composition of the Panel is currently being reviewed, with a view to encouraging the participation of young black people on the Panel. NPIA are actively recruiting for young black people to take part

on the panel, aiming for their inclusion by April 2009.

All student constables receive training in Stop and Search and the majority of forces proactively include young members of the community who relate their experiences of being stopped and searched.

The new legislative changes to the stop and account process will bring a number of benefits both to the police service and communities. The requirement not to complete lengthy forms will enable officers to focus upon the quality of the interaction, without unnecessarily detaining the individual longer than what is required. Supervisors should also be in a better position to actively supervise and monitor the quality of officer and public interaction due to the substantially reduced number of forms required to be checked.

There are already some excellent examples of quality of service initiatives. For example, in Hertfordshire everybody who is subjected to stop and search are asked two quality assurance questions: "Do you understand the reason for being stopped?" and "Were you treated professionally, respectfully and with dignity?". Responses are monitored locally and at force level.

West Yorkshire utilise local Stop and Search community scrutiny panels. The panels meet on a monthly basis and scrutinise random Stop and Search forms. The officers who have submitted the forms are notified of this and may be required to provide further clarity by way of a personal appearance or report. The process has had the effect of raising the standards of engagement with the communities.

The NPIA is actively promoting the use of such initiatives in order to raise the levels of individual accountability in the use of Stop and Search and help improve behaviours.

To further support police officers we are developing, through the NPIA Trust and Confidence Community Panel, a toolkit to help them develop their community consultation skills. Panel members are involved in exercises around the country to identify good practice in areas such as the development of BME youth groups and retention of BME staff.

The NPIA has undertaken research into drivers of confidence from the British Crime Survey. This identified that, along with elements of Neighbourhood Policing (visibility, problem solving and engagement), treating people with fairness and respect is a key driver of confidence in the police. Findings from this research were presented and discussed at the ACPO Citizen Focus event on 10 October 2008. Work is commencing with forces through the Citizen Focus and Neighbourhood Policing field officers to identify good practice in forces in order to understand public confidence, particularly where it is low, and to improve the quality of police forces' interaction and services to positively impact upon this. A Citizen Focus Board is being proposed within the NPIA to co-ordinate activity across its departments, including Learning and Development; and Equality, Diversity and Human Rights, to ensure that work across the Agency, such as reviews of core training programmes and the new People Strategy includes Citizen Focus standards and qualities.

As indicated in our response last year, the Stop and Search *Know Your Rights*⁵³ campaign continues to raise awareness of people's

rights regarding stops and searches by the police service.

The Association of Police Authorities (APA) distributes the materials to each of the 43 Police Authorities, and each Police Authority distributes the documents locally. This is done through targeted work including through school liaison officers and police attendance to community group meetings. The campaign material was updated in 2007 to take account of the feedback received from young people (and others) from the focus groups held by the APA, and to ensure the material was compliant with the requirements of the Disability Discrimination Act and accessible to all. The APA will update the material further to reflect changes to the way in which stop and account is conducted, anticipated at the end of the year.

Recommendation 55

Our witnesses made clear that in some cases, the benefits of stop and search might be outweighed by the negative consequences in terms of the willingness of young people to communicate with and trust the police. Stop and search is not a notably productive means of tackling crime, particularly if done on an uninformed basis. Alternatives to stop and search that might help the police engage better with young people should be considered. (Paragraph 303, Main Report; Paragraph 63, Conclusion & Recommendations)

We disagreed with the Committee's recommendation. The alternative to stop and search would be to arrest, which would be excessive and might actually have a more detrimental effect on trust.

⁵³ Know Your Rights, Association of Police Authorities (updated November 2007)
URL: <http://www.apa.police.uk/APA/Features/Stop+and+search/>

As Recommendation 54 explores, developing a deeper, stronger connection with local people is crucial to building trust and confidence in the police – and the Criminal Justice System more generally – and the spread of Neighbourhood Policing can help achieve this. Recommendation 57 outlines the current position in respect of the national implementation of Neighbourhood Policing.

Recommendation 56

We recommend that all forces should provide as standard training on relating to local ethnic minority communities, both for probationers and on an ongoing basis as the ethnic composition of an area changes. Fairness and objectivity should be key performance measures against which individual officers should be assessed when it comes to appraisal, and the police should prioritise these attributes when recruiting. (Paragraph 304, Main Report; Paragraph 640, Conclusion & Recommendations)

We agreed with this recommendation. The NPIA, ACPO and the APA continue to implement the Police Race and Diversity Learning and Development Programme (PRDLDP).

The NPIA is monitoring achievement of the National Occupational Standard 'Promoting Equality and Valuing Diversity' across all forces and is implementing an agreed evaluation strategy.

A benefits management strategy has been developed to measure the impact of the training. Benefits and supporting measures of the PRDLDP Strategy have been defined and consulted on. The first level of evaluation (implementation, progress and indication of

achievement), to be undertaken by March 2009, will provide the first full dataset for all police officers and staff. Achievement of student officers is already being monitored as part of the quality assurance of the learning and development programme.

Work has been undertaken by NPIA to define the 'hallmarks' of a Citizen Focused organisation and identify the detail that underpins this. A document has been produced outlining these hallmarks, which has been agreed by ACPO and was launched at an ACPO Citizen Focus event on 10 October. Understanding communities is a key element of these hallmarks. NPIA field officers commenced visits in November 2008 to evaluate and verify the hallmarks and add examples of good practice in areas such as leadership, process improvement, training and staff development to develop qualities and standards against each of the hallmarks.

Recommendation 57

We recommend that more police forces should create local forums in which police and young people can come together to talk about issues affecting the community. These panels could identify local flashpoints or areas of tension and find solutions and may also prove useful for gathering intelligence about local needs and priorities. (Paragraph 3057, Main Report; Paragraph 65, Conclusion & Recommendations)

We agreed with the Committee's recommendation and, further to the good examples we outlined in our response last year, we are continuing to make good progress. Neighbourhood policing teams are actively engaging with young people across England and Wales. For example, in Northumbria,

the force has an office within Gosforth High School which has a Force Computer inside. This allows officers to be seen at all times, increasing visibility within the High School and increasing accessibility and reassurance to both teachers and students. Once a year police officers run a Citizen Day where, along with the Fire Brigade and other agencies, give talks about issues ranging from conflict management to the consequences of crime and disorder. At all other times police respond to requests by schools to give talks to children ranging from road safety to 'People Who Help You'.

In West Yorkshire, pupil groups meet to form Young Citizen Panels to do project work on behalf of the police. In 2008 they looked at community cohesion. Given smaller projects, as well, through the year, the Young Citizen Panels are used for consultation on a wide range of subjects. The Panels represent the full diversity of students across the county.

Furthermore, as part of the TKAP, which is allocating £2 million to those ten police force areas that together account for 70% of knife crime, local areas are being asked to set up or reinvigorate local youth forums. The aim of this is to encourage young people to participate positively and stay on the right track rather than commence a life of offending behaviour.

Recommendation 58

We repeat the recommendation made by our predecessor Committee we believe that the best way forward is through a combination of: (a) increased effort put into 'positive action', that is, promotional and outreach activities aimed at encouraging more members of minority groups to apply to join the police; and (b) the prioritising in recruitment certain

abilities such as language skills and knowledge of cultural background, where relevant to policing needs in particular areas. A case can be made for doing this on a purely crime-fighting basis. (Paragraph 308, Main Report; Paragraph 67, Conclusion & Recommendations)

We continue to encourage police forces to improve the diversity of their workforce to better represent the local population they serve.

To support forces' recruitment campaigns, a range of recruitment materials has been developed. This includes: multilingual recruitment material highlighting our desire to recruit people with minority language skills; a toolkit providing best practice guidance for familiarisation events; and a video to familiarise applicants with our assessment and selection procedures. Initiatives aimed at encouraging people from BME backgrounds to join the police force vary from force to force, but include: targeted advertising; mentoring; and specific training to support candidates who may need assistance with language skills. We have encouraged the development of dedicated outreach posts to help forces build sustainable relationships with communities and encourage applications from those groups who are under-represented in the service. The Home Office, through the NPIA, is continuously reviewing ways to increase representation within the service. The proposals set out in the Policing Green Paper, *From the Neighbourhood to the National: Policing our Communities Together*⁵⁴ published in July 2008, includes the introduction of local targets that would provide more local ownership and help reflect the needs of local diverse communities.

⁵⁴ 'From the neighbourhood to the national: policing our communities together' (2008), Home Office, London
URL: http://files.homeoffice.gov.uk/police/policing_green_paper.pdf

The Policing Green Paper supports active talent management in areas where we need to improve the representation of BME people. In September, the NPIA held a conference showcasing the initiatives implemented by forces to support talented BME officers and staff to progress. For example, the Positive Action Leadership Programme is a national positive action initiative for police officers and staff from under-represented groups that encourages them to remain in service and to apply for development opportunities and career progression.

The most recent (2006/07) Section 95 Statistics of Race and the Criminal Justice System, published in July 2008, show that the proportion of BME police officers across England and Wales was 3.9%, an increase on the 2005/06 figure of 3.7%. This increase is complemented by an increase in the proportion of Special Constables from BME groups from 6.6% in 2005/06 to 8% in 2006/07. Whilst the proportion of Police Community Support Officers (PCSOs) from BME groups decreased from 15.2% to 11.6% (due to large increases in the total number of PCSOs), the absolute number of PCSOs from BME groups increased by over 500 between 2005/06 and 2006/07 (from 1,029 to 1,568).

However, the *Assessment of Minority Ethnic Recruitment, Retention and Progression*⁵⁵ in the Police Service undertaken recently by the Minister for Policing recognised that although police forces are already doing good work to aid BME recruitment, retention and progression, there is still more to do. The establishment of a new Ministerial Steering Group will drive forward the Assessment's recommendations.

⁵⁵ 'Policing Minister's Assessment of Minority Ethnic Recruitment, Retention and Progression in the Police Service: A Paper for the Home Secretary' (20 November 2008), Home Office, London. URL: <http://www.police.homeoffice.gov.uk/publications/equality-diversity/minority-ethnic-recruitment>

Recommendation 59

An evaluation of existing 'positive action' – including targeted recruitment and other measures to increase the numbers of recruits from different backgrounds – should be undertaken. It would also be valuable to explore in more detail the reasons why the Metropolitan Police have been more successful in recruiting Community Support Officers from ethnic minorities than they have been in recruiting police officers. (Paragraph 309, Main Report; Paragraph 68, Conclusion & Recommendations)

We agreed with this recommendation. The recent review by the Minister for Policing highlighted the lack of comprehensive information that is held centrally regarding the ongoing work of forces in this area. The NPIA has recently commenced a review of positive action initiatives undertaken by forces that relate to the recruitment, retention and progression of BME officers.

Under the *Police Authorities (Particular Functions and Transitional Provisions) Order 2008*⁵⁶, which came into force in March 2008, every police authority has had a statutory duty to promote equality and diversity within police forces. The Association of Police Authorities has produced an equalities guide for police authorities which assists members to be aware of their statutory responsibilities and role in scrutinising chief police officers about equalities and diversity matters.

The NPIA are currently developing an Equality Standard for the police service in England and Wales. The aim is to assist the service to continue to improve performance and mainstream activity with regard to equality and diversity. The Equality Standard, mentioned

⁵⁶ The Police Authorities (Particular Functions and Transitional Provisions) Order 2008, OPSI, London. URL: http://www.opsi.gov.uk/si/si2008/ukSI_20080082_en_1.

in the recent Policing Green Paper, is being developed to focus on service delivery. It will be easy to use, going beyond compliance with equality legislation to contribute to service improvement and increased trust and confidence. The aim is to enable the police service to integrate equality into all business areas, thereby supporting activity from local targets right through to Government public service agreements.

The standard will be implemented in April 2009 and will be used for inspections by Her Majesty's Inspectorate of Constabulary (HMIC) from 2010. Police authorities will work with forces to use the standard to set local targets.

As aforementioned, through commitments given in the Policing Green Paper and its People Strategy, the NPIA has been working to support active talent management in areas where representation of diverse groups is of concern. The NPIA has also been working with ACPO to look at extending the National Senior Advisory Service to go beyond its current remit of providing support to BME officers and staff at Chief Inspector level and police staff equivalent to including those of Inspector rank. A conference arranged by ACPO took place in September to highlight the proposals in the Green Paper and to showcase the positive action initiatives being used by forces to assist BME officers and staff with progression in the service.

Recommendation 60

We recommend that attention be given to improving perceptions of policing as a career option at school in ethnic minority communities. Forces should publicise work experience and internship programmes.

Forces should demonstrate their commitment to the development of all employees by publicising their activities in this area to local communities and potential recruits. (Paragraph 310, Main Report; Paragraph 69, Conclusion & Recommendations)

We agreed that effective community engagement and outreach is vital to improving BME groups' perceptions of the police service, not only as a career option but also in the way the service operates when dealing with BME communities.

The NPIA BME Trust and Confidence Group's work plan includes the development of the Trust and Confidence Toolkit. The Group will be working closely with field officers from the Citizen Focus Directorate within NPIA to develop the toolkit, which will also help support the Citizen Focus agenda. Members of the Group will commence work with the field officers in January 2009 with a view to developing and rolling out the toolkit to forces in July 2009.

Research into the lower satisfaction of victims from BME groups has been completed and published by NPIA and identifies where forces can focus their service delivery and further analysis to make improvements or understand the issues impacting upon the perception and confidence of people from BME groups. HMIC's criteria for the recent Developing Citizen Focus thematic inspection included a focus on what forces were doing to identify and understand the issues impacting upon the satisfaction of their local BME communities. Information from these inspections is being collated to support work to identify effective interventions to make improvements.

Transition from juvenile to adult estate

Recommendation 61

We recommend that support for young people should be tailored to individual need, rather than age, and should continue at least until age 25 where appropriate. Support should recognise the distinct needs of young adult offenders as a group within this. The Government told us they had been looking at the transition from the juvenile to the adult criminal justice systems and said that an announcement was “imminent” We await this announcement with interest. (Paragraph 312, Main Report; Paragraph 70, Conclusion & Recommendations)

Our response to the Committee set out our intention to test specialist provision for 18- to 25-year-olds. We will pilot the proposed regime for 18- to 25-year-olds at the new Belmarsh East establishment, which it is anticipated will begin accommodating offenders in late 2009. The National Offender Management Service continues to develop the detail in preparation for the pilot; however, they are clear that the main theme of the new regime is a focus on adolescent-specific development needs, such as social skills, impulsivity, relationship management, education, communication skills and vocational training, within an age-specific structure. Once the new regime has been fully developed an EIA will be undertaken to ensure the regime meets the needs of all those who may serve sentences at Belmarsh East. Evaluation of the pilot regime’s outcome is anticipated to be completed once it has been operational for three years, to allow more data to be available and thus lead to better, more accurate analysis as to the impact the regime has on recidivism.

We are keen to ensure that the transition from under 18 years services to young

adult offender (YAO) services effectively supports young people. Our response to the Committee outlined plans to produce a protocol to ensure that there are no gaps in services and that there is no duplication of service provision for the two groups. The draft transition protocol is currently undergoing an equality impact assessment and it is due to be issued, jointly by the YJB and NOMS in early 2009.

We also recognise the positive impact that peer mentoring programmes have on helping support young people, addressing their needs and contributing to steering young offenders away from criminality. Working with the Office of the Third Sector, NOMS has granted funding of around £500,000 to four organisations, including Nacro and the Prince’s Trust, to develop and pilot young adult peer mentoring; £100,000 of this funding has been retained for evaluation of the projects.

The pilots are now operating in four geographic locations across England and Wales and are focusing on 18- to 25-year-olds sentenced to less than 12 months imprisonment. Mentoring will be provided by their peers, including many ex-offenders, starting whilst the mentees are in custody and continuing to support them beyond release into the community, up to a period of resettlement following the expiry of statutory probation supervision. All the project sites have a rolling recruitment plan which includes specific targeting of young black men and women as peers.

The pilots, due to end in March 2009, will undergo evaluation to learn lessons to develop future support for young people and to develop good practice guidance for engaging young adults in mentoring, as both mentees and mentors. The good practice will also

identify ways that the projects have engaged with excluded groups and about any barriers to engagement. This guidance will form a framework for commissioners to help ensure they are commissioning value for money services. Participant data from the pilots is already being collected, but the evaluation is expected to report in June 2009. We plan to develop the framework for commissioners by September 2009.

Reducing fear of crime among black communities

Recommendation 62

The police and local Crime and Disorder Partnerships need to directly address fear of crime among black people, including fear of falling victim to other young people. The police and local agencies should regard all young people as potential victims, not just as potential offenders – even if they have been involved in crime themselves. (Paragraph 315, Main Report; Paragraph 71, Conclusion & Recommendations)

We agreed with this recommendation, setting out that new statutory minimum standards were introduced in August 2007⁵⁷ that required Crime and Disorder Reduction Partnerships to target community engagement to diverse groups. CDRPs, or Community Safety Partnerships (CSPs), continue to implement the minimum standards and Hallmarks of Effective Practice. Beyond the minimum statutory requirements, partnerships have the flexibility to deliver in their own way. In place of nationwide mandates from the Government, there has been an increasing onus on partnerships to understand the full breadth of crime and community safety issues in their localities and to be able to demonstrate effective action to address those issues.

Since the introduction of the minimum standards in August 2007 in England and November 2007 in Wales, we have been focusing on supporting partnerships to implement the minimum standards in a number of ways including publication of effective practice guidance in September 2007, and a strategic assessment toolkit in October 2007, to support partnerships in producing

a strategic assessment which identifies the crime and community safety priorities in their area through analysis of information provided by partner agencies and the community. The Home Office is currently in the process of analysing how partnerships have been progressing with the implementation of the minimum standards so that partnerships' current and future needs can be identified.

Many CDRPs are already delivering services for the diverse communities that they serve. For example, Trafford CDRP in Greater Manchester has helped establish the Shaolin Code Project, aimed at young black men aged from 13 to 17. The project is an intensive programme of structured diversionary activities, combining freestyle martial arts training with street-style hip hop performances and music production workshops, to help divert young people away from gangs, violent crime and anti-social behaviour.

In order to ensure CDRPs/CSPs are effective in delivering community safety outcomes for the public, we are developing a National Support Framework. This framework takes account of the impact of changes brought in through minimum standards and seeks to understand gaps in capacity and capability, setting out what the Home Office will do to continue to support and develop CDRPs/CSPs. We intend launching the National Support Framework in Spring 2009, with implementation of the framework over the course of the following 12-18 months.

In our response to the Committee last year we also referred to the pending cross-departmental work approach to youth crime. The culmination of this work was the publication of the *Youth Crime Action Plan* in July 2008. The Action Plan contained a number

⁵⁷ The Crime and Disorder (Formulation and Implementation of Strategy) Regulations 2007
URL: http://www.opsi.gov.uk/si/si2007/ukSI_20071830_en_1

of commitments to improve the experiences of young victims of crime and to stop young people becoming victims. We are currently piloting innovative ways of supporting young victims by building the knowledge base of how best to deliver services to young victims of crime. The pilots, supported by £500,000 funding, started in November in Derby, Lambeth, Lewisham, Norfolk and Oxfordshire and are due to run through to May 2009. The pilots will be looking for agencies within local areas to be effectively working in partnership in order to develop innovative design solutions to help prevent youth victimisation. For example, in Lewisham, the consortium leading the project is piloting a Multi-Agency Risk Assessment Conference (MARAC) with young victims of the most serious crimes. The MARAC approach has been used successfully in domestic violence cases to ensure all relevant agencies provide services around the victim. Good practice guidance will be available during the summer of 2009 to help local areas to develop their own models. In line with the other *Youth Crime Action Plan* proposals, more work will be conducted looking to provide young people with better information on dangers and risks.

In addition, local agencies already have an obligation under the Every Child Matters agenda to keep young people safe, healthy and able to make a positive contribution. To support this agenda we must ensure that we effectively support all young people who are victims of crime. The extension of the British Crime Survey to under-16s and the new national objective to reduce the numbers of young victims of crime will focus attention on this issue.

Essential to helping reduce fear of crime is to ensure that young people and their parents

are properly informed about dangers and risks, so that they can protect themselves from crime and feel safer. In partnership with young people, we developed a hard-hitting education campaign on the risks of carrying knives. This is outlined at Recommendation 46. Our *Parentline Plus*⁵⁸ helpline is helping to support parents who are concerned about their children carrying knives. We are also ensuring that young people themselves are involved in tackling youth crime and the decisions that affect them. For example, the Policing Green Paper states that neighbourhood policing teams should always include young people in their consultations. The Youth Task Force is promoting good practice and monitoring how well we are engaging with young people.

The Tackling Gangs Action Programme worked with local partners to reassure communities in the four TGAP cities (Birmingham, London, Liverpool and Manchester) that something was being done to tackle gun and gang crime. TGAP consisted of robust and visible enforcement action alongside work to divert gang members from violence. Communities in those areas reported being more aware of police activity during TGAP.

We also recognise that witness intimidation is a major obstacle in bringing violent crimes to justice – particularly gang-related crime. We believe that the Criminal Justice System should protect victims of such crimes and those witnesses who stand up for them. We have introduced a range of Special Measures to enable victims and witnesses to provide evidence through televised links from outside the courtroom, behind screens and away from the public and large numbers of press. Young witnesses up to the age of 17 years are automatically eligible for such measures. In

58 URL: <http://www.parentlineplus.org.uk>

Lewisham, for example, the Special Measures that can be used to protect young witnesses at court are being promoted, to increase young people's confidence in coming forward as witnesses. Special Measures will be printed on to Oyster card wallets and distributed to young people affected by gang crime.

We have also legislated to restore a trial judge's power to grant a witness anonymity order⁵⁹ which means that witnesses who fear for their safety will continue to be given every possible protection. We intend to strengthen that protection further through new measures – including legislation – to ensure that witnesses are able to give their best evidence safely without fear of reprisals.

Recommendation 63

We recommend that CDRPs, neighbourhood policing teams and, where they exist, Safer School Partnerships, should provide regular forums to communicate with young people and understand their primary concerns in terms of personal safety and crime. This could be done by way of a drop-in session or surgery at school. Neighbourhood police officers should publicise a local telephone number that young people can call with information and to pass on personal safety concerns. In particular trouble spots, neighbourhood policing teams should encourage a visible police presence on routes to and from school. (Paragraph 316, Main Report; Paragraph 72, Conclusion & Recommendations)

We agreed with the Committee and highlighted the work we were taking forward on neighbourhood policing and safer school partnerships. Neighbourhood policing teams

are now in place for every part of England and Wales and they are actively engaging with schools within their areas. The teams, which include police officers, PCSOs and Special Constables are becoming increasingly visible and familiar in their local areas, engaging with the community to develop their priorities for action. Where there are issues or problems with school, locations or individual pupils a range of collaborative problem-solving initiatives take place to tackle the issues, and by working in partnership with a range of agencies, to provide solutions and effective answers.

There was a further additional commitment in the *Youth Crime Action Plan* to provide young people and parents with information about dangers and risks, so that they can protect themselves and feel safer.

For example, since the launch of its Safer Schools Partnerships, Merseyside Police has committed 37 officers, covering 29 secondary schools and six special schools/referral units. Merseyside Police endeavours to be involved with youth diversionary schemes such as *Kickz*,⁶⁰ a partnership between the football industry and the police, which is currently deployed at three fixed sites across the region for three evenings a week and 48 weeks per year.

CDRPs and local authorities are also communicating with young people to understand their concerns about crime and community safety in the local area. For example, Lambeth Council, a key partner in the Lambeth CDRP, has a Youth Council and Youth Mayor which meet monthly and forms the main consultation group for review of youth programmes and peer inspection of

⁵⁹ Criminal Evidence (Witness Anonymity) Act 2008
URL: http://www.opsi.gov.uk/acts/acts2008/ukpga_20080015_en_1

⁶⁰ URL: <http://www.footballfoundation.org.uk/our-schemes/kickz/>

services for young people in the borough. The Youth Council has also worked with the Metropolitan Police on issues such as Stop and Search and training for police officers.

In Liverpool, regular channels for seeking the views of young people in relation to crime are provided. The Liverpool Community Network's Black and Other Racial Minorities Sub-Group is a regular meeting forum of BME communities, including young people, and CDRP representatives to discuss issues about crime in the city. The Sub-Group has worked with Merseyside Police to help recruitment of more PCSOs from BME communities and to advise on the retention of BME police officers, as well as contributing to the Probation Service's proposals on tackling race hate crime.

Furthermore, as Recommendation 57 outlines, local areas are being asked to establish or reinvigorate local youth forums as part of the TKAP, to encourage young people to participate positively and avoid commencing a life of offending behaviour.

Recommendation 64

At present, gun crime is a blight on some black communities. We fully support the efforts of Operation Trident in this area and urge full and continued financial backing for this operation. We recommend that forces in other areas where levels of gun crime are high might consider whether other, similar initiatives are necessary. (Paragraph 317, Main Report; Paragraph 73, Conclusion & Recommendations)

We agreed with the Committee's view that initiatives to tackle serious violent crime, such as Operation Trident in London, should

be considered across the country. Greater Manchester, Merseyside and West Midlands police forces have all set up operations aimed at tackling gangs that use guns as part of violent and criminal behaviour. As referred to in our response to the Committee, the Home Office's Tackling Gangs Action Programme (TGAP) complemented the work of targeted police operations such as Trident, providing £1.5 million to tackle gun and gang problems in the cities of Birmingham, London, Liverpool and Manchester where over 65% of firearms homicides occur. TGAP has helped to deliver a 51% reduction of firearm-related injuries across those four cities from September 2007 to March 2008 and, since the end of TGAP, firearms offences have continued to fall with a national reduction of 22% in April to June 2008 compared with the same period in the previous year.

Leaving custody

Recommendation 65

A renewed emphasis should be placed on the rehabilitation, resettlement and reintegration of all young people leaving custody. A review should be undertaken to ensure that provision for prison leavers is appropriate, accessible and beneficial to young people from all ethnic groups. On the basis of this review, it may be necessary to devise new measures which should themselves be examined to ensure they cater to all groups. (Paragraph 318, Main Report; Paragraph 74, Conclusion & Recommendations)

We agreed with the Committee and the *Youth Crime Action Plan* we published in July recognises that some young offenders who are further into the CJS find it difficult to stop offending.⁶¹ The Plan recognises that to address their underlying problems we need a joint approach between mainstream Children's Services and those working in the youth justice system. Children in the youth justice system must achieve the five Every Child Matters outcomes⁶² in the same way as any other child. The Plan sets out our proposals to develop a long-term package of reforms to improve the continuity of care when a child leaves the youth justice system. This package of reforms includes:

- improving education and training for young offenders;
- ensuring access to health services for all young offenders;
- reinforcing the role of Children's Services in overseeing resettlement provision;
- consulting on a more comprehensive package of support for children leaving custody;

- exploring ways to expand existing resettlement provision for young people leaving custody;
- exploring with employers how to improve the employability of young people with criminal records;
- ensuring suitable accommodation for all young offenders leaving custody; and
- ensuring financial support is available for those who need it.

Furthermore, as outlined in Recommendation 50, Children's Trusts have a key role in ensuring young people leaving custody get the support they need to reduce the risk that they will re-offend. Youth Offending Teams, as members of both the local Children's Trust and the Crime and Disorder Reduction Partnership, are well placed to bridge the gap between the youth justice system and wider children's services in order to facilitate provision of support.

As noted earlier, the YJB has commissioned research on the specific needs of BME groups and the availability of targeted interventions that may highlight the specific resettlement needs of BME groups. The findings of the report may support this package of reforms; the report. This is due to report in early 2009.

61 MORI Youth Offending Survey 2004; Graham and Bowling (1999) Young People and Crime; Barry (2007) Youth Offending in Transition

62 Section 10 (2) of the Children Act 2004

National DNA database

Recommendation 66

We recommend that the Government should conduct a study to determine the implications of the presence of such a high proportion of the black male population on the National DNA Database. (Paragraph 319, Main Report; Paragraph 75, Conclusion & Recommendations)

Our response to the Committee set out that an equality impact assessment was being scoped to identify any potential adverse effects contained within the National DNA Database (NDNAD) and ACPO DNA Good Practice Guide. A Stage 1 EIA of the NDNAD has been undertaken and completed by the NPIA. A Stage 1 EIA of the ACPO DNA Good Practice Guide has also been completed. The work undertaken to date on the EIAs suggests that any bias in proportionality reflected on the NDNAD is likely to result from over-representation in the CJS as a whole and is not the result of inherent bias in NDNAD processes. But, we are not complacent. The Stage 1 EIAs contain recommendations that will further improve NDNAD operations and processes. A working group has been set up to consider and take forward those recommendations. The NPIA is also taking forward work on a Stage 2 EIA review process, looking at any potential equality issues which were identified in greater depth. This work is ongoing.

Some progress has already been achieved. NDNAD monitoring reports have been reviewed and, in future, monitoring reports will contain a breakdown of profiles by ethnic appearance whenever possible. We are currently reviewing the Management Information produced on the NDNAD

to ensure that all data are produced in a consistent way and give figures for the number of profiles on the NDNAD by gender, age and race.

Future work includes an analysis of profiles submitted to the NDNAD by police forces and police force area populations to identify whether any force areas are taking samples and submitting profiles disproportionately. The ACPO DNA Good Practice Guidance is currently being reviewed by the ACPO DNA Operations Group to identify those sections of the guidance that should become mandatory for all police forces in England and Wales. This work is still in progress.

Recommendation 67

Whilst many of our recommendations will be relevant to this group [mixed race young people], we urge the Home Office, the Ministry of Justice and the Office for Government Statistics to undertake further work to identify whether any additional actions are required. (Paragraph 320, Main Report; Paragraph 76, Conclusion & Recommendations)

The Government, in its original response, highlighted its intention to ensure that CJS agencies use the 16+1 ethnicity classifications to ensure that mixed-race is identified as a unique category, thus enabling us to better understand the experience of mixed-race people in the CJS. The national implementation of the MDS ensures that this will happen and is due to be completed by March 2011.

Government's Response to the Committee's Annex: Recommendations relating to data and research on young black people's over-representation in the Criminal Justice System (CJS)

In the Report's Annex, the Committee made a further 24 recommendations to the Government on data and research.

A full and accurate picture of over-representation will be vital to any strategy to reduce it. We are encouraged that the Home Office has recently commissioned the development of advice and guidance on the collection and use of a minimum dataset on race statistics. We recommend that further action on statistics on race and the criminal justice system should include the following measures.

Recommendation (a)

When aggregating data on ethnicity, all agencies should use the same ethnicity categories to allow clear comparison of data at different stages of the system.

The Government is committed to ensuring that the 16+1 classification is used as the minimum standard for all agencies. The Government response to the Committee set out that the MDS specification will introduce common standards for data collection across the CJS. As outlined at Recommendation 51, we continue to implement the MDS, which has been piloted in a small number of LCJB areas, with national implementation expected to be completed by March 2011.

Recommendation (b)

The Youth Justice Board should set robust targets to Youth Offending Teams to improve recording of the ethnicity of young people being supervised, including a requirement for YOTs' data returns to be disaggregated by gender and ethnicity simultaneously.

Whilst we disagreed with the Committee's recommendation concerning the setting of targets, we said that the Youth Justice Board would ensure that future data from YOTs could be disaggregated by both gender and ethnicity simultaneously.

The YJB has introduced a new Management Information System (YJMIS) in order to capture these data. This will allow better informed decision-making in the future, based on more detailed information, including breakdown by age, gender and ethnicity. YJMIS has now been piloted in ten YOT areas; the pilot YOTs are already producing more detailed data as intended. The YJB are now working to ensure that YJMIS is implemented across all 157 YOTs in England and Wales by April 2009.

Recommendation (c)

The Government should pilot research on the feasibility of police forces collecting data on victimisation, to be published as part of the Home Office's Section 95 statistics.

Our response to this recommendation outlined that data on victimisation are available. We set out that consideration was being given to making it a mandatory requirement for police forces to collect the ethnicity of victims of racist offences. The collection of these data has now been established as a mandatory collection for all police forces, and data collection began on 1 April 2008. Publication of such data is anticipated in 2011, to allow the collection of two years' complete data to allow comparison. These data will, in the future, enable policies to be more accurately targeted to benefit specific groups.

Recommendation (d)

The Crown Prosecution Service should provide ethnic data on charging and disposals.

As set out in the Government response, charging data are already available. Recommendation 52 explains that the CPS is currently in the process of undertaking a second equality and diversity impact assessment of its charging decisions.

Information relating to disposals will be available once the MDS has been fully implemented.

Recommendation (e)

The Home Office should collect data from police forces on the proportion of people arrested where no further action is taken following arrest, by ethnicity. This should be published as part of the annual Section 95 report.

Recommendation (f)

Ethnic data for those who are charged with an offence should be published as part of Section 95 data. This is only currently available for juveniles.

We indicated in the Government response to the Committee that ethnicity data on those arrested where no further action was taken and on those charged with an offence would be explored through the development of the MDS. As previously mentioned (at Recommendation 51), the MDS will provide data on outcomes as well as inputs. Outcomes resulting from an arrest for a notifiable offence will be measured by the MDS, with 'no further action' and 'charged' amongst them.

However, these data will not be published as part of the Section 95 data. They are collected locally by police forces for local management purposes, to drive change locally where needed, and do not go through central quality assurance processes.

Recommendation (g)

The Government should collect and publish data on the ethnicity and age of those convicted of firearms and knife crime offences.

Work is being taken forward to improve the completeness of ethnicity data relating to court proceedings. Completion of this work will enable more comprehensive reporting of ethnicity data on gun and knife-related offences. Data held centrally by the Ministry of Justice on court proceedings do not contain information about the circumstances behind each case, beyond the description provided in the statute under which prosecutions are brought. For example, it will be possible to report ethnicity data for numbers of people proceeded against for being in possession of a knife in a public place, but it will not be possible to separately identify those defendants proceeded against for grievous bodily harm (GBH) who were in possession of a gun or knife.

Recommendation (h)

The Government should include a breakdown of the type of weapon used in its statistics on firearms offences, to allow distinction to be made between crimes involving air weapons and those involving other types of firearms.

These data are already published within a supplementary volume to the *Crime in England and Wales*⁶³ series of statistics produced by the Home Office.

63 URL: www.homeoffice.gov.uk/rds/hosbpubs1.html

Recommendation (i)

Section 95 statistics on race should provide more information about gender to build a fuller picture of differences between males and females of different ethnicities.

We had indicated that the MDS would examine this issue. In order to ensure that the MDS was taken forward, we have, in the first instance, concentrated on improving the collection of ethnicity data. We will of course review this position as the MDS becomes more established.

We have also reinstated publication of the full statistical report on Women and the CJS under Section 95 of the Criminal Justice Act 1991, which has been produced only in summary form since 2003. This will give us a comprehensive picture of the experience of women in the CJS. The report was published on 15 December 2008.

Recommendation (j)

The Government should provide a breakdown of the application of ASBOs and fixed penalty notices to different ethnic groups.

Officials in the Home Office, Ministry of Justice and HMCS have been discussing how best to take this recommendation forward. There are two types of Anti-Social Behaviour Order (ASBO) – those on conviction and those that are stand-alone – and this adds a level of complexity to the collection of data. The data for both types of ASBO are collected in different ways and there are difficulties associated with finding a universal solution to capturing ethnicity data and obtaining them via the courts. The approach currently proposed is for the ASB co-ordinator in each local area

to provide the data to the Home Office via the annual CDRP survey. This still requires further discussion with local partners, but it is intended to start collecting data from April 2009.

Recommendation (k)

We recommend that compliance on provision of statistics at the local level should be monitored on a regular basis by the appropriate Government department and by the inspectorates for each agency.

We have achieved compliance through the implementation of the MDS. All criminal justice agencies have committed to supplying LCJB-level self-defined ethnicity data as part of the MDS; full implementation across all LCJBs is expected by March 2011. Each agency will ensure that these data are collected and returned by local teams in a timely and effective way, validated, then submitted to OCJR for dissemination to LCJBs. Furthermore, data collected from the MDS will provide the evidence base for reporting against Public Service Agreement 24 Indicator 4 (to understand and address race disproportionality at key stages in the CJS). LCJBs will need to analyse data provided through the MDS to underpin the action plans they are required to develop as part of the PSA reporting mechanism that OCJR has put in place.

Recommendation (l)

The Government should undertake monitoring of CPS charging decisions to verify that there is no undue bias to charging decisions in cases where the suspect is black.

See our response to Recommendation 52, and Recommendation (d) of this Annex.

In addition to further statistical data, there is a need for further research to help interpret the statistics and pinpoint effective solutions. In particular, there is a need to understand how existing interventions impact on young people of different ethnic minorities. We understand that the Youth Justice Board is planning to commission research into the needs of BME young people and young women generally and how these are met by criminal justice agencies, and into the interventions for young people who have committed racially-motivated offences. We also understand that the Commission for Racial Equality and the Economic and Social Research Council (ESRC) are planning research into the causes of ethnic minority young people's experience of the CJS. We suggest that the Government and, where appropriate, the Economic and Social Research Council should also consider commissioning research into the following.

Recommendation (m)

The extent of, and reasons for, different offending patterns among different ethnic groups.

Recommendation (n)

The progress of different ethnic groups through the Criminal Justice System through arrest and charge to prison, probation and aftercare. This should be a comprehensive study with qualitative and quantitative elements.

Recommendation (o)

Factors that protect and place young people at risk of involvement in crime.

Recommendation (p)

Youth affiliation, peer groups and gangs and their relationship with criminal behaviour.

Recommendation (q)

Availability of post-sentence support for offenders of different ethnic origins and their impact on recidivism.

Recommendation (r)

Alternatives to use of stop and search by the police.

Recommendation (s)

Effectiveness of conflict resolution schemes and initiatives aiming to reduce retribution and reprisals.

Recommendation (t)

Reasons for any ethnic differences in the decision to charge young defendants, and ethnic differences in the number of young people remanded in custody before sentence.

Recommendation (u)

Extent of, and reasons for, ethnic differences in sentencing, to establish whether any differences are accounted for by case characteristics.

We reiterate our position as set out in the Government response: the development and implementation of the MDS and other work ongoing in OCJR, such as that on improving court proceedings data, will provide us with

robust ethnicity data at a local and national level, and will help us to better manage local performance and identify where disproportionality is occurring. Once LCJBs start analysing MDS data, we will have a better understanding of where disproportionality is occurring, both geographically and within the CJS. This will enable us to more accurately target research efforts to explain the factors driving young black peoples' over-representation in the CJS.

Recommendation (v)

There is a particularly pressing need to improve police forces' collection and use of data. In terms of stop and search, Baroness Scotland told us that "we will be able to move, even if it takes five, ten years, into real-time data, to enable forces to determine where disproportionality may lie within a force or unit". These data would seem to be key in identifying potential areas of discrimination. We recommend that the police should move as quickly as possible to gather and use these data, and would hope the data could be made available within the next five years.

Force level data will not always capture the full picture of if, where and how discrimination is occurring. We therefore recommend that police forces should be required to analyse their own data at Basic Command Unit level and to demonstrate to local criminal justice boards, police authorities and/or the Home Secretary that they are using this to inform practice. In many areas this will mean working with small numbers, so police forces should use qualitative approaches to understand the factors which underlie over-representation.

Reforming the way in which police forces collect data complements the measures

announced in the Policing Green Paper to reduce police bureaucracy. For example, the Minister for Policing announced on 28 August the review of the Police and Criminal Evidence Act 1984 (PACE) to streamline procedures and reduce red tape.

With regards to stop and account, the use of hand-held computer technology and other electronic means such as Personal Digital Assistants (PDAs) and BlackBerrys has the potential to revolutionise the way the police service operates. Savings in police time will range from around 25 minutes to six minutes for each stop. Reference was made in the Government's response to the Committee to the use of hand-held electronic devices to record stops and searches, piloted by the British Transport Police in 2007. In light of the relative success of the pilot, we undertook to conduct a full cost-benefit analysis.

This evaluation is being combined with the proposed pilots on stop and account to be commenced shortly. Real time data will be increasingly available for stop and account from 1 January 2009. The Home Secretary announced on 18 September 2008 changes to the way in which stops and accounts are recorded. The new measures include allowing those ten police forces participating in the Tackling Knives Action Programme to axe the lengthy stop and account form from the end of October and pilot, ahead of full national roll-out next year, a process whereby police officers will instead use Airwave police radio technology to record any encounter, including ethnicity and location. A card receipt will be issued to those stopped explaining what they can do if they are not satisfied with the way the stop was carried out. The system is currently being piloted in West Midlands, Leicestershire, Surrey and Staffordshire, where information

in respect of officer stop and account activity can be captured and displayed within two minutes of the event. The changes will be fast-tracked in the ten TKAP forces.

These pilots will focus on reducing the recording requirement for stop and account and the need to complete a form, and will measure the impact on community confidence and accountability as well as the benefits of ensuring that encounters between the police and the individual are kept to the absolute minimum. Officers will continue to record the self-defined ethnic background of the person to maintain a record of use against ethnic communities and any disproportionality. The findings from both exercises will be combined to develop proposals that help reduce bureaucracy, maintain accountability and enhance community confidence. Mobile data capabilities, in the form of a PDA or Blackberry will be used to electronically record the Stop and Search form, enabling the capture and use of real time data. By Spring 2009, all forces will have some mobile data capabilities. We intend to increase coverage over the next two years, aiming to ensure that the vast majority of Stops and Searches are captured electronically by the end of 2011.

Glossary and Definitions

Glossary

ACMD	Advisory Council on the Misuse of Drugs
ACPO	Association of Chief Police Officers
APA	Association of Police Authorities
ASB	Anti-Social Behaviour
ASBO	Anti-Social Behaviour Order
BME	Black and Minority Ethnic
BPAP	Black Pupils' Achievement Programme
CDRP	Crime and Disorder Reduction Partnership
CJS	Criminal Justice System
CLG	Department for Communities and Local Government
CPS	Crown Prosecution Service
CSP	Community Safety Partnership
DCMS	Department for Culture, Media and Sport
DCSF	Department for Children, Schools and Families
DfES	Department for Education and Skills
DRE	Delivering Race Equality in Mental Health Care
EAL	English as an Additional Language
EDIA	Equality and Diversity Impact Assessment
EHRC	Equality and Human Rights Commission
EIA	Equality Impact Assessment
FCCBF	Faith Communities Capacity Building Fund
FIP	Family Intervention Project
GEO	Government Equalities Office
HMCS	Her Majesty's Courts Service
HMIC	Her Majesty's Inspectorate of Constabulary
LCJB	Local Criminal Justice Board

MDS	Minimum Data Set
NDNAD	National DNA Database
NOMS	National Offender Management Service
NPJA	National Police Improvements Agency
NRC	National Resource Centre for Supplementary Education
OCJR	Office for Criminal Justice Reform
Ofcom	Office of Communications
PACE	Police and Criminal Evidence Act
PAYP	Positive Activities for Young People
PCSO	Police Community Support Officer
PEIP	Parenting Early Intervention Programme
POP	Practice Oriented Package
PPO	Priority and Prolific Offender
PRDLRP	Police Race & Diversity Learning and Development Programme
PSA	Public Service Agreement
QCA	Qualifications and Curriculum Authority
SEN	Special Educational Needs
SETF	Social Exclusion Task Force
TGAP	Tackling Gangs Action Programme
TKAP	Tackling Knives Action Programme
WAVES	Witness and Victim Experience Survey
YAO	Young Adult Offender
YIP	Youth Intervention Programme
YISP	Youth Inclusion and Support Panel
YJB	Youth Justice Board
YJMIS	Youth Justice Management Information System
YOT	Youth Offending Team

Definitions

Disproportionality: Particular minority groups may be more or less likely to be the subject of an action by a criminal justice agency, and sometimes this involvement is disproportionate to the representation of that minority group in the resident population as a whole. The term 'disproportionality' refers to this situation.

Section 95 Statistics: Section 95 of the Criminal Justice Act 1991 requires the Secretary of State for the Home Department to publish such information as she considers expedient in order to avoid discrimination on the basis of race, sex or other improper grounds. Accordingly, ethnicity statistics are published annually and give information on CJS agencies' activities by ethnicity.

Third sector: The third sector is defined by the Government as non-governmental organisations that are value-driven and which principally reinvest their surpluses to further social, environmental or cultural objectives. The third sector consists of voluntary and community organisations, social enterprises, and co-operatives and mutuals.

'4+1', '5+1' and '16+1': These are ethnicity classification systems with varying levels of details: 4+1 includes four specific categories plus 'other', 5+1 has five specific categories plus 'other', and 16+1 has 16 specific categories plus 'other'.

