House of Commons

Home Affairs Committee

Young Black People and the Criminal Justice System

Second Report of Session 2006–07

Volume II

Oral and written evidence

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The Home Affairs Committee

The Home Affairs Committee is appointed by the House of Commons to examine the expenditure, administration, and policy of the Home Office and its associated public bodies; and the administration and expenditure of the Attorney General's Office, the Treasury Solicitor's Department, the Crown Prosecution Service and the Serious Fraud Office (but excluding individual cases and appointments and advice given within government by Law Officers).

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The following Members were also members of the Committee during the inquiry:

Nick Harvey *(Liberal Democrat, North Devon)*
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Powers

The Committee is one of the departmental select committees, the powers of which are set out in House of Commons Standing Orders, principally in SO No 152. These are available on the Internet via www.parliament.uk

Publication

The Reports and evidence of the Committee are published by The Stationery Office by Order of the House. All publications of the Committee (including press notices) are on the Internet at www. parliament.uk/homeaffairscom

Committee staff

The current staff of the Committee are Dr Robin James (Clerk), Miss Jenny McCullough (Second Clerk), Elisabeth Bates (Committee Specialist), Martha Goyder (Committee Specialist), Mr Tony Catinella (Committee Assistant), Ms Jenny Nelson (Secretary), Alison Forrester (Senior Office Clerk) and Ms Jessica Bridges-Palmer (Select Committee Media Officer).

Contacts

All correspondence should be addressed to the Clerk of the Home Affairs Committee, House of Commons, 7 Millbank, London SW1P 3JA. The telephone number for general enquiries is 020 7219 3276; the Committee's email address is homeaffcom@parliament.uk

Witnesses

List of written evidence

Asterisks (***) denote parts of the written evidence which have not been reported at the request of the author and with the agreement of the Committee.

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List of unprinted written evidence

Additional papers have been received from the following and have been reported to the House but to save printing costs they have not been printed and copies have been placed in the House of Commons Library where they may be inspected by Members. Other copies are in the Parliamentary Archives and are available to the public for inspection. Requests for inspection should be addressed to the Parliamentary Archives, Houses of Parliament, London SW1A 0PW (tel 020 7219 3074). Hours of inspection are from 9.30 am to 5.00 pm on Mondays to Fridays.

Albert Barnes

The Children's Society

Dr Marian FitzGerald, Specialist Adviser to the Committee: *Young Black People and the Criminal Justice System: The Statistical Evidence* [published on the Committee's website, at www.parliament.uk/homeaffairscom]

Institute for Criminal Policy Research, King's College London

Chris Lewis and Tom Ellis, Institute of Criminal Justice Studies, University of Portsmouth

Graeme McLagan

Judicial Policy and Practice Committee, Magistrates' Association

Mothers Against Guns, and Urban Concepts

The Runnymede Trust

Oral evidence

Taken before the Home Affairs Committee

on Tuesday 24 October 2006

Members present:

Mr John Denham, in the Chair

Mr Richard Benyon	Bob Russell
Mr Jeremy Browne	Martin Salter
Mr James Clappison	Mr Gary Streeter
Mrs Janet Dean	Mr David Winnick
Margaret Moran	

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Witnesses: **Ms Camila Batmanghelidjh,** Founder and Director, Kids Company and **Mr Shaun Bailey,** Youth Worker, gave evidence.

Q1 Chairman: Good morning, Ms Batmanghelidjh and Mr Bailey. Thank you very much indeed for joining us this morning. This is the first public evidence session of our inquiry into Young Black People and the Criminal Justice System, so we are very grateful to you for getting the ball rolling. As you will know, Ms Batmanghelidjh, we have been into Southwark in the summer as part of a number of visits the Committee is going to be making. As a quick way of introduction to the inquiry, at one level, a superficial level, the statistics appear very clear, that wherever you look in the criminal justice system young black people are overrepresented, from being victims of crime through to the numbers in prison and the level of sentences and so on. On the other hand, as is very clear from the evidence we have received, the interpretation or the explanation of those statistics is very controversial indeed, with very different views that we have received: as to why the statistics are the way they are; what it represents; what the causes or the explanations might be. With such a wide disagreement it is obviously difficult to identify what are the right policy responses to what is going on. Those are the reasons why the Committee decided to hold this inquiry. We come into it with no preconceptions, either about what is going on, or the right responses. We hope that your evidence session and the other evidence sessions we will take and the visits we will make will help us to be clearer in our own minds over the course of this inquiry. Thank you very much indeed. I wonder if each of you could, in one sentence, introduce yourselves for the record and for the public, and then we will get the questions underway.
Mr Bailey: My name is Shaun Bailey. I am a youth and community worker in the north-west of London. I work in an ethnically diverse and socially deprived place. I am a Director of My Generation, a charity which is small and brand new.
Ms Batmanghelidjh: I am Camila Batmanghelidjh. I am a psychotherapist with 20 years' experience of working in the inner-cities. I set up two children's charities: The Place2Be and Kids Company. At the moment I am running Kids Company at street level. It is a multidisciplinary agency delivering psychosocial interventions to 11,000 children right across London. We work in 30 schools across London where we deliver social work, psychotherapy and the arts. We also have two children's centres at street level where we receive children and young people who self-refer off the street.

Q2 Chairman: Thank you very much indeed. As you know, this is our first session. You know the title of our inquiry. I am going to ask you what is a very broad question but would ask you to give as precise a response as you can. What do you see as the problem that the Committee should be addressing; what is the major issue we are dealing with here?
Ms Batmanghelidjh: I think that the youth crime issue is actually about adult incompetencies. It is about adult incompetencies primarily in the social care agencies that are supposed to intervene on behalf of vulnerable children. When I say this, this is not intended as a criticism of those agencies, but I am just trying to explain to you that in very poor areas we cannot get cases into social services, education and health. I have actually sat in meetings where the unspoken policy has been to wait until a young person commits a crime, rather than intervene robustly, so that they become the responsibility of the criminal justice system. This is especially prevalent in mental health where there is a limitation of resources. They do not intervene on behalf of young people, and young people then end up in a situation where their lives are so out of control they commit crime and end up in the criminal justice system. I would actually describe the criminal justice system as holding the rejects from every other agency and being forced into intervening as a last resort.

Q3 Chairman: Thank you, that was very clear. Mr Bailey?
Mr Bailey: I see the problem as issues of power. For many, many years now the adults in our situation (and I mean all of us) have given over power to children, and the problem with children is that they do not understand how to use that power. They do

not have the emotional intelligence to deal with it. I also see from a policy point of view not nearly enough of the policy is focused on prevention. All the policy is about is punishing children; making them feel bad about who they are and then being surprised when they then act upon that. In the wider society the problem is, as a nation, we are cowards when it comes to telling our children, "No", and denying them some of the things they would like which are actually no good for them—and by that I mean media input and those kinds of things. We are very weak with our control of such things.

Ms Batmanghelidjh: Can I add to this. I agree with Shaun that it is about discrepancies of power; but I actually think that the children end up stealing power from the adults because they feel that the adults are not honouring their responsibility to protect them appropriately and take care of them appropriately. In effect, the children are taking the law and the structures into their own hands.

Q4 Chairman: Those are two very clear opening statements which I think we will be pursuing for the weeks ahead in the inquiry. If we look at offending, as I said in my opening remarks, the statistics very clearly show that young black people are overrepresented in the criminal justice system. In terms of your own experience, do those statistics ring true as to what is happening to young black people? Do you think there are significantly differing offending issues that affect young black people as opposed to young people from other ethnicities? Mr Bailey?

Mr Bailey: If there are any specific issues the key one for me is that we have made black people look exotic. We treat black people (and I know definitely because I am a black person) as if they need some kind of different rule system, some different kind of interaction with them for them to do well. You will actually find that these problems black children experience are experienced by their counterparts in a white community who share the same class. What you will see here as well is that we as a black community have not been challenged to look after our children. We need to say to the adults that, "Ultimately this responsibility is yours. We will help but you need to do it yourself". We have given over policy rules which mean that people look to the Government to look after their children, and this is just horrendous because you cannot administer a hug from Westminster. Most children actually just want the affirmation of their parents. That is the way we need to go. Why these things all lead to crime is because children then go into survival mode; and a child in survival mode is almost impossible to deal with; you have got long-term issues. I would add the caveat, we live in a society now where people often talk about the corruption of politicians but I tell you this, no politician is as corrupt as our commercial goings-on. I work and live with a large group of black boys and the amount of negative press and negative material funnelled down their necks about being black from a very early age manifests itself in the kinds of crimes they commit, which are generally street crimes and the crimes people are terrorised

about. That is why they pop up to the police more, because the kinds of crimes they do people are more concerned with and are more visible because they are on the street.

Q5 Chairman: Can I just press you a bit on those two things. Are you saying that what is going on in terms of crime levels is really very similar to all young white people or young people of other ethnicities but we have given you this exotic badge, as you put it, so we tend to see young black people's crime as different; or is it that there are some differences in what they are doing?

Mr Bailey: The differences are tiny. It is more the exotic nature of black people to the law is much more of an issue than the differences—the differences are small. What I would say about black people is, we suffer from what I call the "Amazon green frog syndrome". If something happens in the ecosystem in the Amazon the little green frogs die first—that is us. Our children are involved in all kinds of risky sexual behaviour and in drug-taking and selling; these things are spreading upwards and your children, should you be from a comfortable middle-class background (and I am making an assumption here), they are next. People from our class suffer from these things because nobody has addressed the real social issues.

Ms Batmanghelidjh: I completely agree with Shaun. I think one of the things we have done is we have ghettoised groups in society. You can see it in the ghettoisation of Muslims; you can see it in the ghettoisation of black people. When you differentiate one group from mainstream society and you attribute to it individual characteristics, you force that group into an identity that separates them from the rest of society. I think what we should be saying is that we care for all children; all children should not be committing crime; and all children's needs should be met. We should not be seeing black or white.

Q6 Mr Browne: It is a rather broad question, but do you think there are certain types of crime that are particularly prevalent among young black people; and, if so, which ones; and why do you think those crimes are most attractive or most prevalent to young black people as distinct from everybody else?

Ms Batmanghelidjh: I think that some cultural dimensions play a part, in the sense that the essence of the problem is that children who are committing crime are feeling diminished; they are feeling disrespected. This lack of respect is a real fundamental issue; and humiliation is a fundamental issue. The number one agenda in these kids' minds is to empower themselves to regain respect; because if you are disrespected and you are perceived to be an object that is undesirable then you are more likely to be killed off or die—that is intrinsic in the psyche.

Q7 Mr Browne: Which types of crime lead to that?

Ms Batmanghelidjh: There are some crimes related to materialistic things which might be more prevalent in certain neighbourhoods, because the idea is that if you have the gold, the car or the mobile

phone then your power rating goes up. Undoubtedly at street level amongst children what you wear and what you have does give you a perverse power rating, which means that you are more likely to be safe. This is what is very important to understand—it is not about greed, it is about the need to be safe.

Q8 Mr Browne: Status?
Ms Batmanghelidjh: No, it is about the need to be safe. When Shaun says to you that these children are in survival mode, even their crimes are about ensuring their own survival. It is just the mechanism that is a bit more down the line. It is very important to understand that the bulk of the crimes are not just about greed. The kids want these clothes because if they have these commodities they are safer on the street.
Mr Bailey: I would go again the media route. If you look at the crimes that black men commit, black boys in particular are presented as dangerous and sexy. There is the whole bling culture with black men. If you listened to music that our young black boys listen to you would be horrified. When David Cameron said that hip hop music was bad he was on to something but he has not got a clue because he actually cannot understand the words being said. If he could understand the words being said he would have said it years ago, because the stuff they talk about is utterly horrible. What it does is it sets the agenda for what is cool and what is acceptable amongst that group of people. I know because as a young boy I grew up heavily involved in hip hop and watched it change into this horrible animal. The reason why it is important is because they talk about crimes that generate a certain kind of respect generally based on fear and safety. If you are feared you are safe. It is important you understand that. If you are feared you are safe. That is why you do it. There is a whole status thing. If you lived in a community and you have a "rep"—this is one thing you will see rising up amongst the communities—if you have a reputation as someone who will act violently normally (which is the thing) you lift your status high. I know boys in my community who have far more respect than Tony Blair because they look like they will punch you. That is what is going on. That is why they do those kinds of crimes. That is why they come into contact with the police because they are the kinds of crimes that scare you. That is what they are designed to do—scare people.

Q9 Mr Browne: Thank you. My second question follows on from that. It was very notable reading your pamphlet, and I thought it was extremely interesting; and one bit that jumped out at me was your positive experience about being in the Army Cadet Force and the qualities you thought that gave you. I wanted to try and separate out the motivations for your black women and young black men, also teenagers, boys and girls, and men and women of that sort of age group. If you look, for example, at education statistics, attainment levels among young black girls are actually reasonably high, or at least there is not a huge disparity between young black girls and young white girls; but the attainment levels for young black men are markedly worse than they are for any other ethnic category. I wonder whether you could tease out the distinctions between male and female crime categories and motivations, especially based on a lot of experiences as a young man that you mentioned in your pamphlet?
Mr Bailey: The real issue there is the activities that are acceptable for young black people do not interfere with progress in school. School is seen as acceptable as well. If you are a young black woman and you go far in school it is not held against you; if you are a boy it is. With the situations you are involved in, drug-dealing takes time; robbery takes time; you need to learn the emotional state that will allow you to rob someone; you are not going to do that in school. The kind of activities young black women are involved in, even the ones at the least successful end of the scale, pregnancy and the like, you can make those associations at school. The kinds of associations you need to make to be successful or, as my boys would put it, an "on the road villain", take time. The amount of time you put into your career is the same amount of time that my boys put into their crime.
Ms Batmanghelidjh: To add to this, I actually think that the divide is diminishing; we are seeing at street level a lot more girls being recruited into the drug trade, but I do not think they are being caught. They are often used as decoys in cars, as girlfriends and daughters, when deliveries are made for drugs but the police do not anticipate that it is a young girl delivering. The other issue educationally is that obviously adolescent female brains have a different developmental phase from males. Male brains tend to settle slightly later, and that may actually explain some of the differences. I do not think this divide stands very much more. We are seeing nine year-olds delivering drugs now.

Q10 Mr Browne: Nine year-old girls?
Ms Batmanghelidjh: Nine year-old girls.

Q11 Mr Browne: That is obviously a generalisation, but would you still nonetheless say that, in general, academic achievement for black girls is regarded by their peers as being certainly acceptable and possibly even admirable; whereas for black boys it is seen as something which is a source of embarrassment, something you would not want to confess to your peers, that you were keen to get on and do well?
Mr Bailey: It is not even seen. My boys are not saying, "Oh, my gosh, you've got two O levels, what are you playing at?" It is just not on the agenda. This is the problem. The things that generate what is do-able, academics are simply not on the agenda and that is part of being portrayed as criminals by the media, dealt with as being exotic or, "You're special, we need to sort you out", and not challenging the black community and their parents to push these issues. Young black men, because of the nature of black culture, arrive to school in a very developed state. Our African roots mean we have a culture of talking; we talk a lot; we give things through the spoken word; and when you are a small child that is

hugely helpful to your development. Something goes wrong they minute they enter school. One of the things about entering school is that the parent, good or bad, is no longer wholly in charge of what goes into that child's head. The two elements there are: what is coming in from the outside world, advertising, food and music; and also how the teachers view young black men. Sometimes you get the impression they are waiting for it to go wrong rather than making an intervention to prevent it from going wrong.

Q12 Mr Winnick: I wonder if I could preface my question, Mr Bailey, by asking you this: one organisation had said in effect that we should not be holding this inquiry because if we are going to hold any such inquiry it should not specify black youngsters. Could I just have your comment on that?

Mr Bailey: I understand the emotion behind that, because they are probably feeling, for instance, Operation Trident, made black people feel bad and continues to make black people feel bad. The point about it is that black men are dying from gun crime. It is the same as this debate here, it may make you feel uncomfortable but it needs to be had. Hopefully it will end at some point. If somebody said to me, "Is this debate worthy? Is it of any use?" I would have to say, "Yes".

Q13 Mr Winnick: Thank you very much. You have been working in this area for some time. Your booklet which was referred to by a colleague of mine, if I may say so, is extremely useful. I only wish it could be seen by the organisation that has questioned our motives in holding this inquiry. How far has the profile of young people's offending, be it black or white, changed since your younger days— not that you are particularly old now, compared to some I should say; but how far has that changed over a period of the last few years?

Mr Bailey: What I would say to you is, if you speak to people from academia they are quick to point out we suffer from no more crime now than we did a hundred years ago which, in my view, is a failing because everything else in society has moved on hugely. The difference now is that people start younger, they go deeper and it spreads wider. The amount of young people getting involved in some very heinous crimes is increasing. We have had big debates this morning about how many young people are in the criminal justice system; yes, there are too many; but what needs to be looked at is who is in there, and what have they done to get in there. The stealing of Mars bars is one thing, but many young people now in my community live in absolute terror; and they have armed themselves as a response to that terror. If you come to where I live, I am 35 years of age, people my age feel great. The conversation goes like this, "I'm so glad I'm not a teenager these days because it's dangerous". Being 35 saves you; but the point is that if you are 15 or 16 now you are in real pain and you do not know what to do.

Ms Batmanghelidjh: I agree with that. The price of firearms at street level has gone down. You can actually now put your hands on one for £30–£50. There is also a mechanism of lending firearms. I think that is really a big issue. You need to understand that for every young person who ends up in custody, if you look at their history, there were huge opportunities, multiple, multiple opportunities, to intervene robustly and the agencies did not. This is very important because if you do not understand that it is a systemic problem the blame will always be put in the child or in the young person, or even in the individual families because, at the end of the day, the parent who cannot parent their child properly, I guarantee you, has had a history themselves.

Q14 Mr Winnick: I wonder if I could put this question to both but particularly to Mr Bailey. How far do you feel that young black people's involvement in the criminal justice system is a result of general risk factors, which have just been referred to—poor housing, poor parenting and poverty; and to what extent is it a matter of cultural choice in a black community which contributes to this problem?

Mr Bailey: 80:20. If you look at my community, my grandparents when they arrived here were hugely conservative. If my granny was alive today she would be horrified at what is going on. Whenever I do any kind of community work and I talk to people there is always some old black lady who comes and says, "I don't know what the world's coming to. What's gone wrong with these children? What's going on?" What we are seeing here is our culture is actually very anti-crime; we are very defensive against it; but our growing youth culture now is what affects it. Hip hop, late nights, bad food, no discipline in schools and lack of structured activities funds crime far more than any cultural activity the black people have been involved in, in the past, or will be involved in, in the future.

Ms Batmanghelidjh: I really believe in that strongly. There is nowhere for these kids to go. The big mistake people make is that they assume by having computers and video games that you are meeting the child's needs. What these children need above all else is human relationships. When you have a youth provision where there is one youth worker to 20 children or young people with complex needs then you do not get the level of depth of relationship that is needed to bring about change.

Q15 Mr Winnick: Mr Bailey, in your booklet on page 24, and you have referred to this more than once today but I come back to it, you say certain kinds of music, hip hop, rap music, may promote or condone violence or lawbreaking. If I can put this point to you: surely there are quite a number of people, white as well as black youngsters, who listen to this sort of music and would not dream for one moment, be they black or white, of going out and causing offences of any kind. What would you say to that?

Mr Bailey: I would say you are completely right, and the vast majority of people who listen to hip hop music have never been anywhere near crime but the problem is when I listen to hip hop music I identify with the artist—he is a black man who claims to be talking about where *we* have come from, and he is something I want to be and I am an impressionable 15 year-old who wants to be hip. When he talks about "our journey from slavery to today" and "get rich by any means necessary", I will not use the exact words, "but if anybody gets in your way pop them in the head", these start to be things that seem relevant to you. When he then keeps going on and all of your counterparts say, "Here's what home boy is saying, this is the deal", it starts to become acceptable modes of behaviour. It drastically lessens [*sic*] the instance of you wanting to partake in crime. That is what happens; it feels like it has to be done. If you ask most black boys of school age now how they feel about being a "bad man", they will answer something like, "Well I have to be because it's expected of me". That is something not just given by hip hop music but it is a big part of it, and it is what the children talk about. Lots of children are involved in something they think is their lives which they heard off of a record but do not come from anywhere like that kind of background.

Q16 Mr Winnick: I have heard some of this music, if only because my son listened. What effect it has had on him hopefully is not negative. I must say, having listened to it at the time my view, Mr Bailey, was that I was rather surprised at some of the wording which could, as you say, have a very negative effect. You give examples on page 24 about guns and the rest of it, and the denigration of women. Is that not the position as well?
Mr Bailey: The denigration of women is probably the single most important thing. I am a true believer in the family model and that model taking care of the people involved. Family for me is your direct family and your community family after that. Why the criminal justice system has failed with things like restorative justice is because that child has nothing to hold onto. They do not have any notion of "group"; any notion of ceding their own wants and needs to somebody else; any notion of being defended or educated properly, most of which will always come from the family. The Government trying to replace that model with rules and regulations are going to fail horribly, as we can see in the situation we are in. For instance, we have talked about parental education way, way, way too late. You need to educate people about being parents in the school curriculum long before they are parents, so they understand their position as a child and what to expect and their future position as a parent. One of the key things I see is that we sexualise our children. That is the single most important thing. You have had local authorities up and down the country who go to schools and give children condoms and say they are combating teenage pregnancy. No, they are not. By giving children condoms and the amount of sexual material they are exposed to you normalise sex and they feel it is their

divine right to have it, when actually it is not because they cannot deal with the emotional fallout. Even if another teenager never got pregnant again the emotional fallout is very key, and that is one of the things that drives their self-esteem up or down and leads to crime.

Q17 Mr Winnick: We live in a society where you cannot just ban, even if it was desirable (and it would not be), bad music of which we disapprove or the rest which could cause trouble. What are you suggesting in fact, that the black community should do far more in order to stop this sort of hip hop music?
Mr Bailey: I agree with that. I understand why you say you cannot ban it but I happen to disagree. When we are ready we put men on the moon for a joke, so stopping a few ill-tempered rappers poisoning our children would be fine. When the Government were asked to not advertise rubbish food to our children they refused and said it would cut into people's balance sheets. Yes, we can do stuff about it. What has happened, we have been the victims of a failed 60s experiment which has made us believe that we cannot censor. We absolutely should and could harshly censor what children see; because the most important thing with children is not actually stopping them seeing the material but sending the message that they should not be doing it. Children are always going to rebel—that is fine, let them do it but let them rebel feeling like they are doing something wrong, and not that it is a divine right to go ahead and do it. That is what you see today.

Q18 Mr Winnick: Do you agree with that?
Ms Batmanghelidjh: I actually think that it is an interplay between psychological states of mind and environmental factors that facilitate that state of mind. I would say to you that your child listens to this music and does not go and commit crimes because the psychological vulnerabilities are not there in order for the two meeting points to happen. The psychological vulnerabilities are children and young people who feel humiliated; who feel ostracised; who feel that they are not in the mind of a caring adult, who then decide, because the powerful people are not protecting them, they had better be powerful themselves. Then you look to your environment to see what the powerful tools are, and you use those. Whether it is raping someone, using a gun or a knife, or running a drug business or having a lot of money, the tools are varied. I do not think that just removing the tools solves the problem. At one point, when the police response was really robust in some of the boroughs, street crime went down but gang rapes behind closed doors went up.

Q19 Mr Streeter: This is very powerful evidence from both of you. We are looking at the causes of this problem and I want to tackle a couple of issues here, and the first one is housing. Shaun, I think you said earlier that this is not so much a black issue as a class issue; and that it affects white kids from a

similar background. I want to talk about parenting in a second, but on the issue of poor housing how does that feature in this problem? What causes it?

Mr Bailey: If you live in an overcrowded situation with no privacy straightaway that affects your state of mind. We have housing laws in this country that are greedy and centred on people who live in the greenbelt. England is not quite as small as it looks on the map. Housing policy should be changed to let us spread out a little bit more. The tiny, cramped, damp-ridden, bad-windowed, burglary-prone (because of poor security) place that I live in affects my state of mind and I have other outlets for that. If children do not feel safe straightaway, how many children spend any time with their parents because they have got a dining room? Have they got anywhere quiet to do homework? The fact that many people across the country have to run homework clubs is a shame. In one sense it is great because you get a professional teacher; but in the other sense it is actually a space and privacy issue. Housing is important. You cannot just give people a lovely gilded cage and they will be nicer. It is a key element. Housing policy is debilitating our young men. In my community single parentdom for 15–19 year-olds is a career choice. At the very least that girl will think, "If I get pregnant I'm definitely getting housed", so she is not worried; but that robs our men of any responsibility because they know they will not get housed, so they go and get people pregnant willy-nilly knowing at the very least they will get housed and "I'll just do my thing". We need to address that situation.

Ms Batmanghelidjh: I think one area of vulnerability is young people who cannot live in their homes. We have got a lot of young people, for example, who have to leave the family home because parents are addicted to drugs and are out of control. Right now we have got a 16 year-old with a chronic history of neglect, with parental drug abuse and parental suicide. We are really struggling to get him housed— in fact this week we are appointing a solicitor—and he has just been placed in an adult hotel where the other inhabitants are crack cocaine users. This is a kid who has left his house to escape crack cocaine users and he has been placed right next to them. What happens is you take these kids to the agencies and they have taken the first step of trying to change their lives. We managed to get this young boy off drugs and we managed to straighten him out, but he goes to these agencies and it is one brick wall after another—one brick wall after another—and they get despondent and then they turn their back on society. So many times kids have gone to housing departments and then said, "I'd better drug deal". Then there is the issue of when they go into private rental, which has become the trend now. They tell young people, "We'll pay your housing benefit if you privately rent", especially young men, but they do not pay the deposit or the two months' rent in advance. Because it is the social security, the landlords want two or three months' rent in advance because they are afraid they are not going to get their money, or they do not want the tenant. So these young people have to go and drug deal to get the deposit and the two months' rent in advance to get housed. The other thing is that the hostels are not supervised. This is a major problem. There are major drug-dealing and criminal networks in the hostels because they do not have staff on duty.

Q20 Mr Streeter: You have both mentioned what I call "fatherlessness" as an issue. I am not sure if you have seen the statistics but we have been presented with them and they are very stark in terms of percentages of young people growing up in a lone-parent household: White 25%: Indian 13%; Pakistani 19%; Bangladeshi 18%; Black Caribbean 57%; Black African 47%; Other Black 64%. It slaps you in the face. I believe that fatherlessness in any community is a serious issue for any child. Can you just say why you think in particular this is happening to the black community, and what could be done about it? I bet when your granny came across in the 50s (you mentioned her earlier) her cultural experience was not of those kinds of issues, so what has happened in the last 30 or 40 years to make this such a live issue?

Mr Bailey: I think amongst young black people it is the promotion of sex, quite frankly; sex and absolutely no responsibility; no discipline around those issues; also expectation. People expect to be in a family and these trends have been followed by the Government but not bucked. If you look at any Government form, for instance, they have removed marital status from all forms in an attempt to be cool and not make people feel bad. The point being, children from a married, two-parent family, like it or not, do better: less time in jail; less time in hospital; more time in school; greater careers. That is a fact. The Government and the powers that be, whoever they are, should be suggesting to people, "Look, don't feel bad because you're not in this situation but, understand, it is a situation that benefits you as individuals and your family". Obviously life is hard and people move on, but this is something that is not promoted, and by not promoting it you actively act against it. Within a black community the removal of religious values has been a very powerful feeling. We live in a secular society now that is saying to people, for instance, we should not educate our people in faith schools because of our interfaith relations, which is nonsense, because most faiths get on fine. Where the problem lies is interfaith to secular society. The key thing for me is, if you see the way in which my boys talk about women they have absolutely no idea about relationships. That should be looked at in school. I only use school because school is a captive audience, and it needs to be looked at in school. It should be looked at in school. Under whatever guise you put it, it should be in the curriculum because that will help ease a lot of our social ills, because the biggest social ill (and I do not know if you will agree, Camila) is violence in the home; and that is because men do not understand relationships with women.

Ms Batmanghelidjh: I also think that actually the mothers are hugely responsible, because they have created a culture where they can get rid of the adolescent boy; they can get rid of the male partner;

they can survive on their own. Often people think it is the males who are the culprits, the irresponsible people who actually come along and make these girls pregnant and walk off, and they underestimate the level of rejection and cruelty from the females towards the males. I actually think the males are vulnerable. It starts the minute the adolescent boy looks slightly like a male and behaves like a male and often the mother wants that young male banished from the house and a hate relationship often develops. I really think we underestimate the vulnerabilities of young black men.

Q21 Martin Salter: Shaun, I could not agree more with you about the problem of the lack of, in particular, male role models. In terms of your evidence, in your written response you used the expression "help for married/two-parent families". Were you making the distinction between a couple that are married and a two-parent family that is not married but providing the same role models? Are you arguing effectively for support for marriage or support for two-parent families?

Mr Bailey: If you asked me I would say support for marriage. Two-parent families are fine and we live in a real world and that is the situation. It is not my opinion but it is a fact—married families do better. They do better for the adults and the children involved. The key thing about raising children is if the adults do well the children do too. Very few people do well and let their children suffer. That has been one of the key missed actions in all policies. We have heard a lot of talk about child poverty. Child poverty does not exist, it is family poverty. You will never visit a family where the parents have lots of money and are doing well and the children are not. 99% of people will always advocate well for their children. We are biologically and spiritually predisposed to do so; that is what we want to do; but it is all the other outside things. The things that are best for our children is not one thing but absolutely everything, every little thing. If you speak to children what they actually want is framework and the ability to be normal. If you ask children, "What do you want?" they say, "I want a house, a wife and a car". That is what they say but there are things which get in the way—poor schooling, poor parenting and involvement in crime.

Ms Batmanghelidjh: That is very important, because what I hear time and time again from young people is "I want to be legit". The conception that young people enjoy being criminals, or want to be criminals, or want to be on the peripheries of society is entirely inaccurate. They want to belong to the centre of society, but they do not have the tools with which to engage with the centre of society as valued and valuing citizens, for a number of reasons.

Q22 Martin Salter: Thank you very much. That leads me nicely on because, Shaun, you talk about frameworks. I have been concerned for a long time about how it is almost given that kids will want to find out where the boundaries are and to push them. In a lot of these instances youngsters are just not finding boundaries, or feeling boundaries or having

the framework that you talked about. Do you put this down to schools; do you put this down to parenting, or lack of them; do you put this down in the black communities to the declining influence of the church? Where do you think these boundaries need to be drawn and why are they not as identifiable as perhaps once they were?

Mr Bailey: I put it down to Government policy robbing adults of responsibility. One of the key things I see now, we always ask our children how they want to be raised and the thing you will find is that they do not know. If they knew they would go ahead and do it and they would not need us. That is the point. The reduction of this steady church influence has had a massive effect on our community, because most people when they behave it is for their granny, minister or pastor. It sounds strange but it happens an awful lot. We are in a situation now where we fight it. A key thing for the black community in particular is that they are not made to feel British. Most black people you see who do just fine it is because they have no objection to feeling British. The thing about that is then you are involved in society. The key effect of being in the Army Cadet Force for me was meeting adults who cared and demonstrated that care; and the fact that they made you feel, "You're involved. You're British. This is what the British do—have a British way of life". That is sometimes a fault of multiculturalism—we ask people to trade on their differences. Everybody is a victim, and you will only get something if you can prove you are a minority; so people have acted on their minority.

Ms Batmanghelidjh: I agree. I really think these differentiations are destructive. Why are we having Black History Month? I am not sure that these constructs are very conducive to having a society that accepts everything as a citizen, and does not define people by their racial identities. I agree with that. Please, I urge you to not underestimate—this crisis is really reflecting the problems that we have in our care structures. Please do not misunderstand this as it just being about individual children's cultures. It is a systemic problem; we have got to face the systemic issues.

Q23 Martin Salter: Camila, on the issuing of policy, do you actually think there is a correlation between the way communities are policed and the decline in respect for the police?

Ms Batmanghelidjh: I think there are a couple of issues. I do think that there is a tremendous under-resourcing in the police, and what is happening at street level is that the kids are getting away with committing crimes and they perceive the police as not being there robustly enough. I think the police cannot because the sheer scale of the problem in some neighbourhoods is huge. The other issue is that the police are not perceived as the people who would distribute justice. It is actually a relative to whom these young people turn. There is a cycle of revenge. "You commit a crime against me, I'll get my relatives to come round and do you". That, I think, is a problem. The other thing is that I do think police have to pick up far too much of the mental health

issues. There is something called a borderline personality disorder which is basically an individual's inability to regulate their emotions and their interactions. Really this is a mental health issue but classically mental health agencies do not want to pick it up; so the police are ending up having to mop up vast numbers of people with mental health and drug addictions. Drugs play a very major part. We cannot access rehabs for young people; and there are a lot of young people who want to give up drugs but it takes about nine weeks before a drugs worker is allocated; and most of the rehabs that are out there cannot cope with this aggressive client. The rehab model is based on a middle-class talking-shop model, and these kids cannot control themselves very well so when they have an outburst in withdrawal in rehab they get chucked out. I would say that drug addiction is probably the single-most huge risk factor in breaking down the social fabric. We are having great difficulty accessing detoxes.

Mr Bailey: Just to add to that is the mixed message of the declassification of cannabis. The cannabis our boys smoke now is stronger than the stuff people were smoking in the 60s. The stuff we smoke now is just so powerful. Most of my clients—and you are talking about boys I have known their entire lives—have had a fight because they have been basically psychotic from cannabis. I watch them withdraw and then I watch them freak out all because of cannabis. There is a false economic opportunity that drug-dealing presents as well, which is very enticing when you are young. We need to say to our young people, "Drugs are a no, no", with no caveat or nicety; they are wrong. We need to provide an alternative. Some of our youth work that goes on today is next to useless. It is expensive and useless because it does not challenge young people; it does not ask them to go on and be better. If you have read the pamphlet I wrote, the reason I harp on so much about the Army Cadet Force is that they expected interaction and they pushed for it. In the youth services you come in there, you sit down, you throw a tantrum and they ask you how you are doing and can they get you a drink. This is wrong. It is making young people think they do not have to do stuff.

Q24 Mr Benyon: We have been talking about the problem and it has been a predictably depressing catalogue of difficulties that we face in this report and that you face every day in what you do. What I want to look at are solutions, and I have been writing down solutions from what you are saying. Some of them are cultural, and it is about somehow reversing this trend of the Government taking over responsibility for bringing up our families; it is about getting rid of this exotic cache that you describe. What actual interventions can we recommend in our report to Government to really make a difference? You have talked about housing; you have talked about discipline in schools and drugs. You are also suggesting we should be supporting certain areas with male role models, with activity organisers, with organised groups which take people's time away

from the possibility that they can be drawn into any form of bad behaviour. Is this the sort of thing you want us to start looking at?

Ms Batmanghelidjh: I think you need to look at a longer spectrum. There is one group of young people who would really benefit from role models, education, challenging their preconceptions and you can do one bit of intervention at that end. There is another group of young people who are really profoundly disturbed now whom you need to deal with robustly and solve their problems, because this very disturbed group is so suicidally powerful that they set the tempo at street level. The ones who could easily join the centre of society, if they have to deal with this suicidally disturbed individual they have to become more aggressive to survive around this type of individual. What I would say is: honest to God, there is a vast wastage of resources in the agencies. They do not deal with cases robustly enough. It is, "Come this week, and then come in two weeks' time and then maybe we'll have a review of your case and then come again". This kind of intervention for somebody who is really disturbed and asking for help is useless. Please, look at robust structures all under one roof. Do not make a kid go to various appointments in different agencies. It is nonsense; children do not operate like that. Put all the professionals in one place; open the place from nine o'clock in the morning until eight o'clock at night; let the kids' problems be solved properly. When you deal with this really powerfully disturbed group they stop driving the others as perverse leaders, and the others can be managed by a number of excellent initiatives out there. There are some fantastic initiatives that can reach the larger group of kids who just need role models and need a different way of thinking. Actually the group that is driving things at street level is the really disturbed group that nobody goes near because a) they are afraid of them and b) they do not have the resources to deal with them.

Mr Bailey: I would say, firstly, trust the voluntary sector. I have been doing youth work for 18-odd years and I see statutory youth clubs with hundreds of thousands of pounds poured into them doing absolutely nothing. This target-driven madness that destroys youth work needs to stop. It needs to talk about quality. Particularly, statutory services cannot concentrate on quality when they have to keep generating numbers. Numbers are not the issue—it is quality.

Q25 Mr Benyon: Could I just ask you on that, with the voluntary sector which has such an enormous spectrum, some of it is through an arm of Government with millions of pounds a year, but actually if Government channelled funding to some of the smaller groups, just £10,000 here and a few more there, that could make an enormous difference?

Mr Bailey: That is what I am talking about. There is a voluntary sector; there is an arm of Government for people who work in the voluntary sector; it is statutory. The situation is like this: if you work on the ground, you have the inclination, the time and

the need to put these situations right; you have the right staff. I work with a big bunch of professionals who are professionally useless, and they hide behind the fact that they have these doctorates in this and doctorates in that. A classic example: in my own area, more than four years ago I told them to concentre on cannabis; they told me, "no", we had to open a crack project. For every one crack user I have, I have 40 cannabis users—40 cannabis users. It is only now they have woken up to this. These are the things when you set up local projects, they have no other option than to respond to local issues because that is who they are. The key thing if you are talking about policy is how these people are funded. You must not fund them year on year. Projects need to be funded over a long time. It takes time to make change, and that is the key thing. What happens now is you get funding for a year and if you have not generated a massive change then nothing happens to you. Fortunately for our project we were funded on the under-spend, which continued. It took me 18 months to make any difference at all, but now I do more work than our Connexions centre which gets £1.5 million. If I just had the £0.5 part I would be doing well. I would have a school. These are things which need to be looked at. It is key that you do not hand too much power to local authorities because you get caught up in their politics. If you come to my borough now, Kensington and Chelsea, the councillors of the borough are absolutely fabulous because they cannot hide from the residents; the officers of the council are living in a different universe.

Q26 Chairman: If we were thinking of making recommendations, as Richard Benyon was saying, whom do you trust to allocate this money; because it is a huge problem for Government? Whitehall is remote; local councils are closer but you worry about their professional structures. Where should Government look to be able to identify these relatively small, very in-touch groups, and to be able to know how to sort out, frankly, the ones that will do a good job from the ones that will not?
Mr Bailey: You do all of the above, but one of the key things I see in our world is the police. The problem about being a policeman is that you cannot hide. They send you out every day from the station so you get to build up quite a community profile of what goes on. Use the police. Also use the Ofsted Inspectors; I am sure they are costing the public a lot of money; make them do some work as well. They go down and they see these projects, and sometimes they are of quite good use because they are quite pushy, which is helpful. The voluntary sector has issues and they need to maybe professionalise it a little bit more to manage the money, but they could be helped with that rather than being hit over the head by the local authorities' politics.

Q27 Mr Benyon: That is music to my ears on the voluntary sector, I could not agree more. Just to round this bit off by asking whether you think what we are concentrating on in terms of young black males in the criminal justice system whether there are

interventions we should be looking at to stop offending more generally across the whole criminal justice system, and whether we are being too focused here?
Ms Batmanghelidjh: I think you are being too focused. I know at street level of young people who have been stuck in youth offending schemes for two years without any education. Why, because the youth offending worker cannot get the kid into a school. Or young people who need mental health assessments but cannot get them. Why, because the mental health teams do not have the resources to do the work. I really urge you not to see this in terms of racial divide, but to understand it as a group of young people becoming tired of being failed over and over and over again. On the voluntary sector, I think that there are some voluntary agencies that could deal with street level situations because a lot of people are vocational and they do a very good job in the voluntary sector; but I think you have to be careful. The really disturbed groups need a combination of interventions, because just the voluntary sector on its own with £10,000 is not going to be able to do the job that is really required with the really disturbed groups. I would differentiate. In terms of where to distribute the money—I would suggest that the Office of the Children's Commissioner might be a good start. One of the things I think you need to understand is that when we challenge a local authority, for example, when you take a local authority to court over a child that they have not taken into care you, as a voluntary agency, then get penalised with your funding not being given to you. Also the voluntary agencies need to maintain some independence from the statutory agencies, so that we can come here and tell you the truth and our words are not bought with money.

Q28 Margaret Moran: I think you have answered quite a few of the questions I was about to ask. On one of the issues, of course, you are telling us some very valuable stuff about one-stop services, front-line, and essentially bottom-up services. One of the problems, and it is evidenced in what we have had presented to us, is how you evaluate the effectiveness of those projects. You have referred in your submission to your health project being extremely successful. Could each of you tell us how could we evaluate, because money is going to come in the direction of voluntary services, and prove that this works?
Ms Batmanghelidjh: Two things: Kids Company has been evaluated 12 times since 2000, so we are hugely evaluated by independent evaluators. Every evaluation there is walks through our doors. Right now we have just had one completed by the University of London. What I would say about evaluations is that the questions you ask are not necessarily the appropriate ones to ask; because you are asking things sometimes like, "How many kids went to college or university?" When you are talking about a child who is murderous, who would kill you in a blink, and you ask me, "When is he going to university?" you are asking me the wrong question. Ask me, "When is he going to be feeling empathy?"

because that is more relevant. What I would say is that a lot of evaluations are asking the wrong questions, therefore they are missing the point. You want my honest opinion: I do not have one millimetre of respect for any of the evaluations that have been done on us, and they have all been brilliant!

Mr Bailey: I have to agree. The problem we have now with evaluation is the start point. There are some very unrealistic start points. I know, for instance, our local youth club is under huge pressure to generate this massive number of people and nobody has thought to ask, "Actually, are there that many young people here?", and questions like that. There is way too much emphasis on the quantitative rather than the qualitative change. One of our key ups is we won a job club. The most important thing that goes on in the job club is actually persuading people that a job is a viable alternative. That is far

more important than the 10 people we get into the Wellway training course, or whatever, but these things are hard to evaluate. What makes them really hard to evaluate is that the people doing the evaluation have no respect for them. It is definitely hard to track those kinds of qualities, but again I go back to the man on the moon. We put a man on the moon for a joke, so I am sure that we could figure out how we could evaluate quality material.

Ms Batmanghelidjh: I think the emotional dimension is very important. The current crisis is emotional. It is not about how many people have degrees or do not; it is about why are people feeling they are justified in hurting other people; and that is emotional.

Chairman: Thank you both very much indeed. I think that has been helpful. You have got us off to a really good start on this inquiry. It has been very stimulating and very informative.

Witnesses: **Ms Decima Francis,** Founder, From Boyhood to Manhood Foundation (FBMF), and **Mr Ken Barnes,** President, 100 Black Men, and Principal Consultant, C-A-N-I Consultancy, gave evidence.

Q29 Chairman: Thank you both for joining us this morning. I think you have both been able to hear the two previous witnesses, so you will know the sort of ground that we have covered. May I ask each of you in one or two lines to introduce yourself for the Committee and for the record, please?

Ms Francis: My name is Decima Francis, I am from the From Boyhood to Manhood Foundation. We are based in Southwark, in Peckham. We are 10 years old as a project, although the parent company is 25 years old, and we are just in the process of losing that. We work with young people who are excluded, in danger of exclusion, who are out of the system completely, and we created the Gun Crime Curriculum for the Mayor of London, which is in all London schools—a lot of them are not using it—and we have just piloted three times in Milton Keynes in Woodhill Prison.

Mr Barnes: My name is Ken Barnes. I represent two organisations here. First, I am the founder and the President of an organisation called 100 Black Men of London—the organisation is basically a collection of men who volunteer their time to mentor young boys and girls within the community—and also I represent an organisation called C-A-N-I Consultancy, which focuses on intervention programmes within the education system.

Q30 Chairman: Thank you very much indeed. We will, inevitably, cover very similar questions to the previous session, but we are very interested in the answers you give. I will start in a very similar way. You know the title of our inquiry. You both come from organisations that have seen some need to target a get-specific response on young black men. I would be interested to know why and what you think the big problem or the big issue is that we should be addressing in the course of our inquiry. Mr Barnes, do you want to go first?

Mr Barnes: Firstly, a point I always seem to make, and that is that I believe children are a product of society, but I also believe that society is something that has been allowed to be created by the adults within that society, so I think we have to take some responsibility for the conduct of our children. I think too much deference has been made on our children. The focus on your inquiry is about the correlation between the amount of young black boys in the penal system. I am really going to focus here on the education system, because I believe there is a definite causal link between education and crime, education and poverty. So, this is going to be the basis of the evidence I am going to give to you today.

Ms Francis: Can you ask me the question again?

Q31 Chairman: Yes. We have got this inquiry, we have called it "Young Black People and the Criminal Justice System", which, as I said at the very opening of the session, comes up because the statistics say there is overrepresentation. There is a big debate about what they mean, what is going on, what that represents. You have come from an organisation that has seen a need, for whatever reason, to target young black men and so I am asking the question: what is the issue you think that we should be focusing on in our inquiry?

Ms Francis: I think the same as the speakers before. This is governmental, this is societal, this is parental and this is global. I say this because in March I was at Harvard University with the young, black men of Harvard who were looking at "rap", and we were looking at "rap" as the new language for young people, in particular black people now. We were interlinked with Africa, South America and different cities in America. The young, black people across the world who did not speak English spoke "rap". They could speak to each other in "rap", and I will go back to what the young man said before. This is a very dangerous language. It is allowed to be

because it does not really affect your community yet, but I am seeing signs of it starting to happen. Distributors are allowed to distribute this music, which is a hell music, and we have the Pied Piper as a play and as a story, and it is very interesting that it is music that is used to take the children away because it puts them into a state of trance and then it becomes the vision for the future. We are talking about globalisation. The way that the young people dress and behave and the words they use that are not British, they are not Caribbean and they are not African. We do not say "nigger", we do not use those words at all. I lived in America for seven and a half years and did much the same kind of work. What I have seen is that, as that word, which has come to Britain out of the music, has become part of the way that our young people speak, the young people now treat each other in the same way as the people in the Deep South, the KKK, et cetera, and the way that we kill each other as young people, because they do, in exactly the same callous, brutal and inhuman way, with total disregard for anybody and anything. They will shoot in the morning, outside a school, outside a fish and chip shop, in McDonalds, in front of parents and children, and they are using that word. Before we used it we never had this kind of killing— not by children on children—and they are the only ones using it, so we must be very mindful. If the Asians' or if the white people's young people produced music like that, you would stop it in a heartbeat, you would stop it immediately. Eminem, or whatever his name is, cannot produce that kind of music. He only mentioned his mother in a negative way and there was huge uproar across the world. What they do and say about us as women and people and the ability to kill each other for no reason whatsoever is undesirable, and you have allowed it to happen.

Q32 Chairman: From the two of you we have had education as a major issue, we have had the rap music issue as a major influence. In the previous session there was some discussion about whether what was happening to young, black people was actually a class issue, was actually the way we have labelled something that is happening to all poor, young people. From what you both say it sounds as though there is something distinctive about what is happening to young, black people which is different, at this moment in time, at least, from what is happening in other communities. Is that fair?

Mr Barnes: I would say so. I would say most definitely there is something distinctive. I would also add, I think, that the crimes that are committed by young, black boys are similar crimes that are committed in other parts of the country where social and economic conditions exist, but there may be different reasons why black boys commit this crime. I work in the school system and continually one of the issues that comes up is we spend an inordinate amount of time discussing with the children how are they going to get home safely from school. That journey may be half a mile or that journey may be two miles. The most underreported crimes at the moment are crimes against young people, and it is a

massive problem. These crimes are being committed, obviously, by young people, and what happens is that when these young people commit these crimes, they develop an impunity, they feel they can continue, and that criminal mindset then develops and is transferred into their adult life. I sit here, I have worked with hundreds of thousands of young children. I would say the majority of them are definitely not criminals, but there is a fact that the media would propagate that black boys are criminals, and psychologists have sometimes seen that young people sometimes act in accordance with what they think many of their peers are doing, rather than what they believe many of their peers are doing, just to fit in with what they see as the norm.

Ms Francis: I am going to start by saying that the percentage of young, black people, boys in particular, but young, black people, who are failing or who are into crime is not so huge. We have to say that. When the speakers spoke before they talked about two groups. There are three groups. There are the groups who are doing very well thank you very much, there are the groups who are on the borderline and there are the groups who are in danger and are dangerous. Let us put that in context first. What is distinct about the black boys and the crimes that we are committing at the moment is not just specific to Britain. I travel a lot; I have just come back from Boston. I am Caribbean; I go home a lot. I watched this thing happen on my native island of St Kitts within five years of getting American TV. Before that we had British TV, and everybody was outside socialising, having a life, et cetera, et cetera. Within five years, in a community of 36,000 people—all of us are related in one way or another, we are all cousins in one way or another—we have gang violence, drugs, murder, et cetera, et cetera. How is that possible? Last year there were 12 murders by young people. They dress the same, in that same way, with their trousers down their behind, the hoodies, et cetera, et cetera. There is a globalisation that is happening. We really must look at that. What is missing is that we have forgotten what it is to be British. It is not okay to be British any more. It is not okay to be proud. It is not okay to say, "Clean the streets. Clean your windows. Make the place look nice. Do not throw your rubbish on the floor. Get up for old women and young children. Behave like adults and behave well. This is a civilised country." We are not doing it any more, and we need to start again. I started FBMF because, when I came back from America in 1995 to do the arts, I saw these young, black people hanging around on the street. It was like: what are they doing there? Why are they there? Because there were so many of them. They said they were excluded from school. This is England. Who thought of anything so stupid? You just cannot exclude young children from their society. That is where they spend most of their life; that is where they build their history; that is where they have their friends. If you do it to adults within six months, they are depressed. What do you think happens to children? That is number one. Number two: the problem started with you—not you personally because you were not in government.

You gave licence to young girls to go out and get pregnant so that they can leave their family home, because you gave them flats and money and furniture, but you did a very dangerous thing in that you said that the young men, their partners, were not allowed to live there or be there, and then you talk about fatherless children.

Chairman: I think I will ask you to draw this answer to a close because we have many other issues to cover. I think you have made some really important points there. The reason I cut you off is because I think we are going to cover a lot of the issues that you are talking about in the later questions.

Q33 Mrs Dean: You have mentioned globalisation, and if I could hear from both of you. In your experiences how does a young person's involvement with the criminal justice system vary between Caribbean, African and other black groups? Is there a difference?

Ms Francis: Yes, there is. The Caribbean children commit a lot of street robberies and they will hang more with more of the other communities. The African communities have recently come in. We have been here longer, and also we came for different reasons. We were invited, and so we are second, third, fourth, fifth generations. The Africans—I find in Peckham we have the largest number—they are fairly new and they have come in with different issues. Some of them have been boy soldiers, some have been in war torn countries, so they have a completely different attitude to socialising. They are brought over and they are put into a school. There is not the counselling, there is not the work that is done behind to be able to allow that child to deal with what is going on in their lives. Many years ago our young people said that they needed counsellors in schools at eight o'clock in the morning so that they can off-load what is happening to them so they can begin the process of education. The Africans have a different mindset. They also are thinking about what is happening in their own country. For example if they are from Sudan, they are dealing with issues of war, or their families at home, if they have families at home—those are the two differences—but you will see a much larger increase of crime within the African community, we are starting to have to deal with it right now, as they settle into the country much more.

Mr Barnes: You mentioned that it is a global issue, and I talk within the context of England and America because I am in America quite often. In fact the organisation I belong to, we have a number of chapters in America, and there are some definite common denominators between the two. One is the social exclusion, social exclusion in society in general and social exclusion in the education system, but it is also the case that the black boys are far more likely to be stopped, they are far more likely to be arrested, they are far more likely to be charged, and they are far more likely to be given a custodial sentence than any other ethnic group. So, these are some factors that we also should be examining and the reasons behind that.

Q34 Mrs Dean: Do you see a difference between those of Caribbean origin and those of African origin?

Mr Barnes: I sometimes see a difference in the sense of self and sense of identity. I have obviously worked with groups across the board, and within the African culture they have their own language, they have their own dress, they have their own identity; so I do sometimes feel that the African boys I work with have a stronger sense of identity than the Caribbean boys that I work with. But within the context of being black, I heard the comment earlier on, "Why do we have Black History Month?", and I feel quite strongly about that. I have just conducted a series of events for that. Personally, I believe that there should not be a need for it, but, unfortunately, there is. My daughter was in school only three weeks ago and they were doing a fantastic issue on the Tudors. She was very interested, as she used to like to learn. She then stood up and asked her teacher: "Were there any black people around in Britain in the Tudor times?" Her teacher then stood up and said, "No", and I found out this week it did not only happen in my daughter's secondary school, it happened in my daughter's primary school two weeks prior. If we have a black child that is trying to relive history through a teacher's eyes and a teacher says, "Look, there was no-one like you there at all", that gives them no sense of self. If our children are, in essence, being denied their history, then I think aspects of black history within schools are extremely important.

Q35 Mr Streeter: But if that is the accurate answer, what should the answer be?

Mr Barnes: In my report I mentioned one of the primary things is the education of teachers. For a teacher to stand up and tell a child that there were no black people around is miseducation. It is not education; that is miseducation. We went to the library the following day, we did our research. I said, "Just take this to your teacher and show your teacher." I am not too sure how the teacher took it, but within the school system this is not education, this is miseducation, and this is what has happened within our school system. I see miseducation of our children. Within my report I believe there are a myriad of factors which contribute to crime, poverty, socio-economics, but I believe that education is about socialisation, it is about teaching our children about respect for boundaries, respect for rules, respect for society. Our children are within a school system that at times does not accept them, does not respect them, and, more importantly, does not expect from them. That is the reality of it. We can talk about institutional racism or, at best, we can talk about subconscious biases, because we all have subconscious biases. I sit here and you look at me, not as a man, you look at me as a black man, everyone here looks at me as a black man, and if your perception of black is negative, then I am starting from a deficit model. Our teachers look at our children as being deficient rather than different. Even though there are a myriad of factors I have focused on the education system, because I work in

education, time and time again the disappointing thing for me is that organisations like myself are brought in on a remedial basis, not on a preventative basis, they are brought in after our children have reached a kind of psychosis where they are beginning to rebel against society.

Chairman: I am going to apply the same restriction I did to Decima Francis. We will cover a lot of these issues. If we can keep the answers to questions quite tight, then we will be able to do that.

Q36 Mrs Dean: Can I follow on from that. You mentioned an issue about miseducation, and that applies equally to girls and boys?

Mr Barnes: Yes.

Q37 Mrs Dean: To what extent are the issues which From Boyhood to Manhood and 100 Black Men seek to address unique to black boys and to what extent are they also applied to black girls?

Mr Barnes: In a school system I think the black girls are really catching up. Some black girls are catching up the boys in the way of disaffection, and so I would cover the whole spectrum. When I work within a school system I talk about emotional intelligence, but the main thing I try to give these young boys is hope. I want to give them hope for the future because when they are at home they see their adults, they see their uncles, they see their dads, facing economic hardship, and school is what I call the first example of delayed gratification. We are saying to a young person: "Go to school for five, six years and at the end you will hopefully and potentially get this." But our children are looking and they are seeing people investing, not only in the education system but in further education and degrees and still not being able to get their rightful place or rightful just rewards. How can you then tell a 10-year old, "We will invest five years in primary school and further education with the hope that you can possibly get an excellent career", when they see people around them with perfectly good qualifications not achieving that. I am coming back to the "rap" culture—because I believe it is obviously definitely a contributory factor—that our children are being sold. There are many white people, and I will be honest with you, who are getting rich off feeding our children a lifestyle which any one of us, given the choice, would potentially go for because it is easy, it is glamorous and nobody likes to work. We all want an easy life, do we not? If our children are sold this—and this is an important point—from every single angle, and I agree with the comment there, if there was a "rap" record brought out about a Jewish man killing another Jewish man there would be turmoil, so why are these misogynistic lyrics allowed to be continued time and time again and for our young children to be hearing them. It is all part and parcel of the socialisation that happens to our young people. I try to give young people hope.

Chairman: Mr Barnes, I really am going to invite you for a short answer. The problem is that we are running ahead over questions that members are going to ask. If we can keep it quite tight, we will make sure we cover everything.

Q38 Mrs Dean: Decima Francis, could you say a little bit about the difference between black boys and black girls and about the issues that are unique to boys but how much they extend to girls?

Ms Francis: Black girls have it a lot easier because black women have it a lot easier. A lot of the problems started when the women who were invited here, came to become professionals, they were asked to become nurses. The men came to work on the railways and the buses and do factory work. That is a huge difference. Once the change in nursing recruitment occurred, all the women gave up, so we have women who do not work any more as nurses. Then education went out of the house. My mother was a nurse, most of her friends were nurses, there were books in the house, we had to help them with their work. There was a completely different sense of who you were and what you were. But black women are super women, or we are given that label: we run the house, we do whatever we have to do, we have the cars, we have the money, we are promoted much easier; so the women are brought up with that sense of the women being powerful and getting through and being able to manage, and that they can manage on their own. Nothing is told about the loneliness, the lack of partners, et cetera, that goes along with that, and the lack of support in general. We have the programme From Boyhood to Manhood Foundation. We piloted a girls' programme. We got very little funding for it. We had to stop it. No-one is aware that the problem, of course, is always going to affect the girls in the end. So, that programme is no longer going forward, but the need for it is increasing. I think the girls are giving up because they are seeing what their parents are having to put up with and I do not think they are prepared to put up with it. I think that is what is happening. They also want the easy money, and that word "easy" is really important because that is what I hear from young people, that is what I hear in prisons. We have to remember that at the end of the day young people make the choice. We know that everything is a factor in them taking up a life of crime, but at the end of the day it is a choice, and what we should be looking at is why they are making the choices. The girls are making the choices because they want what they think the boys have and they do not want to go through the degradation, and also they are now victims: the girls are being raped, the girls are being treated badly. That is the difference really.

Mr Barnes: Can I make a comment on that.

Q39 Chairman: Let us move on.

Mr Barnes: I think it is an incredibly important comment. Working with an organisation called 100 Black Men, the experiences that I had before the organisation was established of just saying to government departments that the organisation was about 100 Black Men, that syntax caused an immense amount of trepidation. Why? Because there were black men and there were supposedly 100 of them, and I should believe that the black man himself, they are a phenomenon within themselves, and they are masculine. When their teacher stands up and she is five-foot three and she stands up in

front of a six-foot black boy who is only 12 to 13 and she has come down from Wiltshire to teach, her immediate first thought is fear, and she has got to overcome that to then start teaching this young person.

Q40 Mrs Dean: Decima, can I ask how the profile of young black people's involvement with the criminal justice system has changed over the period of time that you have been involved? Has it changed?
Ms Francis: I do not think it has changed, I think the times have changed. I came in 1961. We had the rude boys, the skinheads took over the uniform, and we were getting into trouble in much the same way. The men, the boys were huge, as they are now. They came from the Caribbean, they came with a different accent, they had more energy; we are loud, we ask questions, we can be a problem in education because we will "challenge", as they call it now. What happened is that society has changed. Where we would get a clip around the ear-hole and be sent packing or where we would be told off or the store manager would deal with you, we are now going to court. Parents often do not know their children are in trouble until they arrive at court, so there is a huge break down. I think it is not that it has changed (we were always targeted because we are different and we are obviously different, you cannot miss us, and so we are seen more), young, black men have been an issue for 500 years. You actually have no room for them. There is no space in your institutions, in your businesses, on your board meetings, and that is right across the world, so the ceilings are so low that we have this crisis. In our own countries and governments we are so poor—a lot of it is poverty— that we have not been able to thrive in this system. We do not have the schools, we do not have the shops, the businesses, et cetera, to be able to bribe our children to behave in a particular way, we have nothing to pass on to the men, and the men have been really excluded. My parents' generation were more stable. I think it is to do with organic food and sunshine and living in a black community until they were quite old, and so they knew their place.[1]
Mr Barnes: Could I add to that. I truly believe the boundaries of propriety have been blurred. I think what society sees as socially acceptable is there is no longer a demarcation there. I think what is socially accepted for one group is ostracised by another group. I am tired of reading in the newspapers of stars who are glamorised and earn lots of money through their drug taking and their bad, obnoxious behaviour, but when another group behave like that they are demonised. I do not think it is right that we live in a society that can glamorise one group, and it is a group that permeates our thoughts every day, but then there is another group who conducts that other type of activity and then they are demonised.

Q41 Bob Russell: Evidence to the Committee—you will have heard some of it this morning—has highlighted external factors such as poverty, poor

housing, poor parenting and inner-city living, and the choices coming from young people in their communities themselves, as reasons for the young people's overrepresentation in the criminal justice system. Which factor out of all those do you believe to be the most important or can you not choose?
Mr Barnes: Can you read those factors out again?

Q42 Bob Russell: Yes, it is quite a list. Poverty, poor housing, poor parenting, inner-city living and choices coming from young, black people and their communities themselves?
Mr Barnes: I think there is a common denominator between all of those, and that is education, and I think that is what was omitted from your list there. I think there is a causal link between education and crime, education and poverty, and, again, poverty then breeds housing, and then there are a number of parents, when I meet parents, who sometimes do fail their children simply because they do not have the education to be able to effectively deliver parenting in the way that it should be done.

Q43 Bob Russell: You do not limit it to classroom education, you are talking about education in the community itself?
Mr Barnes: In the community as a whole, but I truly believe that the education that is conducted within the school system is a pivotal moment for a human being. It gives a child a sense of—. Let us take a child that goes to Eton. Eton does not just educate a child, Eton instils a sense of pride, a sense of belief, a sense of hope that your place in your future is defined, and that allows that young person, no matter where its path, to believe that they will be somebody. Many of the young children who I meet at times do not even believe they will be somebody. They are going through school with just a small hope that at the end they may become someone.

Q44 Bob Russell: You heard in the previous session Mr Shaun Bailey saying that what changed his life was his membership of the Army Cadet Force. From your experience, do the recognised youth organisations play any role in the communities for whom you speak today or are they absent, because Mr Bailey had to be encouraged by a family member to join?
Mr Barnes: I think that the youth organisations play an important role. I am here today and I have got Royston there and I have got Ray Lewis there from the Eastside Lewisham Academy. I think organisations such as that play an absolute pivotal role in allowing our young children to be able to understand that the future does have something for them.

Q45 Bob Russell: But are they involved in the communities at the moment?
Mr Barnes: Yes, they are involved, but the issue we discussed earlier on was, first of all, about funding. That is a serious issue, because I know a number of organisations who sometimes are forced to reinvent their model every two years to apply for a measly five or 10 thousand pounds that the Government are

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[1] *Note by witness*: Her parents generation were living in a black community until late teens, as young adults, so they knew their place as men and women together.

going to give them. I went to a meeting with Ed Miliband. He was talking about the third sector. The third sector is now the voluntary and the community sector. They are doing a whole review with the Treasury. I was there. The third sector plays a massive role in public service delivery and organisations like myself, Decima and Ray Lewis play a massive part in that, but we are not given the resources to effect that change.

Q46 Bob Russell: Leading on from that, Ms Francis, your evidence has highlighted the link between school exclusion and underachievement in formal education, and I have looked into the informal education and also the offending behaviour. What comes first, the underachieving in education or the school exclusion?
Mr Barnes: Can you repeat the question?

Q47 Bob Russell: What factor comes first in the link between school exclusion and underachievement in education and offending behaviour?
Ms Francis: Our children enter secondary school a little bit ahead of everybody else. Those are your stats. So, we are not averse to formal education. If you look around the rest of the world, black children do quite well in education without resources, with no housing and poor housing. This is the first world. Come on, people. We do not have poverty on the scale of Africa or India or anything like that, and children survive and do very well in education. There is something wrong with the system, there is something wrong in the emotional way that we are being educated. The country was never designed, the education system was never designed to educate black children, it was designed for white children, and that needs to be addressed. We have a school. We are now an independent school. We are having hell trying to find how we get funding for the school because we fall through all the cracks. We are a voluntary sector group, we are now an independent school. How do we get funding? We do not fit in the stats and nobody is prepared to help us. So, we will struggle. We are black; we are used to it. Poverty: I will come back to it again and again. It comes from a lack of education, but the education that we need is about education educating us about the system in which we live. How does it work? If you do not know how to deal with the housing agencies, how to deal with employers, you do not know how the structures are set up in this country, you will always hit it very hard, especially so if you are poor and ignorant. As for the Cadets, we sent six boys to the Household Guards for a week. They worked very hard to get there and they did extraordinarily well. We had to stop a few of them wanting to join up into the Army, because that was not the intention of them going there, but the young people at FBMF asked for an Army Cadet service and we got one, so we had one in our centre, and it was really interesting to see these young people—some have ASBOS, et cetera, et cetera—being shouted, bawled at, and thoroughly enjoying it and turning up on time. Children want discipline. All children want discipline. They want to be saved and they want to belong. We are failing

them. We really are failing them. How you have to do it is that education must set young, black people in context in this country. If you have no context, if you think that you have never achieved anything or contributed to the world, and you are of no use, then you have nothing to stand on, there is no point being educated, there is no point being civilised, and if there is no point, what you will do is destroy, and the destruction is happening within our community to ourselves. We have to look at that really. We need education but the educators need to be educated.

Q48 Mr Clappison: As I am sitting listening to this I am absolutely fascinated by what you have been telling us. Following on your point about discipline, you have already made the point, I think, that generally in education there are sometimes low expectations of black pupils. You have drawn the connection between that and lack of achievement. Do you think the same thing might apply to discipline generally, that there are lower expectations on discipline?
Mr Barnes: I would say definitely within the school system. I can give you a prime example. I read a report recently of how one child was making a comment about school, and he said, "I find this lesson quite boring because the teacher does not articulate properly. I even fall asleep in the back of the class and the teacher does not notice." I cannot see how a teacher can be teaching a class and see that a child is falling asleep and not notice. I believe she notices, but she expects nothing more of him, so she just leaves him because, if he is quiet, he will not disrupt the rest of the class. So, low expectation within the school system, I believe, is absolutely a key factor to why our children are not achieving because what low expectation does is it transmits that low expectation to that child. I have a saying that, good or bad, teachers get what they expect of children.

Q49 Mr Clappison: Do you agree with that?
Ms Francis: Yes.

Q50 Mr Clappison: What about the point about discipline, that there are sometimes not high enough expectations?
Ms Francis: I have walked into schools where the children are off the wall. I was not allowed to do that when I was at school. We had prefects, we had to walk down the corridor quietly, we had to think about other people. I have seen some dreadful things in schools. I will not tolerate it. I am not a teacher, but I would not tolerate it. I will not tolerate it if I see it on the streets. What I see is not just in school, it is everywhere. You have huge gangs of children on the sidewalk and you have women with their prams going into the streets and no-one is prepared to say anything to these young people: "Line up. Get out of the way", and they will declare things because they are young people, but they will do it. We adults are not doing it any more. We do not discipline children any more. It is as if adults have negated their responsibilities and they are afraid of children,

which they are, and this cannot go on. Yes, we know that adults have died when they have confronted children, but how did we get to that state in 30 years?

Q51 Mr Clappison: Can I take you back to something you said a moment ago. You said that you felt the system was not well-adapted for black children. It was designed for white children, not black children. Have you any specific advice you could give us of ways you think the system could practically be better enacted?

Ms Francis: One has to look back at history, one has to start teaching the truth and one has to look at the books that we are giving children, the language that we use. We have to make it more inclusive. We have to be more inclusive. We need to go back to teaching geography well. We have to place the context of how the Caribbean and Africa made this country wealthy and made the world wealthy. We have to go back to finding the inventions of black people that have contributed to the world. We do not hear it. "Get rid of Black History Month. It is a nonsense. Just get rid of it." Celebrate everybody who has contributed well to the world. That is it. When I was teaching at MIT, I took a group of young, black people to Jamaica. They have Black History Month, but I am talking about 1990. They did not have Black History Month in Jamaica, and they laughed at the concept of Black History Month because every day was a celebration of somebody in Jamaica, black, white, or other but mainly black. The young people were absolutely amazed to come into contact with everybody being black, from the Prime Minister down to the janitor, but everybody was, and that was a revelation for them. We do not see this here. If I say to a young person, "Work hard at school, you will become something", they say, "No". "Be a good person." "Why? My parents were good. My grandparents were good. They worked hard. They followed the system. It has not got them anywhere."

Q52 Mr Clappison: On a slightly similar point, we have heard a lot of evidence today about the need for more successful parenting and you have dealt with the need for successional transition to adults in your evidence which you submitted to the Committee. I was wondering whether you had any practical suggestions which you could give or specific parenting issues which you could highlight that you feel black families need to address in order to achieve that?

Ms Francis: The young people said quite clearly many years ago, they said it to a minister at a GLA conference, "What can you do to help?" and they said, "Bring out a law that stops the men being able to leave the home", and everybody laughed, but that is how the children feel. The women have to stay; the men must stay. One has to make it possible for black men to work. They do not have enough work. There are too many of them on the street. Am I lying?

Mr Barnes: No, I would agree with you.

Ms Francis: I lived in Turkey for three years. I lived on campus. Someone came to fix my floor. There were about nine men. Three of them were swigging tea, three of them were doing the carpet and the others were talking. I said, "This is an absolute waste of people. What are you doing?" They said, "You do not understand. Our men have to work. They have to be seen as working. Their children must see them getting up and going out and coming back and bringing home the bacon", as we say here. "It is vitally important. It is important for the men. It is important for the children. It is important for the family. Men have a place." At the moment our men are like bees: once they have reproduced, they are of no use and they are dying, and our young black men are dying. They are having strokes at 28. We are having a lot of sudden deaths at 22 of people who are not always failing but who are successful. There is something so very wrong in our community that we have to dissect it, look at it and put in structures. Our parents had a different way of parenting us which involved smacking, and, yes, as in smacking with everybody, there are elements where it turns into brutalisation, but there are some children who need a short, sharp smack, because you give people a short, sharp smack when they are in a state of shock to bring them round. We have to parent our children because we are black and we know how to, and that power has been taken away from us. We have to get it back. Our children are large, boisterous and very, very different from yours and we need to now bring them back. We think differently, we behave differently, we are from different cultures and different history and we have to have the responsibility of looking after our children and we must have it back, but first the men have to work.

Mr Barnes: Can I make a brief comment. There was a study done recently, and I am going to relate this back to parents. 80% of teachers have incredible difficulty engaging with an ethnically diverse student population, and not only the teachers have difficulty in engaging with a diverse population, schools have even more difficulty in engaging with ethnic minority parents, with black parents, and every school I have ever worked with has admitted that they have a massive problem of engagement with parents. What happens is kind of an alienation, it is kind of a "them" and "us" situation. One of the things we really need to look at is strategies in which we can empower our black parents to understand more about the school system, but also to develop that tripartnership between the school, the teachers and the pupils and the way the school system engages. There was one study that said that certain schools alienate black parents and do not allow them to feel comfortable and when they invite black parents into school it is only when their children are doing something negative and wrong.

Q53 Mr Clappison: I think you have certainly given us a lot to reflect upon in our deliberations to come. The focus of our inquiry is on the criminal justice system. To what extent do you believe discrimination in policing and sentencing practice are responsible for the overrepresentation of young, black people in the criminal justice system?

Mr Barnes: I believe it has a huge effect. I have had the benefit of working with Trident, I have had the benefit of working on the Stop and Search

Committee that advises the Government on overrepresentation, on black boys being stopped, and statistics show time and time again that black boys are stopped far more than white boys. It shows that back boys are far more likely to be arrested, it shows that once they go before a judge they are far more likely to get a custodial sentence than their white counterparts. In fact, there was a fantastic study done in America a few years ago and it showed under test that white policemen are far more likely to shoot black people, even when black people had a harmless banana in their hand, than they were to shoot white people. In my report I mentioned the three Ps, and one of the first Ps I mentioned was "perception". Whether it is institutional racism or subconscious bias, I believe that when a police officer profiles a criminal he has a profile, but when that profile starts from black, if he sees a young black boy walking down the road in a hoodie and there has been a crime committed, immediately this is a potential perpetrator because he fits his innate profile of what a criminal should be; so I believe perception does play a part, subconscious bias plays a massive part throughout the judicial system, the judges, the police officers, the CPS, all the way down.

Q54 Mr Benyon: A very quick question coming back from something Decima was saying earlier and something the previous witnesses mentioned about "rap" and "hip hop". Back in the 1950s a number of radio stations in the US and a number of communist countries tried to ban rock and roll. They had enough difficulty then, and that was before the internet. Are you saying that you think a particular genre of music can be banned in modern Britain?

Ms Francis: Yes, I do. It is not the music that you are trying to ban, it is the language that they are using that needs to be changed, and it can be done. I am from St Kitts, and we had rappers from America who wanted to come to the island and do that kind of abuse, which is what I call it, and they were told, "No", they cannot and if they did they would be put in the cell and be sent off, and they were, and everybody is very happy about it, thank you very much, because we do not want it. It is killing our people across the world. It is killing young, black men. We are intelligent here. You must find a way of helping people to express themselves—it is a form of expression, that is fine—but we must be mindful of the language we use. No-one can come onto the street and discriminate against me; it is against the law. You cannot call me a black blah, blah, blah, it is against the law, and in much the same way (and I almost want to, and I wish I had done), I wish I had taken one of these rappers with one of their languages to court to see what would have happened, because as a black woman I feel very offended and very under attack and I can show evidence of where this kind of music has actually led to people behaving in particular kinds of ways. We need to look at it.

Mr Benyon: If it is possible to stop someone making racists comments, it must be possible to stop someone preaching hatred and violence in a similar way through music. It is probably something that is a conference in itself, and I know the Chairman wants me to move on?

Chairman: We shall come back to the issue in the course of the inquiry.

Q55 Mr Benyon: You have talked a lot about the cultural changes that we need to make. Can you give us some practical changes that you would like to see that would reduce the disproportionate representation of young, black people in the criminal justice system?

Ms Francis: We read the Gun Crime Curriculum. Everybody in this room needs to take a package and have a look at it and study it in detail. It should be in every single school. It looks at everything that we talk about. It starts with the myths about youth culture and violence, it looks at respect—stereotyping, prejudice, harassment—it goes through all the systems. It looks at policing, it looks at citizenship, it looks at absolutely everything that you would need to start creating for yourself a moral and ethical base on which you can stand—that is the most important thing—and it helps you to look at the society in which you live and also your responses to it and the decisions that you make, but its sole aim is as a preventative measure to make you unacceptable to people who want to get you involved in crime. That is really important. Nobody wants a nerd; nobody wants in their criminal gang somebody who is stable, talks to adults, has a good family background, has some moral and ethical values and is safe. You are not any use to them. You have to be vulnerable, you have to be feeling whatever, emotionally insecure, to be able to be manipulated in this way by criminals and get involved in that lifestyle. It needs to be placed in all schools.[2] We have a problem in that schools do not want to be dealing with gun crime or with those kinds of violent crimes because they are afraid of what their governors would say, what the population would say and their ratings. That needs to be addressed, because it is not actually the crimes that we need to be looking at, we need to be working with the young people so that they become whole, so that they do not make these unwise, unsafe and ill-choices. Camila Batmanghelidjh was quite right. This is a mental health issue. I think our community is going stark raving bonkers and I think the children are expressing it.

Mr Barnes: I am going to comment on that. I cannot commend any inquiry that looked at the overrepresentation, but unless we look at all the stakeholders in the process, I do not think we are going to come to an holistic solution. The stakeholders in this process are not just the black boys, they are not just the parents, it is the judiciary and it is the whole process that leads them. If you look at the fact that it costs £30,000 to house a youth

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[2] *Note by witness:* It also needs to be placed in community centres, detention centres, and prisons, as well as being made available to all agencies that work with young people, and for parents and faith groups.

offender for one year (approximately £25–30,000) but if you look at what is spent on stopping a young person from being excluded from school, it is way out of proportion, and so I think we need to look at all the stakeholders in the process. I mentioned in my report (it is as simple as this, and I come from a simple standpoint) the perception that society has of our young children which then leads to a perception they have of themselves. I have to be honest, you are the dominant culture here. White people are the dominant culture in this society. You write the rules, you dictate the rules, you change the rules as you will, and, as a young, black person, we have to conform within the boundaries that you set. So, if you are asking me to wash myself and then put back on a dirty shirt, I am still going to be as smelly as I was before. Why do I say this? I say that we definitely need to look at the stakeholders in the process and not only the children and parents but the dominant culture we are talking about, the teachers. The schools minister just recently announced that to become a new teacher you need to have diversity training. I think that is an excellent point that he mentioned. I know that with police officers there is an issue with racial profiling. I have been on the Stop and Search Committee. They have said it does not happen, but they are human. Of course, racial profiling happens. We are talking about the judiciary, we are talking about the judges, we are talking about the magistrates. When a magistrate has had 10 black boys in the course of the last two days stand up in front of him, obviously he cannot help, as a human being, then coming to assumptions. I think when you are looking at reasons for this overrepresentation, I would really love to see all the stakeholders in this process be questioned or examined, because it is not a one-sided issue.

Q56 Margaret Moran: You gave us an analogy earlier about fathers who are at work which implies that young, black men need mentors, which is part of a lot of the work you are doing. How do you have those kinds of role models, those mentors, if the prevailing culture is one of drugs? As you said yourself, the drug economy is much more powerful than going out and earning the national minimum wage. How would you counter that argument?
Ms Francis: There are two things. I would like to see black schools. We do not have any. I would like to see one set up, run, staffed and managed by a whole black team that has a lot of men as teachers. I would like to see and experience authorities listening to us who work at ground level, not just patting us on the head and saying, "You are doing a good job", but actually listen to us, because we come years in advance to tell you what the trend is and what we see happening and you do not listen to us, you only listen to the professionals, and it is not acceptable. If you turn around one child—this is what people do not understand—if you turn around one severely disturbed child (let us call them that), you can turn round 40. The problem is that when you turn a child round the other agencies in the system do not back

you up and support you. You turn this child around and then you say, "This child and family need to be moved from poor housing or moved to a different area", so that they can get a clean start, because if they go back to schools in that area they cannot survive. They will be forced back to their previous lifestyle. You cannot move them. This is happening even with people who have witnessed a crime. I have heard of an incident, which I am not going to say here, where they have witnessed a crime and they want to give evidence but it is too dangerous for them to stay. You will move them into inappropriate places. You cannot send them to Chelsea, or somewhere else, it is ridiculous, because they will play their music loud (culture again) and smoke their little bit of whatever, and it is not accepted and they will be kicked out, and then where will they go? There is no relationship between boroughs to be able to move children quickly and effectively and, very often, if people are moved quickly for a very short period of time, you can actually stop a lot of things happening.

Q57 Margaret Moran: Ken.
Mr Barnes: Can you repeat the question?

Q58 Margaret Moran: Essentially it is about mentoring work and how you establish effective mentoring of black boys. In some of the work you have been doing we have heard that you use peer mentors. Can you tell us a bit more about that?
Mr Barnes: We talk about the role of the absent father. I suffered from that. My father left me when I was 10 years old and I did not see him again until he was dying when I was 26. The socio-economic conditions that a number of these young people grow up in I was exposed to in the sense of crime and drugs. It was not necessarily something that I took a part in, but a turning point in my life was simply a man who I never saw before, and it took possibly about an hour of his time to sit down, pull me to one side and say, "Look, Ken, irrespective of the path that society says you will take, I see something different in you." Maybe I was ready to listen at that time, but all I know is that was a pivotal turning point in my life, and from then I recognised and I, again, understood from personal experience how valuable it is to have an adult in your life who can give you that direction. Mentoring and intervention programmes that we conduct are absolutely an invaluable part of the process. I work on a committee at the moment called Reach, which advises the homeless on the same issue you are talking about, and one of the issues we have is that between our organisations we are quite fragmented; there is not one place where we can go and find best practices so we do not have to continue to reinvent the wheel. I believe there needs to be some true respect and investment in organisations like ours so we can create potentially an umbrella body which can develop best practices so that in the future, down the road, we do not have to continue to develop the

wheel. Again, I think our work needs to definitely start from a preventative basis. I worked within a school recently, where year 10 was quite disruptive. There were 10 boys. I worked with these boys over the course of six months and the headmaster (it is not in my report) reported that the whole year had actually calmed down. So, what we are talking about is creating a new mindset for our children to aspire to, and I think the work that we do will go a long way to doing that.

Q59 Margaret Moran: Can I follow that up. You referred to "us", collectively, listening to professionals. You are telling us that you know what is happening out there before anyone else, you are in there doing it, but we are interested in what works. How can we prove that what you are telling us works?

Ms Francis: We are now an Ofsted independent school. We started as a small evening programme.[3] We were funded for three years to have a mentoring programme for "hard to reach" that included everybody. We trained so many people to become mentors, but at the end of the three years, and it takes three years to persuade our community to do it, go through the training, set up the systems, the funding is stopped, end of story. We now have a bank of mentors which we try and use, but it costs money to maintain it because mentors also need to have support. We are dealing with dangerous young people.

Q60 Chairman: Because of the time, can you concentrate specifically on Margaret's point about the evaluation of the effectiveness of what you do?

Ms Francis: You can evaluate it because the reports were sent in. We have the peer mentors who are now in our programme, and out of that we have young people who have created their own work and are now being funded in the council, so there is evidence. It is there if you look for it. We have had a group of young people who have come to us from all over London and said they hate the way that they have been presented by the media and everyone else and

they have created a "positive images" group which is 50 strong and they are now trying to address what is going on.[4]

Mr Barnes: I will give you two examples of the many I can give you. Firstly, we had two young boys who worked with us three years ago. They were from a family that had split quite acrimoniously and the dad was slightly disenfranchised. We were working with the two young boys. What happened is that the dad separated and one young boy went with his dad and one young boy stayed with his mum and they were kind of intermingling, and the one young boy was not on our programme. The young boy who was on our programme, he was with us yesterday, we went to meet David Lammy MP, had a tour of the House of Commons, he is doing extremely well in his school, wants to be a lawyer, and his brother was recently arrested for armed robbery. These are two young men who were doing extremely well for the first year and, after one of them leaving our programme, the one that left our programme became disaffected. That is just one example of how effective mentoring can be. Another example, we had a young girl that came to us and she was mixing with the wrong crowd, completely dismissive of any parental control, and she went to court and she was about to be charged, but the judge deferred it because she was working with us. Nine months later they went back to court and the judge gave her a suspended sentence and actually quoted our organisation and said that, because of the intervention of our organisation, this girl's mindset had now changed which had induced a different behaviour and you could see that the path this girl was taking she was not going to take again. They are two very brief examples of the many I could give you, Decima and my colleague here, Ray Lewis, could also give you, of the kind of interventions that not only stop but also prevent from ever happening, because we must not always focus on remedial, we must also focus on preventative action.

Chairman: Can I you thank you both very much indeed. I am sorry I had to cut both of you short at various times, but we had a lot to cover. As with the first session this morning, this has been a very good start to our inquiry. We have a huge amount to think about. Thank you very much indeed.

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[3] *Note by witness:* We return an average of 80% of boys back to mainstream education, training or work.

[4] *Note by witness:* Refers to Thomas Curran report on mentoring.

Tuesday 7 November 2006

Members present:

Mr John Denham, in the Chair

Mr Richard Benyon	Gwyn Prosser
Mr Jeremy Browne	Bob Russell
Mrs Ann Cryer	Mr Gary Streeter
Margaret Moran	Mr David Winnick

Witnesses: **Reverend Nims Obunge,** Chief Executive, The Peace Alliance, and **Reverend Les Isaacs,** Director, Ascension Trust, gave evidence.

Q61 Chairman: Good morning. Thank you very much for joining us this morning to give evidence in the second session of the Committee's inquiry. Could we start by asking each of our witnesses to introduce themselves and their organisations for the record, and then we will get underway.
Reverend Isaacs: Good morning, everyone. My name is Reverend Les Isaacs. I am the Director of a charitable organisation called Ascension Trust that has been running for 14 years. Over the last five years we have embarked on an initiative, as well, called Street Pastors. That was two years in the making and is now three years up and running. We started with 18 people, going out on the streets from 10 o'clock at night until four in the morning to engage young people, in particular, in two boroughs in London. We are over 600 people in 11 boroughs in London and seven cities across the country.
Reverend Obunge: My name is Nims Obunge and I happen to be a Pastor of a church called Freedom's Ark and the Chief Executive of an organisation called The Peace Alliance. The initiative is based around working with community voluntary/ statutory/faith organisations, trying to ensure that there is a holistic response to challenges of criminal justice in our community. I am also fortunate to be the Acting Chair for the London Criminal Justice Board advisory group, and oversee knife crime in that advisory group capacity.

Q62 Chairman: Thank you both very much indeed. We are grateful to you for coming this morning. This is the second evidence session we have had in our inquiry into Young Black People and the Criminal Justice System. As two people with the jobs you have, could I ask you what your reaction was when you heard that a select committee of the House of Commons was having an inquiry into young black people and the criminal justice system?
Reverend Obunge: About time. My gut feeling was "About time", and the feeling that it has been overlooked, undermined, underplayed and has not been given the effective attention it needs. I suppose in local communities it is more obvious. The dream had been that the centre would pick it up and do something.
Reverend Isaacs: My thought in response was: "I hope this is not just a piece of academic exercise." I felt and hoped that something tangible would come out of this to help us to address the mammoth problems we have in our local communities.

Q63 Chairman: I asked the question because some of the people who have responded to our inquiry have questioned our motives in even having an inquiry with this sort of title, so it is pleasing to have your support. Without asking you to go into the issues in detail, because we will try to cover everything in our question session, if this inquiry is of importance, what for each of you are the key issues you would like to see us discuss when we produce our report— not necessarily setting out exactly what we should include but what are the issues we need to make sure we touch on?
Reverend Obunge: Could you forgive me, for, being a minister, I am quite outspoken and very unhypocritical. I am a bit challenged by the present company, the Committee, because I do not see any black person on it. That, in itself, is a reflection of the challenge we have in the black community. If I am giving evidence, I had hoped to see somebody from my community sat with yourselves who would be able to tune things—and I am not talking about somebody sitting at the back of yourselves, but sitting in the centre. That is why I say you need to forgive me being outspoken; it is just that is the way things are. I already feel challenged at the moment, but I would like to see that maybe the Committee reviews itself first of all, before it reviews ourselves, because if you are not able to do that effectively we will not be able to get what we are looking for and we will end up with a piece of paper that might be a potential tick in the box, a tokenistic exercise, that might not have a sustainable future. That would be my key thing. I would like an internal review before an external examination.
Reverend Isaacs: I would say "Amen" to that.

Q64 Chairman: What you raise is a much wider issue, because we reflect very much the makeup of the House of Commons—
Reverend Obunge: I understand.

Q65 Chairman: — so these things are not entirely within our gift. But you have answered the point very frankly and we are grateful to you for that. You know, as we do, that the statistics show an over representation of young black people in crime in the criminal justice system. Do you think that is reflecting a real phenomenon, that there is more crime being committed by young people and more people in the criminal justice system, or is it, as some people suggested to us, a quirk of what the statistics

are showing us—perhaps, about poverty or something of that sort—rather than what is happening to young black people?

Reverend Isaacs: I think there is overemphasis on young black men in jail. But the fact is—as I visit jails up and down the country—there is a very high disproportion of young black men in our institutions, hence it has, in one sense, demonised young black boys and men in the public's opinion. Every year I meet up with literally hundreds of black boys and girls who have accomplished their A-levels and are actively engaging in seeking further education at universities, yet they never get a glimpse in the public domain or media. I am very concerned. I also think our courts too readily hand out sentences to our young boys, rather than looking for alternatives within the community to help our young boys go through the most difficult adolescent period. I think there is a lot that can be done, there is a lot that needs to be done, and far too many of these boys are given custodial sentences whereas I believe we could do something different.

Reverend Obunge: I think the first encounter a young black person has with the criminal justice system is most likely with the police. That is the critical encounter. When we look at stop and search rates, the facts speak for themselves. The black community is more likely to be stopped and searched. I have sat on the MPA Stop and Search Scrutiny Panel and the Home Office stop and search Community Panel and the statistics are very high: up to six times more likely in some cases than their white counterparts. When that first encounter is going to take place with the police, black young people already feel persecuted. They already feel that they are going to be targeted, so there is already a reaction to that initial encounter, and in some cases it is not crime. I am not denying the fact that there are some criminals within our community but the fact is that in some cases that criminality is based on persecution. I think we have to look at both sides of the coin. We need to look at the context of stop and search and we also need to explore issues around the drugs trade. So, yes, there are some concerns around how the drugs trade within the black community or gun crime within the black community seems higher than in most other communities. I think you would have seen recently one of the gentlemen giving evidence—and I am sure we will speak about it later on today—in the context that there is potential that there are some middle-class white folks who seem to enjoy the drugs trade and enjoy our drugs, and so they encourage black people to get engaged in the drugs trade.

Q66 Chairman: You are both leaders of your communities. In your communities is the current discussion primarily about why some of your young people are getting involved in crime or is the discussion primarily about this experience of your young people at the hands of the criminal justice system? It may be unfair asking you to choose between those two but I would be interested to know how the balance of the discussion takes place.

Reverend Isaacs: Both of those issues are very much high on the radar and the agenda of our communities. There is always discussion about how many of our young, particularly boys/men, are in jail. There is also discussion about the issues of why it is that our young boys, in particular, find it very easy to find themselves involved with the drugs industry and also within the gang culture and the crime culture. Those discussions are never far from the table. It is there in the council flats; it is there in the middle-class agenda. We are always talking about those things.

Reverend Obunge: Why do we talk about it? I think that is important. Why are we having the discussions about overrepresentation? Why are we having this dialogue? The dialogue is there because there is a frustration. This just did not start today. We are looking at cause and effect. If we look at the context of employment reality—underemployment, underachievement—all those issues act as mitigating factors within the black community. In my submission to you I identified some of the discussions, and we cannot deny that there are discussions and debates around parenting. There are discussions and debates even amongst ourselves. We need to look inside and say: "What else can we do to support our young black people?" There are big debates around what our responsibilities are to our young people and the breakdown of the family structure, but, at the same time, you realise there is this pressure from the lack of opportunities that exist out there and the discrimination and potential racial issues, racism in some contexts—which, cutting to the chase, would be the right word in some cases—for our young black people. That tension exists and I think a lot of our young people are in the criminal justice system not so much because they want to be in there but it is about opportunities. There is a big issue on opportunities.

Q67 Mr Benyon: Both of your organisations are involved with combating gun crime. Gun crime affects a lot of different communities but there is a perception or a reality that it affects black communities and young black males in a much more emphasised way, both as victims and perpetrators. What success have you had in the work you have done? In which direction would you point this Committee towards successfully combating gun crime, and how it can affect your communities for the better?

Reverend Isaacs: I am always very careful about using the word "success". The strategy and policy within our organisation is that it has to be between 10-15 years because this problem is endemic, it is long-term. It is not a one-year project; it is a long-term initiative that we have to work on. That is the first point. The second point is this: we recognise, we constantly have at the forefront, that if we are going to have some tangible bearing and outcome within this issue we have to work and think and have a strategy for us to think about a generation plus. We have started by saying, "Let's just go out and engage people." That is why we looked at the whole issue of when crime happened. We looked at the 24-hour

clock with the police and we realised that in the evenings certain things happened. We felt that we had to go out there and get into their minds, build relationships, build trust, and let young people know that we are not there for them because we are getting something out of it but we are there for them because we are genuinely concerned for them. In some of our boroughs we have seen street crime—preventative of a major incident happening—reduced by 90%. By 75% we have seen incidents reduce in some of the areas we are working with. People have even rung us up and said, "Look, I've got a gun. Could you come and get it from me. I don't want this lifestyle any more." We are creating the space for people to say, "If I want to cry out, who do I cry out to and who can help me out of that?" When we talk about success, we realise that there are many, many more guns out there and it is not one or two guns that we want; we want as many as possible. That is how we are seeing things happening and not only with guns but drugs as well. People are saying to us, "Pastor, I've got this. I'm involved. Please, help me. I don't want to do it any more."

Reverend Obunge: The word "success" remains relative. I sit also within the advisory capacity as a member of the Trident Independent Advisory Group and we are very careful when we use that word "success", even though we see, sometimes, our figures go down. You know, one incident is one incident too many. All of a sudden that impacts on the community. The reason I started getting involved in social action, as it were, was because I was, as a minister, being called to bury kids who had been shot or stabbed in our communities. We got to that moment where we said, "We are speaking so often at their deaths, but what do we do to keep them alive?" As a result of that, a raft of campaigns have taken place and these campaigns challenge young people. We are still engaged in that. In my organisation, we developed a 90-minute DVD and a manual for schools/teachers called *Untouchable,* which has been used around the country. *Untouchable* is one of the numerous study materials in the toolkit to help young people or to deter them from gun crime. My concern is more around an exit strategy. As a typical example: I had a young man with a gun come over to me. He wanted to come out. He wanted to leave that culture. But when I tried to encourage him, support him out of it, I realised that there was no exit strategy by the Government to help a person out from there. The police did not have the strategy because the police were looking for him to report, to rat out on his community in order to get protective measures because he knew his life was at risk. He was not ready to spill the beans, and because he was not ready to spill the beans he was not given protective custody. Therefore, you find such a person still stuck in that environment because there is no support structure. I have raised this with the Commissioner of Police, I have raised it with Hazel Blears, I have raised it with very senior Home Office officials and nobody has been able to identify effective exit strategies for such young people. We need to think effectively of exit strategies for people who are so vulnerable in their community.

Q68 Mr Benyon: Could you get a copy of *Untouchable* to the Committee?

Reverend Obunge: Without a doubt. We can get it, and the manual.[5]

Q69 Mr Benyon: The previous evidence session heard advice from a number of people involved in social work that we should look very closely at the cultural factors that are drawing people towards such things as gun and knife crime, and, in particular, rap and hip-hop music. Do you have a view on that?

Reverend Obunge: I think you need, first of all, not to use gun and knife crime collectively. That is dangerous. In reality knife crime does not necessarily disproportionately exist within the black community; it exists also within the white community.

Q70 Mr Benyon: Both crimes exist within both communities.

Reverend Obunge: Holistically combining the notions is a bit of a challenging point. I think it is important that we know that. On the issue around whether hip-hop music encourages gun crime, I think we have had this debate at the Home Office round-table—and, at that time, dare I say, the Chair was also involved as Home Office Minister. It was clear that that was not so much an issue. I mean, it is a cultural issue, music is cultural, but young people do not feel *per se* that that is the single mitigating factor resulting in gun crime. I think we need to look at the culture that exists at this present time amongst young black people and the issues around deprivation, not just music. You see, it is so easy to look at music and not consider the real factors of deprivation: underachievement, lack of opportunities. Music is such a minor issue, it is a blip compared to the more serious issues that I feel the Government needs to be looking at. Leave the music alone and let us deal with the more serious issues.

Q71 Mr Benyon: I have one final question about gender. We are obsessed in this report by young black males. Are we right to be? Why is there a difference between young black males and young black females?

Reverend Isaacs: I think there are some very important factors. One is the very high proportion of absent fathers. These young men are crying out for fathers. I walked into a room at 9.30 one evening— an aunty rang me up and she said, "Come and speak to my nephew." I got there at 9.30. Grandma was there, the boy's mother was there. The first thing he said to me was, "I'm surrounded by all women. I have no men around me as a model." Here is a 19- year old young man, staying in his house all day, leaving at 9.00 at night. That has had an enormous impact on our young men, young boys. You have young boys who sometimes are living with their step- mothers and tension is there. They are looking for that affirmation; they are looking for that identity; they are looking for that role model. They do not

[5] Not printed.

find it in the home and they go out and they meet a group of men or young boys who are involved in devious activities, they find affirmation. They get what they want, whether it is a mobile phone or an i-Pod or trainers. They get that protection. In return, they do all sorts of things. You can see that because of the lack of the stability in that fatherly figure, that male role in the home, they come to the point where they sort of yearn for it. We tend to find that it leads them more often than not to the wrong part of activities within the community. Rather than being constructive, they go to a destructive part of the community. From my point of view, whether it is London, Birmingham, Manchester, St Paul's or Nottingham, we have seen the same thing, that, where the father is absent, the more the vulnerability for young boys, in particular, to get involved in crime.

Reverend Obunge: Added to that would be the reality that we are dealing with something that is endemic. We are dealing with the absence. Again, I have to get to the core issue: when we talk about role models or absent fathers, we are talking about men that young black people can look up to. The media gives us notions of a certain model of who the black person is, yet we have some very successful black people in the corporate world, some very successful black people in other spheres of British life. Those black folks do not really feature quite often. When black people do not see themselves—there is something called black pride—it is about: Where is the pride? There is no sense of pride. We are not building that image, unfortunately. I know that the present Government is talking about Britishness, but one of the things is: Does a young black person see Britishness as involving themselves? Does that also celebrate blackness? If Britishness does not celebrate blackness, then the fact is that there is a point of frustration with that. When you look at the black boys, they are fighters—and when I say fighters, I am not talking about the fighters on the street. As a black man, we are fighters in our community, we want to achieve, and if we are not going to achieve in one area we will achieve in another area. But one thing is evident: we have to try to achieve. I just feel it is unfortunate that we might have young black people involved in a lot of criminality, but this Committee needs to understand that even amongst black Africans, who are highly educated, unemployment opportunities exist and so therefore they resort to other forms of employment.

Q72 Mrs Cryer: From what the Reverend Isaacs said, there does appear to be a problem of young men growing up in all-female households. I think you are saying there is a lack of role models for them. Are you, as church people, doing anything to encourage more permanent relationships between men and women so that they bring these young men up jointly? Is there anything that government or agencies can do to encourage more families where there are two parents? I recognise that this is a problem in other communities, not just black communities, but from what you have said there does seem to be a particular problem here.

Reverend Isaacs: Unfortunately, I think the Government has sent mixed messages. We say to people that long-term commitment is better than co-habiting. We emphasise that strongly. We do not condemn or judge people, but we encourage people in terms of marriage, in terms of: "Listen, this is a relationship that should last until life." Secondly, we, as a church, a faith group, have particularly developed mentoring. We have an ongoing programme of recruiting men and mentoring men, so that men from the church can adopt a young man in the church or outside the church. We have a programme where we are even adopting men in prison, so we are meeting them six months before they come out of jail, mentoring them in prison, helping them to work through what is life after prison, then mentoring them after prison and seeking to help them educationally. But we recognise that it is one thing mentoring the men who are already in the institution or involved in crime, but it is another thing to mentor young boys who need a very high level of commitment—a very high level of commitment. We are constantly looking at that. For instance, I myself am mentoring two young boys. That is part of my other jobs and commitment that I have. I have to say to myself that it is not a nine-to-five mentoring. I am quite willing to meet up with one of my lads at 11 o'clock, wherever he is, and just spend that two hours with him. We are constantly working on that, emphasising that, coming up with initiatives that would help us to help young people, particularly young boys, on the street. But, again, we come to the point of frustration, where we recognise we could talk to a young lad and say, "Education is important" but then, when we begin to help that young guy and talk about the importance of education, we realise we cannot access the school to say to the school, "Listen, we have been talking with Johnny, this is the support he needs." Part of what we say to the school, is "When something does occur, please touch base with us, because we understand the issues with Johnny. Let us be part of the solution, rather than saying, 'Johnny has been bad, let's exclude him, let's get him off our books,' and then, when Johnny is out of school, because we are not with him for the seven hours that day, Johnny finds someone else or a gang that he is involved with." All the good work that we could be doing with Johnny in the evenings, a couple of hours a week, could be just thrown out because of the lack of cooperation and strategy between us, the school, and, may I say, the police as well.

Chairman: I am going to move us on, if I may. We will come back to this issue a little later on.

Q73 Mrs Dean: Earlier in the questions, there was reference made to perceived differential in the use of stop and search. Are there any other ways in which you believe that there is different treatment by the police and criminal justice system which might be to blame for the young black person's over-representation in the system?

Reverend Obunge: I think the Reverend Les Isaacs also was clear about the court systems. I asked a question quite recently at the London Criminal

Justice Board asking for whether there had been a proper study of the courts as to whether various benches seem to disproportionately send certain black people in, and that study has not been done. I think that study needs to be done, so we identify whether magistrates or judges can be brought to be accountable for the way they might potentially criminalise young people. There is work to be done in all tiers of the criminal justice system; dare I say it, within the prisons; and within the Probation Service. The full structure within the criminal justice system needs to be looked at. In London, more recently, Lee Jasper, who will be giving evidence today, and I sit on that board and in every tier of decision-making within the criminal justice system we are asking questions about race. That is being looked at now a bit more effectively. I feel there is a lot of work that has not yet been done, so I cannot give total evidence on that, but I know that there is a gap of analysis.

Q74 Mrs Dean: Reverend Obunge, in your evidence you suggest that the media exaggerates young black people's involvement in crime. You also highlight a perceived under-reporting of black young people as victims. Can you give examples of specific incidents or types of incident that you feel have been under- or over-reported?
Reverend Obunge: I will give a very clear example: on a day I was meant to be speaking on the BBC on a particular news programme, I met an editor of a well-known tabloid. There was a shooting that happened in the black community and he basically said to me—off the record, not on air—that amongst the media they do not pick up on the issues of the black community shooting themselves because it just goes on, and so there is no interest any more amongst the media. It was blatant. He was not apologetic; it was just a statement of fact. There is no need to name and shame but when that statement was made it was a clear indication of the thinking of the tabloids. More recently, just a few days ago, I made a call to another tabloid newspaper on a particular issue and I made reference to certain black issues, and they said, "Look, our readers are not interested in this. Because our readers are not interested, therefore we have no need to pick it up." Essentially, they were saying: "Our readers are mostly white folks and the black itinerary does not fit in here."

Q75 Mrs Dean: Are there incidents of over-reporting that you could highlight, where the perpetrator, if you like, of the crime has been a black person?
Reverend Obunge: My experience and the perception—and sometimes perception is more real than reality—is that there is that image: when it is of having something negative going on in the black community, that is very highly reported. One of the people working in my organisation is Winston Silcott. I employed him when he came out of prison. I had folks from the tabloid sneaking into my offices. We had all sorts of negative reporting around him and another black fellow that we had working in our organisation. Winston, by the way, still works with

us. But I felt that the media would negatively portray a black man but not positively portray a black person. That is really the angle that I was coming at.

Q76 Mrs Dean: Reverend Isaacs, do you want to add to that?
Reverend Isaacs: Yes, I think there is, on the ground, a mistrust of the media in terms of how it portrays us but there is also still a mistrust of the police. These young men go on to commit crime because they feel that if they go through the route of the police they will not get justice. You have a culture of young people saying, "I will deal with it myself." So there is a young man being shot, the police go in to interview him on his bed and he says nothing: "Nothing to say." What he is really saying is, "We will deal with it ourselves." I think there needs to be greater emphasis on the police to work with the black community, in terms of the church and other groups—who are doing some fantastic work—and say, "How do we break this vicious cycle?" Where there is confidence, there is trust, and we could stop people committing these revenge killings over very trivial things. I highlight a case last weekend. A mother said to me, "My son was beaten up—him and five other guys—and taken to hospital. Please could you come and see him because someone has offered him a piece"—and a piece is a gun. "They want revenge. They have no confidence to go to the police. They feel that they can't because they may become a victim and subject to inquiry rather than the other people who committed this crime against them." It is those kinds of things that I think we need to look at seriously and to ask those questions of the police. Are we all doing enough to ensure that this cycle is broken? Finally, it has been said on numerous occasions that, whilst our Government is fighting the war in Baghdad and Afghanistan, there is a small war taking place within the black community which nobody seems to give a damn about. There is that feeling on the ground within the community.

Q77 Gwyn Prosser: Reverend Obunge, you have listed nine or 10 causes of this overrepresentation in your written evidence. I would like to look at two—and you have touched on them already this morning. To what extent would you say this overrepresentation might be due to the issues of deprivation and poverty as compared to perhaps others who say young black people might be taking an active choice in their lifestyle. There might be a connection between the two, and there probably is, but if you were saying which weighs the heaviest in causing this what would be your answer?
Reverend Obunge: A young black person living in Hadley Wood is not likely to be involved with some of the issues that you might find for a young black person living in some areas of Brixton or Tottenham. That, in itself, should clarify some of the issues. If we look at the type of person, if we go into our prisons—I do go into the prisons—and you look at the representation of the black people there and you look at their parental background and their geographical background, there are certain things

that are quite obvious: where they live; certain experiences they have had. You will find out that, in some cases, once their brother has been involved in the criminal justice system it is more likely these are the ones that will be involved, because it exists within their family structures. I believe that there is a major issue around communities that do not feel the regeneration impacting on their local families. I am one who believes that the Government does need to take a bit of, should we call it, affirmative action around those areas, or positive action, targeted at such communities. In my borough that is what I am also suggesting, that we target those communities, we target those communities where there is deprivation. In my evidence, I stated, when sitting on the Crime and Disorder Reduction Board for my borough, hearing an analyst walk into the room and say, "If we dealt with the black young people"—and I was the only black man in that room at that time— "we will solve over 50% of our crime problems in this borough." Essentially, when you think about that and an analyst makes that blunt statement, need I say any more?

Q78 Gwyn Prosser: Indeed. You also say there is a perception or even a reality that young black people come to school-leaving age believing there are no jobs out there and that the job market has completely failed them. To what extent is that the reality? Is there a danger of that perception becoming a self-fulfilling prophecy?
Reverend Isaacs: I was out one night in Southwark. Accompanying me was Fiona MacTaggart, who had decided to come out to see what we were doing. She was going to come out for about an hour. It was after ten, so she was scheduled to leave us after 11. She was there until after 12.30. We met a group of boys, something like 15–20 of them, and one guy with his hoody and everything. We got talking to that young boy and it turned out he had done his GCSEs, he has A-levels, and when we spoke to him—and we spoke to him for over an hour—he was frustrated, he felt that there was nowhere for him to go. A bright, intelligent boy, but there he was, at 12.30 of a morning, on the street with a group of boys who were going nowhere. That is the cycle that we have to break, in terms of saying: "If you are bright and you have achieved something, there is somewhere for you to go and there is something for you to achieve." Just last night alone I was speaking to a councillor who rang me up because of one of her boys. She said, "I've spent just a few months with this boy and what we did within that few months was to teach him to spell his name. He has all the ability and potential but there is no one to spend time with him." If we could overcome that, we could see a major reduction in criminal activities amongst these young boys.
Reverend Obunge: I really believe that there are some things that can be done here, if targets were set for the private sector and for the public and voluntary sectors in relation to providing employment opportunities and effective training to enable black people into the employment system. The reality is that there is some work being done but I do not

believe it is enough. It is not about perception; it is the reality. I have been to many educational conferences and there are very few black people who are in senior management. The Commission for Racial Equality recently did a study and it was indicative to the fact that a black person on the same management tier as a white person needs to work about five to six times harder than that white counterpart. You do not find even promotions, and if you do not find even promotions within that then those black young people are not going to feel there is a future for them.

Q79 Gwyn Prosser: Coming back to the bright young man with the qualifications, would you tell us a bit more about that. Had he tested the market? Had he made applications for jobs and been rejected? Or had he built up this perception in his mind: "There's nothing out there because my brother didn't get a job"?
Reverend Isaacs: He said he has made numerous applications to companies. He said: "Not even a reply I've received." He was absolutely frustrated by that. I think it is that frustration. Many of them are saying, "What's the use?" For instance a father rang me up and I went to his record shop to meet with his son. He said, "I'm very concerned." After speaking to the son for three-quarters of an hour, I said, "What are you good at?" He said, "I like painting." I said, "Okay, if I get you a job, how would that work?" There goes the challenge, because if you are going to do an apprenticeship in painting or plumbing and you cannot read, you are unable to go to college and to fulfil the basic study that you need in terms of theory. I was speaking to a contract company. They said, "We will do supplementary education for them." Again it is to find the people who will help these young boys to go on a crash course within their context. They do not feel comfortable going to a big college. Let us help them to learn to spell their name, the phonics. Let us help them with the basics and then help them to go on to college. Then they will want to go one day a week. We saw that companies were taking on these lads, who were fantastic painters, but when it came to the college work, one day a week, they struggled and so their drop-out rate was very high. If they drop out and they are not doing that, they will find themselves doing something else. There are those things that we have to look at seriously, so that we can constantly encourage these young boys, young men to go to the next stage.
Gwyn Prosser: Thank you.

Q80 Mr Streeter: In the same spirit in which you challenged us earlier, may I challenge you on this issue of black role models out there in society. Has that not changed in recent years? Is the BBC not now being fantastic—and I totally support it—in presenting black faces on the media. In presenting all kinds of programmes for young people, news and whatever, there are lots of black commentators. In *Football Focus* on Saturday three or four people on the panel were black. Jeremy Guscott, is a regular on the rugby—which is a much superior sport, as we all

know! There are lots of black role models on the media. I know that sport is not the only thing, I am just using that as an example. In the news being read, all kinds of programmes. In lots of TV adverts, black faces—the Halifax, all kinds of products. Are you not out of date? Is there not a bit of a victim culture in what you are saying? It has already changed, has it not?

Reverend Obunge: I attended the meeting of the Windsor Leadership Trust and there were about 400 people there. The Chair of Vodafone was speaking to senior corporate individuals. Of the 400 senior corporate individuals there—and I wondered how I made it there, anyhow—there were four to five black people. Where this country gets changed is not what you have just spoken about. Where it gets changed is where the money is; is where a lot of the corporate decisions are being made. It is not a victim sense. I understand what you just said, but I am looking at corporate Britain, I am looking at here, I am looking at the wider context, and I am trying to say we are under-represented. If there was a black person sitting there, he would say, "Hold on a second, it has nothing to do with feeling that we are just victims; it has to do with we need to do a lot more to reassure our community, to reassure black people in Great Britain that we are doing something for the black community"—and for other communities, dare I say. I would put it to you this way: there is an unfortunate reality that exists in our black community. If that perception exists, that perception is going to throw attitude. If it is a wrong perception, then the Government needs to change that perception by proving that they are wrong. At the moment it is not being able to prove it.

Mr Streeter: Thank you. My real question is this.

Chairman: The Committee is being very ill-disciplined.

Q81 Mr Streeter: I am so sorry—we are prorogation happy! On fatherlessness in the black community, we have had some alarming statistics in our earlier evidence. I have a simple question to both of you: Why is it more prevalent in the black community? It is a problem in every community and all the commentators are now agreeing it is an issue for every child who grows up without an engaged father, whichever community, whichever country. Why is it more prevalent in the black community in this country?

Reverend Obunge: I do not think you can ignore the history. I did politics and international law for my first degree, before I became a minister. I do not think you can ignore what the slave trade did to the black community. I do not think you can ignore the fact that you took a black man from Nigeria and a black man from Ghana and you placed them on a plantation farm, and you took the wife of the Nigerian and placed her with the Ghanaian woman, and, before they could learn each other's language, you took that woman away and placed another person there, and eventually you destroyed the fibre of the black community in the historical context. We need to understand that this was done historically and there is an impact of what happened several

hundred years ago that still has a rippling effect today. Let us understand that. Let us not just push that away. It is so easy to pretend that that does not exist today but the reality is that part of your history makes you who you are. It is not to say that we have not fought it in our values within the black community, that we are not challenging ourselves and that we do not have holistic families still, but I think you also have to look at the historical context. That is a big one. Again, how do you go back to that past? I think it is about acknowledging that past and acknowledging the dysfunction that was placed within black communities by the white community. It was not done by the black people. We did not do it ourselves. It was inflicted upon us. I do not hear enough about that on one tier. Then we have the present day reality. Our present day reality is that there is a dysfunction that exists and we are fighting to deal with that dysfunction. I do not want to blame the Government on that, because I think it is wrong to assume that the Government raises a child or raises a family, but the Government can support black fathers, can support black men to be fathers in the community, provide them with job opportunities, have affirmative action, provide opportunities for the men in our community, for the families in our community, so that a woman does not have to work three jobs and a man does not have to work so many jobs that he is out of the house and eventually goes. I am saying provide opportunities.

Reverend Isaacs: I led a discussion with about 80 senior citizens, mums and dads, grandmas and grandfathers in a church in Brixton some years ago and we were talking about how did we arrive at this point in our history. Many of them were very angry with the Government in the 60s and 70s. Many of them were frustrated because they felt and they said that in the 60s and 70s in England they were undermined. Some of the discussions we are having about cultures and other communities we did not have, as the black people arriving here in the 50s and 60s. We did not have: "How do we amalgamate?" "What are their cultures?" There was a culture clash in those days, which we are still bearing the fruits of when the grandmas and grandfathers are saying "Our children don't respect us any more." I could not address someone two years older than me by their first name. In our culture, we could not do that. I still, at the age of 49, have to call my uncle "Uncle". Someone who is not my mother, I still call her "Mother", and I still call him "Father." That is my generation. They have lost that and they felt that back in the 60s and the 70s that was undermined by the Government. There is a combination of things that has contributed to the problems and challenges which we face today. I think what Reverend Obunge was saying was quite right. I think the issue of slavery, again, we have not addressed. I go to Africa a lot. When I go to Africa and meet with my counterpart and we exchange ideas, I go to a village where there are elders. One of my friends is a merchant banker and he says, "When I go back to the village, I have to prostrate before my elders, some of whom are illiterate. But, you see, I honour them because there is where I come from." There has

been this tension in this culture clash, this culture confusion. Many things have happened which have caused confusion. The last thing I would like to say is this. A couple of months ago I was speaking to another West Indian woman in Brixton and a young black boy passed us—in fact he walked through us. I stopped him and I said, "Come here." I said, "You are out of order." He said, "What?" I said, "In our culture, when you see two adults speaking, you say 'Good morning' and you walk round them, not through them." He said, "I'm British." I said, "No, you're black as well." He apologised for his lack of respect and he went on his way. When I met him again, I was the first to say to him, "Good morning." I think those kinds of things we have discarded and thrown away which have been very much part of the fabric of the African and Caribbean community. If we bring those things back and understand those things, then I think over some years, 10–15 years, we can see some great reduction in terms of crime.
Chairman: Thank you.

Q82 Mrs Cryer: I wonder if both of you could comment on whether the sort of programmes to engage young black people should be either culturally specific or just mainstream, which would apply to any part of the community.
Reverend Isaacs: I think we have to have a twin-track approach. My approach would specifically be particular young black boys. We do need to develop a stronger mentoring programme. We talk about role models on TV but the biggest problem with role models on TV is that they are not at the grass roots, in the community. It is no use me appearing on TV but nobody can find me during the week. There has to be accessibility. I really believe that we need strong models of men and women who live and work and go to school within the community who are accessible to these young boys. Out of that, I think we could have some stability and normality. My work is not just in Brixton or Moss Side, but is in Wrexham, North Wales, Leeds, Leicester, Southend, and the practices we have, whether they are young black or white, are on being with people We did a survey among young people, saying, "What is your number one need? What is the number one thing you feel would help you to be happy and to be content?" Do you know what they said? "Having access to the adults—access being available for us, to listen to us." That is why we in the church are saying to the church, "For goodness sake, get off your posterior, get out there and be where people are and listen to them and have the time for them." If we can do those two things, whether we are in Brixton, Canterbury or wherever we are, we will find that it will engage young people and help them immensely.
Reverend Obunge: I think it is great to have Black History Month but I think we need to look at the National curriculum around black history itself. I have studied here in the UK and I have studied in many European countries, Sweden, Dublin, et cetera, but I have also studied in Nigeria. My education in the black community was really not here in England or in Sweden or in Dublin, but it was

back in Nigeria. I have pride about being a black man. I take pride in my blackness. There was a man who got involved in armed robbery and shot a police officer in the face. He told me how he started his criminal experience. It started with his history class. As a young man, he listened to the history lessons and found out—this is his story, just what he said—there was nothing there about his culture. He suddenly was disillusioned—disillusioned about himself, disillusioned about what they had to say—and for him it had a negative impact. I am not saying that is the truth for everybody else but it impacted that particular individual. I think we need to look at the history. If Great Britain is ready to be multicultural, then it has to be multicultural in its National Curriculum.

Q83 Mrs Cryer: So it goes back to the schools.
Reverend Obunge: Yes, we have got work to do in the schools. I think that also means supporting supplementary schools and more sustainable support for supplementary schools, faith-based schools, et cetera.

Q84 Mrs Cryer: My next question is about black churches and what role they can play. Are you perhaps saying that black churches should do similar to what the mosques do and have supplementary schools to provide information on the culture?
Reverend Isaacs: They do have it. They have been running supplementary education for the last 30 years or so. They are finding a lack of support from local government/from the Government to do the job that they are doing. The vast majority of black people who are conscious about education would send their children to some sort of supplementary school, particularly if they feel that the school is not giving them enough. We are looking at: Is local government/is central Government really supporting them in doing what they are doing?
Reverend Obunge: This is one of the challenges the church has. You made reference to the mosques: Should they do like the mosques? That is one of the problems we are having within the church community. It seems as if the Government has not realised that the church has been at this for a long time, long before the mosques came in—and we have no problem, because we work with our Islamic brothers and friends—but I think the Government needs to appreciate what has already been in the community. Somebody whispered at the back: "We started this whole thing." We have been always providing this support to our communities, but it has not been acknowledged, it has not been supported. There has been short-term support for initiatives that ooze out of our community. In South London there are some initiatives that started a number of years ago and now only 5% of those initiatives within the black community exist out of 100%. All of a sudden, there is two years funding/three years funding. We do not have ongoing, long-term support, and I think the Government needs to look at supporting, for the long term, initiatives which promote reintegration, education,

employment, et cetera. We do not need short-term funding, because you are in for a short season and then you are out of the door.

Mrs Cryer: Thank you.

Q85 Mr Browne: Reverend Obunge, I want to ask you about responsibility. You have criticised the Government for not providing sufficient opportunities for black people, and specifically black men, but all people, black, white, whatever, have had 11 years of completely free, state-funded education laid on a plate for them. It does not matter who your parents are, it is all put there for you. Yet Reverend Isaacs is talking about people being unable to get jobs because they cannot write their name properly. Do you not think that may be to do with the curriculum, but it may be to do with the choices those individuals make about whether they choose to attend school; whether they choose to concentrate in the classes; whether they choose to better themselves and to take the opportunities that are presented to them?

Reverend Obunge: You are very right, sir. Just in that same context is the choice when you are three or four times more likely to be excluded from school as a black person than your white counterparts; when your teachers are afraid of you because you are black; when you are more likely to be discriminated against in your schools. These are realities that these young black people have. My sister schooled here and she was told by her teacher that she would be best as a secretary or a shop assistant. When the schools do not give you the support structures to believe that you are going to be a doctor, you are going to be a lawyer, in those 11 years brainwashing can take place. If we do not have male black teachers in there, if we do not have enough black male teachers, and if we have white teachers who are sometimes undermining—and I am not saying they all do that—

Q86 Mr Browne: I do not doubt that there are students of all ethnicities who may be insensitive to racial differences and so on and so forth, but, nonetheless, if you are sitting there and a teacher is teaching you how to write your name down, you have the choice of whether you choose to concentrate in that lesson or not. If, in a class with lots of black children, there was one black boy who was being very disruptive and I was a black parent of one of the other children, I may wish that boy to be excluded so that my son could get on with learning how to spell his name.

Reverend Obunge: A woman in my church had a son who was dyslexic. The school refused to give attention to some of the challenges of that young person until it got very serious. We have some issues around that. If you look at the challenge of mental health in the UK, we are overrepresented. Even though we are only 3% of the nation, I think we represent up to 49%—is it 39% or 49%?—of those caught up in the mental health statistics, who are

supported in that context. Essentially, I am trying to say that I agree with what you have said. I am not denying personal responsibility but, whilst we fight that battle to challenge our young black people, to challenge parents, to challenge the broad remit of every body in our black community, I think I would want to state clearly for the benefit of this Committee that there are some other challenges that might exist and might be worth looking into, and that is some of the discrimination that happens, even in the educational system.

Q87 Mr Browne: I have the same question about families, but I will not ask that because we have covered that. My final question is about knives and the police. I appreciate that knives are different from guns, but I suppose it could equally apply to guns. Specifically on knives, the case is made—and you have made it yourself—that some young black people, more specifically, young black men, carry knives because they lack confidence in the police and feel that they need them to defend themselves because they do not think the police can do that task adequately for them. I would be interested to hear you expand on that point. If I was a black person, I may want protection from people carrying knives in my community because they may use them on me and I may be suspicious that they were carrying knives because they wanted either to frighten me or because they wanted to use them against me. I may want the police to stop them and to take the knives off them. I might not regard it as part of their reaction against the police; I might regard it as a threat to my safety.

Reverend Obunge: I would do the same thing too. We challenge young people about that. We develop something. There is a whole lot of educational tools in our knife crime manual. One of the things we have done is a three-part comic called *What's the Point?* which is really about a young person who, having been bullied, decided to carry a knife in order to protect himself. These stories do not exist just in the black community; they exist in the white community too. And because this exists I expect stop and search to exist, but I do not expect it to be disproportionate for the black community, I expect it to be even-handed. Knife crime and gun crime are different. I need to say that very clearly. Even though they may have relationships, they are very, very different.

Q88 Mr Browne: If only white people carried knives, for the sake of argument, would you still think that stop and search should be proportionate, or do you think it would be more sensible for the police to target white people?

Reverend Obunge: If only white people carried knives, which is impossible, I would expect the police to target based on intelligence, not stupidity.

Q89 Chairman: That is a good point at which to end. Thank you very much indeed. May I thank you both for being with us this morning; it has been a very useful session.

Witness: **Mr Lee Jasper,** Policy Director, Equalities and Policing, Greater London Authority, gave evidence.

Q90 Chairman: Good morning. Thank you very much indeed, Mr Jasper, for joining us this morning. I think you have heard most, if not all, of the previous session. Could you begin briefly by introducing yourself to the Committee and then we will go straight to the questions.
Mr Jasper: Lee Jasper; I am the Policy Director for Equalities and Policing for the Mayor of London, Ken Livingstone, and I also Chair the Trident Independent Advisory Group, a partnership trying to combat gun crime in the black community, and I have recently become a member of the London Criminal Justice Board.

Q91 Chairman: Thank you very much indeed. Can I ask you as a general opening question, there is statistically, at least, a striking overrepresentation of young black people in the figures for those accused of crime in London and for those who are being dealt with by youth offending teams. In terms of your role working for the Mayor, what is your response in general to those statistics and how has it influenced the work that you are doing?
Mr Jasper: It is clear to me that there is a level of racism within the system. I think all our evidence suggests that, when you take account of the level of offending and the likelihood of offending of black communities, and young, black people in particular, they are no more or less likely to offend than any other community. Therefore, the overrepresentation within the criminal justice system is one of emphasis, and that emphasis is on the policing and criminal justice sanctions where offenders are found guilty—and a whole host of other factors. Sitting on the London Criminal Justice Board and as Chair of the Race and Diversity Action Group for the LCJB, I make it my business to find out the statistics in very great detail for London and there is striking overrepresentation, and it cannot be explained, in my mind, by anything other than the level of institutionalised racism in the service. That is not to say that there are not black people who offend (of course there are, and they get treated accordingly), but there is such a striking overrepresentation to be a significant concern for me and a significant concern for the London Criminal Justice Board to be taking proactive action to get to the bottom of the level of disproportionality: because although we think what we know, those are based on figures that are not a full reporting set of figures from the criminal justice system. These are usually partial figures with not full compliance rates around monitoring and ethnicity, and I suggest that, when we get to the point when we have full monitoring, we will see even more striking levels of disproportionality revealed as a consequence of a robust ethnic monitoring system. Those are the perceptions that I have. I think it is a crisis. I think it is a crisis for the black community in London, I think it is a crisis for London's criminal justice agencies that there is such a level of disproportionality and really it requires very urgent action indeed, and I think that is the other point I would like to make. I am not impressed by the commitment that I see from not all but from some of the criminal justice agencies to tackling this issue. It is not a priority for them. I think very many of them are failing in their duty to comply with the basic requirements of the Race Relations (Amendment) Act. It is not an issue that is accorded priority. There are exceptions to that, like the National Probation Service, particularly the London Probation Service, who are doing some excellent work on that. The Crown Prosecution Service in terms of its employment practices are doing some work in relation to representation of young, black people being employed and the Metropolitan Police Service, in relation to the employment of black people as police officers, are doing some work, but there remain challenges on the service delivery end, both in terms of stop and search for the Metropolitan Police Service and the disproportionate level of charging of young, black offenders for like-on-like cases where a white offender would receive either a lesser charge, a caution or some other sentence or process at criminal justice level. So, there are mixed messages throughout the system.

Q92 Chairman: Thank you. That is very helpful. I hope we will cover most, if not all of the issues that you have highlighted for us there in the time ahead of us this morning. You have just said that young, black people are no more or less likely to offend than other young people. One of the things that does seem to be clear from the statistics is that there are differences in the pattern of crime, at least as represented by those who go into the criminal justice system. Young, white people, for example, are more likely to commit burglary than young, black people but young, black people who appear in London are much more likely to be accused of, or arrested for, robbery in London. I think there are eight black youths accused for every white person accused of robbery in London, and similarly with sexual offences. Are those, in your view, real differences in the pattern of offending that are being shown by the statistics in London, or is it a reflection of the institutional racism that you have just talked about?
Mr Jasper: I think it is a complex mix of both, to be honest. I think the reality is that there are some areas where young, black people are overrepresented. You have mentioned robbery and sexual offences. On the issue of robbery, is that because of the way in which profiling takes place within policing to focus police activity on where they think they will get their greatest results? On sexual offences is it the reality of maybe a propensity for young, black women, and black women in general, to report sexual offences, have a lower tolerance level, or a lack of reporting of sexual offences in the wider community? All those things need to be taken into account, but I think you are right to suggest that there are areas of overrepresentation that deserve more scrutiny and more exploration; and there are disproportionalities in white offenders being involved in racist attacks on black victims, there are disproportionalities in homicide within both communities, domestic

violence, rape, violent crime, faith hate crime and others. The issue is, where you find that level of disproportionality, either as a result of offending activity or policing emphasis, how is it that is being reflected throughout the system in all other areas? I think that the sort of experience that I have, and the black community's perception very strongly, is that there is a focused effort around policing around certain crimes which produces a disproportionate effect. That is certainly a very strong perception in the black community.

Q93 Chairman: To take that point a bit further, if you look at the statistics over say the past 10 years, some types of crime, like burglary, have fallen very substantially (40 or 45%) across the country as a whole. Other crimes, like street robbery, in which, at least on the statistical basis, young, black people are more likely to be involved, have actually been on a rising trend and have occasionally fallen and have gone up again, and so on. Is it necessarily unreasonable for the police to be putting greater effort into certain types of crime which do not appear to have fallen, in terms of recorded crime figures or British Crime Survey figures, compared with other types of crime we have, and is it not reasonable for them to pursue that even if, as a consequence of that, it is to be entirely disproportionate to young, black people because it is a type of crime in which young, black people seem to be more likely to be involved?
Mr Jasper: You have to balance that with those crimes not solved and the ethnicity of those who are purported to have committed those crimes to make a proper and adequate judgment. Part of the problem here is the lack of research capability within the criminal justice service to answer these very important questions. I do not think it is unreasonable. I am Chair of Operation Trident. We demanded, as a black community, a proper policing response around the issue of black-on-black gun crime, because we thought (and it was the community's perception at that time) that these cases were not being treated seriously and neither was there any effort being put in, in terms of equality and professional policing and response, to solve them, and we demanded that of the police. I can accept where it is a disproportionate problem where both the community and the police have done their homework and have come to a consensus about that issue, then specific activity, I think, is appropriate. The problem is that the overwhelming level of disproportionality and overrepresentation across the system cannot be attributed to that type of activity.

Q94 Mr Winnick: Mr Jasper, you welcome the inquiry?
Mr Jasper: Yes.

Q95 Mr Winnick: Presumably on the basis of what the Mayor told us, that the Committee, he says, has chosen a most pressing and important issue to investigate. Presumably, you reject the criticism which has been made, which perhaps is not familiar to you, of some organisation (which is perhaps more white than black) that this is an inappropriate inquiry?
Mr Jasper: I think it is entirely appropriate. Both myself and the Mayor have commended the Committee for choosing this area of focus. We have, quite literally, a crisis in the black community amongst our young, black people. It very rarely gets the opportunity to be discussed. I am really appreciative that we have an opportunity here to discuss it, and those who would criticise such an emphasis have a real lack of understanding of the internal community dynamics of the black community. This is a debate which is both timely and appropriate, in my view.

Q96 Mr Winnick: The Committee would certainly welcome your remarks. The Mayor's letter draws attention to the high level of young blacks accused of supply and possession of drugs. What do you consider is driving drug use amongst young, black people in London? Is it particularly driving young, black people or would it be right to say white no less than black?
Mr Jasper: I do not think it is a particular issue for the black community. I think when you look at the various patterns of drug usage and drugs testing for offenders who are brought to justice, you see that there is both level evidence of drug use across deprived communities, whatever their ethnicity. I think that invariably we do have the unfortunate collocation of high levels of black youth unemployment situated in precisely the same places where there are multi-million pound drug markets on the streets of London. That drives that activity to a certain extent, where we have a crisis such as I spoke about earlier. We have young people who are completely cut adrift from society, alienated from its values, who see life very much through the prism of their own experience of being completely a double-standard, who do not see their family, friends, their elder brothers, aunts and cousins, nieces and nephews getting the opportunity that their hard work and educational endeavour ought to deserve and, therefore, make a conscious choice to opt out. In those circumstances a multi-million pound drug industry can be a powerful seducer of young people into that sort of drug activity across the board.

Q97 Mr Winnick: There is a perception, I think, arising from what you said—I do not know whether you would agree with this, but presumably not—that the suppliers of drugs and those who make a very nice profit from such despicable activities are more, perhaps, black than white. Would you say that is not the position?
Mr Jasper: I would say categorically it is not the position. I think any routine examination of wholesale importation of cocaine into this country will invariably show you that the major importers are not Afro-Caribbean, not black British, for the purposes of the definition of this inquiry, but are invariably of other nationalities or, indeed, white Europeans. They are the major importers of class A drugs into communities and they are the major

importers and converters of armoury and guns into the black community. That is certainly borne out by the activities of the Operation Trident team, who have made arrests around the periphery of London of very many of white criminals who have been engaged in the supply and conversion of regular and converted weapons into the black community. I think that where you begin to unpack the criminality in terms of its ethnicity, if that is what we are seeking to do, then you get an unfocused balance of policing activity on the street end dealing without a consequent focus on level two and level three activity, as it is called in the National Police Intelligence model, which is about the importation and wholesale distribution of crack cocaine and class A drugs in London.

Q98 Mr Winnick: If you take an area like Brixton, where there is a relatively large black population, would it be right to say that the activity of drug dealing, and the rest of it, is more common than in other parts of London?

Mr Jasper: I would not know whether that is the case in terms of its level of activity. There is certainly, to a degree, a high level of activity in Brixton and there is certainly a high level of activity in other black community areas, but I also know of white areas where there are similar levels of activity but less focus in terms of its policing, and so on. There are areas throughout the country, for instance, in Liverpool, in Newcastle, in Sunderland, where we would know there are very great problems of consumption of heroin.

Q99 Mr Winnick: And black communities much less?

Mr Jasper: And black communities much less. I think it is a differing picture right round the country. Nevertheless, we do have a particular problem in black communities.

Q100 Mr Winnick: You referred previously, Mr Jasper, to a problem which, of course, is of tremendous concern to all of us, not least the black community, namely gun violence. Again, do you believe gun violence is affecting the black community more and also, of course, the fact that so many are victims, what is known as black-on-black, as if that was some consolation to the black victims of gun crime?

Mr Jasper: I think so. I am going to say it very starkly, if you will allow me to. If this was white, young people shooting other white, young people in the levels that we have seen sustained for the black community over the last four or five years, it is certainly my belief, as a campaigner around these issues, that much more would have been done about it. I think we have a specific crisis within our own community around levels of violence. Reverend Isaacs and Reverend Obunge spoke earlier about the collateral impact, not just of gun crime, but if you look at the rate of homicide, death by gun, by knife (and other means) in the black community,

especially of young black men, it is toweringly disproportionate to any other community in the United Kingdom, and yet we struggle to get appropriate funding to tackle some of the situational factors of education and unemployment failure. We struggle to get appropriate interventions from black voluntary organisations for prevention and deterrent of other young people from joining the ranks of the gangs engaged in this activity, and we struggle to get government focus around the legislation required in relation to guns and their availability, particularly replica weapons that are capable of being converted, and although we have campaigned now for a number of years, saying that the recovered assets of drug dealers within Brixton ought to be returned to the community of Brixton to fund deterrents and prevention and anti-crime and community safety initiatives, we are making slow progress in that regard.

Q101 Mr Winnick: You are saying, in effect—you will correct me if my interpretation is wrong—that as long as it is black-on-black there is far less concern amongst the police and the prosecution authorities. Is that what you are saying?

Mr Jasper: I am saying certainly nationally that is the case. I am happy to say, in the London area, the Metropolitan Police Service, because of the engagement with Operation Trident, has made a real, sterling effort around investigating and prosecuting those that are engaged in black-on-black gun crime. Unfortunately, it has had the effect over the last 10 years of taking out a whole layer of gang leaders in their mid to late twenties who are now replaced by gang leaders in their 16, 17 and 18 year-old categories, as the leaders of those activities have been jailed. So, we get to the point where, rather than standing on the river bank watching bodies float by, we now want to go upstream and see who is throwing them in in the first place. That means we have got to get to grips with the situational factors that are producing young people who are vulnerable and can be seduced into this activity.

Q102 Mr Winnick: Yardies: what would you say is the effect of these criminals, sometimes illegally in Britain, on certain black areas?

Mr Jasper: It magnifies, to a very great extent, the feelings of fear, intimidation. The fear of crime amongst young, black people is huge. We did some research at City Hall asking young, black and ethnic minority people about their fear of crime and it was absolutely staggering. I do not have the figures to mind, but we can send them to you as a Committee.[6] It was absolutely staggering, and it was a snapshot poll. When we did further studies through the Metropolitan Police Service, when we looked at the young people's perceptions of crime, what actually drives their activity into gangs, being associated with gangs or carrying weapons is the fear, for the majority, of being attacked and not having adequate confidence in policing and the criminal justice system.

[6] *See* Ev 333

Q103 Mr Winnick: Being attacked by other blacks?
Mr Jasper: Being attacked by predominantly other black youth. That is the other gross misperception in the debate about black youth and criminality. We focus almost in entirety on young, black men as perpetrators of crime, but actually they are the majority victims of crime by those young, black people, and the attention given to the black victims of crime is very rare, very fleeting and almost absent from our discourses within the criminal justice system.

Q104 Mr Winnick: I asked about Yardies.
Mr Jasper: I am sorry, Yardies.

Q105 Mr Winnick: Do you think that is exaggerated by the media, or is there a real danger of these criminals, apparently mainly from Jamaica, often here illegally, trafficking in their trade?
Mr Jasper: I am a Yardie! It is a term that is a media invention. The reality is that 80% of black-on-black crime in London is committed by black British born youth. This is a wholly homemade phenomenon and we need to be clear about the statistics and who we are arresting. They make up 20%, at the most, of those engaged in this crime, and, of course, in London, just to give you the full figures, 70% of all those murdered by gun crime are from the black community, and they make up 89% of all those suspected of committing those murders.

Q106 Mr Winnick: How far do you agree, Mr Jasper, that there is discrimination by the police in the criminal justice system in the overrepresentation of black people in the crime statistics? Are you saying, in effect, that the statistics, which are pretty bleak as far as the black community is concerned, are a reflection of institutional racism, and what would you say to those who say that is only an excuse, that black people in greater numbers percentage-wise do commit these crimes and why should they not be reported and prosecuted accordingly?
Mr Jasper: I think it is a complex picture, but, nevertheless, I think, as I said earlier, institutionalised racism is a definite factor in the overrepresentation. I also think policing focus is a definite factor. If you are routinely stopped, all the stops and searches in London, 60% of which are from African, Caribbean and Asian communities, it is no surprise to see those communities beginning to be overly represented given their statistical size in London in the criminal justice system. We see differential cautioning rates for like-for-like crimes for first offenders in the London areas, and then we begin to see a ratcheting up of sentences and tariffs and remand and bail decisions right throughout the system. I think I am right in saying that of all refusals of bail and remand decisions in London for all people, 80% of those remand and refusal of bail decisions in London are black youth. You can tell me about offending all you like, that figure cannot be attributed in any real way to an objective assessment of their activity, and when you begin to assess them, sentencing like-for-like, and so on, throughout the criminal justice system, you begin to see an amplification of the effect of race as it impacts upon young, black people.
Chairman: Thank you very much.

Q107 Gwyn Prosser: Mr Jasper, in your last answer you have talked about the disproportionate number of stop and searches on black people in London, and in your written evidence you talk about the experience in places like Richmond and Kingston where there is a relatively low black population but still a high proportion of stop and searches. To what extent are you saying this morning that this is due to prejudicial behaviour by the police and to what extent could it be reflecting the age profile of young, black people and the fact (I think it is a fact) that there tend to be more young, black people out and about on the streets?
Mr Jasper: I have heard this said quite a number of times. There are quite a number of Japanese and Chinese tourists about on the streets. I do not see those being reflected in disproportional rates of stop and search in the centre of Westminster. In relation to Richmond and Kingston, there is a massive increase in the probability of being stopped and searched if you are black in these areas, and it is so huge, some 14 to 15 times more likely, that it is, I think, only to be explained by a degree of racial profiling that is leading officers to target black youths in those areas. It is simply hugely disproportionate, but what we have found is that in the areas that are most diverse there is least disproportionality. So, your chances of being stopped and searched in Brixton are actually two to one, but if you move up to Dulwich they increase to six to one within the same borough. The conclusion I draw from that is that officers who are working in hugely diverse areas are much more sophisticated in the use of their stop and search powers than those that are in predominantly white areas where a black face may be something they rarely see and where prejudices may still be driving police activity in relation to stop and search.

Q108 Gwyn Prosser: You have also talked to us about the disproportionality of sentencing and you have just mentioned bail. Some commentators say that the punishment and the sentences and the bail status reflect the gravity of the crime. How would you respond to that?
Mr Jasper: The black community sees this as overwhelmingly evidence of racism within the system. If that is not the case, it is for the criminal justice service, through ethnic monitoring, through its adherence to the provisions of the Race Relations (Amendment) Act, to demonstrate there is no bias in the system. It currently cannot do that because it does not have the kind of sophisticated or nuanced monitoring systems in place to be able to demonstrate that, and the perception of the community (ie do the African and Caribbean black rich communities have confidence in the criminal

justice system) is affected by their perception. If you want my opinion, my opinion is that the system is infected with too high a level of institutionalised racism, that we have seen a massive growth in the number of young, black people being committed to penal institutions over the last 10 to 15 years and that the level of incarceration is quite simply unsustainable for the black community going forward. That requires from government immediate intervention, and immediate intervention knowing and understanding that this is a huge priority for our inner-city areas.

Q109 Gwyn Prosser: In terms of the stop and search issue and in terms of the sentencing and bail issues, is what you call "institutional racism" getting better, getting worse or has it just been sustainable over the last 10 years?

Mr Jasper: Stop and search rates have increased after the recommendations of the Stephen Lawrence Inquiry, the Macpherson Report. I think in London they have increased over the last four years by 115% for the Afro-Caribbean community and 113% for the Asian community. So, we have seen increased activity of stop and search without any consequent increase in the level of arrests made as a consequence of that stop and search activity. Can I tell you why this is particularly dangerous in my view? In the mid 70s and early eighties, as a social justice campaigner, I used to get phone calls from mothers of teenagers, who would say, "Little Johnny has been arrested for robbery and he has gone to court and he has been refused bail and he is in the middle of his A-levels", or in the middle of his GCSEs, or whatever. That phenomenon dissipated throughout the mid eighties and the early 1990s, but has now returned. We are getting increasing reports from within our own community of bail and remand decisions for youngsters who have never been in trouble before in their lives whose lives are being made hell because of those bail and remand decisions and consequently, when they get to court, are acquitted in big numbers, disproportionately so than their white counterparts, and so we have got a level of alienation building up within a community that sees its young people arrested, refused bail or put on remand, go to court, get acquitted and come out the other side completely enraged by the process, and this is why, I think, this whole area is not sustainable. We have to ensure some equitability in justice. It is a primary requisite of being a citizen, and as black citizens we expect no less from our judicial system.

Q110 Mrs Dean: Following on from the last question, have you got the figures for the white community of how much the percentage has increased with stop and search?

Mr Jasper: I think I do have those figures actually. I think it has gone down. I will give you the specific figures in writing.[7] Overall the level of stop and search has reduced. Unfortunately, for the black community it has increased. I draw the inference from that that it has reduced for the white community.

Q111 Mrs Dean: Looking at perceptions, how far do you think the public's perception of young people's involvement in crime corresponds with reality and what do you think drives that public perception?

Mr Jasper: I think the public perception is of a black community that is predisposed to criminality. I think that is the broad public perception. Whatever people may say, I think that when you look at the internet, when you look at the newspapers, when you look at the letters columns, when you listen to the radio shows, invariably the comment is, "Well, they are engaged in criminal activity, so they are facing the full force of the law, so what do you expect. Do you want us to give them special treatment even though they are engaged in criminal activity?" and that is precisely what I am not saying here today. What I am saying is that there is almost a level of demonisation of young, black boys in the British media to such an extent that it affects popular perception and understanding of the black community so that we are miscategorised, we are stereotyped as being overwhelmingly engaged in criminal activity of a range of sorts.

Q112 Mrs Dean: To the extent that some black people are more likely to commit certain crimes, how far do you believe that is due to disproportionate exposure to the general risk factors, such as poor housing and poverty?

Mr Jasper: Obviously, those factors have a huge impact on the black community. When we talk about employment in the black community it needs to be remembered by this Committee that if you took a 25-year look back at the top wards where black people live in the United Kingdom and assessed the levels of youth unemployment and adult unemployment in those areas, you would see a relentless rise in the level of unemployment in both areas in those wards. If all you have ever known as a family is unemployment amongst your father, unemployment amongst your elder brothers, unemployment amongst your family at large, then I say that builds a culture of cynicism, despair, detachment and alienation. We have simply failed to deal with either the collapse of educational standards within the black community through schools, or the extraordinarily high levels of black youth unemployment in very many areas that leaves those young people vulnerable to be seduced into criminality or are predisposed by virtue of their educational failures, family structures, and so on. So, I do think they are more vulnerable as a community, we are more vulnerable as a community, as a consequence of our social and economic condition.

Q113 Mrs Dean: What do you say to claims that elements of what might be referred to as to black culture, and I was thinking in particular about black music and—

[7] *See* Ev 334

Mr Jasper: I am always interested to hear black culture reduced to music.

Q114 Mrs Dean: —role models, may be encouraging young people to get involved in crime?
Mr Jasper: I think if you look at white youth, they go through their musical phenomena as teenagers. I am sure many people round this Committee, looking like you do today, were not recognisable during your 16, 17 and 18 years, listening to music that your parents disapproved of and generally doing all the things that teenagers do, and it is a period in one's life. I think you grow through it and you go on to establish your careers in education, in politics or in the private sector. I think for young, black people in today's community the overwhelming level of educational failure, the lack of employment opportunities and the absolute deluge of imagery that we get from MTV and others promoting a "get rich quick and die" lifestyle does have its effects. I think they would be empowered to endure those effects, much like any other teenager phenomenon, if they had hope on the horizon, but when they are lying in the gutter, sometimes the kerb can be their skyline, and I see the effects of, not black culture but African American hip-hop culture, which is a minute part of black culture, having a reinforcing effect of negative behaviour within young, black people. It turns people who would not otherwise be role models into role models and sometimes that can be to our detriment. But the record companies themselves have to take some responsibility, because if somebody starts to get up and sing a hip-hop version of "Somewhere over the Rainbow", it will not get played, but if I go in there bare-chested—not that I would at my age—with rippling muscles, with a fake gun in my holster, saying, "I am going to shoot the next . . . that walks into my direction", the chances are I will be acclaimed the next big thing; and so we have to take that into account. It is such a small aspect of what we are dealing with but, I believe, with educational achievement and employment, it would be a passing teenager interest as with any other community.

Q115 Mr Streeter: I am going to ask you about educational achievement in a second, but testing your rather disturbing comments about police profiling and racial profiling and over-focus, and so on, have you done any research about when you have a senior black officer in charge of a duty, or an exercise, or a project? Does that alter the figures on stop and search and the outcomes from the bottom, so to speak? Have you done any research as to whether, if you have a black magistrate considering bail issues, it alters outcomes? If not, would that research be worth doing?
Mr Jasper: I think all research is worth doing on this issue because, frankly, there is such a dearth of objective evidence to give us some purchase on the reality. Black officers are to be welcomed. The Met has increased its black officers by 50% in the last few years, and we are getting near a tipping point now, which is 10%, which is to be welcomed. There is no research to suggest whether a senior black officer has

an effect on stop and search. What I can say is that stop and search levels are increasing and black officers are increasing, and that may or may not suggest that it makes little difference in that regard, but representation of black people within the police service and the criminal justice system is absolutely critical. This Committee does not represent London. It does not represent the community out there. It is a stark reminder for me that of the very many senior strategic boards on which I sit I am the only black face around the table on a day-to-day basis in a city like London of which 40% of its population is black or ethnic minority—very few Muslims, very few Asian people of any other colour, very few African, very few Afro-Caribbeans. So, representation is a critical issue for us and something that this Government, I think, needs to forcibly address.

Q116 Mr Streeter: You know that all political parties are excited about this and we are all trying to get more.
Mr Jasper: Are they?

Q117 Mr Streeter: Absolutely.
Mr Jasper: Excited in what way?

Q118 Mr Streeter: We are all doing our darnedest to attract more people from the black and ethnic communities.
Mr Jasper: I do not believe that is the case at all.

Q119 Mr Streeter: You need to talk to some of the people behind you, because they know some of the things that are going on. In all seriousness, you do need to pick up on that because there is some big stuff going on.
Mr Jasper: I do not believe that there is, sir. That is what I am saying to you. There is some fine talk in high places, there is very little in relation to—
Chairman: We will come back to that in a minute.

Q120 Mr Streeter: What can we do about educational under-achievement in the black community? Is it the same from borough to borough in London or are there high spots and low spots? What is the main problem here and what can we do to solve it?
Mr Jasper: There are high spots and low spots. There are some schools in some areas, predominantly in black populated areas, doing some fantastic work, bucking the trend and producing some excellent results, and there are some others, and far too many, almost islands of excellence surrounded by seas of mediocrity would be the analogy I would use, and that best practice from those islands of excellence is not shared, is not pressed by government as a proper educational standard, and so we have a patchy performance. What can be done to achieve it? I think a number of things. If a community does not have hope, then there is no ambition, there is no aspiration. As long as we cannot see black faces in high places, people will continue to believe that that world is not for them and that is not a career that they can aspire to and achieve, so we have got to get more black people

into those positions. In particular, we need to get more black people into schools. We have schools which are predominantly black in their pupils, predominantly white in their teaching staff and exclusively white in their governing arrangements. That is not a state of affairs that I think lends to providing aspiration for young, black people. We have also got to tackle the issue of our absent fathers, and here we have to take personal responsibility. There are far too many black fathers with children for whom engagement in day-to-day parental care is a rare, if not non-existent, occurrence. That is not to say, like myself and very many other people, that there are not successful black families. There are, and we want to get that into perspective. I know hundreds, if not thousands, of black men who do take care of their families, and the impression that absent fathers are predominantly black is to be dispelled, but there is a significant minority, whose children are engaged in the kind of activities we are speaking about here today, who routinely fail to look after their young people, and we need to do more as a community to take responsibility for supporting our efforts to get almost a national reconciliation between absent black fathers and their children. The preachers will know well the value of redemption, but even to those that are lost we need as a community to be engaged in some activity that seeks to reconnect them, whatever their past history and their difficulties. The good news is that the Caribbean birth rate is declining; so the phenomenon of teenage pregnancies that we have seen within the black community (and do not forget we have seen these teenage pregnancies for the last 20 or 30 years, we are living with the legacy of teenage pregnancies since the beginning of the eighties within the black communities) means that more responsibility is being accepted by young, black men and women not to have children in anything other than the proper circumstances of joint parents. So, I am hoping we are seeing a declining phenomenon. We are still living with the legacy of it and we need to do more work to address the issues of representation in the classroom, representation in the board rooms and representation by their fathers in too many homes from which they are absent.

Mrs Cryer: Thank you, Mr Jasper, it has been fascinating. Could I just mention before I go on that none of our black MPs applied to be on this Committee. There was one Asian person who did, and then he was promoted and so he left. Since you are the second person to mention it, I thought I would bring it up. I am a Member of the Committee who puts people on to committees.

Q121 Mr Winnick: The Mayor of London is a white man.
Mr Jasper: Maybe a future mayor will not be, sir.

Q122 Mrs Cryer: The point and purpose of my question is to look at solutions. There is a group of people that we have not talked about much this morning, and that is the law-abiding, peaceful, majority members of the black community who

must be protected and, therefore, we need to find these solutions for their sake as much as for anyone else. Is there anything that is not being done at the moment that you feel should be done in order to protect those majority, black, innocent people?
Mr Jasper: If you have crime and disorder partnerships—. We are forever saying to crime and disorder partnerships in London: "Have you done a race audit of the impact of crime on your local black communities?" Some have, some have not. "Have you done the prioritised issue of gun crime for local black communities?" What do we get told? "The PSAs are about how many bicycle thefts we suffer, so what gets measured gets done. Black deaths are not measured in that way, there is not a national target for reduction, and therefore they are not a priority for this partnership", and what we continually see at local, borough level is a failure to identify the impact of crime on black communities. If they did so, they would find in areas where you have got strong black communities a disproportionate level of crime victimisation taking place, but that fact is then not reflected in the allocation of resources designed to bring crime reduction measures and community safety in those areas. It is the failure of those partnerships to prioritise their work within the context of the Race Relations (Amendment) Act that is leading to an acute failure to recognise the absolutely overwhelming number of black people in this country who are victims of crime and who need crime reduction initiatives, who need community safety measures, who need confidence in a criminal justice system that is dealing with the offender. I say to this, look at the level of black people incarcerated, young, black people in London in particular, and then look at the consequent level of black community or voluntary sector organisations or faith groups that are given resources to deter, prevent or rehabilitate those offenders. It is miniscule. It is nowhere near reflecting the size of the constituency that we are dealing with. So, we are overwhelmingly the victims of crime, we overwhelmingly suffer disproportionate emphasis in policing and we are underwhelmed by the available resource priority attached by crime and disorder partnerships or, indeed, government itself in relation to tackling crime in black communities. So, where could more be done? We could do more by bringing on a whole range of organisations, faith groups and voluntary organisations, to intercede into the criminal justice process as a last chance saloon for those offenders who are going to jail. We need much more in terms of youth clubs and youth facilities. I am a great believer that the biggest mistake this Government and previous governments have made is failing to ensure that statutory provision for youth services remains statutory, because we have been dealing with the effects of anti-social behaviour and serious other criminality of young people on an unprecedented scale ever since all those youth clubs have disappeared. They have had lack of access to cultural services, lack of access to youth services, multi-million pound drug markets situated in the same places as high unemployment and poverty, overwhelming focus on police activity because of the

perceived level of criminality and not enough representation in the criminal justice system or the allocation of resources from the Government to enable and empower the vast majority of our communities, who are law-abiding, to do what their citizenship compels them to do, which is to try and make a difference, but they are asked, if you like, to do so with both hands tied behind their back because of the failure of statutory services to recognise how overwhelmingly we are represented in the victims of crime figures.

Q123 Chairman: Mr Jasper, we will return to the exchange you had with Mr Streeter in a slightly different way. You say, and the Mayor says in his evidence, that he wants us to make recommendations to increase the number of black workers within the criminal justice system. What is it that you think should be done that would increase the number of black people in the criminal justice system which you say is not being done at the moment? Outside of the Committee we can have a look at what the evidence says about that?

Mr Jasper: I think there is some great work going on. I chair Operation Black Vote, with my other hat on. There is great work being done by the Department for Constitutional Affairs about recruiting more black magistrates and when we have our black magistrate shadowing scheme, what we find is overwhelming numbers of applicants. We usually have about 30 places. We regularly have on a yearly basis over 600 applicants for every one of those places—this is evidence of the overwhelming desire of people to become involved—and, of those people we put on those courses, 80% then go on to be magistrates. We can feed them through if there is a capacity there for the DCA and the magistracy to accept them. More of that needs to be done right across the board, but solving the issue of the representation of black people within the criminal justice system is a necessary, but not sufficient, condition for attacking black youth criminality.

Q124 Chairman: I want you to look specifically at that issue. You said in your evidence that you want us to make recommendations, you urge us to make recommendations, to increase the number of black workers within the criminal justice system.

Mr Jasper: I think you need a period of positive action. I think you need to say, and the agencies need to say, in order to address the areas of disproportionate representation for the next five years we are going to ask the Secretary of State, or the Home Secretary, or the Attorney General that we can engage in positive action, such as they do in Northern Ireland to tackle the underrepresentation of Catholics in the police services and others, so that we can focus on recruitment exclusively in these communities so that we can get that balance right.

Q125 Mr Winnick: You highlight in the Mayor's evidence and also today, Mr Jasper, the difficulties that many black people face of poverty, unemployment, and you also mention (and you have done so in your oral evidence earlier on) disruptive

family life, to which you put a good deal of emphasis. How far do you believe that many of these problems need to be resolved within the black community and how far is it a matter for government?

Mr Jasper: I think in relation to family life it is almost entirely a matter for the black community itself. I do not think any amount of lecturing by government or hectoring is going to make a difference. I think there are some things government can do in terms of the extent of income poverty amongst black families, which is a very real and challenging phenomenon: how do we, through our taxes, incentivise people to be looking after families, to be looking after their children, to be engaged in that sort of activity? I think that the particular crisis we face is an historical reality of slavery. We are not talking about the black community generally, we are not talking about African families from the Continent suffering single parent families, we are not talking about African from any other part of Europe. Essentially what we are talking about is a phenomenon that specifically relates to those of Caribbean descent. Those of us of Caribbean descent usually cannot trace our family trees any farther back than our great grandparents because we do not have the historical family connectivity, lineage or history so to do. The children that we are talking about came to this country with a lack of self identity, a lack of familial stability, a lack of familial resources of their wider extended families to rely on in times of trouble, as is the case with exclusively all other families, and, as a consequence of that, we have got young people who are in a very deep crisis. Although government can do a lot in terms of income benefit and tax benefits that can support, there is a very real crisis of a conversation that needs to be had within the black community that says: "How do we understand and cope with 400 years of slavery followed by 200 years of colonialism that has left our family estate, in generational terms, completely bereft of any resources to support our young people today?"

Q126 Mr Winnick: You would not deny, recognising that slavery was one of the most monstrous crimes committed, that the black community needs to recognise (perhaps you agree or not) that these matters must be resolved if only for the sake of the children and generation to come?

Mr Jasper: Very much more so. My own belief is that the issue of reparation from government on the matter of slavery is a very real one and needs to be considered as we approach the bicentennial anniversary of the abolition of the British slave trade, but also there is an intellectual and emotional reparation that need to take place within the black community itself, and that is an intercommunity dialogue that will need to deal with some very difficult and painful issues and uncomfortable truths, but, much like an individual (I suppose the analogy would be) that is abused at the age of four or five has kept those matters entirely to themselves

and has a nervous breakdown at 40, it is no good saying to us, "Snap out of it, you are way past that now." Unfortunately the emotional damage, the historical, educational, the wealth, the creative base of our communities has been so fundamentally destroyed as to have a contemporary effect on the way in which our family life is constructed today, and we need to have a conversation within our communities to be able to tackle some of those issues.

Q127 Mr Winnick: Do you see any comparison say between the systematic mass murder, the extermination of millions of Jews and the effect it has had on individual Jews in future years' generations and what has happened to blacks, or no such comparison?

Mr Jasper: I see a comparator most definitely. Slavery is a crime unprecedented in human history in terms of its large scale effects, and so on, and we are still living with the contemporary effects. I say to any person round this table who doubts me, let me for a moment wave a magic wand and take away from you the last 400 years of your family history. Let me simply wipe it away, your cultural education, your economic resources, your faith, your literature. Let me take that away. Let me ask you to recreate yourself at the end of the 19th century as a free individual and see to what extent you would prosper.

I would say you would have the same difficulties that we have now. That is the monumental effect that slavery has had, a very deep and abiding effect.

Q128 Margaret Moran: I want to ask you about research, but before I do that can I just perhaps challenge something you have just said. In my area, in Luton, we are finding a lot of what they call black-on-black crime—black Afro-Caribbean versus Asian. Within the Muslim community there is an increase in stop and search, there is an increase in drug crime (drugs for £30 from one of the local gyms), there is an increase in drug culture. Does that not undermine the argument that you have just made that this is predominantly a Caribbean problem and is this the future?

Mr Jasper: I could give you the same length of responses to the growing alienation of the Muslim community. The focus of your activities is at the Caribbean youth. That is why I have focused in that way. The growing levels of unemployment and educational failure amongst Pakistani and Bangladeshi Muslims in this country indicates that they have an Afro-Caribbean type future ahead of them if government does not intercede to prevent the growing levels of alienation and descent into criminality that we are now witnessing in the Muslim community.

Chairman: We are going to have to draw to a close now. Thank you very much indeed.

Tuesday 19 December 2006

Members present:

Mr John Denham, in the Chair

Mr Richard Benyon	Margaret Moran
Ms Karen Buck	Bob Russell
Mrs Anne Cryer	Martin Salter
Mrs Janet Dean	Mr David Winnick

Witnesses: **Jason Lord Cover, Hayley Littek, Dexter Padmore, Leon Simmonds, Bianca Waite** and **Julia Wolton,** Brixton Town Centre Team Leader, X-it Programme, gave evidence.

Asterisks denote parts of the oral evidence which have not been reported at the request of the witnesses and with the agreement of the Committee.

Q129 Chairman: Good morning. Thank you very much for coming this morning. We are really grateful to you. As you know, we are having an inquiry into the involvement of young black people in the criminal justice system and we have had a number of sessions with people, like you have, coming to give evidence to us. The Committee has also been around the country visiting young people in different cities, and we will be doing that again the New Year, but we thought it was really important to have people like yourselves to come and give evidence to us here on the record for our inquiry. Just as a handling point, with six witnesses we will not, in the hour we have got, be able to let every person in on every single question, otherwise we will not get past the first couple of questions. The opening questions I will direct to all of you, but after that, if somebody asks a question that you particularly want to answer, would you indicate and we will bring you in. Otherwise Members of the Committee might direct the questions to a particular individual or a couple of people, but we will see how it goes. It is all quite informal anyway. To explain for the record, I am John Denham, I chair the Committee. What I would like is for each of you to give your full name for the record and then we will start the question session. Dexter, would you like to go first?
Dexter: Dexter Padmore.
Leon: Leon Simmonds.
Hayley: Hayley Littek.
Julia: Julia Wolton.
Bianca: Bianca Waite.
Jason: Jason Cover.

Q130 Chairman: Can I start with a very direct question. Obviously we are talking about young people involved with the criminal justice system. I wonder if each of you could explain, very briefly, what your own involvement with crime or the criminal justice system has been. What sort of things have you been involved in and what sort of experience can you bring to the Committee this morning? Can I start with you, Dexter, and work our way along.
Dexter: I have been through YOT and prison.

Q131 Chairman: What sort of offences did you get involved in?
Dexter: Robbery.

Q132 Chairman: Leon.
Dexter: Yes, I have been involved in certain offences like robbery, but I have not been to prison or nothing like that.

Q133 Chairman: Hayley.
Hayley: I have been arrested before. I have not been to prison, but I know other people's experiences.

Q134 Chairman: What sort of things did you get into trouble for?
Hayley: I was arrested for assaulting a police officer.

Q135 Chairman: Although, as you say, you have not been convicted of that. Okay. Bianca.
Bianca: I had various occasions years ago of involvement with the police and I have been arrested but I have not had no convictions. Everything was dropped.

Q136 Chairman: Jason.
Jason: I have been on probation and in prison.

Q137 Chairman: For what sort of things?
Jason: Robbery.

Q138 Chairman: You know that our inquiry is about young black people in the criminal justice system, and that is not because black people are the only people who do crime, but if you look at the figures a lot of black people end up in different parts of the criminal justice system. Do you think, from your own experience, there are particular things happening to you or to your community or the young people you know which is leading to this larger number of people getting involved in trouble with the law? Bianca.
Bianca: Yes. There are things like education that is lax in number and youths that get kicked out of school on a regular basis, which obviously leaves them with nothing to do, and they are on the streets 24/7. They have too much time on their hands, so that leads to crime alone.

Q139 Chairman: So exclusions from school. Hayley, do you have a view on that?

Hayley: Yes, basically what Bianca is saying. There are not enough youth clubs and things to do after school. Young black people do tend to get kicked out of school and excluded from school for petty reasons, which does not really make sense, and once that happens they have got no support. The same as when they go to prison, they do not have no support after that, they do not have the right support to do something positive with themselves.

Q140 Chairman: Can I ask how many of you have personal experience of being excluded from school at any time. That is four out of the five of you. What happened in your case, Dexter?

Dexter: I do not know. I was excluded for something petty really.

Q141 Chairman: How old were you when you got excluded?

Dexter: About thirteen.

Q142 Chairman: What happened after that?

Dexter: I got back to school, but I did not get permanently excluded though.

Q143 Chairman: Leon.

Leon: I got permanently excluded at the beginning of Year 11 for fighting, I believe it was, and they sent me to a Pupil Referral Unit, and, to be honest with you, I cannot really say that actually did help me, it was not a better case scenario, if you see what I am saying.

Q144 Chairman: You may not have been arrested, but had you been involved in breaking the law at all before you got excluded from school?

Leon: Yes, I had.

Q145 Chairman: What sort of things?

Leon: Things like shop-lifting, or theft and things like that.

Q146 Chairman: One more general question and then we will move on to other members. Exclusion from school has been raised as a big issue. Do you think there are any other influences or pressures on you and your friends that lead to crime?

Bianca: In our community, because there is so much violence and all the rest of it, obviously everybody feels that, to keep safe, they have got to be involved in it. It is like you cannot not be involved in it and not still be in trouble, and so obviously that leads to crime, and you have still got to be up there to have nobody else troubling you, that just leads to crime alone and you need money and you need guns and the rest of it, so it just builds up constantly.

Q147 Chairman: I do not want to take the questions that other people ask, but I would like to follow up on that point. Can you say a bit more about why it is so hard to say, "I do not want to be part of that"?

Bianca: Because the pressure that is on you, you want what they have got, and it is like now it has got so worse where you cannot even go on to certain estates without being in a certain crew, so that there is trouble. Either you are with them or you are against them. That is the way they look at it.

Chairman: I am going to take other people's questions if I am not careful. Martin Salter.

Q148 Martin Salter: Looking through the notes, a couple of you have been arrested. Jason, you were stabbed. *** Anyway, my question is not about you individually, it is: how common is it for people to carry weapons and why do people do it?

Bianca: To feel safe.

Q149 Martin Salter: You mentioned that it has almost become a kind of—

Bianca: It is just normal. It is to feel safe. You cannot be having nice things and all that walking through Brixton but yet you do not talk to nobody. You have to be in somebody's crew to walk through Brixton and feel safe and, therefore, you have to be somebody to be walking through Brixton with your stuff but feeling safe. That is the point that it has got to. You have got all these drugs dealers as well. That is the point it has got to. Everybody wants to have what everybody has got.

Q150 Martin Salter: Dexter, do you know people who are happy walking around not carrying knives or guns?

Dexter: Yes. It is not everyone that walks around with guns and knives. I am just saying that some people just walk around to protect themselves, not to harm people but to protect themselves and to defend themselves.

Q151 Martin Salter: Do you not think there is a danger that it just escalates: the more people start carrying knives and guns the more other people start carrying knives and guns and then, eventually, at some point, somebody is going to use them, so it ceases to become a protection, it actually becomes a threat, just the fact that you are armed?

Dexter: In some ways, yes, but everybody wants to protect themselves.

Q152 Martin Salter: How much of this level of violence is related to the drugs trade, how much of it is related to the fact that, as Bianca said, people want what other people have got?

Dexter: It is connected. Basically it is related to it, it is connected to it.

Q153 Martin Salter: Hayley, what do you reckon?

Hayley: I think it is all related because a lot of people go into selling drugs to get what they want, and in the same way someone will stab someone to get what they want, and in the same way a person who sells drugs will carry a knife for protection, if you know what I mean, so it is all connected. It is all about getting what you want or what you feel you need or what you cannot have.

Q154 Martin Salter: So carrying weapons is almost essential if you are involved in the drugs trade, if you want to at least be successful?
Hayley: Some people do feel it is essential, yes, for their own protection.
Bianca: You cannot be a drug dealer and making a lot of money but not carry any weapon.

Q155 Martin Salter: Why is that?
Bianca: Not even carry any weapons; you have to be known to say, "They would." You might not have to do it every day, but you have to have people thinking that you would, because, obviously, other people will think, "All right, you are not about nothing. You are making all this money. Let us rob you."

Q156 Martin Salter: So, in order to enforce your market share, in order to retain your status as a drug dealer in the community, you either need to be carrying weapons or you need to control people who do carry weapons.
Hayley: You need to be able to—. Other people need to know that you are able to protect and defend what you have got. Other people need to know they cannot mess about with what you have got and your business. That is what people need to know. It is not about always carrying weapons, it is just about having that status that people know the line not to cross. That is what it is about.

Q157 Martin Salter: The possession of a weapon, or the ability to use a weapon, or the potential to use a weapon is a means of establishing respect within the community as well though?
Hayley: No.

Q158 Martin Salter: No?
Hayley: No, some people feel that is the way to gain respect, but to gain respect by using a weapon or carrying a weapon, you are gaining respect by people who do not respect themselves or know what respect is.

Q159 Martin Salter: I could not agree with you more, but it was what you were saying, Bianca, that to be successful in the drugs trade you need, at the very least, to demonstrate that you have got the potential to do violence if necessary?
Hayley: To defend yours, yes.
Martin Salter: Thank you very much. Chairman?

Q160 Chairman: Jason, can I follow that up. You were talking about an involvement in robbery. How common is it for people who go out to rob to carry weapons intending to use them or at least to threaten with them?
Jason: I cannot answer that question. From my perspective, in my previous there has been no violence, so I am not really a violent offender anyway. Certain people use violence where the victim will not co-operate, therefore they would use that for the threat, but obviously at the same time they just want the goods.

Q161 Chairman: Do you have a view on the same question? Do people usually carry knives if they are going out to rob? Is that because they plan to use them or threaten with them?
Leon: From my perspective, people do not go out with knives to actually use to rob people because they see it as that would be a bigger sentence, you might as well say. If I was to rob not using no knife or nothing and you was taken to court, the sentence would be shorter, but if you was to use a knife or something, that would make something more serious. I do not think people actually do go out there with the intention to use a knife to rob someone or anything.

Q162 Chairman: Dexter.
Dexter: Basically saying what Leon said: people do not go out intentionally to use it, just to protect themselves, but not everyone uses weapons. People think everyone uses weapons, not everyone. The previous robbery I was convicted for there was no weapons or violence involved, nothing like that.

Q163 Chairman: If this question is completely unfair say so, but I will put it to you anyway. There was the dreadful murder of the young lawyer who was stabbed near the tube station that was in all the press recently. When you looked at that story, which was in all the newspapers and on television, and you saw the young men who had been sent down for life for that murder, did you, as people who used to be involved in robbery, think, "That could have been me", or was that just something in a completely different type of league or activity? Is it the same slippery slope or is it totally different?
Dexter: From what I saw that was completely different. I do not know no-one that is like that. So that was just something new for me. I have not seen nothing like that before.

Q164 Chairman: Leon.
Leon: I have not known or seen anyone that has gone through that extent of killing someone to get what they want.

Q165 Ms Buck: Can I pick up something that Bianca said, and maybe one or two of the others of you have said, about wanting "stuff" and "your stuff" and either wanting it or protecting what you have got. What are we talking about? What is the "stuff" that we are talking about?
Bianca: Money to survive.

Q166 Ms Buck: For what?
Bianca: For everything—clothes, trainers, jewellery, everything—those things that are essentials to them, which is things like clothes. If they have got kicked out of home, they are not in school, they are not getting employed, they have not got nowhere else to get the money from, so they see everybody else making money quick and think, "Yes, I want that", and start doing things to get that, but obviously, at the same time, it is just to survive. They cannot keep on doing it, they do not want to do it, it is just that

they know there is no other way out. There is people that try to go through the legal way, people that is too young to even get employed, so they turn to the illegal life.

Q167 Ms Buck: Can I ask you what you think about that. Partly it is about age. There is a different question if you are kind of 18, 19 maybe—and if you are not at home you have got to live, that is one thing—but maybe when you are a bit younger it is about what kind of stuff do you feel that you have to have that you cannot get any other way. Can I ask somebody else? Hayley.

Hayley: For younger people, it is more they want to be like the older people they see, because that is their role models, the people on the street. A lot of the young people these days, their parents are not around because they are busy at work, or whatever, trying to put food on the table, so young people do not have real role models, and they look up to the people they see out on the street with all the latest phones, and big chains, and watches, and all the new trainers and new tracksuits and they want that too. They want to be just like the older people that they see. They think they are successful because they have all the latest stuff, so that is what they want to be. That is why a lot of the time they will go through it, the younger people.

Julia: I want to come in here because working with these young people a lot of it is about basic survival. We are not talking about fashion items and things. For some of the young people I work with it is about finding money for rent, even when they are underage at 14 or 15, it is about finding food, so some of it is basic needs. I just want to emphasise that.

Q168 Ms Buck: That is fair enough. I am not trying to draw a conclusion on this; I am interested in knowing from you what is the balance. Is it about, for some people, survival, is it about aspiring to a particular look or lifestyle that you cannot work out on the money you have got?

Bianca: It is also about—. When I said those people that are doing this crime and drugs and that that does not want to do it, it is also about they have tried the legal way, they have tried to go in college, have not got in college, got kicked out of school, so they have not got the qualifications to do that, but if they cannot get jobs, they cannot get employed, they go for the wrong-side lifestyle. If you speak to most of them they will tell you that they do not want to be in this, they want to just make enough to get their mum out of this, they do not want their mum living in an area like this. They are not really enjoying it, because if they were enjoying it they would want to be in it forever. They want to get out.

Q169 Ms Buck: Can I take a view from Dexter or Leon?

Leon: I will just say that people do it as a thing where the way the world is you need a name, like, on your estate. You need that type of status. If you are living on an estate, that type of estate where a lot of gang-related things are going on and a lot of robberies are

going on, you feel, not like you have got to be involved but like there is no other way of doing things, if you see what I am saying. There is no other route out unless something could happen if you do not do this or if you do not do that, like they may try a switch on you, or you are thinking about your family's health or something like this if you do not do this, what they might do to your family.

Q170 Ms Buck: I was going to move on to this issue about gangs and crews and what you feel is the difference, where it starts. Both of you have talked about estates with a very strong gang culture. Is that everywhere? Where does it start?

Bianca: It is territorial issues.

Q171 Ms Buck: Territorial?

Bianca: Yes. That is what it used to be, that is what it has always been, but it has just escalated over the years and it has just got to the point where no-one is picking up fists, everyone is picking up guns. That is why it has just got so bad.

Q172 Ms Buck: What about you two? Do you all live on estates? Everyone here grew up on an estate?

Bianca: Yes.

Dexter: Yes. Basically, everyone thinks that someone who joins a gang is doing it for a negative reason, or whatever, but there is not enough choice here. Basically some people are not really raised with love or whatever, so the only place where they are going to find love is from the streets or from their friends. People say gangs this and gangs that, and that is when they get involved with the gangs.

Q173 Ms Buck: What age do you feel you started either being a part of that or seeing other people being part of it?

Hayley: It is getting younger. I have seen kids at the age of about nine, 10 joining gangs. Their family—. Like Dexter was saying, what you do not get at home—. Everyone has needs as humans. If you do not get it at home you will find it somewhere else, and the street is the next place. It is on your doorstep, the gangs are outside your house, you see them everywhere you go and if they are offering what you need, you will take it.

Q174 Ms Buck: Is there a difference between your mates and a gang that is more organised and is part of a criminal scene?

Hayley: No, because a gang is what people decide to call it. Friends are friends, business partners are business partners; associates are associates. What people want to label it is when it comes down to that. I see it as I have friends, I have associates and I have people that I work with and what not, that is how I see it, and I see it the same with gangs. If you are committing a crime, I see it as business partners. If you are selling drugs, you have business partners, you have your associates and you have your friends. It is the same, it is just how people perceive you, or how they want to label you, or what they decide they want to call you.

Q175 Ms Buck: We are coming at this, as John said, inquiring into young black people and the criminal justice system. To what extent is this more of a black phenomena? Your experience is that it is territorial, but is it also black? Our city is incredibly multi-racial. Is there something that is partly defined as black against other groups, Kurdish, or whatever?
Hayley: No.

Q176 Ms Buck: Is it all mixed?
Bianca: It is the whole system.
Hayley: When you look at most estates you will find there is a majority of black people on those estates. The majority of families on estates are black people.

Q177 Ms Buck: It depends where you are.
Hayley: Well, in Lambeth.
Bianca: If it was multi-cultural it would have been mixed cultures. There is no mixed cultures.
Hayley: The majority of the people on the estates in Lambeth are black families. There is a lot of black children and young people that will be friends with each other, grow up with each other and be gangs, whatever people want to call it. That is why it may seem more like a culture thing, but it is not a culture thing at all, because there are gangs where there are 10 black people and one white person and an Indian boy or a Chinese girl. I have seen it happen, but it is just a majority of people on the estates in Lambeth.
Bianca: It is what gets shown. It is what we are perceived as.
Hayley: And what people choose to see as well.
Bianca: Yes, it is what people choose to see. They choose to see the negative side, they choose to say, yes, it is the black people.

Q178 Ms Buck: I am asking you what you think. I am asking you what your experience is, not what I perceive. There are other estates where I live where the vast majority of people on that estate are very mixed—Turkish, Kosovans, all sorts of different communities—and you can still see the gangs there, which is territorial, and sometimes you see conflicts between them, which is also partly territorial. I am just interested in knowing what your experience is.
Hayley: It is not culture in Lambeth.

Q179 Ms Buck: What about the policing relationship from your community? Has it all been negative? Has it changed?
Hayley: No. Lambeth has changed from a good couple of years ago, but since I have been around and been in contact with the police and known of the police most of my experiences with them or things that I have seen with them are negative, but there are positive police officers. It is down to the individual what they want to do, why they join the police force, and that depends on how they carry out their job. So, really and truthfully, I do not want to say that it is negative, but the majority of it is, but there is some positive policing as well.

Q180 Ms Buck: In the last couple of years, somebody will know, you have got these neighbourhood police teams, you have got beat officers?
Hayley: Yes.

Q181 Ms Buck: Is that something that you know about? Do you talk to them? Is there a lot of stop and search that you are on the receiving end of and you think it is unfair?
Dexter: It is always there. It is worse for the younger people because they come on the estate and they expect people to respect them without showing them respect first. In Lambeth, if you are a policeman, like, or these community officers, they think that they are police officers, they have got all the powers, so when they come on the estate they think they can do anything basically, but it is a bit worse though.

Q182 Ms Buck: Is that how they behave?
Dexter: That is how some behave. From what I have seen, that is how some behave.
Leon: From my perspective, I am not going to say that there are absolutely no positive police officers, because there are positive police officers out there, not just when they see people get arrested for doing the bad things, that actually want to help people that are being arrested for doing bad things as well, if you see what I am saying, but from living in Lambeth, with my perspective, there has been a lot of negative policing. You are getting stopped up to 20 times in a month and that.

Q183 Ms Buck: You have?
Leon: Yes, being stopped up to 20 times, or even more, in a month. So, to me, that is making me just feel negative about the police. They are not out there trying to stop everything close, if you see what I am saying. They will stop me 20 times in a month. I have not done nothing once on the 20 times in a month, and I have been stopped 20 times in a month.

Q184 Ms Buck: Is that because they know you and they are just keeping a tab on you?
Leon: It is police that do not even know me.

Q185 Mr Winnick: The police say that colour does not come into it, this is their argument, and they make no distinction whether black, white, Asian. What is your view on that? Do you believe that black youngsters are picked on more?
Dexter: I think, yes. If you come to Lambeth it is like almost, not guaranteed there but that is in your mind, that you are going to get stopped by a police officer, that is how you think, there is nearly a guarantee. You think, "When I come Lambeth I am going to get stopped by police." That is how young people think round Lambeth.

Q186 Mr Winnick: Are you saying, Dexter, that the police are not particularly concerned with white youngsters, that they would not apprehend them? Is that what you are saying?

Dexter: I am not saying that. I am just saying that when it is young black people, the ego to stop us, I do not know why they want to stop us so much, that is how it is.

Q187 Mr Winnick: You think there is an element of racism that has continued?
Dexter: Yes, that is what I think.

Q188 Mr Winnick: Is that your view is well?
Bianca: Yes. They should not be, but I still believe there is a lot of racist police controlling the community in Brixton and Lambeth as such, and I have seen examples for myself to know that that is still coming on.

Q189 Mr Winnick: Would you challenge the responsibility of the police to try and protect the lawful community, whether it is white, black, or whatever, it makes no difference, from those who are out to break the law? Do you not believe that is the responsibility of the police?
Bianca: Yes, if they was doing that, that is fine. Well, they are not.
Hayley: Are you asking—. What are you asking? You are saying the responsibility of the police is to prevent people from breaking the law?

Q190 Mr Winnick: Quite.
Hayley: But how do you know if someone is going to break law? You do not know. I could not look at Leon and say, "He is going to break the law." You cannot look at someone and say that they are going to break the law. Once someone has broken the law that is when the police are meant to come out. I understand what you are saying about prevention in a sense, but you cannot really see someone or know that they are going to break the law. How do you identify someone who is going to break the law? What does that person look like?

Q191 Mr Winnick: Would you be happier if there were more police officers who were black?
Hayley: I would be happier if the police spent more time doing their job rather than provoking young people, black, white, Chinese, Asian or whatever, and causing trouble and stopping and searching them all the time for no reason. I would be happy if the police done that.

Q192 Mr Benyon: Leading on from that question, what about schools, work, the Court Service, other organisations that you may have sought to come across. Have you found any institutional racism in any of those organisations?
Dexter: The courts.

Q193 Mr Benyon: In what way?
Dexter: There is large racism there. Young black men get sentenced more than white people. That is what I have seen basically. It is harder. That is what I have seen.

Q194 Mr Benyon: You honestly believe that?
Dexter: I believe. Not only do I believe, I know. That is how it is. From what I have seen that is how it is. I have experienced that as well, so that is why I know.

Q195 Chairman: So you believe that for the same crime you would be more likely to get a prison sentence than a community punishment or a longer sentence rather than a short one.
Dexter: I am talking about what I have been through.

Q196 Chairman: What was your experience? What happened to you that makes you feel the system was biased?
Dexter: I done a robbery with no weapons and no violence, basically, and I got three years. I am in jail and there is white boys that have done knife robberies in there that have got two years and six months and them type of sentences there. The thing is that I changed before I done that anyhow, I was doing different stuff before I went to jail, so I was stopping crime basically, and they still sent me to jail for that few years for some stupid thing.

Q197 Mr Benyon: I wondered if Jason wanted to come in?
Jason: There is people that go to prison for possession of firearms with bullets in it and get the same sentence we served. How does that work? We are sent down for street robbery and they get three years for a firearm, and it has got bullets, and they get the same, and then you have got people that get manslaughter and get three and a half years, whereas you get three years for street robbery. The people did not die, but you get some kind of three and a half years for manslaughter. How does it work?

Q198 Martin Salter: I was very interested in what you were saying about the police. I am a Member of Parliament and people are always telling me, "You should be doing this, that and the other", and these are normally people who would not necessarily put themselves in the firing line at all. You are obviously bright young people. Would you ever consider joining the police.
Bianca: No.
Jason: No.
Dexter: No.
Leon: No.

Q199 Mr Winnick: You might have some difficulty.
Hayley: That is not what I want to do. I do not want to join the police. I work with the police, some officers, and I have been having meetings with the Superintendent of Brixton to improve the policing, but I do not wish to be part of the police because that is not my dream of what I want to be.

Q200 Mr Winnick: I can understand that.
Bianca: If I did want to be part of the police, nothing could stop me, no-one could stop me, that is just not what I want to do, but I really do not mind working with the police to improve what I think is right.

Leon: It is not because it is not what I want to do, but I can say from what I know, how I have been brought up, it has been known that the police have been negative, they have not done anything where it has been positive, if you see what I am saying, for me to join the police, to think, "Oh, yes, I am going to be getting something positive out of this." The police do not do nothing to bond with the community, if you see what I am saying, to make the community feel a lot safer and assure us that they have got someone to talk to or someone to go to with their actual problems that they feel inside. The police in my estate are just seen as—I cannot even find the word for it, I do not even know the word for it.

Q201 Mr Winnick: Shall we start with "enemy"?
Leon: Something like that, yes.
Dexter: Monsters.

Q202 Mr Winnick: Monsters?
Dexter: Yes, monsters.
Chairman: We need to move on. Ann Cryer.

Q203 Mrs Cryer: I hope you do not think I am prying in asking this, but can you tell me, are any of you still living with your parents in a happy home? Jason is and Leon is. ***
Julia: Can I just make a point that when we made these notes for people to read, the young people were quite keen that they were not reflected back into the Committee. I think some of those notes are quite personal, and I can see tension building up here.
Bob Russell: Can I say I am very impressed with Bianca's turn around. I am very impressed with Bianca's current lifestyle, the positive side.
Chairman: Thank you for clearing that up, Julia. What you can see is that members of the Committee have read your personal statements, because we found them very useful, but we will keep them completely as background information.
Mrs Cryer: At least two of you (and I am not going to refer to who) were actually asked to leave by your parents. I wonder if those who were asked to leave home could tell us why it was that their parents asked them to leave their home and what their view is of that: whether they felt that it was unfair or whether they could understand why their parents wanted them to leave? It looks to me as if leaving home was probably a turning point in your lives.

Q204 Chairman: If you want to talk more generally about people you know or friends rather than yourselves, please do so.
Bianca: I cannot really answer that for myself, because I was not asked to leave home at a young age, but the situation I have is totally different anyway. We are not going into that, but in having experience and knowing other people who have been asked to move out, like young boys, because they are constantly getting in trouble, their mum cannot take it any more. Then they go to their dad and their dad is not really showing them attention, so they end up staying at a friend's home and, basically, in the end, they end up with nowhere stable to live and then, obviously, that leads them to more unnecessary crime and the crime gets more serious. It comes from petty crime and it turns into more serious crime, because now they are on their own, mummy and daddy are not there any more, so in that experience, yes, I think it gets worse.

Q205 Mrs Cryer: You are talking about the people that you know. Once their parents ejected them from their home, for whatever reason, whether it was right or wrong, was any help given to them either by social services or any other organisation to help them access funds to pay their rents?
Hayley: No, I was not given any help. When I left home I was at "the housing" and "the housing" gave me the number for an emergency place to stay with another family because I had nowhere to stay for the night. They made me come back the next day and I was there for about three days until I got my hostel. After that I just went to collect my keys and I was by myself. I had to sort out my own benefits, I never had a key worker, I had no-one to help me, I had to rely on myself and do things all by myself. There was not no-one to help me.

Q206 Mrs Cryer: At that point if, say, a friendly social worker, at whatever level, were able to come into your life and say, "Look, Hayley, this is what you can do. You can access funds to help you." How old were you—18?
Hayley: 17.

Q207 Chairman: If you wanted to stay at school, say, you did not want to get a job, if someone had said at that point, someone in the school or a social worker, "Look, this is how you do it. You can get some money to pay your rent, you can stay on at school", would that have been helpful to you, do you think?
Hayley: Yes, it would be helpful to anyone. To have information is to be able to make decisions that make a change on your life. I could have been at school at that time and felt that I had to leave school and go and work in a hairdressers or something just to get my rent, or go and commit crime to get my rent. That would have changed my life if someone came to me and said to me, "Oh, you can do this, you can get this and that benefit." I had to find it all out myself. I was not prepared to go down that route. I found it all out myself and I was out of college at that time as well. It was all right for me, it was not such a big thing, but for someone else at a younger age who was at school or someone that is in college or someone who needs that help and support and is not independent enough to go and do it themselves, they need it. There is no doubt about it.
Bianca: It also does come down to the age difference as well, because obviously at a younger age, if you are under 16, there is no benefits or income help you can get other than child benefit, and that all goes back to your parents. Obviously, if you have moved

out, they only offer you social services and foster care, and children are not going to be happy, "Let's go into foster care." That is just against everything; they are not going to do it, so they think, "I can do it by myself", and when they realise how hard it really is they turn to crime. I was living by myself when I was 14; when I was 16 I was living by myself as well. I had benefits for that, and obviously I was in college, but it took so long for that to happen and they gave me a flat. They did not want to help me, give me money, to do up my flat, so that leads to: "What else am I supposed to do?" I cannot work because if I work I will be earning too much where they will take me off benefits. If it does not work, I will be working basically just enough to pay for my rent and go to college, just about that, and there is things like cookers, washing machines, fridges and things like that that are necessities that you need, and they did not help me get that, so obviously I had to find other ways to get that. It comes back to obviously getting kicked out and leaving home early. I think that does play a big role, and when that happens to you, you feel like it rubs off and you need to get on your feet and you feel that the only person who can do that is yourself and there is no help out there for you. Like Hayley says, if you do not have the information, you do not feel you have that much decision open to you.

Mrs Cryer: You were all thrown into a situation very young when you had to start making decisions that usually much older people have to make. I was just trying to get at what help you could get to young people at that point when they are perhaps thrown out of home and they just need someone to guide them in the right direction—where to get benefits, where to get help. You have been very helpful. Thank you very much.

Q208 Chairman: Can I chip in a question. I heard a couple of my colleagues over there asking it. There is a service called Connexions which is supposed to provide support for 14 to 19 year olds. Did any of you—

Bianca: I have been there. I do not want to put it down, because in some sense it does work for certain people, but basically, not being funny, but it is sort of if you cannot really access a computer, if you do not know how to use the internet or you are not that confident in speaking on the phone or something, basically they just give you the facilities to use, they do not help you, they give you that. I have been there and thinking, "There must be something more that they can tell me", and basically everything I have researched on the internet and checked up in the books, it is the same thing they are going to tell you. It is not really that much help, not homes for young people. I know they do help young people out with food shopping and that, they will get vouchers for that, Iceland and all that. I have never had experience of that, but you have to be in a serious circumstance to get that, but other than that I think Connexions is rubbish.

Q209 Mrs Cryer: I want to move on now from family to school. We have got notes about you having dropped out of school. How many of you dropped out of school through choice and how many of you were actually ejected from school, expelled from school? You were expelled, Leon.
Leon: Yes.

Q210 Mrs Cryer: Dexter?
Dexter: I dropped out.

Q211 Mrs Cryer: Hayley, did you have to leave school?
Hayley: I finished school.

Q212 Mrs Cryer: You finished school?
Hayley: Yes.

Q213 Mrs Cryer: You left when you were 17?
Hayley: College. I left home when I was 17.

Q214 Mrs Cryer: I am talking about school now. When did you leave school?
Hayley: College. Do you mean education?

Q215 Mrs Cryer: Yes.
Hayley: At 17.

Q216 Mrs Cryer: Bianca?
Bianca: I got kicked out of school, but now I am in college.

Q217 Mrs Cryer: Jason?
Jason: I got told to leave. I never got kicked out, but I was told to leave.

Q218 Mrs Cryer: You were expelled from school. What impact do you think it had on you all whether you left from choice or whether you were expelled from school as to what you did then so far as getting involved in criminal activity?
Hayley: I could say from college rather than school, I got kicked out of college and it made me feel kind of like a waste of time, because I chose to go to college, school is compulsory. I am not saying that it makes a difference whether it is school or college how you feel, but from college I felt let down because I found my way to college, I completed my first year, and the teacher threatened me towards the end of my first year saying that he is not going to let me do the second year, but because my work was a more higher standard he had to put me through and shortly after I got kicked out, a month into the course, so I felt like it was a waste of time. It was too late for me to join any other college, and I was just lost for the rest of the year. It puts your life on hold, it makes you feel frustrated and you do not know what to do—if it is really worth it or not, if it is the right thing to do—because it feels like you cannot win. It feels like you are a loser: you got kicked out; there is nothing you can do; you are just stuck.

Q219 Mrs Cryer: Did the school discuss the problems with you. Did they actually say, "Look, whatever it is about your behaviour, if it continues you are going to be expelled"?
Hayley: No.

Q220 Mrs Cryer: Did they give you a warning?
Hayley: No.

Q221 Mrs Cryer: It just came at you out of the blue, you were expelled?
Hayley: Yes.

Q222 Mrs Cryer: It is such a pity. Did that happen to anyone else?
Bianca: Yes, with me in school it did sort of happen like that. I did not have warnings. I was kicked out for fighting but it was not a fight in the school. I had previous fights in the school, but that was it. The trouble I was really getting in trouble for was fighting outside of school because it was putting on the school's reputation. The last time I got kicked out my deputy head was there and they witnessed what happened and saw that I acted in self-defence. Yet you know when you have the appeal meetings after you get excluded, my deputy head was supposed to be there but, for some reason, on this occasion she was not allowed to be there, and she was obviously going to speak up on my behalf, because obviously she knew exactly what happened, and then after that I got excluded. But then, just like Hayley was saying, it does make you feel lost, because my predicted grades was As and Bs for GCSEs. When I went in they referred me over to Centre afterwards, but I did not go to Centre afterwards, but eventually I said, all right, I am going to go. When I went to Centre they would not put me in for intermediate, they did not do intermediate, they only did foundation. That alone is stereotyping, because that means that everybody that gets kicked out of school are under-achievers and you expect them to be working at a foundation level. If you know, and you have got my records from school, that I was working on the higher level and intermediate, how are you going to put me onto foundation? That makes me think it is not worth it. I know what I am capable of. It is not that there is a choice, there is no choice. You have to be foundation; that is all you can get. I know I am worth more than that. I am not going to do it. So, obviously, I said I am not going to do it, so that makes you feel lost, and if I was not a strong person, as I am, I would have thought, "Forget it, I am staying on roads." Then afterwards, obviously, I am at college, but that again is more waste of time because you are going to college, you have not got nothing on paper, so you have got to start from the beginning, way from the beginning when you know you should be starting at the top and you know what you are capable of. My college were quite understanding, because they gave me trial places and moved me up, but not all colleges do that, because

my other friends who are in the same situation as me have not got that sort of advantage that I had, and I have seen them drop out halfway because they are learning things they already know. It is just basics and that just leaves you once again with no options. How can you go to Centre and be told you cannot do nothing else but foundation. Not everybody that gets kicked out of school is an underachiever. That there is stereotyping.

Q223 Mrs Cryer: You are hoping to go to university, are you not?
Bianca: Yes, I am going to university next year.

Q224 Mrs Cryer: And Hayley you are hoping to go to university?
Hayley: Yes.

Q225 Bob Russell: We have read and heard in broad terms about home and school, but nowhere in the reports can I find if anybody has been a member of a recognised youth organisation at any time. Have any of you been members of recognised youth organisations? Indeed, are the recognised youth organisations there for young people to join?
Bianca: Well, there are things like—. I am sorry, youth clubs I think are stupid because they get so much money to run it, you see them driving beautiful cars, yet they take you to Alton Towers about four times in the summer holiday and that is end of—it is not nothing permanent, do you get what I am saying—whereas you have the X-it programme which Julia set up and that is more of an on-going process because you can start that at a young age, you can start that at an old age. They do not provide you with all the chips in the world, they have a couple of residentials, but there is more of a meaning to it. They make you see things in a different light than the residentials and that, and afterwards, as well, you are not left with nowhere to go. If you are suddenly thrown out and you was not in school, you are getting help and you are setting up plans and you have somebody beside you working towards your plans. If you are older as well you could go on to another programme called something like RAW, and after that as well they help you get employed, and afterwards you set a plan and if you really want to do that they will help you work towards that, but there are things like it is hard to get funding for those sorts of programmes.

Q226 Bob Russell: There is nothing before the X-it programme?
Bianca: Personally not that I saw that actually made a big difference.

Q227 Mrs Dean: When there were problems at school, did the school try to involve the parents in their concerns or your concerns in any of your cases?
Dexter: My parents were not around. I lived with my aunt. Obviously my aunt has her own life, she has

her own kids, so she does not have time. She has time for me, but she has got her own priorities.

Q228 Mrs Dean: So you lived with your aunt and she was busy. Are there any others where parents were involved with the school? Was that because the school did not contact the parents or because your parents were not keen to get involved with the school?

Bianca: Most of the times when I grew up with the school, I do not know, they did not raise it up with my parents, but with the big issues when it did come for the parents, when all that kicked up the last time, I was not with my parents anyway, so it did not really make no difference.

Q229 Chairman: Can I follow up from that question and put a question to you all which we have rather skirted around a bit. In other sessions we have had like this we have had witnesses from organisations, black community organisations and faith organisations, and so on, who have all said that one of the problems about young people and crime is the amount of family breakdown, that lots of you in one way or another have referred to people having to leave home or fathers not being there, or something of that sort. In your experience, is trouble at home, families breaking up, part of the reasons why young people get involved in crime, or is it something that happens but is not directly associated with people going off the rails?

Dexter: Everyone has got different reasons. Some people might not even have dads, might not know their dads from when they were younger.

Q230 Chairman: Do you think that is a problem, growing up without a father?

Dexter: In some cases it is, but I have seen people raised by their mum and they have been good, so I would not say it is down to the father, it could be anything.

Leon: In some cases that is the reason why people resort to crime, because if they are not getting the love from home, they see it as the only love they can get is from the streets basically. They are not getting it anywhere else.

Q231 Chairman: I think you were making the same point earlier, Hayley, when you were talking about why people get involved in gangs and crews.

Hayley: Obviously, you are coming from home, your parents, your family, that is where you start off, where you end up, that was your foundation, so that will follow you through life and impact on the decisions you make throughout life. It is not always the main reason why, or the only reason why, sometimes it is nothing to do with the way you was brought up, you had a perfect upbringing, but something made an impact on you further on in your life, but obviously you start off from home.

Q232 Chairman: Jason?

Jason: I cannot really comment. I have lived with my parents all my life so I would not know.

Q233 Chairman: You cannot make general conclusions on this one?

Jason: No.

Q234 Mr Winnick: There is a view, I do not know whether you would agree, perhaps you would let me know, that there is a connection between the music some young people listen to and the crimes which are committed. I suppose, to some extent at least, it is a sort of reference to rap?

Bianca: No, sorry, no, no, I am going to have to jump in there. There is no way everybody can blame it on the rap. Obviously they talk about guns, whatever, but children are not stupid, youth know that that is the easy way out, they can rap. If they were following them and they went and rapped too, they are not looking at that and saying they want that. It is other people that are doing them things. I do not think in no way you can blame the rap culture for that, because people who are into rap know what the rap culture is really about and know what these guys are really and really not doing. You have got guys like 50 Cent that everybody wants to blame things on, but if you ask anybody on this table, no-one will tell you to look up to 50 Cent, if you ask anybody in Brixton no-one will tell you, but yet you see in the media that we look up to these people and we see that and want that and it really is nothing to do with the music industry at all from my perspective, from what I have seen, and in Brixton as well.

Q235 Mr Winnick: That is a very forthright answer but it is somewhat different, if I may say so, from the replies we have had from other witnesses, black people certainly who have given evidence. The point I am making by way of a question is that some of the music seems to glamorize pimps, drug dealers, robbing banks and so on and so forth, and the question therefore is: is not such music undesirable and a bad influence?

Hayley: I do not think it is.

Q236 Mr Winnick: And since I am a bit older than you, perhaps you could speak up?

Hayley: Some people that listen to rap, the image that you are talking about with all the pimps and the glamour and what not, people do want it, and the things that rappers rap about, as you said, is sometimes drug dealing and robbing banks and whatever, and some people will believe that is how they achieved what they have got and they will try to follow them and do what they have done; but there is a lot of people, the majority of people that listen to rap, a lot of things what the rappers say or what they have been through, they can relate to it because they are going through the same thing right now. When people rap a lot of the time—50 Cent is just out to make money. There is a lot of people, I can tell you, who are out to make money and talk rubbish, but there is a lot of people who have been through things. If you listen to people like DMX and Tupac and people, the things that they are saying, it might be horrible to listen to, you might think it is foul

what they are talking about, but that is what they have been through, the same way that people do art work and people write poems, whatever. This is how they express themselves. All that anger and hate that you hear coming out in the music, imagine them keeping that within themselves, inside themselves. I think it is good that they express it and sometimes you have to sympathise with some of the rappers, thinking what they have been through and the lives they have led, and young people today can relate with some of the things that they have been through.

Q237 Mr Winnick: So you do not mind any of this sort of music. You think it is all right?
Hayley: I think it is perfectly fine.

Q238 Mr Winnick: Leon and Dexter, do you have any objections to this sort of music?
Leon: You might as well say, I do not reckon music does anything to people's minds. If you are saying it talks about bank robberies and that, you might as well say TV is the same thing as well. There is lots of guns and violence and anything on any TV channel now where kids can watch it at any time. It does mess with people's brains and kind of makes them think certain things, but obviously people have a mind of their own, so obviously they choose what they want to do, if you see what I am saying.

Q239 Mr Winnick: Dexter, the same view?
Dexter: Basically the same. Everyone has got their own mind. I do not think someone is going to follow something that is said on a CD, someone says, "Off you go, do that." I do not think they are going to do it and I do not think they are going to get influenced right now, but some people can relate to it because they have gone through it as well. It is basically the same thing.

Q240 Mr Winnick: I have to say that my son listens to the music and, as far as I know, has not descended into criminality, so you may well have a point there. Apart from music and so on, do any of you believe that young black people, as opposed to other young people, have particular reasons to get involved in crime. After all, there are white youngsters from broken homes and all kinds of related problems connected with that. Are there any particular reasons why young black people should get involved in criminality as opposed to, say, white ones?
Leon: Any colour can get into criminality, because everyone is human. Everyone gets into the same problems and has the same things. I do not see it as just black people who would get into criminality like that, if you see what I am saying.
Hayley: I agree with Leon to an extent, but there is not a lot of black role models for young black people to look up to. Like in Parliament, there is only a couple of black people, the majority of people in Parliament are white people, which is not a problem but it is the fact that young black people do not always have positive role models. There are not a lot of black teachers and not a lot of black people in higher positions—

Q241 Mr Winnick: Including MPs?
Hayley:—to motivate black people to grow up and be something with themselves, because if the black people are not teachers, whatever, obviously what are their parents? A lot of black people's parents could be cleaners or just doing something that is not really much of a job, nothing much to look up to, and if you have not got a parent to look up to, who is the next person you look up to? If there is no teachers to look up to, there is no-one in government to look up to, you are really lost because you cannot really get higher than the government and you cannot see no-one, no reflection of yourself doing anything that makes a difference, so I do not think that black people have enough.
Bianca: I agree. Yes, there are people that will look at that and think, "There is no way I could be up there." That is what that means.

Q242 Mr Benyon: I think you probably could actually.
Bianca: There is black people that look up and think, "I could go for politics, I could deal with people." I know at the end of the day I am not going to get there because the system is not made for me. This is what black people think. As Hayley has said, there is no role model. There is, but the role models that do make it, they are more stuck up; as a black person they are more stuck up: "I have done it myself, I have made it, let us get out."
Hayley: A lot of black people that you see in high positions, they kind of talk posh. They are not the same as a black person. They are not the same as me. Whereas a rapper will talk and use the same language as I would kind of use, when you have got a black person that is in a higher position, they are talking the Queen's English and they talk posh and their noses are stuck up in the air. That is not me at all, I cannot see a reflection of myself, but there is also some racism within certain authorities which means that people of different cultures—I do not want to just say black people because people who could be racist also do not like Asian people, but it limits people to where they are going, but I think black people also fight against themselves a lot. They put themselves down or they have been put down by other people and they let that get to them, but it is up to them as well to stand up and do something with themselves, because if they do not see a black person in Parliament, then they should get up and be that black person in Parliament.
Chairman: I am going to say to the Committee, our next group of witnesses have not arrived yet, so if you do not mind staying on for a few minutes, you are being really helpful, we have got quite a few more questions we would like to ask you. If that is okay that would be great. Can I bring Margaret in.

Q243 Margaret Moran: Operation Black Vote was excellent. I can see some potential MPs here today and they do great work. A lot of us work with young black people that are interested in getting involved in politics with Operation Black Vote, so there is a quick plug. The question I want to ask is coming

back; it was kind of about the music but not specifically. Last week in Luton a young black man shot three other black youths in the town centre. There is no territorial issue there; it was not on an estate. The suggestion is that there was a rave going on, a party going on, and there was something going down there which was not to do with the music itself except that all of these youths were involved in this party. Tell me what was happening there. Was there drugs?

Bianca: Were they tested for drugs?

Q244 Margaret Moran: Oh, they would have been, yes.

Bianca: Because most of these people that let off these shots, like, I am quite 90% sure that they was taking Ecstasy that night, and that makes their mind do overtime. It is becoming a regular thing for these young black people that are high up there, these people that carry guns. It is becoming a regular thing for them to take Ecstasy. Obviously, that controls your mind at the same time as well. I am not saying that is an excuse because it is not, and then shooting up people and that, I do not think it was anything deliberate. I just think it was, "This is me and I can do it. Everybody look what I can do". It is just they are all there trying to build up their status and name once again, not that it was worth it.

Q245 Mrs Dean: I wonder if any of you would like to say what you think are the most important things we can do to stop young people getting involved in crime in the first place.

Hayley: You need more things for young people to do, more activities, educational activities, more things that they enjoy and that. A lot of people enjoy—boys, constructions and plumbing, things that are educational but you do not always get in school, and also do not stop at construction and plumbing. Give them, like, MPs and politicians, teach them about that, give them more information about—yeah, more options, more higher options as well, not just garden nursery and construction. We can do better than that. We need more stuff, educational but informal ways of doing it out of school times. There should be more tolerance in schools to keep people in schools, more work within schools. Young people work better with young people, so more young people need to be working with young people, like, the in-betweens, like mentors and youth workers. They need to be more involved in this, there need to be more youth clubs. Education needs to be much better because education is just lacking as well. We need to find different ways of working with young people. In some primary schools, I saw it on the news the other day, they are working outdoors, doing science lessons and that out of doors, and it helps. Grades and that have improved because they are thinking how to work with the young people, how to get the better grades rather than just doing everything in the usual way.

Q246 Mrs Dean: Dexter, have you got any ideas?
Dexter: Yes. I think you need more X-it programmes.

Q247 Mrs Dean: You are giving it a plug, are you not? Leon, have you got any ideas?
Leon: Yes. I would just say more youth clubs in the estates and more things for young people to do, basically, because there is just nothing for young people to do out of school hours.

Q248 Mrs Dean: Bianca?
Bianca: If you have a programme that shows that it works and, to take as an example, in Lambeth, you can show them statistics that people that are involved in the programme, in X-it, and they had an officer say that all these people either have an urge for offending or have offended and when they started this programme they did not offend and after this programme none of them have gone on to re-offend. That shows you it is something that is working. It is something that works and if you can show Lambeth that that is something that has worked, why would you cut funding for it? It is hard to get funding for it. It works but there is just no funding for it so it is not going to be able to carry on. I just think funding should be up there to be used more.

Q249 Mrs Dean: Jason, have you got anything to add to that?
Jason: I just agree with Bianca, more funding and there needs to be more of that because basically we go our ways to make our money which is obviously going to be removed. I do not think it is being funded properly.

Q250 Mrs Dean: So more things to do for young people to stop them getting into crime and X-it to get them out. Do any of you want to add to that and say what made a big difference to you?
Bianca: Housing, and 80% of the jobs as well, and options and that, because obviously options lead on to jobs, but having good housing as well. You cannot get a job and be stable if you are not living in a stable environment, so housing needs to be sorted out because there is too much young children that are out there that are homeless. If they are going to apply for a job and they have got to send a letter back, you are looking at five different addresses where any letter can be sent because they are sleeping at friends, and of course they do not want to go into social services and they can't get nowhere till they are 16, and even that now is cutting as well because so much people are trying to pull it. I think there needs to be more support within housing and young people. I do not know if there should be a more formal structure to go through but I still think there should be more help with housing because young people are not getting help with their housing any more and there is too much young people homeless, but no-one don't think they are homeless because they are staying around, and that there is just not stable. I mean, you cannot get nowhere if you are not stable.

Hayley: And support in prisons as well. Young people in prisons, they need a lot of support and also when they come out they need to have something that they can go to. I know they have the YOT but everyone has bad opinions about the YOT. When they come back to it there is always something negative to say, but no-one seems to do nothing about it, no-one wants to change nothing, they do not want to listen to young people's views and that. Within the prisons and especially when they come out they need a lot of support from housing, from education, from jobs. People need to be more open-minded because not everyone that goes to prison was always guilty of the crime and sometimes they have had time to think about it and want to make a change but the options ain't out there for them to be able to make that change, so that needs to be thought about.

Q251 Mr Benyon: Crime is actually a male problem. There is way more percentage of young males across all ethnicities being convicted than there are women. Why do you think this is?
Hayley: Because women are smarter than men.

Q252 Mr Benyon: I thought you might say that!
Hayley: Men just get caught. Men seem to relax more. After a while they just tend to relax and think that they will not get caught.
Bianca: And women still stay on the ball because there is a lot of women that do as much crime but they do not get caught.
Hayley: With women as well we have less to prove than a male has to prove. A male feels he has got something to prove, so he is more willing to go a bit further, the extra mile to go and do something and then go and brag about it.

Q253 Chairman: What about the men?
Dexter: I think the men are smarter than women.

Q254 Chairman: But, just to pursue Richard's point, why do you think it is that the men get more involved in crime? Is it that they feel they need to prove themselves? You were talking earlier there about status.
Leon: They need to prove themselves. It is a status thing.

Q255 Mr Benyon: What difference do you think the threat of being caught by the police makes? I am not specifically directing this at any of you, but in your experience and your mates' and people you know, what difference does being caught by the police and going to prison make? Dexter, you have been to prison. Is it a deterrent?
Dexter: For me it was pointless, basically I changed before I went to prison in that I done the X-it programme before I went to prison. Within the X-it programme I did not offend, so basically it showed that I was changing, but, like, when I went to court, even though I had a police officer on my side and Julia and other people saying I am getting a job and I have stopped offending, they still sent me down, so

I am thinking, "I am going to prison now". It had no effect on me. It was just like, "There is nothing there to tell you to stop doing crime". It is the pulls in life basically. It is the pulls in life.
Leon: It is like not a youth club now but like a big youth club of criminals.
Hayley: And they just meet each other, discuss with each other what they are going to do when they come out. They just make more links. That is why prison is just so stupid. It is a stupid idea.
Mr Benyon: But it must be right for some of you. Come on.

Q256 Chairman: Jason, what do you say?
Jason: Vulnerable guys, they find it easy to go there and they do not want to go back there, but when you have come through stuff and you go there it is just that. You go there, you are around the same people for how long your sentence is, and the only thing you are resorting to is connections, so I think, "If I link him when I get out of here what can we do to make money?", and that is how it is. So basically you are going to find other ways to meet them or you go in for something and then you find more business partners. Everyone that is in jail, that is someone with a background which is around drugs and guns and all that. You just find more connections, so it is pointless getting a job.

Q257 Mr Benyon: So what would be a better deterrent than prison?
Hayley: Not referring them to courses but giving them options of courses that are proven to benefit people that are doing criminal activity, like the X-it programme changes these two.

Q258 Mr Benyon: I have got to get re-elected next time and if I was to go in front of the electorate and say if somebody commits a robbery they should be put on a course—I do think you are right: they should be put on a course but there should be some element of punishment.
Leon: I say jail should just be not more stricter but something where it will help them make somebody go to jail and sit down and think, "I have done wrong. I do not want to be back in here", but people nowadays will think, no, they go to jail and see their friends and be like, "Oh, how are you? All right, mate?", and then they will be, like, "Yeah, let's talk", and that is what I am saying, that it needs to be more effective.
Bianca: Not all jails are like that. When you go through the jail system, obviously, if you get kicked out of jail and kicked out of jail you move further and further away, and as black people you move further and further away and there are things called racist prisons, as I quote. In places like Feltham, that is a holiday camp. Everybody goes in there, comes out, "Yeah, what man went jail there?". It is all fun, and they come back out to do the same thing. It is fun.
Chairman: We are going to Feltham in a few weeks' time to meet some of the people who are there and we will carry on this discussion with them there and

think about prison and how it is working. Our next set of witnesses are here so we need to end this session. Can I thank you very much indeed. You have been really helpful. Sorry if we intruded in some of the personal areas due to a misunderstanding, but you have been very helpful indeed and we are grateful to you for your time. Thanks a lot.

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Witnesses: **Curtis Burk, Cean Johnson** and **Andrew Porter,** accompanied by youth workers, Nottingham Youth Offending Service, gave evidence.

Q259 Chairman: As you know, this is a private session so everybody who has come in with you are people you have brought with you.[8] Can I explain that we are all MPs round the table, apart from Dr James here who works with the Committee and Martha who has helped set up the session, and we are really grateful to you for coming. I am John Denham. I chair the Committee. We are just going to ask a few questions about crime and things of that sort. I think you have had a bit of an idea about what sort of things we might ask. This is a totally private session. There will be a note of it but nothing will get published or produced that you are not happy with. Just to be clear, obviously, if you want to tell us about yourselves as individuals that is fine, but you do not have to. We are really interested in what you know about why young people get involved in crime, so you do not have to be talking about yourselves unless you want to. You can talk about friends or other people you know. Is that okay? Thanks. I will start with a question which each of you can answer in turn just so that we have got a bit of background. The sorts of young people that you know and mix with who have been involved in crime, what sorts of crimes have they been involved in generally?
Andrew: I have a lot of friends and all do their different stuff. Most of the crimes are petty, not like the ones that escalate, like murder and stuff like that.

Q260 Chairman: What would you call a petty crime?
Andrew: A petty crime would be like stealing from a shop or just getting done for shouting abusive language, something like that.

Q261 Chairman: Something like robbery in a street, mugging and whatever, between serious and petty where does that stand?
Andrew: You have got like a robbery and then you have got, like, a robbery with assault or something like that. In a way, if you have just stolen someone's phone on the road and you did not injure them or nothing, I would say it is like more up the serious but if you did do it with force then I would say serious.

Q262 Chairman: Curtis, what sort of things do you know people have been involved in?
Curtis: Robberies, car stealing, stuff like that.

Q263 Chairman: Cean? Similar?
Cean: Drugs and house burglaries.

Q264 Chairman: Amongst the people that you have grown up with and you have been friends with would you say it is a whole group of people and most of them are involved in some at least of the more petty type of crime?
Andrew: I have got friends I will see on an everyday basis, and I have got friends that I will see on a weekend or a few times a week. The ones I roll with on an everyday basis, we are not really committing street robberies, house burglary and stuff. We just do what we are doing or whatever, but the people that I probably see on a time-to-time basis, they probably are—not probably, they are—in stuff like that.

Q265 Chairman: Curtis?
Curtis: I did not properly hear the question, to be honest.

Q266 Chairman: The bell was going. I was really asking whether you have grown up with a group of friends who all tend to be involved with some sort of crime or is it just a few people who get involved in crime but most have nothing to do with it?
Curtis: Most of the people that I go out with do all the bad stuff but I do not tend to hang around with them. I hang around with two people or three people or just stay in someone's house.

Q267 Chairman: Cean?
Cean: The people that I hang around with are just like me and stay inside or watch films or whatever. I have one or two that I go out with who are always kind of getting in trouble.

Q268 Chairman: You mentioned drugs and crime. From what you know about it are drugs a major issue in crime, either because people are selling drugs, so they are doing it as a business to make money and that is against the law, or are drugs involved because people using drugs are more likely to get involved in crime?
Cean: People using drugs are more likely to get involved in crime.

Q269 Chairman: What sort of drugs are we talking about? Cannabis or cocaine or heroin? What is the range of different drugs?
Cean: Cannabis, cocaine.

Q270 Chairman: Curtis or Andrew, anything to add?
Curtis: Only cannabis.
Andrew: The thing is, with drugs and stuff. yes, people do sell drugs, like you said, to make money, but yeah, like these two say cannabis and coke and

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[8] The following evidence was taken in private, but with witness agreement it is being published.

stuff like that, but I do not really think that if you smoke cannabis you are going to go out and rob someone's house and stuff like that. I know people what take coke, they do not really go out and rob people's houses if they haven't got no more. If they mix it up, probably if they take coke and heroin and stuff like that, then they are, like, addicted more and they go out do it more, but cannabis I do not really think if you smoke that you go out and rob somebody's house.
Curtis: The rest of the high drugs like class B and A, yeah.

Q271 Chairman: People that you may know or may know of who have got into trouble for drugs or to do with drugs, have they mainly got into trouble because they have been selling drugs or have they mainly got into trouble because they were doing drugs and that got them involved in other types of crime?
Curtis: Doing drugs.
Andrew: I never really know someone to get arrested for drugs unless they probably got caught with, if I can mention that, 10lb weed. I have never really heard someone say, "I have got a YOT for taking drugs, taking coke", or something like that, not really.
Curtis: Heroin and stuff like that.
Chairman: We will move on from that.

Q272 Mr Winnick: How likely is it for young people to have weapons when they go out, knives and even guns? Is it common in your experience?
Curtis: Not with guns at all, for starters. Most probably a couple of people—
Chairman: David is going to move round so that he can hear. Although these are big, modern and expensive rooms it is quite hard to hear.

Q273 Mr Winnick: Would you say it is common or not?
Curtis: No. I know the odd few people that would have knives on them.

Q274 Mr Winnick: But in your experience of people that you mix with, they would not have knives?
Curtis: Maybe someone had done something, so yeah. It depends what it is.

Q275 Mr Winnick: Guns?
Curtis: No.

Q276 Mr Winnick: Cean?
Cean: Knives.

Q277 Mr Winnick: I am not talking about yourselves. More generally.
Cean: I am saying knives. When I was younger people used to come around with knives, but not any more.

Q278 Mr Winnick: There is a feeling that youngsters, and I am not implying that it means black youngsters, sometimes almost as part of their clothing, when they go out, carry a knife with them. You do not believe that is—
Andrew: Well, no, that is the next point. They are like, "Have you got any news?", and they are talking about they have got these drugs and maybe they are in gangs and wearing hoodies and baseball caps and stuff like that, and they are all carrying knives and all causing trouble. Now, winter, even when it is hot I will wear a jacket with a hood, just like my style of clothing, but when I am walking around and I have got my hood up and I see, like, people crossing the road—once I was walking from a friend's house and just got my hood up, chilling, about, "Getting cold now", and then this woman, she is in a traffic jam in the road and she like broke her neck to lean over to close the door, and I am thinking, "What for? Just because I am walking past and I have got my hood up?", so in a way you are making us—I am not saying it is you but the way whoever is writing the stuff and making us sound like, it is affecting us in a way and people who are watching the news, who live on the news and who listen to the news all the time, is listening and believing and they just do. It is strange in a way because you are not doing nothing wrong; you are just walking along the road going to your house and people are crossing the road, people giving you a look.

Q279 Mr Winnick: If you put yourself in the position, black or white, it makes no difference, of a more elderly person who see youngsters around, would they not cross the road if it was white youngsters wearing a hood, or are you saying that they are crossing the road in fear because you happen to be black?
Andrew: No. They are crossing the road looking fearful because either they think, black or white, because we are wearing a hood and what people make us out to be, that is why they are crossing the road, because they think, "They are probably going to rob us or something". I do not think it is a racist thing but people, they might be all in black and going to rob me, I do not know what they are thinking, but what I am guessing or I am thinking is that it is the way people make us out to be. That is why they are crossing the road.

Q280 Mr Winnick: And you do not have any sort of sympathy for such elderly people who may well, without any justification, fear youngsters, black or white, wearing hoods?
Andrew: They probably fear them because they have probably been robbed before or not, but in a way I do, because if I put myself in their situation I would not cross the road. I would walk on doing my business, I would just do what I am doing and go home. They are scared if they are just like—
Curtis: They cannot help it.
Andrew: If they are racists, if they do not like it they do not like it. It is up to them.

Q281 Mr Winnick: There is fear of crime and perhaps because of my age I would understand that. The attitude you adopt you have explained is because you are 18 or 19. Do you think there is any particular reason why crime is likely to be committed by young black people more than young white people?

Curtis: No.

Andrew: Not really, because I know more white people that are going out robbing houses and cars than I know blacks, but in the same way I can say that for blacks as well. I know more blacks selling drugs than whites. It is not really the colour, because you are black you are going to go and rob somebody. It is not really that. It is because of who you are, who you grew up with or what you want to do, white or black or Asian. It does not really matter. You do what you do.

Q282 Chairman: Can you explain something, because this has come up before? What you said is absolutely right. That is what the figures say. All types of crime are committed by all types of people but there are some crimes like burglary or nicking cars which are more likely to be done by young white people, and certain types of crime like street robbery or drug dealing where black young people feature more. Can you give us any reason why there should be that difference?

Andrew: What do you mean?

Q283 Chairman: It is what you just said, that you know more young white people who do burglary and robbing cars and more young black people selling drugs. It is not obvious why there should be any difference at all. You all know young people. They are all doing crime. We have been struck by this because it has come up in other sessions. If you look at the figures there are different types of crime that different groups of young people do and I just wondered if you had any idea why that might be.

Andrew: Let us say there are more black youths selling drugs. Let us say he knows me and I was selling drugs, and he is, like half caste, black as well. I do not really know in the street how they sell drugs, but I get people coming up to me, like, "Have you got a drug? Have you got anything?", and, you know, because I am black and I am tall and I have got my hood up or something, they probably think I am a dealer, but in a way the black person and the other black person probably want to be like the dealer because they can relate in a way. I do not know if it makes sense but they can relate in a way; that is why. Probably that is why more white people are committing burglary and robbing cars. I do not really know. This is the next one, you have a car. They probably got it easy, all through their life got it easy and probably—I do not know, Italian or whatever, he is, like, thinking—I know people who are getting pocket money at, say, £50 a week and it is, like, really not enough. They are still going out and robbing stuff to get more money, so they probably think that—

Q284 Chairman: I do not want to put words in your mouth but, as far as you are concerned, it may be that if people expect people to do certain types of crime then that is what they will tend to do?

Andrew: In a way but not really in that way.

Q285 Mr Winnick: There is a perception, a feeling, which may not have any basis in reality, that where knives are being carried by youngsters, and adults, as we all know, also carry guns, but certainly young people, there is no doubt about that, it is more likely to be young black people than white people, not that young white people do not carry knives but it is more likely that they will be black ones. If that is so, and it may not be the position, would that be because of a feeling of protection or having respect amongst your fellow youngsters or what?

Andrew: It could be like this. When I was in school, someone might hit me and I hit him back, but the teacher always sees me hit him and they will not see him. It is like black people and white people carry knives but you know more black people that are carrying them than white. There probably is more white people that is carrying them than blacks but you just know the blacks who are carrying them. You do not know the rest. They probably know me. They probably say, "Oh, well, there are more white people carrying them than blacks". It just depends on the people you know rather than the people you see.

Curtis: You do not know. It is just a guess.

Margaret Moran: We could not pass this session without referring to the fact that Nottingham is very well known for gun culture. There are lots of guns in Luton where I am from as well. You can get a gun from a gym for £30. If somebody that you knew wanted to get a gun how easy would that be and how many people do you really know that have guns? Why do they need them? What are they using them for?

Q286 Chairman: I just want to say that you cannot get into trouble for what you say at these sessions. It is part of the rules of coming to Parliament that you can be as honest as you want to.

Curtis: It depends who you know, because I do not really know too many people that carry guns other than just I will know a few people that have guns in their crib or under their bed or something like that.

Andrew: Yes. I have never really known someone who carried a gun on the road and I do not know people who can get it, but people, yeah, who have probably got a gun that ask, they are either selling weed and they have got a huge amount of money. They have got drugs or whatever they have got it in, and then they have probably got them and they are probably trying to protect themselves. If they are not selling drugs they are probably dealing, giving them some mixed false merchandise or whatever, and they have got a lot of it and they have got a lot of money and they want to protect themselves or they are just stupid; they want to blend in with the crowd.

Q287 Margaret Moran: Could I pick up something you said earlier as well? You talked about lots of different youngsters doing crime. It has been suggested that the gang/crew culture, gang culture particularly, is extending into the Asian community. Do you see that? Do you have any involvement in that?

Curtis: Around my area I see gangs and gangs of Asian and people, to be honest. It is like, when they walk past us sometimes they walk past as if, like, we are pieces of shit and stuff like that. It is like they are always the ones that want to cause the trouble now, and then when it all kicks off it is just all—

Andrew: I do not really call it gangs. I just call it a bunch of friends. I call Lucien, he just came to call for me or just chew my ear, "What about you?", "Oh, let's fuck off and go and get Leon", or, "Let's go and call for Josh", or, "Let's go and call for Curtis", or something. You are just all friends together. You probably get four in a group here or some of them in a group watching you and, like, staring at you hard and saying they want to rob you or they want to beat you up or something, and the rest will be just like the business. It is just a few. It is not a gang. It is just like a group of friends, people just doing what they want to do. You probably do get gangs but mainly there is a group of friends and some of them just like watching faces, beefing or causing trouble and the rest of them are just minding their business.

Q288 Chairman: There may be a difference between one place and another because we have talked to other groups of young people who have said that there are gangs or crews and it is all about territory. You cannot go to a certain area if you are not part of that crew or that gang.

Curtis: Not necessarily.

Q289 Chairman: Is it like that in Nottingham or is it different?

Andrew: People who say that, yeah, they are a pain but they are not from, like, say, people from St Ann's and Radford and Meadows. They are the areas where there is all the beef and you are not allowed to go in there. People who say stuff like that would be from Bulwall or Woollerton or somewhere like that, not in the area. They just say that because they have heard from people who say that, like saying, look, I am from Radford. I have got no trouble with St Ann's or Meadows. I know people from St Ann's, I know people from Meadows and I go anywhere I want. I am not really bothered. I never really got started in a way.

Q290 Chairman: There is nowhere in Nottingham you would not go?

Andrew: No, there is nowhere. People, they are stupid. They come in the area and people, say, St Ann's and Meadows will be, like, having a feud and then shout, "SB" or something just to stir it up and that is why they get hurt, yeah, because they either cause it to themselves or they did that, ran off and next day a person came by minding their business and they just get done for what the other person did.

Q291 Bob Russell: Andrew, we have been told that you have got the Duke of Edinburgh's Bronze Award through the Fire Brigade and are going for Silver, congratulations on that, and that you are going to do a week's residential course with the Army. How did you get involved with those two activities?

Andrew: YIP.

Chairman: The Youth Inclusion Programme.

Q292 Bob Russell: So that is how you first got involved?

Andrew: Yes.

Q293 Bob Russell: I now want to ask all three of you a question that I have been putting to others that have come to give evidence. Were any of you ever involved with recognised youth organisations earlier on in your lives?

Andrew: When I was in primary school I used to be—

Q294 Bob Russell: I was talking about things like the Cadets or the Boys' Brigade or the Scouts.

Andrew: No.

Q295 Bob Russell: You were not? Are those organisations active in your area?

Cean: Yes, I was in the Boys' Brigade.

Andrew: There is somebody, not really like that. I would say on our road there are different types of people and I go there and look and then just the people I do not really know or do not really hang around with them sort of people, so I do not really go.

Q296 Bob Russell: So it is the organisation you are with now that has drawn you into the Duke of Edinburgh's Award Scheme and looking at the Army?

Andrew: Yes.

Q297 Bob Russell: Why do you think that young people first get involved with the criminal justice system? What was the biggest factor or influence that took you down that route?

Andrew: Do you know why? The people who work there, they have been in the same situation and they came from the same point of view and just stuck to it. It is not like these people who have been talking do not know what they are talking about. He knows what he is talking about. He is from where I am from and he has been doing what I am doing now, that is what I am saying, so you really connect, and then you just go through it.

Q298 Bob Russell: Is that the same with you too, you just get caught up with what is going on around you? Did you voluntarily go out to get involved in the criminal justice system or did you get caught up with others?

Andrew: No, I did not get caught up with others. It was voluntary. That is when Dinah said, "Do you want to come and learn?", and I said, "Yes".

Q299 Bob Russell: Have your families had any role in your lives?
Andrew: Yes, the problem is they do. You do not really have to listen to them. You just do what you do.

Q300 Bob Russell: So your background, lifestyle, has that involved you in getting into criminal activities?
Cean: No.
Andrew: It is not really background. It is choosing to do it.

Q301 Bob Russell: You have chosen to do it? Do you wish now you had had different life chances?
Andrew: What do you mean by that? If I did not do it?

Q302 Bob Russell: Are you proud of what has happened so far?
Andrew: Yes.
Bob Russell: You are? Okay.

Q303 Chairman: Can I just follow on from that a bit because it is something that has come up with other groups of people we have talked to? In the group of friends that you have got how many live in families with mum and dad there? If you think about your group of friends, how many of them have grown up in families where they are living at home with their mother and their father? If you look round at your friends do a lot of them come from families where either their mum is not there or dad is not there? That is the first question. The second one is, do you think that has made any difference to how people have grown up?
Curtis: Yes.

Q304 Chairman: What do you think about it, Curtis?
Curtis: Yeah, quite a few people I know have got backgrounds like their dad has gone off, some stuff like that, arguments and stuff like that, fighting, all sorts.

Q305 Chairman: Do you think that makes it harder growing up?
Curtis: Yeah. It just depends how you take it, really.

Q306 Chairman: But everybody growing up has some problems at home. If you have got problems at home is there anybody you can turn to?
Curtis: Friends.

Q307 Chairman: If your friends are involved in trouble of one sort or another and you turn to your friends does that make it any more likely that you will get involved in trouble too?
Curtis: Of course.
Andrew: The thing is, if you turn to your friends for family problems and they are in some mischief and so on, they are really making what they are doing, just like you choose to go and do it or not. You can go to them and talk about it and they are in some trouble or they are going to do something but you do

not really have to do it just because you are talking about personal stuff or something. You just choose to do it.

Q308 Chairman: I am asking the question because we talked to another group of young people and they were saying that if they had difficulties at home sometimes a gang or friends or whatever become like your family and then they give you a bit of that emotional support or love, they were talking about, which you are not getting at home. I do not know whether that is a big issue for young people or not.
Andrew: Yeah, it is. I can talk to my friends more than I can talk to my dad.
Curtis: Yes.
Andrew: Really, it is like your friends are like your brothers or sisters or whatever. It is like your second family.

Q309 Chairman: Cean, do you say that?
Cean: I do not know.
Chairman: Okay, fine.

Q310 Mr Benyon: Curtis, you are 15; is that right?
Curtis: Yes.

Q311 Mr Benyon: Are you in school?
Curtis: No.

Q312 Mr Benyon: This is a question for all of you. When somebody is excluded from school—
Curtis: Expelled.

Q313 Mr Benyon: Expelled, what happens? Where do most of them go? Do they go to a referral unit, on the streets, where?
Andrew: They probably stay on the streets—
Curtis: They go to the next school.
Andrew: Yes, but you probably stay on the street. You will probably be out of school for two days or something and so on and jump into links, like in our city there is YIP and stuff like that you can go to whether you are in school or not, so it is a college for you.

Q314 Mr Benyon: What can be done to keep people in school longer, not excluding them? If you have done something wrong at the moment—
Curtis: If you have done something wrong you should just send them home and tell them that they have got to have, I do not know, a couple of days off school for what they have done, not exclude them.
Andrew: It is like they see you getting in a fight every day, being angry—

Q315 Mr Benyon: They have had a warning, had another warning.
Andrew: Yes, that has been going on, and expelled. A lot of that has been going on. "You have not been excluded". "I can be as bad as him", so really when you get expelled it shows people that if you do that you will be gone, you will be losing your friends in school, so there is no real point stopping it because if you are stopping it there is going to be more and more trouble, more violence.

Q316 Mr Benyon: So it is important that people have a line that they know in school, that if they cross that line there are—
Andrew: Yeah.

Q317 Mr Benyon: But obviously there must be more to be done? It is better to keep people in school?
Andrew: Yes, you can probably keep them in longer and give them more chances and stuff like that, or give them more options.

Q318 Mr Benyon: What was it at school that had an effect on you, for example, Andrew?
Andrew: Probably because the teachers speak to me like I am a kid or something. They talk to you, looking down on you.

Q319 Mr Benyon: Why do you think many more young men than girls get excluded and get into trouble?
Andrew: Because they are unruly—not unruly, just like—like, say, I am telling you something and you are not really listening, you are just saying what you are trying to say. You are not listening to me but you expect me to listen to you. Most of the guys do not tolerate stuff like that. It is like if you are not listening to them there is no point them listening to you, so in a way you are going to be rude and stuff like that and walking out and doing what you are doing.

Q320 Mr Benyon: Curtis, at your age, 15, to get on in life you really need an education, do you not?
Curtis: That is what I have got YIP for.

Q321 Mr Benyon: You need skills.
Curtis: Yeah, that is what I have got YIP for.

Q322 Mr Benyon: That is not the ideal way, is it? The ideal way is go through school.
Curtis: It is not my fault. School should not have expelled me. It is stupid anyway.

Q323 Chairman: Obviously the YIP is giving you something you were not getting at school.
Curtis: Yes.

Q324 Chairman: And it has worked for both of you in one way or another. What is it that you are getting from the YIP that you were not getting at school, and if school had been different could they have given you the same thing?
Curtis: Attention more, you know what I mean? More attention and more, like, when you need help, helping you up. That is why I started coming.
Andrew: I am going to class at college now. I think school was better than the YIP but if I did go to the YIP I know more people in the YIP round my area and they will treat me like a young adult, but in school, like I said, they do not treat you with respect, so it will probably be YIP that they go to because they get treated with more respect. You say the teaching is more limited but you get more respect and you are more likely to focus on doing your work and succeeding in that environment.

Q325 Ms Buck: If you have got a class of 25 of you, not you personally, is it possible to give you that attention that you want? Curtis, you are saying they should not have thrown you out. I do not know what you did and I am not particularly bothered, but you are sitting in a class, there are 25 of you. Maybe you are giving mouth and you are not listening or you are trading at the back of the class, you know, all the stuff that goes on. Is it reasonable to allow that to carry on happening?
Curtis: No.

Q326 Ms Buck: So what you are saying about the YIP and what it is giving you, which is great, is it possible to give you that in school? What could they have done differently in school?
Curtis: More respect. Say, if you put your hand up to ask if you want help and then someone else puts their hand up, I have seen teachers go, "Ah, she was first", when I needed help, and then when I have picked up my work she will moan at me at the end of the lesson and give me a detention and say I have not finished my work, and I tried to say I was asking for help, and then they go and tell the headteacher, "Oh, yeah, you was answering back", this and that, and then that is when you start getting vexed and that is when you end up doing something that you wish you did not do because of that. They aggravate you and just push you—
Andrew: In a class of 25 students you have really got two times to listen. You have got when everybody comes in and they do the register and then the teacher tells you what you need to do. That is when you listen and that is when you are with your friends until you start doing your work. You listen, you know what you are doing and then you do your work. If you did not listen and if you are chatting, then you put your hand up or you ask for help then she will give you help, but if you keep on, like, talking and disrupting the lesson and stuff like that then you get kicked out and you have screwed it, it is really your fault. When there is only one teacher with 25 they give you really two chances.

Q327 Ms Buck: You were saying that part of the reason it did not work out for you was that you felt that you were not getting respect.
Andrew: Yes.

Q328 Ms Buck: We have heard what Curtis's sense of that was. What do you mean by that?
Andrew: What I mean by respect, I mean, like, understanding my point of view, talking and reasoning and listening to my point of view than just talking and not listening to what I am trying to say, or I talk but it goes over your head and then you jump in about what you are trying to say. That is what I mean by they do not show you respect. Another way, when they think you are being rude, they jump in, they snap at you and they think you are being rude. You talk back to them just the way you have grown up, the way that you talk, your background, so you talk to them like you talk and they do not like it, so they think it is rude even though it is probably not rude. It is probably like I

am doing now. I am using my hands really to talk and when I do that a lot of people think I am being rude, like aggressive.

Q329 Ms Buck: Do you feel that in general the teachers get who you are, where you come from, the city, your lives? Do they get you as people?
Andrew: Not the majority but some of them. You get, like, one or two of the teachers who understand, treat you like a young adult as well. I get the ones where they talk to me on a level that says I am one of their friends—not one of their friends but they talk to me like—
Curtis: They just come over to talk to you.
Andrew: Just talk to you, not like all the time they talk to you they are shouting at you, but, like they talk to me and I am chatting and all that stuff, "Have you seen this on the TV?", meaning even though I am chatting to you I am doing my work. But the other times most of the teachers talk to me is when they are telling me to do my work or to stop talking or telling me to just stop doing what I am doing.

Q330 Mr Benyon: We have had evidence from black communities who have said that some of the lyrics in rap and hip-hop encourage young black people to go down the path of crime. They glorify carrying knives, they glorify some of the bad things that go on. Do you go along with that?
Andrew: That is stupid as well. The people who say that only say that because they cannot speak their mind. They do not think they can express what they really want to say, so they say what you want to hear. I used to do a lot of stuff. People talking about killing. You do not see me going around killing people because I listen to 50 Cent, Eminem and all that. I listen to it, yeah, but I do not go out actually—

Q331 Mr Benyon: Do you think some people do?
Andrew: Yeah, probably some people who take it more deeply.

Q332 Mr Benyon: Ten-year olds getting a message that it is all right to be disrespectful.
Andrew: Yes, actually, in a way, yeah. Say, like Jayme now is like, "Shut your mouth" and stuff like that. When you talk to kids, in a way, you say that because they think it is good, because they think it is hip, yeah, but in another way you do not get ten-year olds listening to tunes and going round and just threatening and doing stuff. I do not think that when you listen to music it makes you go out and want to hurt someone.
Curtis: It is whatever you want to do.
Andrew: Yeah, it is what you want to, but sometimes it probably does influence you because your friends are saying and everybody is saying to you stuff like that, and if you listen to whatever you want and then you know about that song but your friend don't. It is not going to make you go out and do that. Probably you will not, or even if you do it but your friend does not.
Curtis: You can choose to do it or choose not to do it.

Q333 Ms Buck: Have you been victims of crime, or your mates, when you were younger?
Curtis: I have been a victim twice now.

Q334 Ms Buck: What kind of thing?
Curtis: One geezer tried to fight me, just started over. I beat him up, basically. Not basically, but—and then next time I was walking from my school in Meadows with my brother and seven or eight lads come up to me, two of them pulled out knives when I had my PSP and they just took it.

Q335 Ms Buck: What did you feel about that, having knives pulled on you?
Curtis: Nothing I could do, is it? It is not like I am going to grab one of the teachers to control it. You are just going to get shanked for that. It is just if I see them on their own that is when you get them back. I have not seen them since and that was a year ago.
Cean: I have not really been a victim.
Andrew: I can still feel what other people are feeling when they are a victim.

Q336 Ms Buck: Cean, have you?
Cean: No.

Q337 Ms Buck: All the statistics show that young people are the victims of crime.
Andrew: Yeah, probably some of my mates have, but not recently. It was way back.
Cean: I have had friends that have been attacked and robbed and things like that, but it has never actually happened to me.

Q338 Ms Buck: Has it distressed them? Has it upset them or has it made them—it is bound to in a way, but has it upset them or made them think, "Well, next time I have got to be tougher"?
Curtis: Next time you got to carry a knife. That is what some people start thinking. Some people start thinking, "Next time I have got to carry a knife", or, "I have got to carry this or that. If I have to defend myself I have got something to protect me". That is what some people think, but if they come for me then I just use my fists.
Cean: Or you just go out and look for revenge.
Curtis: Yeah, or that, which is worse.

Q339 Ms Buck: Have you ever, maybe through YIP, I do not know, been exposed to people who have been victims, not young people but other people who have been victims of crime? Is that something you have ever experienced?
Cean: No.

Q340 Ms Buck: Is it something you talk about?
Andrew: On a day-to-day basis in a way, you talk to your friends who it has happened to. It has not really happened recently.

Q341 Ms Buck: What do you think about? I mean, if you were sitting down talking to someone who had been, you know, not you as individuals but talking to someone who had been a victim, someone like one of your mums.

Curtis: What, someone had robbed her or something?

Q342 Ms Buck: A mugging or something like that.
Curtis: I do not really look for them.
Cean: I go out looking for revenge.

Q343 Ms Buck: It would not make you think, "God, this is so awful we have just got to stop all this"?
Andrew: Stop all what?

Q344 Ms Buck: What you are describing to me is this kind of cycle, that it happens, it is bad, so either I am going to look for revenge or next time I am going to be tougher.
Curtis: That is me. That does not mean I am just going to go out there with a knife and stab him when I see him by himself or get a gun and shoot him. That means I am just going to beat him up with my fists until he cannot get back up, if he wanted to rob my mum.
Andrew: When it comes to family, obviously, it gets deeper. Really, if I walked out of here and got robbed while I am walking down the street I would not go and rob someone else just because I had been robbed just to make me feel like it. If I got robbed I got robbed, there is nothing I can do about it. I would probably go and tell the police, or if you know the person but you cannot do nothing, I would probably go and get someone who can do something and sort them out or something like that. I would not really go out and start on the next individual for no reason. If someone pulled a knife I am not going to draw one next time.

Q345 Ms Buck: What I am trying to get at is what makes people stop? We have talked a little bit about YIP and I think we have probably covered some of the things about school and opportunities and that being a way out. Does it ever make people stop, to be confronted with someone who has been a victim, who has been really traumatised or really damaged by being a victim of crime, someone who looks like your mum or someone who looks like you? Does that work or are you not able to get that yet?
Andrew: It probably works for some people, say, if you gave me a real good story and then I am there, like, feeling sorry for you or stuff like that, and then you do change your ways and if you go out and do that, or if people just sit there and I listen to what you say I can probably interact but that probably don't change nothing. In a way you are, like, wasting time that you are not really changing it for anybody. Some people you might get through to them but other people you will not.
Curtis: It is just people that are cold-hearted that you have got to get through to.
Andrew: Not cold-hearted. You just do not convince them.

Q346 Mrs Dean: What do you think could improve relations between young people and the police, and could you tell us a bit about your experiences with the police? What could young people and what could the police do?

Andrew: No-one likes the police. It is not because you do crime and when you do something wrong they come and interrupt it. It is the fact that, if you do do something wrong and you get caught, it happens. This is when you are minding your business, you are not doing nothing, and then they come up with some false claim, like, searching for a reason, like you fit a description, or something stupid like they start to bug you about wasting time on your own and that is the reason why they know you, and then when you do something wrong they do not really show any—not mercy but they do not show—
Curtis: Not mercy, but no sympathy.
Andrew: And they are not really polite. They do not come up front with respect straightaway. Straightaway, "You did it". They do not go, "Yeah, that seems good". They just come up front, "You did it", because they think you did it.

Q347 Mrs Dean: Do they stop you because they know you or do they stop you because you are a young black person?
Andrew: They probably stop me not because I am a young black person but because, I mean, I am in a dress code. I am in a dress code for someone who will go out and start fights and so on. I am in a dress code so, "Yeah, it could be him". That is what I am saying.

Q348 Mrs Dean: Because of what you are wearing?
Andrew: Yes, it is in a way what you are wearing, or it could be because they know you or it could be because you are black or white or Asian or whatever.

Q349 Mrs Dean: How can we improve that then? How can we stop this cycle of, I suppose, mistrust really?
Curtis: To start with, I have got friends that have stuck up for their mum because their mum has been getting arrested and they have arrested him himself, beat him up in the back of the car, and then took him to the police station and then because he said, "I have got a couple of bruises", they just slammed him in the cell and did not say nothing about it. I know friends that get vicious. It is like, even when you are not doing nothing they rack you up when you are not doing nothing and slam you on the wall because they just love to do it.
Andrew: You get some who will beat people up, you get some, yeah, junior copper.

Q350 Chairman: I understand about stopping and searching but what you are saying is about the police assaulting people. That is quite a serious thing. Is that common or just something that happens very occasionally?
Curtis: I have heard it a few times. It is common, actually. I get stopped and searched most of the time.
Andrew: I do not really get stopped that much. Actually, I do but it is not really for me in a way. It is, like, if I am with someone and they stop both of

us and ask us or search us or they might search him or me or both of us. It is common and sometimes you have a break and other times they see you and just, "Oi, oi", like, say, you are walking up the road and they just follow you.

Q351 Mrs Dean: Do you know of anybody that that happened to to make complaints about the police?
Andrew: You cannot. I do not think you can do it. I do not think you can go down to the police station and say, "One of that guy's colleagues—", and they will say, "Yeah", and they say, "No, no, no, PC—", or, "He assaulted me". "Oh yeah, really?" Even if they did pass it along nothing would really happen. You cannot really fight these lot.

Q352 Mrs Dean: Do you know any black police officers?
Andrew: I do not know any police officers.

Q353 Mrs Dean: So you would not fancy becoming a police officer?
Andrew: It is not what I was feeling anyway. It is not that I am ever likely to become a police officer. It is not what I want to be.

Q354 Mrs Cryer: Thinking about the three of you and all of your friends, of those who have been involved in any way with the police, courts, prison, whatever, and those who have never had any contact at all with any of those agencies, which are the ones who are most likely to commit a crime? Is it the ones who have already been involved and have had experiences with the police, or those who have had no experience at all?
Curtis: No experience at all sometimes. That is it, "I want to do this and I want to do that. I want to start doing burglaries, I want to start earning some money", and stuff like that.

Q355 Mrs Cryer: So those who have not had any of these experiences, they still think it might be very glamorous to do it?
Curtis: Yeah, and some people think, "Oh, no, that is not what I want to do. I want to get an education", and stuff like that.
Andrew: It is not glamorous. Say someone is always in trouble with the police, so you do it and they did not get that much harder punishment last time, so they do it again. People who never really got in trouble with the police, they would be doing it because they are thinking, "I need the money", or, "I need to get this here", plus, "It is a first offence and I will not be going to prison or nothing. I will just be doing what I am doing, so yeah, I can do it".

Q356 Mrs Cryer: Cean, do you want to say anything?
Cean: I think it is the ones that have been involved with the police and been to prison. They are more likely to go out to re-offend.

Q357 Mrs Cryer: So you do not think prison deters people?
Curtis: It depends, because it could stop people from doing it. It depends what a bad experience they have had inside.
Andrew: Unless they know other people so it makes it feel like home.
Curtis: I know a lot of people that have come out of prison and they go back in before Christmas, and then they come back out and they just go back in again. You know why? It is like a second home to them. They have got a lot of friends there as well. If they went to a prison that was a living hell they would not want to go back. It is because all their friends are there from the same area that it seems like a home for them.
Chairman: Thanks a lot. That has been really helpful to us. We are really grateful to you for coming all the way down here today. We hope you have enjoyed it yourselves and found it useful. We have certainly found it very useful indeed.

Tuesday 16 January 2007

Members present:

Mr John Denham, in the Chair

Mr Richard Benyon	Margaret Moran
Mr Jeremy Browne	Martin Salter
Mr James Clappison	Mr David Winnick
Mrs Janet Dean	

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Witnesses: **Professor Gus John,** Chief Executive, Gus John Partnership Ltd, and **Dr Tony Sewell,** Founder and Project Director, Generating Genius programme, gave evidence.

Q358 Chairman: Good morning. Thank you very much indeed for coming to this session of our inquiry into Young Black People and the Criminal Justice System. We are grateful to both of you for the written evidence you have given and the other material to which you have pointed us. I wonder whether for the record you would introduce yourselves to the Committee, and then we will get underway.
Dr Sewell: My name is Tony Sewell. Currently, I am chair or CEO of a charity called Generating Genius which works in science and engineering and literally provides a longitudinal pipeline for boys from 13 until the time they go to university. Basically, we train them at three universities: Imperial College, Leeds and London Met. We look to produce a leadership programme in science for boys. That is essentially what I do. As an academic I feel that it is all well and good writing and analysing the problem but I am always challenged as to what I can do about it practically. That is my legacy or contribution to this. Formerly, I was a school teacher. By the way, all the schools that I have talked to have now closed down. I do not know whether that was due to my bad behaviour in those schools or the policies of the government's representatives here. Hopefully, I can give you a positive contribution today.
Professor John: I run a consultancy company, the Gus John Partnership Ltd. I combine that with work as a visiting faculty professor at the University of Strathclyde in Glasgow where I teach education policy and practice and run in-service development courses for head teachers. I work in a voluntary capacity as chair of an organisation called Parent and Student Empowerment which works with young people who typically have either been excluded from schools or have been identified by schools as being at risk of exclusion. We run a leadership development programme for them in conjunction with sympathetic colleagues from universities and people involved in youth offending and other arms of criminal justice.

Q359 Chairman: When you heard that this Committee was to hold an inquiry into young black people and the criminal justice system what did you think were the most important issues on which it should focus?
Professor John: For me, the Committee should be focusing upon the causes of young people's involvement in crime and ways to prevent it, as well as working with them in the course of their custody, or whatever sentence they receive, such that the degree of re-offending is minimised. The central issue is an understanding of the underlying causes of their involvement in crime and doing something about that. Those include school experiences; the link between school exclusion and youth offending; issues to do with identity and aspiration; their belief in the extent to which they can be successful and see others around them as being successful, as well as offending cultures within communities of which they become a part. It seems to me that the interrelation between education and youth opportunities and employment and how young people see the prospects within communities is pretty critical to the work you are doing.
Dr Sewell: I would take a slightly different tack. The causes of this are quite well documented. It is a shame if as politicians and as a community we are not aware that the particular group of young people we are talking about will not be going down this path and we are not really aware of that. There is a big volume of literature and debate about causes and so on. I would have wanted the Committee to be a little more proactive and positive in terms of saying that maybe it has an understanding of what is going on and asking what it is to do. What are some of the yardsticks and what will it try? What I mean by "try" is: will we come up with something fairly bold here, or will we do bits and pieces based on a scattergun approach? I would be looking for something quite dynamic which puts up a couple of big ideas and runs with them. We might falter but that is where we want to go with this. I suppose that I am a bit weary of the debate. I have contributed a lot to it but have not found much in terms of attempted solutions to it.

Q360 Chairman: I hope that in the course of this session we can cover those solutions and flesh out a bit what some of these big ideas may be. I shall come to that in a moment. Your response to the question indicates that clearly both of you are in the camp which says there is a real issue to be dealt with here and the fact that we should be concerned about young people and crime is not a sudden by-product of statistical quirks or the reporting of crime, and so on. To push our understanding of the issue a bit further, first obviously crimes are committed by all types of young people. Are there particular aspects of crime that are prominent amongst black people that give you particular concern? Are there patterns

or trends in criminality that you believe are particular issues for young black people or for the wider community?

Dr Sewell: My colleague is more expert in this in terms of what is going on in his work in Manchester, but I want to stress one matter. The evidence in terms of criminal activity and racial groups is quite interesting. I am not absolutely sure that, for example, black males are committing more crimes than white males. I think they are committing different crimes. The involvement in the criminal justice system is quite interesting. For example, the patterns of crime are very similar to those in which African Americans are involved. They tend to be street crimes that involve individuals and people who look like them. That is the pattern now. Therefore, crimes involving black youths knocking down old ladies, taking their handbags and killing them are a very small percentage of what goes on. It seems to me that most of it involves other people who are their peers. That is distinct from crimes involving white young males. Let us take burglary and house-breaking. Very few black males are involved in that sort of crime. They do it but they do not represent such a high percentage. Vandalism is another example. One could racially profile those sorts of crimes. What we are looking at here is the sort of crime that is on the street and is very open. Sadly, obviously one is more likely to be caught because one is out in the street running around. The police have good intelligence and CCTV cameras. You are more likely to be caught. The other element that makes the figures look interesting is that statistically one is more likely to get a custodial sentence if one is black than if one is white. For me, that brings up a number of issues that we need to bear in mind when looking at this.

Professor John: I agree with everything that my colleague has said. Three or four years ago my organisation did a fairly major study for the Crown Prosecution Service which looked at bias on the part of prosecutors in reviewing cases based on race and gender. It was found that there was a high number of failed cases where typically the defendants were young black males. What it suggested to us was that the police were apprehending and charging black people on the basis of particularly flimsy evidence that could not stand up in court. That is one aspect of the visibility of the crimes in which young black people are involved. It seems to me that we need to concentrate on two particular issues. One is that young black people's fear of crime is typically to do with them being attacked by other young black people. That takes place at various levels, whether it be fights, knife attacks and, in the more extreme cases, guns, drive-by shootings and so on. While the number of them involved in those activities is not huge, it has a sufficiently devastating impact on communities and the sense of security of young black people themselves to be a matter of grave concern within inner-city areas of this country.

Q361 Chairman: Before we ask you to go to some of the other issues, there is another important matter that I ask you to deal with briefly. When we set up

the inquiry obviously we had some discussion about definitions of young black people and who would be included in those categories. We have tended, therefore, to put African, Caribbean and mixed heritage young people into that category. We have had evidence that there are some distinct differences and variations across different parts of the country. On one of our visits we were told that mixed heritage young people tended to be much more involved in crime than Africans and Caribbeans, for example. To what extent do we in our inquiry need to look at the differences between different groups within the black community, or to what extent is it reasonable to say there is sufficient commonality of experience, behaviour or activity that it does not matter too much?

Professor John: But I think it does matter. There are variations within and between groups and to some extent those variations are geographical. In the communities where I work, for example in the North West, there is a growing issue about the involvement of young Somalis in crime, particularly in Manchester. I was director of education and leisure services for the London Borough of Hackney for eight years or so. There we had a growing concern about the involvement in crime of young Turkish as well as young Bangladeshi males. It very much depends on the demography of the area that one looks at. For that reason, while we may be concentrating on the offending of African heritage as well as African Caribbean males we need to be careful to understand the specific circumstances in particular areas before we make overall judgments about the involvement in crime of one particular group.

Q362 Mrs Dean: How far do any particular offending trends among young black people relate primarily to black boys? Are you concerned about the involvement in crime of black girls?

Dr Sewell: The issue of gender is interesting here. The evidence shows that it is still predominantly a male issue in the sense that the numbers in the criminal justice system show that, but if one were to go to some of the women's prisons one would see a high proportion of black prisoners. One reason why there was a large increase in that particular population was the number of women from the Caribbean being caught as drugs mules at airports. One saw them going through the system. For our sins, we also deport perhaps too quickly those people back to the Caribbean where they cannot cope, but that is another issue. The sorts of crimes that we see—gang-related offences that are to do with conflicts involving knives and guns—are still a heavily male issue.

Professor John: There is a growing level of involvement of girls in attacks on the person, that is, girls attacking other girls, and juvenile offending in and on the periphery of schools and colleges, largely as a result of inter-group conflicts which become very violent, such as slashings with knives and other sharp instruments and so on. Girls are also involved in getting their male siblings to attack other girls or boys associated with those girls. The work that my

organisation has been doing with schools and colleges has focused a good deal on conflict resolution with those groups, because that gives rise to a fairly significant amount of offending and offences that lead to prosecutions of girls.

Q363 Mrs Dean: Dr Sewell mentioned that young black people would be more likely than whites to receive custodial sentences. How much does that relate to the crimes that are committed, or is there an element of discrimination?

Dr Sewell: I came from an education background with exclusions from schools. There is a parallel here. There are offences against the person in school, ie not even violent attacks but even a verbal attack against authority. Somehow the school regards that as more serious than, say, an act of vandalism or another type of crime. Incidentally, more white boys were involved in that kind of vandalism. In the same way, once that comes into our justice system—the notion of a violent person and violence itself, whatever its cause and however we perceive that—I think that in the heads of jurors or whoever, or the justice of the peace in the magistrates court, it triggers the feeling that that should be dealt with more seriously. Maybe it should; I do not know, but that is the signal it gives.

Q364 Mrs Dean: Professor John, you mentioned the example of failed cases where prosecutions should perhaps not have been brought. Can either of you give any more examples of where differential treatment by the police or the criminal justice agencies, or even the wider society, contributes to the higher representation in crime statistics?

Professor John: I think that in areas where the police have a concern about particular types of crime, for example the carrying of knives by young people who are known to be involved in gangs or on the periphery of gangs, or young people who have access to guns and are threatening to use them, understandably there is an argument that stiffer sentences are necessary as a deterrent. Certainly, in my experience in the North West the police, with the consent of the communities, have given much more attention to young people involved in those kinds of activities than to other types of offences, for example taking and driving away vehicles. To a large extent, it very much depends on the profile of crime in that particular area and the extent to which the police believe that they are acting with the community in sending out a message that that sort of activity will not be tolerated.

Q365 Mrs Dean: Some respondents to this inquiry have suggested that perceptions of young black people in crime are largely created and perpetuated by the media. To what extent do you believe there is any truth in that? What effect do you think that has?

Dr Sewell: Who is saying this?

Q366 Mrs Dean: We have had people before us who have suggested that.

Dr Sewell: Name names. Who are these people?

Q367 Mrs Dean: I am not sure I can.

Dr Sewell: Break some rules here! Who said this?

Q368 Mrs Dean: City University is mentioned in our briefing notes.

Dr Sewell: Do they believe that the media are causing crime?

Q369 Mrs Dean: No. They suggest that the perception of crime being committed by young black people is largely a media creation; in other words, in some instances the media highlight those cases where a young black person is involved and not those involving a young white person?

Dr Sewell: I think there is an obsession in the media with trying to portray a certain image. Let us take young black males and how they are perceived through the media. That influences lots of people in a sense, not just those particular young people. I feel that there is a kind of interaction going on here. If you are vulnerable and you do not have all the support mechanisms around you that could feed a culture. One of the problems I have with my particular programme is that the boys do not have a real concept of what it is to be a black male. For example, they struggle with conformity in the sense of wanting to go back into some sort of street stereotype. Often they do not want to have that, but because there is pressure to be that it has an impact. If one has the media riding on top of that it makes it even more difficult.

Professor John: There is quite a lot of evidence going back to the 1970s and the work that Stuart Hall and others did in the 1980s to suggest that the media report crimes involving black people in a much more sensational way than the same kinds of offences committed by whites. Certainly, when it comes to young black males particular emphasis is given to them, especially if the crimes are to do with sexual abuse. There is significant evidence of that irresponsible reporting on the part of the media. Recently, a Conservative MP talked about the majority of crimes being committed by young black people, or something like that. It gives the impression that the incidence of offending among black people is way off the scale as compared with the rest of the population, but also for some young people it induces a sense of recklessness. Particularly in the case of the national media, it is important to get some sense of how they relate to the incidence of crimes across the piece, such that if there is an issue to do with knives they identify with the fact that there are many more knife-related crimes—for goodness sake, I teach in Glasgow—among white working class people than among young blacks. That balance is not there all the time.

Q370 Mr Clappison: I am absolutely fascinated by what you have said. Do you think it is important to put this in the context of the different type of offending you have just raised? You rightly said that offences of burglary tended to be committed more by white people from certain backgrounds and certain

types of street robbery tended to be committed by people from certain ethnic backgrounds in some circumstances. Taking those differences into account, when it comes to the same type of offence, say robbery which is a serious matter because of the potential violence involved in it, do you have any evidence that people from an ethnic background are treated more harshly by the criminal justice system than people from, say, a white background when it is a like-for-like offence, because somebody who commits robbery is likely to get a more severe sentence than somebody who has committed a burglary, although that is very serious?

Dr Sewell: I do not think anybody here should seek to defend anyone who has committed a street robbery. I certainly would not like to be the victim of that. I think we need to have a clear understanding of who the victims of this are and what happens to the person who perpetrates the crime. The likelihood is that the victim will be black and young or in the same age group. We do not excuse it but I think we should understand it. The media highlight certain crimes: for example, if someone from the City is attacked by a black youth it will be on the front page of the *Evening Standard*, and rightly so. One wants to report that, but how often do we hear of crimes where another black youth has been assaulted? It happens day in and day out and we hear little of it. We have to understand who the victims are predominantly. The criminal justice system appears to be a bit strange if it does not punish people who rob houses with custodial sentences, if that is what the tariff is.

Mr Clappison: My question was whether there was anything wrong with the criminal justice system because people were being treated differently.

Chairman: I want to move on. Hopefully, we will come back to this in other questions. We need to have one eye on the time.

Q371 Mr Winnick: Professor John, in evidence you said in effect that some black people had decided to exclude themselves—it was not a question of being discriminated against in any way—from the mainstream. Can you explain precisely what you mean by that?

Professor John: I do not think I put it in quite those terms.

Q372 Mr Winnick: You did talk about choices by excluded groups which contributed to their own marginalisation.

Professor John: I am referring to polarisation between passive and active social exclusion. I define "active social exclusion" as circumstances in which young people adopt particular lifestyles that add to their marginalisation, which is slightly different from what you suggested. What I am saying here is that in many of our communities there are young people who may have been failed by the school system and unemployed for a very long time, and then they get into a lifestyle which by its very nature puts them on the edge. They are constantly operating on the margins of society either in terms of being engaged

actively in an alternative economy or living by their wits and constantly on the edge of the law. That is what I mean by "active social exclusion".

Q373 Mr Winnick: At the same time, in the very useful paper you produced for us *Guns, Gangs and Ghosts* you write: "It is often the result of a conscious decision to be in a gang and enjoy the power, the thrill, the danger and the rewards that gang membership brings, even if one is bullied to join the gang in the first place."

Professor John: Yes.

Q374 Mr Winnick: That is a rather disturbing state of affairs. Apart perhaps from those who have been bullied into it, there is no interpretation other than that they would rather engage in that sort of activity than follow the mainstream of young life: school, examinations, jobs and what-have-you?

Professor John: Yes. In that particular instance I am talking about the involvement of young black people in gun violence, but in relation to gangs *per se* the same arguments can be used about white people's involvement; in other words, making a choice that a particular lifestyle which you consider to be very zappy gives some thrills and brings some rewards in terms of your economic position, status and so on. That is fairly classic in terms of gang behaviour and the profile that people who have an active involvement in gangs are noted as heavies, whether they be black or white. But it is important to understand that in addition to whatever bullying might take place to get people to join gangs there are those who enjoy being part of it. The report on that conference which I prepared for people in Manchester provided, interestingly, some narratives from inmates at Hindley prison, most of whom were there because they had been sentenced for gun activity. It was interesting to learn what they were saying about their activities and how gang violence persisted within communities. I believe that it is a perfectly valid point to make about the conscious choices people make about their involvement in gangs.

Q375 Mr Winnick: Professor, if one takes the United States where in the main there are white elements involved in gangs, be it the mafia or otherwise—not necessarily going on the movies—am I not right that gang membership, whether it be whites or blacks, provides a sort of status for members, apart from the thrills and all the rest of it, which they have not had in their lives and do not believe they can have by legitimate means? Would that be a fair interpretation?

Professor John: That would be a fair interpretation. It also provides for particular sections of communities a certain degree of security; in other words, the existence of the gang allows the enjoyment of certain privileges, or access to them, on the part of members of that community who might not otherwise have them.

Q376 Mr Winnick: Al Capone came to that view some time ago, did he not?

Professor John: Yes.

Q377 Mr Winnick: Turning to gun warfare, you say in your evidence that a third of all such victims are shot dead mainly by other young black men. You go on to say that there is now a growing problem of gun crime within what is still a small section of the African heritage male population. Obviously, we are very concerned in the course of our inquiry about the amount of gun crime, which is sometimes described as black on black and can be used in a rather dismissive way to describe the lives lost, that is, that it does not really affect other people but only black people. Is there any particular reason why this has become such an acute problem?
Professor John: You will have noticed that I steadfastly avoided using the term "black on black". I will not go into a discourse on why it is so reprehensible to me. On the question of why this is so prevalent, in my earlier submission I talked about the genesis of criminality and the involvement of young black people in particular activities throughout the 60s and 70s especially related to the drug trade, typically cannabis which preceded crack cocaine and so on. It seems to me that the business of guns is still very much related to drug activities. Whilst there is a correlation between gang violence and the use of guns in protecting the drug trade, to a very large extent the growth of gangs and the fear of other gang members without the drug component leads to a greater use of guns within communities. For example, if one analyses shootings, including drive-by shootings, in Manchester from, say, 1992 until now, quite often they have less to do with the victims' involvement in damaging somebody else's drugs patch than with some issue to do with revenge or people being "dissed"—disrespected—and so forth.

Q378 Mr Winnick: When one reads of these gun murders, in one in every three cases both the victim and suspect are black. They are so young; they are 22 or 23 year-olds and seem to have contempt not only for other lives but to some extent their own?
Professor John: Yes. The Greater Manchester police provided evidence at the conference at which I presented that keynote address that the life expectancy of people involved in those activities at least in the Manchester area—I think that nationally Trident would show that, and London would be the same—is 25 years. Certainly, not one of the funerals of young people I have attended over the past decade and a half in Manchester has been for a person older than 25.

Q379 Mr Winnick: That is very alarming. What part do you believe socio-economic disadvantages play in any disproportionate level of offending among young black people?
Dr Sewell: I think it has a part to play, but as we see from the evidence it is a complex story. I would have thought that to say that because you are poor you will be a criminal is a slap in the face to working class people; it is an outrage. It is clear to me that what is missing in the biographies of lots of these young men

is the notion of a significant adult in their lives, for example in terms of the home, the low expectation of the adults in the schools they attended and the adults around them who are not doing much or anything at all, or who are themselves involved in some form of criminal activity. Therefore, one has a syndrome which is almost like the story of *Lord of the Flies* where the adults have gone from the camp and the children are left to get on with it. To a certain extent, that is the story in many communities from the post-1990s until now. Poverty has a part in that, but there is a drifting away of adults to guide the young. The shepherd has left his sheep.

Q380 Mr Winnick: Do you dismiss the glib explanation given by some that it is all a matter of background, deprivation and the rest and that does not really provide the answer?
Dr Sewell: Yes.

Q381 Mr Winnick: Professor John, do you agree with that?
Professor John: I agree with it wholeheartedly. It seems to me that to argue anything else is to indulge in a form of deterministic social pathology which gets us nowhere.

Q382 Martin Salter: Dr Sewell, I looked at the interesting email exchange between you and Lee Jasper a couple of years ago. It was tetchy but illuminating. You write here: "I was talking to a head teacher recently who said that when it came to access black boys today have real opportunities they are failing to grasp. I talked to middle-class black parents who tell me they literally have to fight to keep their boys on task. These boys are from well-resourced homes; they go to the better state schools, and yet they are performing well below their potential." How much do you think educational under-achievement among young black men or black people is a root cause of the descent into the cycle of crime and violence and overrepresentation in the criminal justice system?
Dr Sewell: To me, it is the key cause. The evidence is quite clear. If one looks at the period between 13 and 18 significant adults are not there, particularly in relation to low expectations in schools. One is bright and attends school but does not achieve one's potential, yet there is massive peer pressure and perhaps even the resources to go somewhere else. The temptations are there and that is where one goes. For example, we have quite a rigorous process to get boys onto our programme and train them to be scientists. One boy aged 12 had gone through all of it to get on. The mother said to me that she would not allow her son to be on the programme to protect him because when he got back to his estate he would be likely to be beaten up because he attended a science academy. That anecdote does not arise all the time, but the point is that there is massive pressure on these young men to leave all their intelligence and academic potential behind and go somewhere else and resort to instinct. The main instinct is violence; the other one is to go into some sort of gang activity. It leads to some sort of answer

to the question whether if you had given that child a different experience the outcome would have been radically different.

Q383 Martin Salter: That leads nicely to my next point. The figures before us show that permanent exclusions from school for Caribbean and other black pupils are three times the average for other groups.
Professor John: It is much higher than that in effect.

Q384 Martin Salter: Please explain.
Professor John: There are a number of reasons. First, not all exclusions are recorded, so the statistics are questionable. Secondly, there are two processes which are commonplace. One is to encourage parents to remove children for a cooling-off period or whatever, and sometimes they never finish cooling off and do not return. The other is something called managed moves whereby the school works with the parents and says, "Look, I really believe that Delroy would get on much better down the road, and I know that head teacher to be sympathetic. Rather than having to exclude him, it would be better if you helped to move him out of here." That is happening to a very real extent. The Communities Empowerment Network organisation of which I am a trustee handles something like 840 exclusion cases a year. If one looks at the genesis of some of them one gets a sense of how invidious the whole exclusion issue is. As I said in my original submission to you, it is important that we discuss it here because of the clear link that even the Youth Justice Board has made increasingly between school exclusions and youth offending.

Q385 Martin Salter: In your view are there any structural problems within schools that result in this much higher level of exclusion among young black kids? It has always seemed to me that the existence of league tables and the drive towards improving the standing of individual schools gives the school management the inevitable temptation to wish to exclude the more difficult kids or those from more challenging backgrounds. I just wonder whether one aspect of policies leads to an increase in exclusions which only move the problem from the playground to the street corner?
Dr Sewell: As to the notion of triage where allegedly schools to maintain their position in the league table get rid of the problem, which is black youth, there is another question behind it. Schools need to think about the way they operate; maybe they need to do it differently. Is it engaging those students in a positive way? I think that things go wrong on two levels. First, as to the issue of significant adults, I wonder whether there is enough discipline in some schools. Teachers fear to challenge students, or they challenge them when it is too late and that is exclusion. There is almost a fear of those boys on the part of teachers. That fear becomes exaggerated, a crime occurs and then there is a justified exclusion. But second factor is the perception of those boys. I see them as extremely bright and intelligent. What we may have in our schools is a curriculum, or a way

of engaging those boys, that is not meeting the needs of that particular group. A few of them end up in the prison system. A good deal of the reporting speaks of how bright and intelligent they are; that constantly comes through. How are we engaging this group? That is the structural problem here. We are not putting on a programme that will teach them the skills that they really need.

Q386 Martin Salter: What is Professor John's view on that situation?
Professor John: I would add two points to what my colleague has said. First, there is a different tariff of punishment, if you like, as between the misdemeanours and the inappropriate behaviours of black students and white students. That emerges over and over again. As far as concerns schools' zero tolerance of inappropriate behaviour, there was a time when teachers taught children. Teaching children meant understanding how they learnt and engaging with them as they tried to be disciplined learners and dealing with anger, lack of concentration and so on. To a very large extent now, for the reasons given in framing the question, teachers teach subjects. I believe that that is a fundamental difference. If one is teaching subjects for exams and one does not have time to deal with young people who are not engaging at the level at which one expects them to engage in order to get the desired results clearly one will be intolerant of whatever youthful misdemeanours they may be coming with. As one looks at what causes these exclusions there are two things to bear in mind. Quite often, those kids are bright and bored. They also do not believe that the curriculum has very much relevance for them. It is dull; they cannot engage with it at any level. That is not only to do with a lack of black representation in the curriculum, if you like—although that is part of it—but the schooling process tends to go on without taking account of where they are in their own development or what is happening to them within their communities. They are expected to suspend their realities at the gate and come in as people willing to absorb all of that stuff and go along with the school regime without the school interacting with them and getting some sense of what makes them successful elsewhere. To give a brief example of that, we work very closely with voluntary education projects in supplementary schools which over the years have done a great deal to repair the damage that mainstream schools do to black kids. The very children who are suspended, excluded and are thought of as unteachable do the most dazzling things in these supplementary schools. They are the same young people but are subject to a different regime with a different attitude on the part of their learning facilitators. Their parents then become enormously pleased and thankful that this community facility is there to rescue them from criminality because of their exclusion.

Q387 Chairman: Is this an area where we know what needs to be done—supplementary schools or changes in the curriculum—and we can point to

evidence of what works, or is it an area where Dr Sewell says we need a big idea to do something completely different? The Committee will want to address that issue. What should we be saying about what is to be done about reducing exclusions and improving attainment?

Professor John: My wish list for you in terms of big ideas is that you point to the evidence of the damage that school exclusions have caused over time, particularly to this section of the population, and suggest that the government reduce the powers of schools—I know that it will not be popular particularly in view of the things we know—to exclude young people. If they are to exclude they must give evidence of how they consider the learning entitlement of those young people will be delivered once they are excluded. It is a fundamental issue. I believe that we have to tackle the issue of school exclusion if we are to do anything at all about black youth offending.

Dr Sewell: I tend to take a different line. From my experience as a school teacher, I am not convinced that that is the approach. This is almost a strategic matter that you may want to look at in terms of a suggestion. For some of those boys who are disillusioned and are outside the framework there is not a real sense that there are many peers in their lives who they can see are doing well and to whom they can relate. This came up in other evidence that you might also have had. One way out of this is perhaps to concentrate more on how we can support peers doing well in those schools and use them as mechanisms to support those students. I think that the issue of exclusion must be addressed in terms of the powers, but many young people are in those situations and given the history some of those are deserving cases. We need to tackle the causes rather than necessarily some of the mechanisms. At the moment, almost by its nature as the criminal justice system tends to be against black boys it is not necessarily because we are giving schools too much power. I believe that what we need to do is empower teachers to challenge students and make decisions and for parents to be more involved in the process. I am more sceptical about whether it is necessarily a schools system problem. I think it is more complex than that.

Professor John: I disagree fundamentally, but we shall discuss it later.

Q388 Martin Salter: The sense I am getting from both witnesses is that in our recommendations it is critical that we address the issue of exclusions and the reasons behind them. You may differ in terms of analysis, but it is a critical matter; it is the pathway to the root cause of the problem that we seek to address?

Dr Sewell: Yes.

Q389 Mr Clappison: In a nutshell, do you call for more culturally specific solutions for young black people, that is, ideas and solutions tailored to their backgrounds and needs that you have so clearly described to us today?

Dr Sewell: I know that at the moment we tend to follow the United States everywhere, but one of the matters that they seem to be getting right is that crime is falling in a number of American cities, for example New York, particularly in black communities. Why is that the case? What have they done? It is still too high but it is falling. I think there are two reasons for this. The first is the creation almost by way of social engineering of the black middle class. This does not go down too well when you start to talk to some of our social commentators. They do not seem to like that because they feel that it is elitist. It is very strange because Britain is the mother of elitism and yet we seem to be embarrassed by it. I do not mean elitism in that sense. What was clear in the 1970s in the US was that unless that issue was addressed and there was the creation of opportunities for black people, particularly through universities, there would be chaos. In a sense, part of that social engineering has resulted in a strong black middle class which is growing in real terms. They did that on the back of affirmative action. We cannot have that because in England we do not like that, so we have to do it but not say we are doing it. That is how we usually do things in England; we operate on that level. In the usual English way of doing things what I propose as a big idea is that we look at leadership that is specifically targeted as a model among young people. The Race Relations (Amendment) Act allows one to target specific groups so one is within the law in that regard. What I am looking for is something at that level.

Professor John: For me, the most important thing is to give young black people a sense that it is cool to learn, to be gifted and successful, and reclaim the sense that historically we are a great people. The typical discourse in this society is about under-achievement, unemployment, being on the margins and so on, which is what young black people hear more than anything else. The causes of that are not put to one side because they have to be addressed, but we ram home the message that we have been great, and we can be great, and there is a capacity on their part to be leaders—they can become middle class, if you like—in the pathway of change. We train people to become change agents within their communities and in respect of their own lives. That is where I meet my colleague on the question of leadership; that is what we are trying to do with our young leaders programme; in other words, how do we instil in young people that sense of their own greatness so they can reach for the stars? They do not have to be mediocre and bully others who are using their natural talents and performing well within the school system.

Dr Sewell: I believe that the group X-it came to see you. I heard a clip on Radio 4 in which a young articulate lady said that one of the problems she had was that she could not see any aspiring black people to whom she could relate. That resonated with me because that is the crux of the issue. "Successful" does not necessarily mean a job in the City. What we are talking about are people who are not the stereotypes around her. She could not find many. We have a great opportunity; we can do that

differently. In a sense, what we are saying is that the strategy could be to have more and more projects to deal with the vulnerable or, if you like, at the level of high-level criminals, to do work in prisons, which I think is important. There are some interesting programmes and other things that you can do. Alternatively, one can look at it much more strategically; one looks at it as if, say, it is the seventies and one is looking at what issues would arise now. You look at it much more strategically and say that there are groups of young people who have intelligence and potential. What can we do to give them leadership capacity to make them feel that they are more or bigger than gangs? The gang is an interesting analogy. The gang is almost a mirror of society. If one looks at the Italian gangs, they operated almost as an alternative society. They had their own government structures and their own ways of dealing with enemies. In the same way, those boys joined gangs because they could not see their way into the mainstream. We need to provide very clear routes, or what I call longitudinal pipelines, that start at about 13, or even earlier. You work with this group. This must resonate with you. One other point is that, talking particularly about the African Caribbean population, when working in Hackney we were able to name all the students who were from that group. If you put their pictures on a table—I was going to say "mug shots" but I had better not—you would know who those individuals were. You are not talking about a huge population here, so it is do-able. I think that is where we share a sense that there is a strategy here—but maybe the line is going somewhere else—by which we work with a group that can create the leadership model that we are talking about.

Q390 Mr Browne: One of my questions is about role models. We had evidence from a previous witness, Lee Jasper—I also read your interesting exchange with him—who referred to the absence of role models in the media and elsewhere. I think that would have been a more valid criticism 25 years ago than it is today. It seems to me there are quite a lot of role models in the media. But when you talk about role models are you talking about Darren Jordon reading the news, or whatever it might be, or the person who lives next door to you who is part of your community? Do both have some value? The other question is about upbringing and single-parent families and the far greater likelihood of black children being raised in that environment. There are successful single-parent families where children do very well regardless of their ethnicity, but there is a correlation between single-parent families and under-achievement. That seems to me to be harder to attribute to effects such as racism in society and the malign effects of white people, because nobody is requiring any family to bring up children in that way. I am interested in both points which are about upbringing, role models and the environment in which children are raised.
Dr Sewell: I know that my colleague wants to deal with single parent families because he told me about that beforehand. The question of role models is

interesting. One of the things that we do under the Generating Genius programme is to train boys to be science peer leaders. Although we train only a small number of boys because of the expense of doing so over a period of time, it is their duty to go back into their communities, or we invite groups of students to come to us. Recently, I explained to someone that one of our programmes is to show students how to make robots. Those robots are not electric; they are the students themselves. They do that in front of other students younger than themselves. Those students are not what I would call very straight-laced; they are from tough comprehensive schools. Therefore, the discourse they will have, their appearance and how they come across will be the same as you. The only gap here is that you use your brains and with ambition you can go far. That is what we want. We are not interested in playing football or being rappers today; we want to be scientists; we want to go to Imperial College and get a PhD. Their brilliance is also demonstrated because they will teach others how to do it. In a sense, that is the kind of leadership that I am talking about here. It is very practical. That is the power which encourages other students. I believe that that was what the young person from X-it was saying. There was no mechanism for her to see someone doing that. Let us consider Darren Jordon reading the news. To give one anecdote, in the past when a black person was reading the news we used to call upstairs. Everybody would rush down and watch because we never saw a black person on television before. It was an amazing event. Now you have MTV and everything. The presence of black people on television is no big deal; and Darren Jordon reading the news is no big deal either. You will need something that they can really relate to and engage in. That is the kind of mechanism I am talking about.
Professor John: I will try to relate my answer to both questions. Young people who grow up in a majority black society have a totally different view of themselves; they have different aspirations from the average young black person in Britain. In this audience we need not go into the reasons for that in any great detail. I say that because the issue of single-parent families and the correlation between that status and under-achievement does not arise to the same extent in the majority black societies that I am talking about. For one thing, it has nothing to do with a particular propensity on the part of black people to have children and be without partners and so on. The year 2007 marks 200 years since the abolition of slavery. Let us remember where those patterns came from: there was some retention of the organisation of the family units in the context of the plantation system and so on. The point I make is that you can use the incidence of single parents and pathologise mothers in a way that fails to take account of all the structural issues around them and their ability or otherwise to support the children's development, whether it be a matter of isolation or economic, emotional or other factors. We should stop bleating on about single-parent this, that and the next thing and the disadvantages of it and say:

what does this child or mother need to support her so she can develop her own potential, realise her own ambitions and be a successful parent supporting her child? It means, therefore, that we take it as a reality and find ways to put support systems around such people and their children so they are living in much more organic units and have an organic network around them, as distinct from saying, "This is a single parent", and, "In this school 60% of children come from single-parent families and therefore you cannot expect those children to do well." I was

without my father for seven or eight years during my primary school years, not because he was running around giving other women children but because he had to work elsewhere. That was the pattern for many people. But within that we achieved because of what teachers, parents and everybody else expected of our aspirations.

Chairman: Thank you very much indeed. What you have said has been enormously helpful. We have slightly overrun our time but only because of our interest in what you are saying.

Witnesses: **Ms Sukhvinder Stubbs,** Chief Executive, Barrow Cadbury Trust, and **Mr Marc Edwards,** Founder and Executive Director, "The Young Disciples", gave evidence.

Q391 Chairman: Thank you very much for coming. Perhaps you would both introduce yourselves briefly for the record.

Ms Stubbs: I am Sukhvinder Stubbs, Chief Executive of Barrow Cadbury Trust which is a grant-making foundation. We have a long history of supporting grass roots groups in the Handsworth, Aston and Lozells area of Birmingham which, by coincidence, is where I also grew up. Last year we published a report from our commission on young adults and the criminal justice system which addressed the challenges of the transition to adulthood.

Mr Edwards: I am Marc Edwards, Director of The Young Disciples. I am also a Vice-Chair of the national IAG for ACPO. I am also a Commissioner on the Barrow Cadbury Trust for young adults within the criminal justice system. My perspective in this framework is ethnographic in that I come with grass roots and real life experience. I hope that my input will enlighten the Committee.

Q392 Mr Benyon: I think that the report is one of the most impressive pieces of work I have seen since I have been here. I came to its launch. All the great and good were there. The Minister gave it the Government's imprimatur. Do you believe that the recommendations in the report have been followed up? Do you still feel optimistic that the hard work which went into it has been accepted by those at the centre of government who are involved in this key issue?

Ms Stubbs: One of the key recommendations was the issue of growing up, that kids just do not turn adult overnight. On their 18th birthdays they just do not grow up and become mature. This is really a process that takes several years. If you compare university children and the way they are mollycoddled through to their early twenties, you just do not get that with young adults who are at risk. The way to address it is to have flexible sentencing that takes into account the experiences, the life chances and backgrounds of the young adults coming through the criminal justice system. As it stands, that has not been addressed by the criminal justice system. A Home Office review group has been set up to try to address that issue. It looks as if they are having difficulty making a specific recommendation to achieve flexible sentencing. We

are doing some further work based on European models where flexible sentencing is in place to see if we can keep knocking on that door and press for change. We are also setting up what we call Transition to Adulthood (T2A) teams. We are piloting them ourselves with the criminal justice agencies in the West Midlands and West Yorkshire. By that means we are trying to see whether, at least at the intermediate stage, we can make some stronger links between youth and adult justice and ensure that more intensive support available through key workers is given to those young people.

Q393 Mr Benyon: I think it is important that the recommendation on page 23 of your report is on the record. You recommend that, "T2A Teams and the T2A Champion should give special attention to the needs and special circumstances of young black and minority ethnic adults. This should include ongoing scrutiny of programmes and policies to ensure they do not treat young black and minority ethnic adults with disproportionate severity, and sustained efforts are made to develop culturally appropriate interventions for distinct groups of young adult offenders." Clearly, you identify what we are looking at in this piece of work as a very important subject. Would you like to comment on how you feel that young black males in particular are so important as distinct from other groups in your work, looking at the criminal justice system?

Ms Stubbs: Black kids are disproportionately affected by the risk factors which include poverty and their experience of coming from families subject to stress. They include qualification levels and also unemployment. There is a cumulative disadvantage that impacts on their life chances which is compounded by what is at least prejudice and at worst racism within the criminal justice system. We believe that black kids are not predisposed to crime but they are predisposed to the factors that lead to crime and that the criminal justice system does not adequately redress that.

Mr Edwards: Even though you have already defined "black", my definition of "young black males" would include other elements of sub-cultures. If you look at young people in inner-city areas, whether they are poor white kids or poor black or Asian kids, most of the trends and traits and their experiences

are the same. Young black males have a prevalent culture which protrudes into other sets of young people. It is very influential as a peer influence among others as well. That is something which can be utilised in a positive way; it can divert young people in a positive way. At the moment it is utilised in a negative way. If one looks at poor inner-city children, their behaviourisms, their dress and the way they act and speak and the places they hang out are quite similar. If you are to look at young black adults you will also have to look at the experiences of other similar sub-cultures within that context.

Q394 Mr Benyon: Ms Stubbs, can you tell us how far young black people in particular are the focus of Barrow Cadbury Trust's funding strategies and give specific examples?
Ms Stubbs: It is interesting that this Committee focuses specifically on blacks in the sense of African Caribbean. Our research shows that black people are six times more likely to be stopped and searched. They are more likely to be arrested and be in prison than whites, but our research also shows that Asians, in particular Pakistani and Bangladeshi young men, are being disproportionately affected as well. We are interested in having a socially just criminal justice system. We have an interest in having social justice before young people are incarcerated and are caught in the criminal justice system. That affects children of all races. It is just that white working class kids are less easily segmented and studied and stereotyped, so they are not stigmatised in the same way. We are interested in improving the criminal justice system across the board but we recognise particular discrepancies in the use of powers that affect black youngsters and also increasingly Asians.

Q395 Mr Benyon: We received evidence from previous witnesses who said, putting it in basic terms, that in some communities if one was not feared one feared. How far is victimisation among young back people in particular a concern to you? Do you feel that being a victim of crime is also a link in some cases to those who commit crimes?
Mr Edwards: I think that it starts at childhood. A lot of people who are involved in crime were at one time the victims of crimes. Would you repeat the last part of the question?

Q396 Mr Benyon: Do you think that in many cases the culture in certain communities where one must be either a fearing person or a feared person draws certain people into the commission of crime? Therefore, is being a victim as much a contributory factor as the commission of crimes?
Mr Edwards: I would also look at the policies, for example Every Child Matters. One of its key frameworks is Staying Safe. A lot of people to repel fear arm themselves or make themselves look fearful to other people. Somebody mentioned something like that earlier in connection with gangs. Gangs subject communities to fear. In the realm of youth crime young people use that as a facilitation to perpetrate some of their negative behaviourisms on other young people. To me, that is a spiral of negative peer influence which propels young people into crime. I believe that perpetrated fear is something to be looked at.

Q397 Chairman: One point I pick up from the report is the foremost idea in the criminal justice system that the punishment should fit the offender rather than that the punishment should fit the crime, in the good old Gilbert & Sullivan phrase. How do you maintain public confidence when you do that? Just before Christmas a young man gave evidence. He had been involved in one of the gang X-it programmes. He had been given a three-year sentence for street robbery. He made the point that that was to some extent, if not unfair, inappropriate because by the time he came to be sentenced he had already got involved in the gang X-it programme and taken the decision to change the direction of his life. But in those circumstances it is quite difficult to see how the person who was the victim of his street robbery could be persuaded by the criminal justice system that it was just to give him a different type of sentence because he was changing his life. When you looked at these issues did you explore how one could have a sentence that fitted where the offender was in his transition to adulthood but still maintained the confidence of the public at large and victims in particular that the system was just?
Ms Stubbs: I think that is an important point, but it is also important to remember that the perception of certain communities is that they are not being protected but policed, so there is a sense that the powers are being used to ring-fence and control communities rather than protect victims who may or may not be part of the same community. We also know that the current criminal justice system is not working. Something like 75% to 80% of offenders re-offend.

Q398 Chairman: That is a big debate, but in a court case we are usually talking about the victim and the question is whether if you give the offender what is perceived as a lighter or alternative sentence in the way you propose you can persuade the victim that justice has been done. There may be all sorts of faults with the criminal justice system as a whole, but you need to be able to answer that question. Have you examined that in the course of your report?
Ms Stubbs: We looked at certain models. We viewed Red Hook in the States, for example—that uses community courts—and sentencing practices there. When the sentencing is closer to the community and more sensitive and responsive to the locality the public perception can be much more readily moderated. We are going on to look at experiences in other European Member States to see how they practise flexible sentencing in a way that not only works for the person who has committed the crime but also for the victim.

Q399 Martin Salter: We have received considerable evidence. Your own commission report highlights the fact that young black people face more general risk factors which are known to promote crime: poverty, family breakdown, drug use and so on. We

are also aware from evidence we have received of issues to do with lifestyle choices. There are lots of pressures and cultural images coming from America and elsewhere that glamorise and to some extent promote crime. What do you think is the balance between these two sets of factors that lead young people to become involved in the criminal justice system?

Mr Edwards: I think that it is more to do with primary education. I have heard a lot of theories about the MTV and hip-hop youth culture that influences young people to go down the road of crime. I somewhat disagree with that perspective, for the reason that if you look at the consumers of hip-hop music most of them are working-class affluent people who contribute to the mass sales of those records. In particular, young black persons in inner cities download music from the internet and copy it; they do not go into HMV or buy the music. Therefore, when we look at the beneficiaries of this type of musical phenomenon why do we not see the buyers and consumers of hip-hop running around shooting each other and committing crime? We do not. I say that the reason is their primary education and value base which is different from that of someone coming from an inner-city area who has not had that initial virtuous input. Further, growing up in a stable family unit in a resourced area has some benefits when it comes to the development of a person's character and personality. A lot of people in inner-city areas lack emotional intelligence and are deprived educationally. Therefore, the manifestation of their behaviour and outputs will be quite different.

Ms Stubbs: I would stress the cultural incompetence of the agencies that are supposed to engage with youngsters. This goes all the way up from the police. In our evidence we said that stop and search was the gateway into the criminal justice system. The fact that stop and search is disproportionately targeting black young men contributes to that overrepresentation, but it also goes across other agencies, including the welfare agencies, for example even the ability or inability to deal with mental health problems. I think the 1997 ONS survey revealed that 90% of 18 to 21 year-olds in prison had at least one form of mental illness, often linked to drug misuse. That sort of dual diagnosis is not readily factored into the analysis and the treatment available for young people.

Q400 Margaret Moran: In the very useful report and summary that you submitted you indicated that stop and search was a major factor in the involvement of young people in the criminal justice system. How much of that is the reality for the young people in your project, for example, as opposed to perception? I say that because in my constituency of Luton I held a meeting with all of the black youth organisations and the facts as presented by the police compared with the perception among youths of the extent of stop and search were radically different. Do you have any experience of that?

Mr Edwards: From my perspective, based on direct communication with young people who have been stopped by the police a lot of them feel that they are being victimised. You have to understand what that does psychologically to a young person, especially how they perceive the criminal justice agencies. If at a young age one perceives oneself as being victimised by an agency it will create a barrier between oneself and that agency. That is where police and community relations are severed; that is the point at which young people start to turn away from the positive framework of living. Obviously, the law enforcement agencies are not just there to police communities; they are also supposed to represent peace, safety and a harmonious community so that people can feel at ease and not be in fear. But if they are victimising these young people and it is felt that police officers are against them, what type of influence will those officers have on those young people to try to turn them away from crime, even though their role is to police? What message is that giving to young people?

Ms Stubbs: A couple of years ago I chaired a race inquiry for Greenwich which was 10 years after the murder of Stephen Lawrence. As part of that inquiry I spoke directly to some of the young people in Eltham and different wards of Greenwich but also to police officers. I do not know whether you have taken evidence from police, but the officers we spoke to felt quite justified in targeting black people; they felt that the statistics bore them out, but what they did not recognise was the way in which their behaviour contributed to that breakdown in community, loss of trust and feeling of harassment. The response is almost what you might expect; it generates the sort of thing with which they are starting off. They are to some extent stoking the problem.

Mr Edwards: Operational officers were quite honest in stating their position. There are a number of traumas in Birmingham at the moment with lots of stops and searches because of violence in the community. The police officers who are doing the stops and checks—this comes from their own mouths—say that when they are looking into cars and at the ethnic make-up of the occupants, whether they are white, black or Asian, they decide on that basis whether or not they stop individuals. It is not done according to whether they look suspicious or anything like that; it is more to do with the colour of their skin. That is troubling. If police officers have that mindset and perception, I wonder what the wider society is thinking. I know that that is fed by the media. Obviously, police officers are saying that they might find some guns in a car with black guys but if they stop white or Asian guys they might be wasting their time. Obviously, young black adults are being victimised when it comes to stop and search, and that contributes to other factors. If more of them are being victimised and stopped and searched they will contribute to the statistical register of crimes.

Ms Stubbs: Referring to the statistics, if one takes section 60, which is the catch-all stop and search power, nationally 24% of them are carried out on

black people. There is a particular problem in the West Midlands. Therefore, there is specific targeting of black communities that is not borne out by the number of arrests that ensue.

Q401 Margaret Moran: You referred to the way in which it was done. Is the issue to do more with the way in which it is done? Obviously, people want to be protected in their neighbourhoods and if there is a lot of gun crime associated with black youth in a particular area you may justifiably say that the police ought to do more and the wider community would be asking questions as to why they were not focusing on it. Is the problem the way in which stop and search is dealt with, or the fact of stop and search itself? Following on from that, we heard earlier from Dr Sewell that in a sense it was a self-fulfilling prophesy: a lot of black youth might be committing "street crime" and therefore, being on the street, would be more visible. Surely, if that is the case is it not more likely that they would be picked up?

Mr Edwards: I would say that it is more to do with the circumstances and what is happening in the particular areas; it is also to do with contextualised scenarios. You are looking at street robbery and stop and search. Obviously, the police will target young people if they see them hanging out, but that is another argument. Socially, there is a generic problem within inner-city areas of exclusion, social isolation and the facility for young people to be engaged. There is a strong presence by young people when hanging out on the streets. To some people in the community that is very intimidating. Whether they are black or a bunch of white kids is irrelevant. Who is to blame? First, we have to try to create some engagement mechanisms so that young people are not on the streets. Second, the way in which the police approach young people and the etiquette they use in stopping and searching them is very demeaning. We live in a slightly ageist society where adults tends to look down on young people. In particular, where people with authority have a legal framework to function in their jobs they have power to say to a young person, "Can you stop there, please, and empty your pockets?" I am not sure it is right for a police officer to stop and search a young person in front of the public. I do not think that is the way forward. I have spoken to young people directly and I have been at consultation events with police and young people. The feedback from young people is that they feel as though the police are taunting and aggravating them. They feel that the police can search them but in a more appropriate fashion. They would feel better if they were taken to the police station and searched behind the scenes.

Q402 Margaret Moran: It is the way in which it is done?

Mr Edwards: Yes. To empty out your pockets in front of people is very embarrassing. If you are stopped on a street corner and some of your mum's friends are walking past that is the start of criminalisation. Remember, there are onlookers in the community who will say, "There's another bunch of black guys being stopped." It will fulfil the stereotype.

Q403 Margaret Moran: I fully commend recommendation 4.1(b) of your report about community forums for youth. I think that is an important way forward, and perhaps we need to put it on record. How do you think that proposals for the increased use of ASBOs, or super-ASBOs, will impact on any of this?

Mr Edwards: I work with a lot of young people who are subject to ASBOs at the moment. I think that in the right hands ASBOs are a very useful mechanism to divert young people away. At the same time, in the wrong hands it can be very discriminatory. You have to look at the different cultures of young people. Some young people hang out on the street but they are not necessarily criminals. There are some who are criminals, but all young people are being categorised and labelled under the same framework, which is not really fair. Some police officers use the framework of ASBOs to move young people on and disperse them away from areas of congregation, but at the same time some young people say, "We haven't done anything wrong, so why are we getting ASBOs?" To me, it is a subtle way of criminalising young people. It may not be a custodial sentence, but at the same time it is still something that appears on their record. We need to look at other mechanisms to divert young people away from crime rather than criminalise them.

Ms Stubbs: I agree with that. I think that it is a form of legislative creep. One can now be committing a crime for not turning up for the order. It is a form of criminalisation. Referring to the previous point about stop and search, some of the projects that we support are doing things like helping youngsters to understand their rights when they are stopped and searched. One project in which we are involved is to make sure that youngsters have cards to let them know their rights under those circumstances so they do not get into more trouble from either just resisting or not behaving appropriately.

Q404 Mr Browne: You were here during the previous evidence session when Professor John's report was discussed. One particular point raised by Mr Winnick was that in one in three gun murders both the victim and suspect were black. Therefore, on top of that one has to put the gun murders where the perpetrators are black but the victims are white, Asian or any other ethnicity. The black population of Britain is about 3% or 4%. Are you seriously saying that the police, even if they know that one third of all gun murders are black people killing other black people, should restrict themselves only to 3% of stop and searches of black people? Are you even certain that black parents who are worried about the safety of their children would be reassured to hear you make that case?

Ms Stubbs: You can have these blanket statistics which sound very grand, but you have to link them to the location.

Q405 Mr Browne: Do you dispute them?

Ms Stubbs: I do not dispute it; I say that one should contextualise it. If you think about crimes committed in Handsworth where the majority of people are black or Muslim the majority of those committing them will be of that ethnicity. The first thing to do is think about the areas where these people live. That is where I take issue to some extent with the evidence of the previous witnesses. I believe that the local environment and poverty of the area are an issue, so to take those statistics out of context in an area where people live does not do justice to the circumstances.

Q406 Mr Browne: That is not the question.

Ms Stubbs: It is related to it.

Q407 Chairman: To press the point, you have a situation where gun use appears to be—I do not think anyone has challenged the statistics—much more prevalent among young black people than other groups in the community. If the police are trying to keep other young black people alive by getting those guns I am not quite clear whether you are saying that, nevertheless, for the sake of the statistics a large number of non-black people should be stopped and searched to get the statistics right, or whether you are saying that despite the high level of mortality from gun crimes it would be better not to do the stops. What do you say would be the acceptable strategy?

Ms Stubbs: I think you need to let me finish this point. Maybe I need to draw a picture for you and make it more anecdotal. In a place like Handsworth, Aston and Lozells there are lots of groups like Mothers Against Gangs. There is a lot of activity in that area which is trying to create a safe environment. Those same people do not necessarily turn to the police; they do not necessarily see the police as their protectors. This was the point I made earlier. Certain communities do not feel that they are being protected by the police; they feel that they are being policed by the police. One tiny example of the complete breakdown of relations between the police and community is a meeting that Marc and his young people organised for us as part of the evidence for our commission. These were young people who were at risk of offending and were potentially involved in the sorts of crimes that you are talking about. The police turned up in full uniform and referred to each other by their formal titles. There was no effort to relate to or understand the community and to deal with the problem.

Q408 Chairman: It would be of use to the Committee—we have touched on the point in several evidence sessions—to know what type of policing strategy, whether or not it involves stop and search, that targets a real crime issue and also produces the community and police relations that you are looking for you think would be acceptable?

Mr Edwards: In a nutshell, it would be equality in operational policing. When I say that I mean that the police force in the context of the community serves various compartments within that community but not in the same way. If a white family phones the police—this is not necessarily reality; it is sometimes the perception—the response that it gets will be different from that of a black family. The black community believes that it is not protected by the police. I am probably one of the lead experts when it comes to gun crime and community intervention around that, so I will give you some history. Ten years ago when we started to see the new phenomenon of gun crime in relation to black on black the police presence was quite different from what it is now. Because of media attention and the noise made in the community regarding these shootings we have seen a change in the dynamics and how the police are depicted. In the past we have seen shootings between the black communities and no type of intervention. We have seen convictions that have not been sustained. This has made young people say that the police will not protect them and so they will protect themselves. That was why in the mid-1990s and up to 2000 we saw a lot of young people walking around with firearms, especially within the black community.

Q409 Chairman: Whilst that history and those failures may well be true—I do not want to challenge your account of them—it does not quite answer the question about acceptable police strategies now.

Mr Edwards: The paradigm change would have to be by the police; it would have to be seen by the community. It cannot be a document or policy; it has to be evidenced in the life of the community. The black community would have to see the police on their side as an agency of assistance for them to be stakeholders or partakers of that dimension. They would also have to feel protected so that if they phoned the police and told them about an incident to do with firearms the police would respond in an effective way according to their cultural needs. Another issue is that the police are there but they are not dealing with sub-communities in a culturally sensitive fashion. It is nothing to do with the ethnic background of the police officers; I am talking about cultural understanding of the communities that they are serving.

Q410 Mr Winnick: We are looking at the question of how far we as a community, of course including blacks, can prevent young black people with whom this inquiry is concerned from becoming involved in the criminal justice system. Ms Stubbs, you said that you had some differences with the two witnesses who gave evidence earlier, but do you question the fact that in one of every three gun murders both victims and suspects are black? The answer is really yes or no, is it not?

Ms Stubbs: What I am saying is that neither the victim nor the perpetrator trusts the police to help.

Q411 Mr Winnick: One is aware of the allegation that the police are not fair. I am sure that both of you take the view that there should be more black people involved in the police, which would not do any harm by any means. Do you also accept what Professor John said in his written evidence, about which we

asked him, that very often black people, although obviously not exclusively—as he pointed out, there are enough white people in gangs—decide to be in a gang in order, in his words, to enjoy the power, the thrill, the danger and rewards?

Ms Stubbs: My colleague is probably better placed to answer that.

Mr Edwards: I would say that young people are involved in gangs because of a sense of belonging, but it also has to do with the dimension of social exclusion. If young people are socially isolated—young people involved in gangs are—they create their own network and function with their own groups. Obviously, because for most of the time these youngsters are outside school and the services they are not getting the assistance and education they need, so normally they are economically and socially deprived. That leads them as groups, not as individuals, down negative routes. Therefore, gangs can be numerically diverse, but at the same time they function with a common purpose. All members come from the same background; all of them are socially and economically deprived. Their aim is to function as a unit and why they operate in that negative, criminal lifestyle is more to do with their circumstances.

Q412 Mr Winnick: In the main, it is a fact of life that the black, white or Asian children of prosperous parents do not go into gangs, for very obvious reasons. Are you saying in effect that deprivation is the basic reason why they join gangs, or do you accept the viewpoint that very often they see rewards that they would not be able to get by legitimate activities?

Mr Edwards: You are totally correct. The fact is that the opportunity presented to them is to gain economic welfare but they have chosen to go down an illegal route. The onus is upon us to create an opportunity for them to have a lifestyle like anybody else. We are living in a consumerist society where the media and everyone else tell people that for an individual to be respectable he needs to have decent clothes to look the part and have a good, decent job. That is the information which is fed to young people, so they act upon what they are fed. When you talk about black crime, there are a large number of cases involving victims and perpetrators and black people shooting each other. I have spoken to young people who have come in contact with the criminal justice agency around the gangs. You have a young person who has never been in trouble with the police before but for some reason his first contact with a criminal justice agency is for a firearm. It is not shoplifting or anything to do with violence; it is just a firearm. When questioned, many times the individual says that the reason he has the firearm is not that he wants to kill anyone; it is to protect himself from other persons who have guns. These young people whom we are supposed to be protecting feel that they have to protect themselves. That is wrong. If they were white young people walking around with guns and they were giving the same reasons something would be done. We have gangs across England. If we look at football hooligans, they do not walk around with

firearms shooting one another. They will have fracas but you do not really see them shooting each other. Therefore, there is something troubling about gangs within inner-city areas which feel they have to arm themselves to be protected.

Q413 Mr Winnick: Ms Stubbs, you mentioned in passing Mothers Against Gangs. Am I right in saying that most of those engaged in the campaign in our part of the world—the West Midlands, in particular Birmingham, although I am more familiar with the Black Country—are black people who are making it clear how much they oppose the violence which so often means that the victims are black? Obviously, they would be opposed if the victims were white or Asian, but am I not right that what they are trying to do is establish a situation in the community, certainly in Birmingham, where gun and knife violence can be dealt with?

Ms Stubbs: It is important to recognise the amount of work that is done within the black communities to address the challenges. I would say that the issue of relative poverty is also one that needs to be understood. I would like to make two points on this matter.

Q414 Chairman: Could you please try to answer David Winnick's question directly?

Ms Stubbs: I am trying to do that and to be specific about the locality and what happens there. The Holy Trinity church in Handsworth was a safe haven when two girls were shot two or three years ago. The vicar there is white. The mothers would have gone there before they went to the police. It is not that people are not prepared to turn to their community; it is who they see as being able and willing to help them. They see the police as part of the problem rather than the solution.

Mr Edwards: The reason you see a lot of community intervention within the black community on that specific issue is that people feel that if crimes and traumas of that magnitude happen in other sub-communities there is a different holistic response. There is a different response within the media; they give different coverage; there is a different response with policing and, following that, when the matter comes to the court there is a different process. They also feel that the agenda of black on black crime is not at the forefront of the mind of the rest of the community. As a community we should holistically embrace whatever happens within it; we should not distance ourselves because it is another sub-community. If it was the other way around and young whites were shooting each other in my community I would still be running The Young Disciples project and intervening to divert them away from that lifestyle. Therefore, ethnicity has nothing to do with the victims or perpetrators of crime because crime has no colour.

Q415 Chairman: Quite a number of the witnesses in this inquiry have in one way or another said that the way we stop young black people becoming involved in the criminal justice system needs to be specifically tailored to the needs of young black people, so to

some extent the response, whether it is in schools or the criminal justice system, should be specific to that group. Are you suggesting that that is not the right way to do it and that the intervention should set out to be integrated, or is there a case for having responses that are specifically tailored to the needs of young black people?

Mr Edwards: What I am about to say may sound a bit contradictory, but I think that if you are to have an intervention process it needs to be one that links in all young people. It should not be specific to ethnicity; if it is it will be under-resourced. Because of the way that the country is at this point it will not be taken seriously. It should be a strategy for all young people. Within that it should have competent, intelligent packages that can deal with all of the multi-faceted and complex issues faced by the communities, whether they are young white, or black lads. As I said at the beginning, the experiences of young black adults and young poor white adults are exactly the same. If you went to a prison and interviewed a young white prisoner about his experiences and background and then interviewed a young black adult it would be the same. I would classify it as the poor people's experience. The two black men who sat here previously are not the kind of people who enter the criminal justice system. We are not talking about people like that; we are talking about young black people coming from deprived communities. Affluent and upper-class white people like yourselves are not the ones who come into contact with the criminal justice system; it is poor white kids from deprived estates and inner-city areas. Therefore, one's strategy should be designed around that client group.

Q416 Chairman: Ms Stubbs, I should like to ask you a quick question about the commission's report. You talk about a unified criminal justice system to deal with the separate treatment of young people. Many people think that reform of the youth justice system and the creation of a youth justice board was a very good thing because it enabled appropriate interventions and there would be a danger of that being lost. Is it not the case that you want something like the Youth Justice Board just to follow up the 18 to 24 group for the next five or six years rather than have a purely unified system?

Ms Stubbs: Absolutely. The youth justice system may well have its challenges, but it is considered to be a good system. We would be looking for an extension of some of the support that it provides rather than the cliff edge at age 18. Given that young adults naturally grow out of crime through God, a job or a woman—by the age of 23 the bulk of them have grown out of crime—it makes sense to extend that support as appropriate to youngsters and help them naturally to grow out of crime.

Q417 Mr Clappison: In a nutshell, can you tell us what specifically would help your projects to work more effectively? We are looking for solutions and ideas that we can take forward. Is there something that would help you work more effectively?

Ms Stubbs: Referring to the work we do, it is hard to get other funders to fund the sorts of projects that we do. It is just seen as risky, edgy, controversial and even dangerous. I do not think there is recognition that these youngsters can be helped and that there are interventions and ways of working that can take these people out of crime, so the solution tends to be just to try to contain them in prisons, or wherever they are, rather than genuinely try to help them out. The sort of work that we are looking at is about better mentoring and role modelling; it is about how one customises support in a way that is meaningful to young people rather than a set of tick boxes that agencies have to complete; and it is also about rehabilitation to make sure that accommodation and employment—all the needs that youngsters have to help them not to commit further crimes—are provided in the communities to which they return.

Mr Edwards: I would add that there needs to be some type of exit strategy for young adults within the criminal justice system. I do not think that at the moment we have yet designed a programme or initiative which looks at that. At the moment there are prototype programmes in the voluntary sector which could be harnessed as good practice or looked at by the government. There are some programmes in Birmingham that I can name. The Young Disciples project provides evidence of young people who have been engaged in the criminal justice system but have been assisted to turn away from that. That needs to be looked at. How do we look at that model and develop it?

Chairman: This has been a really useful and lively session. Thank you very much.

Tuesday 6 February 2007

Members present:

Mr John Denham, in the Chair

Mr Richard Benyon	Bob Russell
Ms Karen Buck	Martin Salter
Mrs Ann Cryer	Mr Gary Streeter
Mrs Janet Dean	Mr David Winnick
Margaret Moran	

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Witnesses: **Mr Roger Drakes aka DJ Dodge,** Hip Hop Producer and DJ; **Mr Bob Tyler** Head of Compliance and Regulatory Affairs, VITV/Channel U; and **Mr Andy Parfitt** Controller, Radio 1 and 1Xtra, gave evidence.

Q418 Chairman: Good afternoon, and thank you very much for coming to this session which we have as part of our inquiry into young black people and crime to explore any possible relationship between that and rap and hip hop music. Perhaps I could ask each of you to introduce yourselves, for the record, to the Committee and then I will say a few things and then begin the questioning.
Mr Parfitt: My name is Andy Parfitt. I am the Controller of BBC Radio 1 and its sister station 1Xtra.
Mr Tyler: I am Bob Tyler. I am Head of Compliance at VITV/Channel U, a station which shows primarily hip hop and British urban videos.
Mr Drakes: I am Roger Drakes, club DJ and record producer who also speaks at schools and colleges about music and music-related subjects.

Q419 Chairman: In opening can I say that when we started doing our inquiry, which is looking primarily at possible reasons why there is an overrepresentation of young black people in the criminal justice system, we had not planned to have a discussion on contemporary urban music. But a significant number of the witnesses that we had from within the black community, and those working with young black people, pointed the finger at music as one of the issues we should be concerned about. Very much in the questions that we will be asking as a Committee this afternoon we will be reflecting to you things that have been put to us by other witnesses, particularly witnesses from within the black community and those working with black people in the community, rather than our own views. I wonder if I could start by asking you briefly a bit about the role in which rap, hip hop or contemporary urban, whatever is the right expression, plays in the lives of young black people in this country at the moment and if you think there is anything qualitatively different between this music and the relationship with this audience and all the other forms of contemporary music that young people have been used to over the years.
Mr Drakes: Basically, as a life-long fan of music and rap music, soul, jazz and all kinds of black music, I have to say yes; music does play a part in young people's lives. Like any teenager, when you are young, music is a big deal to you no matter what the

genre, but to say that it makes people go and act out certain things I would say definitely no. Music is so far from the root cause of what the problems are. Negative rap lyrics have been around for 20 years plus. I myself grew up listening to plenty of negative rap music, along with all the other genres of music, and it has not affected me in any way. Music is not the cause of the person I am.

Q420 Chairman: Do you think there is anything different about this music and this audience, not necessarily about crime but in the way people listen to it and what they listen to, and any other music that has been popular among other groups of young people in the past?
Mr Parfitt: It is important to say Radio 1 broadcasts every week to well over 10 and a half million young people. Music, as Roger has just said, is an absolute passion for our audience. Overwhelmingly I think that the majority of people enjoy hip hop or black music genres in the same way as others enjoy the genres of alternative music or rock music. If you look at the composition of the audience listening to 1Xtra, you will find that a good proportion of the audience, even though it is a music station specialising in new rap music, is a wide audience; in other words, all young people enjoy these genres.

Q421 Chairman: Could you say something to the Committee so we understand the production of the music? We are all familiar with the traditional thing where you have a star signed to a record label which produces music and all the rest of it. We understand in this, as in other current forms of music, there is much more production by young people themselves and much more scope for independence. What is going on at the moment in terms of how the music is produced?
Mr Tyler: Channel U is different insofar as we are not like the other mainstream services such as MTV. We focus primarily on unsigned artists, predominantly UK, which makes it very different to other forms of music, although that is now changing in some respects with the internet and the way people are able to promote music. The unique thing about this type of music, and particularly with Channel U, is the young people can see you do not need a big orchestra to make a song, you do not need a

recording studio that costs a lot of money to make a song, you do not need to have expensive video equipment to a make a video; it is very creative. Some of the videos we receive are quite astounding, from people who have not had experience before, both visually in terms of the video and very clever lyrics. It is accessible and it is admired by their peer groups.

Mr Drakes: To follow on from your question, as Bob said, today everyone is an artist. Every kid, even if they have great schooling, great education, wherever they live in the country, on the side they either rap or sing, even if only in front of the mirror, because at the time we are living in it is accessible to everyone. You have websites where you can put your music. You can get out there to everyone. In our community music is also a way of expressing thoughts and feelings. They do this by having their little studios, their little equipment set up, even if it is in their bedroom, and they write about the lives they live. That is basically it; most of them will never become professional and get recording deals and be stars. These are people who do not have that much else to engage them so therefore music is what engages them.

Mr Parfitt: It is part of the role of 1Xtra to engage with the artists who are making the music themselves on computer systems in their bedroom, who are burning CDs. It is part of the role of 1Xtra to engage with those communities to give a platform for their work on a national stage. It is also part of Radio 1's activities, in terms of a service called One Music, where we spend a lot of time reviewing demos, making sure big DJ talent can listen to them and pass on comments on line and so forth. It is part of the characteristic of music making in the UK, given the technology is now easily accessible and low in price, that it is accessible. The internet makes the distribution of music very easy and mobile phones are even used by our audience in terms of distribution. It is very, very different from the world of 10 or 20 years ago.

Q422 Chairman: Some of the written evidence we have received suggests that at least some of the music is produced by groups of young people where you have not the traditional model of a group of young people getting together because they want to produce music but a large gang, a street gang in an area, and producing music would be part of what that gang did amongst the rest of its activities. Is that a real model of what happens or is it a more discrete activity in people's lives that they are going to produce?

Mr Drakes: I would not say it is anything to do with gangs or crews, or whatever they are called. The whole nature of your group of friends is you belong to something, just like belonging to a group like a chap who joins the Army, like a group of politicians who are in a group of friends. It is the same thing with young kids in our communities. They feel they need to belong to something. If they have failed on other levels of life, education being one, the nearest thing that gives them that community feeling and engages them on something they love is obviously

music with a crew of people just like you who want to talk about the things that you talk about and also live the life you live. It is a natural thing.

Q423 Chairman: In that sense producing music might grow out of a fact a group of friends exist in an area rather than what might be the traditional model of advertising for three guitarists and a drummer.

Mr Drakes: Exactly, yes.

Q424 Chairman: This is music that seems, both at the level of international stars and at the level of the looser or newer type of music producers, to have a much stronger association with crime than many other types of music. No music has ever been free entirely of association with crime but there seems to be an unfortunate number of people who have been prominent in the rap music scene, both internationally and nationally, who have been involved in gun crime and other serious types of crime. Is there an explanation for that?

Mr Parfitt: My view is, and the people that I have listened to over the almost 10 years that I have been the Controller of Radio 1 and the four years I have been the controller of 1Xtra, would be to say you have to look at black music and hip hop in the round. It is a very large canvass. The American stars yes, the UK scene that Bob talked about and in many countries around the world, hip hop is the choice for many disenfranchised communities. Although it is on the wane slightly in the UK as a first taste and choice of music, it is a huge and successful world genre. I think there is, as you say, an unfortunate association with crime, perhaps we should broaden our view and say there are some artists who famously make large of their involvement in crime, but there are many, many other artists, and much other music, that is not. You have to take a broad view.

Q425 Chairman: Compared with other musical genres which are very popular around the world with audiences of tens of hundreds of millions, if you look at individual artists who have been shot, people who have been jailed for having guns, people who have had to abandon their gigs because of gun crime, there is a disproportionate link between this type of music and some level of criminal activity even if it is a minority.

Mr Parfitt: I accept that there is a minority. My point is that hip hop is a very broad canvass.

Q426 Chairman: Can you give an explanation as to why that might be? Accepting your point that it is not everyone or most people but that strand, that tendency, is there. Is the association a complete coincidence, is it that the culture that is producing the music also has a high level of crime, or are there a number of possible explanations? Why should there be that apparently consistent trend of some groups being linked to crime or the music being linked to people involved in crime?

Mr Drakes: I believe the biggest artists out there being promoted are the ones who are the most negative and have a negative background. I go back to the art thing where I say they are talking about their particular lives. The nature of the society we live in, and the way media publishes and promotes artists, is they push harder the negative stuff. There are probably two positive rap CDs for every one negative one. I listen to a lot of music so I know this. Ultimately people are drawn to negativity, not just in music but look at the movies. I sat and watched Channel 4 and Channel 5 last night and there was nothing positive for four hours on any of the channels. I saw sex, guns, everything within that four hours, nothing at all positive, therefore I was dreading spending too much time talking about music and music's effect on young minds when the world we live in is creating the way the young minds are. It is not just a South London black thing at all; it is a whole UK thing.

Q427 Chairman: The point I was trying to make was actually the individuals involved in the music rather than the messages.

Mr Drakes: Rap artists do not have a responsibility to parent. Art is poetry. Art is like painting or any other art. They are not going to bring up other people's children.

Q428 Chairman: We will come on to that. The point I was trying to press was more there seemed to be an unusually high number of individuals involved in producing the music and performing the music who are caught up in crime compared with most other popular music. You cannot make a sweeping statement about music. There has been criminality in all forms of music but it seems to be a surprisingly high proportion. I am trying to get my finger on why that might be the case. We will come on to the context and message in a moment.

Mr Tyler: In this genre a lot of people are only writing about things they actually see from day to day and what they live amongst. If you do not live in a very good area, you do get in the lift and see needles, burnt out cars, and you do hear about friends that have had some violence or some trouble, you do see drug dealers and it is only natural that some people want to talk about it.

Chairman: You are still talking about the content. I am more talking about the lives of the individuals who are involved in music. We will come back to that.

Q429 Margaret Moran: You referred in your submission to the fact that the most rap records are actually bought by young, white males and that the music appeals to a broader spectrum. To give you a snippet of my misspent youth, having spent my misspent youth in the Co-op Hall in Catford listening to illegal imports of ska and Blue Beat you could say that was mainly a white audience and there was a link to violence there if you want to talk about skinheads. In the evidence we have heard from Shaun Bailey, he said he identifies with the artist, he says this is where we come from, the point you are

making there. How far do you think some of the messages are specifically directed at that group and aimed to have a different impact on young black men in particular?

Mr Parfitt: From what I have learnt over the years in terms of listening, a group of artists will feed off one another or copy each other or aim particular messages against each other, show-off to each other. There is another context in that an artist wants to make a piece of music that is more widely acceptable. I think it is probably both. The artists that I have talked to and that I meet certainly want to find a platform for their music broader than their local community and broader than their group of friends and want to hear it broadcast and want to progress themselves musically in that scene.

Mr Drakes: You might find it hard to believe but most of these artists actually believe they are going to have a life-long career from the records they are making. They believe that this music is going to turn into a job, buy them a house and feed their family, et cetera, and that is why they do it. That is why they spend what little money they have, or get from wherever, to buy equipment. That is no different to a young gentleman going to college and studying as hard as he can to get his qualifications in order to get the same thing. It is almost like they have found one way does not work, what they see in front of them they believe is not going to work, throughout the years growing up and watching their parents they do not believe that way will work. They have almost dug their own tunnel, a way that they believe will work. They all think they are going to be stars and live from the music.

Mr Parfitt: To add to that, some of the very best groups, with the support of radio stations like 1Xtra, for example Dizzee Rascal who won the Mercury music prize some few years, break through and connect their music and their stories to a much wider audience.

Mr Drakes: If you remember So Solid Crew had a number one hit, everyone remembers that. That almost was the beginning and, believe it or not, even though they were negative and had such bad press they inspired because they showed all the little 10 year olds coming up watching the TV that this is a way you can make it. This was a way to get out of the council estate, away from the needles and have a life. Does that make sense?

Margaret Moran: Yes, and get into trouble with the law.

Q430 Chairman: One of their members ended up in prison for possessing firearms.

Mr Drakes: I know but it is hope; it is financial hope. Obviously they mess up along the line because it is like trying to take the ghetto out of the person once they have been elevated to that level.

Q431 Margaret Moran: You have made the argument, in a sense, that youngsters see that but they also see the gun crime element of that.

Mr Drakes: I am talking about the actual music side. So Solid were not on TV with guns.

Q432 Margaret Moran: Not in their performance but elsewhere. Obviously a lot of the content of what we are discussing here is negative and is sometimes criticised from within the black community itself. I seem to remember Ms Dynamite protested, when I was Chair of the All-Party Group on Domestic Violence, against some of the lyrics, "*slap the bitch*" and all of that kind of thing. I am looking at Bob particularly here, on your channel I know you have viewer feedback which seems to be feeding back that some of these more violent videos and music are what is preferred. How much would it affect your ratings if you were to say "No, we are not having any of that. We think it is detrimental and not positive enough."

Mr Tyler: That is not quite the case. Dizzee Rascal was an artist that Channel U first broke and he won the Mercury prize in 2004. What we do at Channel U is we respond. We have to comply with the Ofcom codes which are quite clear. A lot of the codes refer to protecting people under 16. 20% of our viewers are under 16 and 30% are between 16 and 18. There are a lot of young people watching. We must not show things which show the effects of crime or things like that.

Q433 Margaret Moran: You are subject to regulation like everybody else. What I am asking is there is demand clearly for this kind of violent image and lyric and you are responding to that.

Mr Tyler: No, we do not respond to it.

Mr Parfitt: I think there is a demand, in my experience, for exciting UK hip hop or the best of American hip hop, and a proportion of it has lyrics which some people find negative. Again I would just urge that we take a broader view. A lot of hip hop is just purely boy meets girl pop music and some of it is more social observation. There is a panoply of material out there which young audiences find exciting and want to engage with. We do all have very clear regulatory obligations. The BBC guidelines are extremely clear and Radio 1 and 1Xtra are careful to adhere to what those guidelines say and in delivery of them. We are extremely careful. Generally I think the appetite is for exciting music. There is a very broad panoply.

Q434 Margaret Moran: But music which advocates violence and rape of women.

Mr Parfitt: It has already been said that young musicians write music about what they see, and sometimes when they write about their own personal situations some of the content is some of the harsher realities of life. There are certain artists, one that springs to my mind a young guy called Plan B, Ben Drew. He writes a very searing and good piece of social observation as well as the other kind of music which is a little bit more aggressive. It is a broader brush I think.

Mr Tyler: If I go back to the point again, the videos are voted for. Once they have passed the criteria for being on the Channel, and we reject a big number of videos because of that reason, it is a fair process that every video is voted for. The answer to the question

is every week we have a Channel U Top Ten which is compiled by actual votes and these videos do not appear in the Channel U Top Ten.

Q435 Margaret Moran: You are saying there is demand out there for very violent realistic videos and music but you are censoring some of them.

Mr Tyler: I would not use the word censor. We have standards and we have to apply the broadcasting codes.

Q436 Mrs Cryer: I am going over the same ground that Margaret touched on. Could you say what proportion of the material you actually play does portray in some way criminal behaviour and do you think it could just encourage violent behaviour?

Mr Tyler: I noticed that during 2006 the amount of videos submitted of a violent nature, whether it was visually or within lyrics, is decreasing. We have had more and more feedback with the artists during 2006 and obviously they realise now the young people want to get the videos played at all times of the day. Often we have to put videos on after the watershed and it is not going to get so many plays overnight. People do not want to see their video at 3.00 am. Young people call us up and say "Why are you not playing my video in the day?" and we tell them why. They are actually responding to this, and those types of videos are now decreasing and more daytime suitable videos are being submitted. People are getting the message. They want to continue to be on television and if they have to change their video to a style to be on in the daytime, they will make those changes.

Mr Parfitt: For Radio 1 around about 9% of the music output would be classed as hip hop music, on 1Xtra it is around 30%. We have very clear delineation between what you can hear on daytime radio and what you can hear in the evening because the expectations of the audience are very different. The majority of what is broadcast in the daytime, none of that music would depict any criminal behaviour. The editorial process would ensure that radio edits are played. For those records that are played in specialist shows, for example Tim Westwood or Ras Kwame, they are subject to pretty strict editorial guidelines, usually radio edits are played. If there is strong language and imagery, and the proportion is tiny they are played but only ever on proper justifiable editorial grounds. Even then, we are obliged, and are happy, to give a warning to listeners there is something they might hear. If they want to tune away from strong language or content, we would make that absolutely clear to them.

Mr Drakes: To add to what Andy said about the broader picture, if we are going to talk about negativity within music that is affecting a certain community, then we cannot do that and ignore society, movies, video games and all the other negative aspects of our community. Music has no comparison to Hollywood. The most negative movies have million pound advertising campaigns. The kids, if they are vulnerable, are more influenced

by a big screen picture of blood splattering everywhere and guns. To talk about music for even this amount of time is ignoring the broader picture.

Q437 Mrs Cryer: In a way you are acting like the film censor for the films we see.
Mr Drakes: Exactly.

Q438 Mrs Cryer: Just recently I have seen *The Last King of Scotland* and *Casino Royale* both of which were horrifically violent. I would not want my grandchildren to see them but I am advised as to what would be suitable for them. Do you see your role as being that of editorial censors? How much of the material that is forwarded to you do you actually throw out because you feel it would be too violent for your audience?
Mr Parfitt: That is quite hard for me to say. What I would say is a station like Radio 1 will receive hundreds and hundreds of individual pieces of music every week and similar would be true of 1Xtra. The job of the production teams and the music teams is to make some choices about what they think takes the genre on and what is high quality music. On the question of censorship, we are very careful not to ban a record. Where our editorial policies stem from is very much in line with the audience's own expectations. Whether you are 16 and a real fan of heavy metal or a real fan of hip hop, you do not want to be surprised at breakfast, when listening to the radio with your family, with particularly strong content. Young people do not want that and parents do not want that. The expectations of audiences are critical in driving those policies, not so much top down although we are clearly taking an editorial perspective on some material. In the evening when specialist audiences have a very, very clear expectation about what that genre means, what that brings, the content a particular DJ brings, then we think the DJ can take people further with the material that is a bit broader mix. Some of it people will not like but the context of the show, the expectations and the warnings we give I think pretty much are successful. In the time that I have been Controller there has not been an upheld complaint by the Broadcasting Standards Council nor Ofcom about any of the rap hip hop content in the stations that I lead.

Q439 Mrs Cryer: I am trying to get at how much of the material that is sent you actually discard because you think it is of too a violent nature. It sounds as if it is related to the time of day to a certain extent.
Mr Drakes: Margaret has commented on rape advocating, or something like that. Those kinds of records I have never heard of. If any DJ, or Andy, had anything like that it would not even see the light of the day and the artist would never get played. Obviously you get records which are a little more real, a little more harsh on the ear as far as what they are saying. I personally do not censor my music. It is like reading a horror story or reading a book about something; it is not nice but you read it, you learn something about someone else's life and hopefully it

will help you to help them maybe. Generally I do not like censorship, as such, which is what you are getting towards.

Q440 Mrs Cryer: I am not suggesting it is a bad thing. I just ask how you use it.
Mr Drakes: I do not really.
Chairman: It might help if we move to the next questions and look at some of the lyrics and the issues behind some of the lyrics.

Q441 Mr Winnick: Mr Drakes, when you started to give evidence you said that the sort of music we are talking about should not be blamed for criminality and I assume that is the view of the two other witnesses. However, particularly for Mr Drakes but I will come on to Mr Parfitt, do you believe that there is some sort of responsibility to send the message out of a more positive nature, in other words trying to encourage young people, and certainly black people, to avoid drugs and gun violence?
Mr Drakes: Ultimately I believe that and that is why I am here speaking. I want to see a change, I want to see the violence stop. What I am saying is, as a defender of music, we are focusing far too much on one aspect of what makes these people do what they do. We are here to have some kind of answer to the problems when we leave this room and by focusing on music, and just music alone for now, we are a million miles away from where the point is.

Q442 Mr Winnick: No-one is suggesting for one moment that criminality, which is the subject of this inquiry, the involvement of black youths in the criminal justice system, all rises from this sort of music. No-one is suggesting that. It is a possible aspect we are exploring. If, in your mind, you come to the conclusion that the reason we believe such violence takes place is simply because of the music, that is not our view, it cannot be our view, and is not the view of any sensible person. It may be, at most, a minor aspect. That is why we have asked you to give evidence.
Mr Drakes: That question was answered by me at the very beginning. I said yes, music does affect people's behavioural patterns whether you are a teenager and are influenced by an artist who has a massive poster on the street and is making millions of pounds.
Chairman: We did not plan to have this session when we set out this inquiry. We have been looking at lots of other issues of criminality. It is because some of the black witnesses who came in front of this Committee said there is an issue about the music that we are here this afternoon.

Q443 Mr Winnick: Mr Parfitt, it may be argued that in the job you have at Radio 1, a subsidised organisation, that you have a greater responsibility on these matters. Putting the same question as I did to Mr Drakes, do you think you have any responsibility on Radio 1 to try and encourage young people, be they black or white, against criminality and gun violence?

Mr Parfitt: I have got a lot to say on this. For probably 25 years Radio 1 has recognised that it has another role other than that of reflecting and promoting the best new music. Radio 1 has, as you probably know, a group of young journalists who make regular programmes, newsbeat programmes. 1Xtra similarly, from its inception, has a very clear quota of ensuring that it makes bespoke news programmes for its young audience. What that means in practice is young ethnic minority journalists focusing on an agenda which is relevant to their listeners can get further in explaining some of the issues around criminality, around unwanted pregnancies, and so on, than many of the conventional mainstream news programmes. There is a regular news service on 1Xtra that deals with all of these issues on a regular basis. There are documentary teams who make programmes around gun crime. When the knife amnesty was a current theme 18 months ago Radio 1 made a documentary reflecting that called Knives Out. During the Paris riots when hip hop again was charged by French politicians as being responsible for the outbreak of violence in the Paris suburbs, we sent some reporters over there to investigate that story and find out more. When it comes to music making, there are some fantastic examples of where divides can be crossed through music. I am thinking of one particular example where the BBC concert orchestra and a group of young MCs from Hackney got together and did a programme on Radio 3 and 1Xtra called *Urban Classics*. It was the most successful and clear, to my mind, example how engagement just through music can do a power of good. That was a rather long answer to your question but I emphatically agree and I would not be doing the job I do if we were not doing something of value for these audiences and building a public value.

Mr Winnick: We have examples of some of these lyrics. Due to the sensitivity of my colleagues—I am more hardened in these matters—I hesitate to quote some of them.

Martin Salter: You sing along David. That is why these people have turned up.

Q444 Mr Winnick: Can I just, if I may, quote one which was broadcast apparently on the 21 March on Radio 1, if I did not hear it myself: "*Murder, murder, mu-murder, murder, mu-murder these streets. Murder, murder, mu-murder, murder, mu-murder these streets (I'm 'bout to). Murder, murder, mu-murder, murder, mu-murder these streets.*" I am not suggesting, Mr Parfitt, that someone hearing that will go out and murder, but considering what you have just said do you not think, recognising the amount of gun violence and murders, the taking of lives and what is sometimes described, not by me but by the police, as black-on-black crime, perhaps on reflection it is not the best message?

Mr Parfitt: From your quote I cannot place the tune.

Mr Tyler: They might be saying "There is so much murder, let's get out of it" or something.

Mr Parfitt: The serious point is whether that was an expression saying that I am going to do something well, or slang, I do not know. I am not familiar with where the particular tune came from. There are some uncomfortable lyrics for some people made by some perfectly seriously minded young people reflecting the lives they see around them which may contain material that, out of context, makes some people feel uncomfortable or cause offence.

Q445 Mr Winnick: Would it cause you to feel uncomfortable?

Mr Parfitt: On that particular example I do not know when it was broadcast.

Q446 Mr Winnick: 25 March last year, 9.00 pm. Everybody else is in bed?

Mr Parfitt: If it was 9.00 pm that would constitute, in my mind, the heart of the evening schedule which is a specialist output. What we know from our audience is they would understand entirely the expectations of the shows they are listening to. If that particular track went on to have some very strong language or some graphic description, there would have been a warning for it. I do not know, from the description, whether it did or not.

Q447 Mr Winnick: On graphic examples of sexuality, which I am not going to put, 46 or 47 years ago there was a case involving *Lady Chatterley's Lover*. Fortunately, as far as I am concerned, the case was won by the publishers. Is it part of your case that just as there was a great deal of fuss at the time about Lawrence's novel, which no-one would suggest for one moment should be banned, similarly now there is the fuss about what we are discussing? Would that be part of your defence?

Mr Parfitt: I certainly bring that argument into play that very often new and emerging music genres or youth movements often alienate or spook out older generations. Operating on a day-by-day basis and making editorial decisions about what music to include in a particular show is part of my role. The BBC remit, as far as Radio 1 is concerned, is very clear. It says that we have a duty to reflect, as widely as we possibly can, the youth music genres from the UK and around the world. It is part of our remit to showcase and to find the best of all those genres, including hip hop or UK Grime and so on. When we are doing that we have a duty to protect vulnerable listeners. In the same way we know when children are viewing Channel U, we also know when the under 16s are listening to Radio 1 and we take care with our schedule. In the example you have just given, I would probably guess the proportion of under 16s listening at that time would be 5% or 10%. If there was graphic material to follow or strong language there would have been a warning. The audience listening to that programme would have an expectation what the genre was all about.

Q448 Mr Winnick: I was going to quote, Mr Tyler, something from Channel U but I will not because I would like to ask your comments about Neil Fraser who runs music of this kind. He says that producers should share some of the guilt every time a black youth dies by the gun in the UK. In other words,

those of you who allow this music to be played, Mr Fraser takes the view, you should share some of the responsibility for the criminality which occurs.

Mr Tyler: We are not producers of the music; we are only the broadcaster.

Q449 Mr Winnick: Do you accept any responsibility as a broadcaster?

Mr Tyler: We cannot accept responsibility for things that happen that may or may not be a result of music being played. At Channel U we make every effort we can to ensure we do not incite violence and crime.

Q450 Mr Winnick: Do you think you have any responsibility?

Mr Tyler: We have a responsibility to protect young and vulnerable people and I believe we are doing that very well with the small team of young people that we have.

Mr Drakes: I could answer the bit about the making of the music. As a producer I personally choose not to work with artists who have terrible, violent, negative, sexist, murderous lyrics but I am one producer out of thousands. As I said before, everyone is an artist, everyone is a producer. If we are talking about the average 17 year old producer who has access to making music and does not have a very good education, there is no way of policing what kind of music he is going to make. I do not make music from a council estate; I make music from where I live. I am not in the middle of the problem.

Mr Tyler: One of the things we are seeing in terms of the content of the video in respect of violence is we are getting more videos and more songs that say "I used to be into this, I used to do drugs, I used to hang around in gangs, but now I am into my music." There are lots of these aspirations. These are positive messages these young people are saying, "Do not think you can get your big car and this bling culture by going around stealing or selling drugs or doing whatever you want. Be like me and be a rap star because we are going to be big." Everybody thinks they are, and some are. Some of these people are grasping on to this and they are role models; they are good examples. Some of these songs are turning their back on that scene. They do not want to know that scene. A common expression is "I do not do those bars any more", which refers to selling drugs, "I will do my song bars." They are making these analogies with the bad life and the good life of being a performer.

Q451 Mr Winnick: To the extent that occurs, that is very encouraging.

Mr Drakes: You could pick a negative line from most songs not just rap songs. You have to listen to the whole song and the context in which it was written and find out the person who wrote it and why they wrote it. That line you quoted about murder, I do not know what context the song was written. He could have been feeling a certain way or witnessed a certain thing that made him write it.

Q452 Ms Buck: Before you came in we were discussing the lyrics of Tom Jones' song *Delilah*, which you may remember involves him stabbing his adulterous lover to death. As far as I know there was not a spate of copycat Tom Jones murders. Going back to the issue that worries me, and it goes back to your answer a little bit earlier, there is a body of academic research which clearly confirms the risk of desensitisation of young people when they are exposed to, and I take your point it is not music alone but can be the whole culture, pornographic and horror slash movies, all of that culture. Music is an element of that. If young people are constantly exposed to that level of very aggressive, very materialistic, very sexist material it does not make them go out and commit a crime any more than people who listened to Tom Jones went out and got a knife but that cumulative effect can be important and it is particularly important for young teens. In your evidence and in your research, and it is quite right that young people have a strong sense of their own ability to make those judgments, do 12 and 13 year olds have that? Is it not absolutely the case that 12 and 13 year olds will be listening to that music at nine o'clock at night?

Mr Parfitt: One of my other roles for the BBC is to look at the overall content provision for 12 to 15 year olds. I have done a pretty extensive six months of research in this area. I would say it is, first of all, very hard to say that there is a typical 12 or 13 year old. Some 12 or 13 year olds exhibit the maturity and tendencies of 16 or 17 year olds so it is hard to say. The position I come from is that, in my experience, music and music making is a power of good, therefore a focus for some young people's energy and activity. Particularly when we are talking about, by and large, disenfranchised young people, it is a good thing. It is creative and can lead to a micro business of selling CDs and so on. There is a lot of good there. If the services like 1Xtra can access that, and seem to give a conduit to a much broader picture, a UK-wide picture, that tends to be a good thing. You have to balance those two things. There may be some exposure to some negative imagery and lyrics but on Radio 1 and 1Xtra we manage that very carefully and very sensitively. Radio 1 and 1Xtra, however powerful they are, are only part of a much broader picture. For example, there is a burgeoning pirate radio scene in virtually all the major conurbations.

Mr Drakes: Just to add to what Andy said, if we actually saw the way someone of these crews and youngsters organise the business aspects of their music, you would see that they are stockbrokers, they are bankers, they are entrepreneurs, they have CDs, they go to manufacturing plants, they press it, record it and make it. Walk down Oxford or Regent Street right now and to people like myself they will offer to sell you one. That is a salesmen right there. Those legitimate avenues of doing those jobs were closed when they were 14 or 15 in the education system. They have come out the other end and now they are doing it their way.

Q453 Ms Buck: All of that is true. There is no question that music, in that broader context of the creative arts, is one of the best things that can

happen to young people and gives all kinds of outlets but I am not sure that gets people off the hook, and I do not mean just Radio 1. The constant exposure to aggressive, sexist music—I am not saying you are playing it in your programme—do you think there is a risk that constant exposure can be part of a desensitising of young people to the implications of that?

Mr Drakes: Their lives are constantly exposed to those same risks therefore they are desensitised before they even put the CD in the player.

Q454 Chairman: Another young man has tragically lost his life in Streatham. You would accept that whether they are broadcast or not there are a lot of lyrics around that the way to respond to violence is violence. Even if it does stem from people lives, is there a problem in promoting the view that a rational response to the murder of a young man in Streatham is to kill another young man? Over the last 10 years we have seen the escalation of these deaths. Surely the music is not neutral in that; it is not just talking about what is going on.

Mr Drakes: At no point have I denied the music's effect. Saturday night was an extreme example but Saturday night in London was no different to Saturday night in Southampton where a chav got murdered for nothing. Anywhere you have disenfranchised youths running around the streets with nothing to do, no money, you will have these same problems. It happens in black communities in black areas, it happens in white communities in Grimsby or Hull. I have been around the country so I know. Therefore, to point the finger at just one thing, like I said before, music is a small thing compared to Hollywood, video games, the internet.

Q455 Ms Buck: Although it is proportionally, you are all arguing against that contention. What you are saying is how important music is to the expression and identity of young urban kids. I am not sure you can have both arguments.

Mr Drakes: What we are trying to say is music has created an infrastructure for them to give hope to be somebody. It engages them on a daily level. Right now in studios all across the UK there are young people with tape machines and digital machines trying to make something of their lives. If you open up other avenues for them to make something of their lives, more of them will come away from music and start doing other things. They will become film people and doctors and lawyers, all these other avenues. As I said, because of our failings as adults within education, first and foremost, most of them, by the time they get to 12 or 13, cannot do anything else.

Q456 Ms Buck: Young people could have that passion and opportunity to explore themselves through music without, at the same time, having such a high proportion of the music they are exposed to being aggressive.

Mr Drakes: For example, Will Smith raps. He is a famous actor and he raps. You love Will Smith. When he raps he does not swear, he says he does not swear; he writes about positivity, love and flowers. That is his life and that is how he grew up. Even before he became famous he is from a really residential area of Philadelphia, Mum and Dad at home, a dog, et cetera. 50 Cent, who is also a famous rapper as well, his mother was murdered when he was eight and his father he never knew. What do you expect from those two individuals as far as the dialogue of their lives? What do you expect them to talk about? Will Smith does what Will Smith does. We are not even mentioning him. He sold millions of records and is on our big screens every day as a positive role model but we are not talking about him, are we?

Mr Parfitt: I have something to add on this point. As a broadcaster, as opposed to just a music stream, the role model of the DJs, the speech content that I have described earlier, do come together to make a cumulative and very strong powerful service with a very positive message, I hope, to all young audiences. Part of that mix has to be the credibility of actually reflecting the broadest range of music.

Mr Tyler: A lot of it is about role models. I think some of the young people need more and better role models.

Q457 Ms Buck: One of the other concerns is the extent to which there has been some violence associated with clubs and gigs. I wonder whether you would argue that is inevitable where you have the urban scene concentrated in the clubs or whether there is something going on.

Mr Drakes: It is nothing to do with the actual venue. That is where people congregate and if there are arguments between individuals you are going to find it where people congregate. Most of the clubs are closed now. There are not many clubs any more. I have been DJ-ing a long time and five years ago there were urban clubs everywhere across the UK. Most clubs now, because of the way the community has gone, have actually closed down. I am fine with that. I do not want to see anyone get hurt. Someone got murdered in a club I was playing in before on the South coast in Bournemouth. I am glad they have shut even though it has affected my work.

Mr Parfitt: There is something else here about the role of the BBC. We have the live events programme, both Radio 1 and 1Xtra, and we have never so far had any incident at those club events. The care and attention to health and safety, security, and so on is something that we can bring because enjoying music together is a pretty important part.

Chairman: I will move on because we have another set of witnesses. There will be some more questions your way I am sure.

Q458 Mr Benyon: To a degree you two have lost a proportion of the control that your predecessors had over content. I can remember when Radio 1 tried to ban *Relax* by Frankie Goes to Hollywood. It was impossible and a ridiculous thing to do and boosted sales of that particular track enormously. Now, as Roger was saying, it is much more anarchic and that is part of the attraction to young people. There are so many more different ways of producing music

that the actual control you have over the output is less now. 20 years ago Radio 1 and a few other channels were the sole access point young people had for music.

Mr Tyler: It is more fragmented.

Mr Parfitt: If you are 16 years old you have never known life without a fast internet connection in school and the penetration of broadband in homes. The younger end of the demographic, if you have young children or teenagers in your household you are more likely to be connected up. That is why Radio 1 and 1Xtra have focused far more on digital provision because that is where particularly the younger end of the market are going for their media. The method of distribution, also MySpace and Bebo and Bluetooth on mobile phones, is in the hands of the audience. It is a fact.

Mr Tyler: A few videos are often rejected straight away but many are sent back for editing to take out some images and to edit the lyrics, but if you want to be a hip hop artist today you have to have a web page, you have to be on MySpace, and there is nothing to stop those artists putting the unedited version on the internet. I have looked at some of these and they have in excess of 50,000 hits in a month, and that is the unedited version, the full blown version. In media terms, that is competing with us. In the roundness of things, that is another area that needs addressing because people can access these things through the internet and you can download from all of these sites.

Q459 Mr Benyon: In answering that question I do not want to let you off the hook. You are governed by the Broadcasting Code which we have already discussed and I quote from it: "Programmes must not include material . . . which condones or glamorises violent, dangerous or seriously antisocial behaviour and is likely to encourage others to copy such behaviour." This is the point I wanted to come on to. How do you interpret that in terms of how you decide whether or not a song or a video is glamorising or condoning violence?

Mr Tyler: Violence or the after effects of violence. We do practice that all the time. We do not censor—I do not like the word censor—but we have a process that filters video submissions. We look at them in technical terms, overall appearance, and a few of them have to be looked at for compliance. We have sent back videos to be edited because it has shown play fighting in the street which resulted in a young man being kicked on the floor. It was only part of the fun of the video. The video was not a song about violence; it was just part of the imagery. We sent it back to be edited and they blurred out that scene from the video and they resubmitted it and we were able to play it.

Q460 Mr Benyon: You censored it?

Mr Tyler: Filtered it.

Q461 Mr Benyon: Roger was talking earlier about 50 Cent. There surely is a difference between talking about the miserable upbringing he had and all those experiences and that being behind his creativity, and

that is entirely legitimate and it would be terrible to lose that, people have been doing it down the years—Bruce Springsteen—but where the line stops is where it goes to glorifying that. As a producer you have to decide where that line is.

Mr Drakes: I believe that 50 Cent's glorification of his life and his riches is no different from MTV *Cribs*. Has anyone seen that?

Q462 Mr Benyon: Yes, my children live on it, and *Pimp my Ride*.

Mr Drakes: We live in a society where if you do not have that you are not doing the damned thing, as it were, and you are seen as a bit of a nobody. If you have not got a Ferrari in the drive, it is pumped down our throats every day in movies more so than music. That in itself has as much effect on young people's minds as the average record of a gangsta rapper with a big chain. It is all relevant to the way we live, wouldn't you say?

Q463 Mr Benyon: I am still not sure I have got a clear indication of where talking about one's background and about problems that are all around you are being—

Mr Drakes: Let me say it another way.

Mr Tyler: This is about people getting respect as well. In your neighbourhood or wherever, if you say, "I've got a song on pirate radio. I've got a video on Channel U", that is cool.

Mr Drakes: Like I said, it is almost like you get respect for being a prolific MP, no doubt.

Q464 Mr Benyon: Prolific!

Mr Drakes: Rappers want the same respect. They want their friends and peers around them to say, "That was good, you're the man", and they get that from music, by putting down a dog verse, as it were. Do you see what I mean? 50 Cent was basically poor, broke and hungry for 25 years, he became very rich in two years, so what do you expect him to talk about? He is going to brag, "Hey, I just won the lottery". That is how he lives, that is how his life is, because he spent 25 years getting shot at, having to do whatever he did, the obvious stuff. He has only been famous for a couple of years. Let us always bear in mind that 50 Cent or any of his crew do not market, promote or push his product. If he made 20 million out of record sales imagine what Universal Music, who is nothing to do with the hood, as it were, would make out of pimping his product. We are missing out on so many things here, aren't we? We are talking about Channel U and a few little £400 videos that are made in Hackney, that is such a small thing in the big picture.

Q465 Mrs Dean: Before I go on to my main question, Andy mentioned warnings and putting on a warning before some records came on. What impact do you think that has because in my opinion it probably means that the young person would watch and listen to it even more?

Mr Parfitt: That is always a danger. We try to do it in a style that is in keeping with the programme. I have to say to the Committee that the most referrals

that I get in terms of strong language are often not hip hop at all, it is from heavy metal rock, at the moment that seems to be where producers are referring up to me where a decision needs to be taken. That said, we would try to give the warning in a way that does not undermine the warning, if you know what I mean. We would have star voices give the warning in a straightforward and humorous way rather than a finger-wagging way. We would ask the DJ to play it straight, to say, "Look, this is a record I want to play, I think it is good, it has got some strong language in it". The late John Peel was probably one of the ones who found giving the warnings more tricky than others because he believed that it was his programme and the expectations of the audience were that they knew what John would provide in terms of music so he did not need to give a warning. Nonetheless, he did give the warnings, and we do give the warnings, but we try to do it in a way that is in keeping with the style of the programme and the style of the station.

Q466 Mrs Dean: Can we move on to solutions. To what extent do you believe there is a need for some greater leadership from either the regulator or from government about the types of images and lyrics which should or should not be broadcast? I suppose this is wider than just music. How feasible is any of that regulation when you have got the internet disseminating music?
Mr Parfitt: I would say it illustrates how important it is that stations like Radio 1 and 1Xtra remain relevant and are impacting generally with young audiences in the UK. I think that the remit of those organisations is to take part in outreach activity with young musicians in the community, to put on live events in areas of the country where quality live events do not usually get staged, and it is important that we continue with our news services and interweave them in an intelligent way which engages with the young audience. We have got to keep on tackling the issues but tackling them in a credible way with a tone of voice, with a group of young producers and young members of staff. I am not a policy maker outside the BBC but I see that as a pretty central part of the role of both Radio 1 and 1Xtra.

Q467 Mrs Dean: Could the regulator or the government do any more?
Mr Parfitt: As I say, I am not a policy maker. I understand the role of the BBC in all of this which is to build public value with all audiences, but including young audiences, particularly all young audiences including those from ethnic minority, which is one of the reasons why a station like 1Xtra exists. We are funded to prosecute those values, if you like, to carry on doing that work.
Mr Tyler: I think on the subject of regulation we had a new regulator in 2003 whose main remit was a light touch with broadcasters and they measure outputs according to their codes. I am not sure we could persuade Ofcom to rewrite the codes to that extent. If you were to, you would drive things underground and the internet would thrive even more with this type of material and perhaps there would be another resurgence of pirate radio. Every now and again it seems to get cut down and comes back again. In government terms, I think it is to do with addressing the role models of the young people and trying to break the cycle and find out more about why young people think it is necessary to write and perform such lyrics.

Q468 Mrs Dean: Roger, do you think the Government could do any more? You raised the issue about films.
Mr Drakes: This whole discussion is headed down a censorship road and it is almost asking for trouble if anything because, as me and Bob both pointed out, this is a great opportunity, an avenue for these kids to engage themselves. If it was censored or cut off from them in any way they would just be on the street corner waiting for something to happen, which is what you do not want. Secondly, we are in an internet age where everyone can get everything via the internet, anything you want to see you can see it. By stopping it being on an FM radio is not going to make any difference at all. As I keep saying, we have to create a generation of youth who understand things and are educated and are not affected by criminal minds. I do not think any criminal wants to be a criminal, I do not believe that, but I believe if you get a kid and bring him up in a certain way and he is desensitised to everything that is right about life then he attaches himself to wrong and there is no-one to tell him any different. As Bob said, we need more role models and not unreachable models, not just football players or big famous rap stars, I am talking about attainable role models so they have hope: "I can be that, I can be like him". I guarantee none of those groups think they can be like you guys. Personally I have a nephew who has got a degree in politics but he is a from a minority, as you say, a very disproportionate minority. The majority in Hackney and all the different boroughs would not understand half of the words being spoken today because they failed from 12, 13 years old in school. If I may just make one more point. I was at Lambeth College giving a class last week and a kid around 19 or 20 years old was in the class and I was speaking, talking about music production and that kind of stuff, and he was one of the ones who were talking, most of them did not talk that much which in itself shows you their mindset, but this one was chatting and every other sentence was, "What was that? What does that mean?" and I was having to speak more commonly, as it were, to get my point across. I made a point about "mum and dad", I just said it in the context of what I was talking about, and he said, "I don't speak to none of my family". You just have to imagine they are different, they have a different life completely from anything that most of us understand.

Q469 Mrs Dean: The last question from me is, is there anything else that can be done to ensure opportunities are there for young people to make music in a positive way?

6 February 2007   Mr Roger Drakes aka DJ Dodge, Mr Bob Tyler and Mr Andy Parfitt

Mr Drakes: More can always be done, yes.
Mrs Dean: Any suggestions?

Q470 Chairman: What?
Mr Drakes: When I was a kid I lived on a housing estate and 300 or 400 yards either side of the housing estate there were two youth clubs—boys centres I think they were called or boys clubs—and after school I remember you did not have anything to do, you looked forward to getting into the boys club and you had snooker, pool, Space Invaders, various adults around to supervise you, mentor you, stop you from doing things, and we respected them. Those were the people I remember from between the ages of 11, say, and 16. I remember those people clearly. Nowadays my nephew is in Thornton Heath and there is nothing at all, he spends all day at home on the internet from 3.30 onwards after school until he goes to bed. He is on the internet doing his own thing, as it were, Bebo, MySpace websites, and there is nothing for him to do to engage in. There are no adults around him to—
Mr Tyler: I think the government could get behind legitimate schemes that are easy to access. I have been watching one of the younger TV stations that had Arts Council money but filling out the forms and the way in which the money comes and everything else is something where young people do not want to read forms, they cannot be bothered to write out more than two boxes of information. Making things far more accessible is not just about money, it is about supporting partnerships, legitimate projects, allowing access to young people and perhaps even working with people like us in terms of offering an outlet for their music with 1Xtra or whatever. We are always happy to listen to all ideas.
Mr Parfitt: From my perspective, I think that this session is useful insofar as to understand the role of organisations like 1Xtra and Radio 1 and not to see it in a stereotypical way that sometimes I think it is when it is held up as playing rap music or making too much noise, but to understand the role it has is much, much broader than simply supporting new music, it has a social role, a democratic role as part of the BBC. It is wonderful to recognise the work that is going on. There is something also about celebrating what young audiences, young music makers do. In my job I see tens of thousands of under-25s every year enjoying music, taking part in music events, being enthusiastic about new sounds and being creative in a way that I think is remarkable and positive. That needs to be in our minds as well.
Chairman: Gentlemen, thank you very much indeed. That has been a very helpful session, thank you very much.

Witnesses: **Mr Melvyn Davis**, Director, boys2Men Project, and **Mr Neil Solo**, Coordinator, Babyfather Alliance, Barnardo's, gave evidence.

Q471 Chairman: Good afternoon. I think you both heard the previous session so you have some idea of how we operate. Could I ask each of you to introduce yourselves and then we will move straight to the questions.
Mr Solo: My name is Neil Solo. I am Project Manager of the Babyfather initiative at Barnardo's. We have been working in the African Caribbean community exploring fathering issues.
Mr Davis: My name is Melvyn Davis. I am the Manager of a project called boys2Men which works with boys, young men and fathers.

Q472 Chairman: Thank you very much indeed. As you have gathered, in trying to understand why there is an overrepresentation of young black people in the criminal justice system we have already established that there is a very complex set of factors involved, and you have just heard us wrestling with one small part of that, music and so on. I would like both of you to start with what role you think family and relationship factors may have in explaining why there is this overrepresentation of young black people in the criminal justice system.
Mr Solo: From the work that we have been conducting over the last three years in the African Caribbean community speaking with fathers themselves, both in the community and in custody, we think there is a very clear link between parents and young people and their activities. Specifically our work has centred on the involvement and importance and input of fathers. What we have found out there is that fathers are extremely important in many areas, such as raising self-esteem, building self-worth in children that can help to make them more resilient against the more destructive aspects of youth culture.

Q473 Chairman: Mr Davis, do you want to add to that?
Mr Davis: Yes. I think what I would say is that in a real sense the families provide the training ground for life. Where those families are vulnerable, where those families are isolated, where those families exist in conflicting or disadvantaged environments, children suffer as a consequence. We have too many negative examples where black families in particular are perceived to exist, or do exist, in environments that do not promote or present themselves in a positive light, so what you have is a trickle down effect where too many both from within and outside the community see black families in a very negative way and it becomes very difficult to support those isolated and vulnerable families in changing that dynamic for themselves and their children.

Q474 Chairman: Can you shed light on why there should be such a high proportion of lone parent families within the African Caribbean community? We have had a number of different explanations, some rooting back to the history of slavery and the disruption of family patterns that involved, and

other more modern factors, migration and so on. Do you have a sense of why this pattern of family break down appears to have become so deeply established?
Mr Solo: I think the issue is complex and I take on board what you have just said, the disruption in the evolution of the black family due to slavery. You have to be cautious in possibly trying to impose a Eurocentric 2.5 model on another ethnic grouping. The danger of that is that we could miss some of the important strengths that exist in that alternative model. In the African Caribbean community we hear of visiting fathers, so we do not have a broken down one parent family, we have an intact family structure where the father visits from outside the home. Also there are social factors involved. Linking on to what Melvyn said previously, the social conditions in which the majority of the African Caribbean community find themselves give rise to frustrations and tensions and that can lead to break down. Given the high proportion of African Caribbean families in those conditions I think you will find a higher number of one parent families.
Mr Davis: It is a very complex state of affairs that brings this about. If you look at slavery there are very strong arguments to be made about the generational impact on black communities. There has often been a long-held belief that black families existed with extended families and when our parents came over here—my parents came over here—they lost a lot of those links with their families, they lost a lot of the values and support structures they had, so they had to work very hard both to support the family and transmit the values they had from Jamaica into a culture that within themselves they were not necessarily welcomed into or felt a part of. I think what happened as a consequence of that was they did not have the support structures and as a result my generation did not have many of the things that they had. It was very late in my grandparents' lives that I met them for the first time. I did not have a very good, what I would call, moral upbringing. What I had was I had to work very hard and I had to be as good as other people in order to succeed and survive, which would not have been the case had I grown up in a different environment. The realities of growing up in an environment where you were made to feel different meant that you did not necessarily have some of those protective factors that go a long way to holding families together. Just going back to the previous discussion, where you have a culture which has materialised for lots of different reasons that promotes through music and lots of other mediums sex and violence and glamorises it, as in the previous conversation, there are consequences to that and some of those consequences we are seeing in children, in promiscuity, not just related to the black community but more closely related to poverty and deprivation where vulnerable communities have to find other ways of affirming themselves. In those harsh environments we have all had to bring ourselves up and as a result of that there has been a tendency to have a truncated childhood, a childhood that is often characterised by efforts to aspire to material wealth and adulthood far too quickly.
Chairman: Thank you.

Q475 Mr Streeter: Mr Solo, if I can just go back to something you said just now, you seemed to indicate that might be a different model for some families from the black community where perhaps the father does not live in the house but visits from time to time. Can you just say a bit more about that. Is that because the mother or the woman in the relationship wants it that way or would that be a choice by the father? Could you say a little bit more about that, I did not fully follow that one.
Mr Solo: Yes, sure. What we do is run the risk of maligning and demonising the family structure that does not conform to the 2.5 model. The reasons for this are complex and many. It works for that community. There are the deprivation and pressures I mentioned before that are moving partners away from each other. I would direct you to some research that was done by Robert Beckford from Birmingham University and whilst I have not got that study here today I will make sure that it gets to you.[9]

Q476 Mr Streeter: Thank you very much. I think we all agree, however, that fatherlessness in any community is an issue and has consequences, and you have both said that. In your experience where there has been a family break down with the kinds of families you are working with, what kind of proportion of fathers stay in touch with their children compared to those who have no real contact with their children as they grow up?
Mr Solo: In our experience, talking with African Caribbean fathers, overwhelmingly the majority want contact and are frustrated in that generally by the operation of the law which would imply that mothers and women are the primary caregivers and also understanding that difficulties post-relationship will make the father visiting and building a relationship with the child somewhat more difficult. I would say that by and large in our experience, talking with fathers, the majority want that contact. In terms of percentages, it is hard to say.

Q477 Mr Streeter: Just ball park.
Mr Solo: Ball park, 40% I would say are not having contact and overwhelmingly the majority of African Caribbean fathers have contact at some level.
Mr Davis: I would support that. I think the vast majority of fathers do have some contact but the perception is because they are not resident they are absent.

Q478 Mr Streeter: Yes.
Mr Davis: There are lots of reasons for this. One Neil mentioned was economic. In a lot of the cases in the families that we work with if the father was to become resident the family would be penalised because the benefits are reduced, so unless he is working and has enough money to compensate for that loss of benefit they are financially better off living apart. A lot of those fathers do provide financial support to their partners without being resident with the family.

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[9] Not printed.

Q479 Mr Streeter: So they would have a flat somewhere else?
Mr Davis: Yes.

Q480 Mr Streeter: Do you think there is a specific link between that kind of family structure, and particularly I am exercised about the issue of fatherlessness and that relates to any community and every community, and young people, particularly young boys, getting involved in crime from the work that you have been doing? Could you speak to that, please, Mr Davis.
Mr Davis: I would say yes. In all the areas that we work within, which cover all the areas of social exclusion, the vast majority of the young people that we work with have very poor relationships or no contact at all with their fathers.

Q481 Mr Streeter: Yes.
Mr Davis: The impact of that is seen very much in the sense of identity and needing to belong somewhere, needing to validate who they are as males and men and that creates a vulnerability. It creates a vulnerability if, for instance, you are not successful in terms of education, or you do not have other things to compensate for that, and as a result of that you then compromise who you are in order to fit in, you go to extreme lengths or you create a caricature almost of masculinity in order to prove yourself. With a number of the boys that we work with the impact for them in not having a positive role model, in growing up in reality in a lot of cases in a very predominantly female environment, means they almost reject at some point in their journey towards masculinity a lot of what I would call life skills and emotional literacy that they need in order to cope with change, loss and disappointment. So we have boys with very narrow definitions of masculinity, behavioural traits that are very much around the machismo type behaviour, and this need underneath it all to connect with other men and other boys.

Q482 Mr Streeter: That is very helpful.
Mr Solo: I would support what Melvyn is saying in the sense that fathers are so important that the lack of a father in the life of a young person can promote something called "father hunger". Along with what Melvyn was saying, young boys have to develop and work out for themselves what it is to be a man and, given the context of the last discussion, working out what it is to be a man you learn to draw from a wider society and if that wider society is violent, is promoting getting by by any means you can, that child becomes vulnerable to that message without that father who is the best role model a child could have. I would definitely support, and this is borne out by the work we have done throughout the communities, that families are extremely important in the lives of young boys and young girls.
Mr Davis: If I could just pick up on something you said. I believe that it is something that affects all communities, classes, races, et cetera, but there is a particular dynamic in the black community, in black and ethnic communities as well, being in a predominantly white society in that you have to validate yourself as a male but you also have to validate yourself as a black male and that does have a compound effect, it does make it much more intense and, therefore, there are risks along the way in terms of finding your place in society but also being validated along the way in that process.

Q483 Mr Benyon: Mr Solo, we are interested in the evidence that you have provided on the way you have described the moving from traditional African Caribbean parenting methods to more modern methods, and you described it as a revision that is work in progress, and talked about the impact of this on setting boundaries and discipline. We have evidence from people who have deplored the lack of discipline amongst young people in their own communities saying it is a problem they have to address themselves. Can you say a bit more about this problem and the impact it is having on young people?
Mr Solo: Yes. There I was referring to the revision that is potentially taking place in the African Caribbean community. In the Caribbean the use of corporal punishment and physical discipline is not unheard of. It is not abusive but it is not unheard of. In the movement to, I would not say a modern society, I would say to European society where corporal punishment is not the first option, we have a people who have to seek new ways of enforcing discipline in guiding their youth. As I said in the written evidence, this is a work in progress. As this revision takes place the loosening of the ties between family and child can be loosened and allow for the more destructive elements of youth culture to take place. Also in that move from the Caribbean to England, Caribbean peoples, not to romanticise that community, exercise the idea that it takes a whole village to raise a child. Where we find ourselves now operating in nuclear family units the village is no longer there, so when Johnny is down the road committing graffiti or whatever that can often get overlooked. If we were operating on it takes a whole village to raise a child, adults in that community would feel a responsibility for that child, for that community and could intervene. These traditional ties are loosening and it creates a gap.

Q484 Mr Benyon: That is the problem and we are trying to find a solution. That is a really interesting area of thought that we have got to consider. How can we get communities to take responsibility for that child in the way that they did perhaps, or still do, in the Caribbean?
Mr Solo: I think in the African Caribbean community, and from the context in which I am working we can see the important link between fathers and the outcomes for children, what we would like to see, or what we would like to suggest, is a celebration of fatherhood. What we have here is black men and fathers who are subject to the most negative stereotypes. I feel in talking with African Caribbean men throughout the country that this has robbed them of a confidence that they need to assert themselves as fathers and as community members. It

is not lost on that community and African Caribbean men and youth that they are overrepresented in the mental health system, they are over represented in the penal system and African Caribbean children are disproportionately excluded from schools. This is not lost on men and the community which tends to weaken it and its ability to enforce its protective role, especially in regards to fathers who are seen as mad, bad or sad. In talking with fathers they feel devalued. What we would have to do is to continue to work with African Caribbean men and the community to celebrate the gifts that fathers have to offer.

Q485 Mr Benyon: Could we extend that, Mr Davis. You have both drawn attention to the existence of a negative self-image amongst black males. Do you have any thoughts as to the root causes of this in the same way that Mr Solo has expressed?
Mr Davis: I think it starts very much with the family and the early years experiences of children. Most things you have to look at to really understand and appreciate the context and the environment in which these children have grown up and the messages that they are constantly being given. The overt ones I think we have done very well as a society in dampening down but throughout life and throughout the journey of a black man growing up there are so many messages and pitfalls, negative messages and, as a consequence, pitfalls that arise. To give an example: in some of the work that we do we get young people to think very much about what it is that makes them who they are and top of the list will often be "I am black" and then you ask them what does that mean and it actually does not mean anything, it has not got anything of substance. It is not a culture in the same way that other cultures exist, it is fluid, not substantive. What makes you black as an individual is often a response to the discrimination and negativity that you face. If that is the basis upon which you are developing your identity and personality it then has a tendency to be quite defensive, negative obviously and almost entirely self-deprecating because you do not see yourself as an equal within society, you are somebody who is tolerated, somebody who has undue power and influence in that you walk into a room and people pick up their mobile phones or readjust themselves because you enter a room, people react to you, the security guard in a shop will spend more time focusing on you and children, black boys in particular, are aware of these things. That sends very powerful messages about acceptance and belonging and it has a detrimental impact on the notion of citizenship and acceptance.

Q486 Mr Benyon: We have had evidence from people who say that if our report does not find that young black people face enormous amounts of discrimination and racism in their daily lives we will be part of the problem as much as anything. I suppose what I am really trying to ask you is how much of it is perception and how much of it is reality? You have spoken about everyday factors in people's lives which affect their self-esteem and can

contribute to problems that they may get into. In everyday life, is racism and discrimination a real burdensome, horrendous factor in young black males' lives?
Mr Davis: I would answer it in this way. When you grow up as a black male in an ethnic minority, as I have already said, because you are not validated by wider society you have these things that you draw to yourself to validate yourself. Speaking personally, and characterising that with some of the young people I work with, the analogy would be you wake up in the morning and you may pick up your iPod, your mobile phone and then you pick up your paranoia because as you go through life the moment you step outside that door there are people you are going to meet who will react to you and you have no idea why they are reacting to you in that way. If I am dressed as I am today and I sit on a Tube and there is a seat beside me, that seat will be taken up quite quickly, but if I am dressed very differently, as I sometimes am, much more sporty, relaxed casual attire, often that seat will not be taken even when there are no other seats available, people will choose to stand. I can choose to ignore that but that does not mean I am unaware of it.

Q487 Mr Winnick: Would that not happen to a white person who was dressed in the sort of clothes you are mentioning? Would there not be some hesitation, not because of the colour of the skin but simply because of the possibility of criminality which could come as easily from a white or Asian person as a black person? Would you not accept that?
Mr Davis: I would accept that as a possibility but given my history—

Q488 Mr Winnick: More so as a black person?
Mr Davis: Exactly.

Q489 Mr Winnick: I accept that.
Mr Davis: It is that perception that becomes reality. If it is real for me then it is real.

Q490 Mr Benyon: You are saying that in these circumstances perception is reality.
Mr Davis: Very much so.

Q491 Mr Benyon: Regardless of why that seat is empty you believe it is empty because of the colour of your skin.
Mr Davis: But I do not think it ends there. I think it is about the other protective factors: how do I deal with that? Everybody will face discrimination in their lives but do I have other skills or things to offset that or if my identity is just about my colour and my ethnicity I do not have other things to offset that with. My self-esteem, my self-worth and my self-efficacy are not just around whether you sit next to me on a bus or a train, I have other things that make me feel good about myself; a lot of these young people do not.

Q492 Mr Benyon: We went down to Bristol to look at a scheme there and these points were all being made by an organisation called Right Track but

when the individual who followed these cases up with the young people, going to the school or to see the police and was saying, "There has been an allegation of discrimination here", in nearly all of them there may have been ignorance but it was not racism. What I am trying to get to the bottom of, and perhaps Mr Solo might like to comment, is how we tackle that difference between perception and reality and whether the two are the same.

Mr Solo: From the way people act perception is reality. However, I would revisit the point I made earlier in terms of the question is racism playing a part. I think the messages that the young black youth receive are very specific. When we had the killings of Anthony Walker and Stephen Lawrence this was saying "This is a racist killing" and this sends out a message to young African Caribbean youth that they have less stake in this society than possibly they do perceive.

Q493 Mrs Cryer: We need to look for solutions, there is no point just keeping trawling over where we are now, that will not help. Can I just check with you that I have got something right. According to our graphs, 57% of the families within the black Caribbean community are lone parents. Am I right in saying that were those families still in Jamaica the percentage would be pretty similar, there would still be this majority of parents, mothers, bringing up children alone but I think what you are saying, Neil, is the difference would be that they would be helped along that path by a supportive village or community? Have I got that right?

Mr Solo: Yes.

Q494 Mrs Cryer: We are where we are, so what could either of you suggest that would be the strongest single thing that could happen to help steer young black people away from a life of crime given the position that we are in now?

Mr Solo: It is an incredibly complex argument and one that is not going to be solved overnight. From our point of view at Barnardo's and the Babyfather initiative and the work that Barnardo's has been doing in the community, the feedback that we are getting would suggest that we are some way along the right track. Again, for us this is about bringing that community together, helping them to recognise that they are a community, going beyond working as a community, working directly with fathers, celebrating fathers as a positive resource as the most appropriate role model a child could have. In terms of solutions and turning children away from deviant behaviour, from our point of view we would suggest more work in the communities, more work with parents, and in that regard we welcome the Government's initiative, the National Academy for Parenting Practitioners, as a good move in this area.

Mr Davis: I think we are all familiar with the realities of the overrepresentation and disproportionate number of black people who are in the criminal justice system and end up in prison. The reality that we face and work within is that many of these young people go into prison, youth offending institutions, come out and go back into their same communities

and as a result they have less hope, if you like, than they had before. Before they went in they maybe were failing in school but now they have come out with poor education and a criminal record. They then go back into their communities and really only have one option, which is to not get caught next time. I think that is one area that I would like to see some real work and effort put into to ensure that those young people who do come out are not just left to, as it were, train up the next generation of young people. One other area of social exclusion for me that I think is scandalous and really we should be making much more of a political, if needs be, or community campaign around is the high number of young black males who are excluded from school. I think that is the beginning really. Once you fail to be educated properly your options, your resources, how you are viewed in society, all of those things impact greatly on your life chances and outcomes. I know schools which have experiences of 30 or so young boys in a particular year being excluded. I was talking to a young person not too long ago who said to me that every single black boy in his class before year 11 had been excluded. Often that is for reasons that I would consider with a little effort and probably some accountability, if schools were picked up on these things, through Ofsted reports, et cetera, they should not be happening on the scale and level that they are and we are allowing to happen and not making a big song and dance about it. Going back to what Neil said, it sends a very powerful message about, "Am I valued? Am I accepted within society?" If we can have such large cohorts of black young males excluded from the educational system and nothing is said on a national level, it does not make the news, as it were, then what message is that saying to "How am I valued? How am I viewed within society?" If black males are shot and killed on the streets and that does not make the news and does not result in a big campaign, again it sends a very powerful message about how we are viewed. We need to be far more angry, far more militant almost, about making sure that we do identify why these things are happening and we put stringent things in place to make sure they do not. I do not think it is that difficult but the will has not materialised or the way has not been identified in the way that it should have been and resources have not been applied effectively.

Mr Solo: Could I just add in terms of solutions that Barnardo's and the Babyfather initiative have attempted to be proactive in this area and we have developed two specific training programmes that we are particularly proud of. We spent the best part of 2005 speaking with practitioners from a variety of settings, from social workers to teenage pregnancy workers and health visitors, and the message we got from that dialogue was the central difficulty that they were having was one of engagement. We have been proactive in this regard in developing a training programme specifically for practitioners who are having difficulty engaging African Caribbean men, engaging them in their services. In terms of solutions and being proactive, Barnardo's have developed a culturally specific parenting programme for African

Caribbean fathers. Again, this is to meet the demand that fathers have expressed to us and we have identified ourselves. The parenting programmes are there but services are not reaching the community, so what we have done is we have developed something that is culturally specific and we have had some opportunity to try this out over the year and it has proved successful.

Q495 Mrs Cryer: My next question was what the Government can do to address the problems that are causing young people to become involved in crime. I think you have answered it. Neil, I think you said perhaps money can go through social services, presumably, to encourage better parenting within the community. If you could say to the Government, "Can you give us help?", would that be what you would be asking for now?

Mr Solo: I work for Barnardo's in the voluntary sector and I see that particular sector of society engendering more trust from the community. I am not so sure we would have had the success we have had if our community was getting that from the local authority. I think the success of the Barnardo's Babyfather initiative has been based on the fact that it has been from the voluntary sector and that engenders more trust in the community. In terms of what the Government could do specifically for ourselves and for other groups in the area, that is to open up lines of dialogue, distribute programmes that have been developed. I mentioned away from the voluntary sector, the Government moves around the National Academy for Parenting Practitioners, which is a wonderful idea in terms of equipping the workforce to work more effectively with this group.

Q496 Mrs Cryer: Melvyn, would your request to government, if you were able to do that, be to put more resources through local education authorities and schools in order to try to keep more black boys within the school system much longer than we are achieving at the moment? Do you think that would be the best way of directing government funding to keep those same black men out of the criminal justice system?

Mr Davis: Yes, I would agree with most of that. I think what I would be saying is that money would need to be ring-fenced, that money would need to be both given to schools and to voluntary sector community groups who may be better able to work with that young person or also work with parents as well. It needs to be long-term because this is not a problem that can be solved with a year or two years' funding. We have a cycle, a generational problem that we need to tackle here, and there needs to be a long-term commitment to addressing that. If we can tackle the leakage from the education system we will begin to see young people coming out with more options, with more choices. The young people that I have to spend time working with too often feel that they have no choice and we spend a long time trying to convince them that they do have choices. From the starting point that they are often coming from when they are 17 or 18 years of age and cannot read or write, their self-esteem, their sense of being a man,

hoping that will change whilst their emotional development is severely stunted and limited, that is the difficulty that we face. We are failing them educationally in so many different ways and it is not just about academic education it is preparing them for life and the environments that they exist in. We can always look and say not every single parent family has these problems but we can see that too many do and often there are other protective factors in those single parent families that need to be recognised and too many of the families that we work with are isolated, vulnerable and do not have the resources to deal with that.

Martin Salter: Melvyn, I just want to follow up something you said that rang some bells with me. I am very interested in re-offending and this revolving door that we have got. You said that a lot of young black males are coming out of prison even less able to get a job outside of the criminal networks than they were before they went into prison so they are more likely to re-offend. There are some schemes rattling around that take lads from prison and give them training, education and a work placement, so there is a completely different pathway for those kids, another option for those young men when they come out of prison. I may be wrong but from what I have seen in some of these schemes black people were not particularly highly represented in that approach. Can I just get your reaction starting from the point of particularly young black men who are coming out of prison, and who are almost certainly going to be back there again, almost certainly going to re-offend, and targeting intervention at that point to enable them to develop the skills to get a job.

Chairman: This is becoming quite a long question, Martin.

Q497 Martin Salter: Two hours of pent-up thought.

Mr Davis: One of the earliest experiences I had of working with young people was in Aylesbury Prison, a young offenders' institution, and I remember working with a group of young people in there and the statistics at that time were 17-18% of young offenders would re-offend before they were 18. I had a group of 10 and I was saying, "Seven or eight of you are going to be back in here within two years" and every single one of them said, "No, I'm not coming back. This is my last time". But when we began to explore what that meant in reality, they were going back into communities, they had made their resolutions they were not going to go back and they may have had a GCSE O level certificate that they had got whilst they were inside which made them feel great, made them feel "I've got real life choices when I come out of here, I'm going to get a job. I didn't get this in formal education but I got this inside", but they go out and any employer would then say, "Where have you been? What have you been doing?" You can see those young people being crushed and when they come back into those communities, those communities have not moved on, they are still very much the same communities supporting their experiences that led them to commit those offences. They may have made those choices but the support for them to maintain that at

the point when they come out is not often there and it is not there in a form that makes a difference. This was one of the reasons why when we established our mentoring programme, our mentoring programme works with young people for two to three years because in the work that I do I think it is very easy to help young people to feel uncomfortable with themselves or maybe even feel guilty about things they have done but to get them to change, to move from that to be different, the cost of that is often to move away from their friends and the environment that has often supported that, and that is extremely difficult.

Q498 Chairman: Can I take this a bit further because we have talked a lot in one way or another about professional and funded support for parenting skills, for families and young people. To what extent should we be putting down a challenge to the communities from which these young people come to take more responsibility, to show leadership towards young people? I am probably misinterpreting what you were saying but I get this almost negative message that things in communities are so bad this is going to have to be done through the voluntary sector, through social services, but not through communities themselves.
Mr Davis: I certainly think that communities have a role to play but we also have to look at the place of those communities within society, who has the power and who has the accountability at the end of the day. Most of the communities that are vulnerable and overrepresented do not have the leadership, the resources or the infrastructure to actually make those changes and they need a lot of support in order to make those things happen. Some of the things that I am alluding to do not actually cost a lot of money; it is the structure. There is a lot of money that is given towards supporting vulnerable families in communities but I would be very interested to know how much of that is in real terms geared towards or actually making an impact in the black community. Most of the programmes that we get called in to work with are asked to engage with hard-to-reach communities. For me a black community is not a hard-to-reach community because I am from there but for another organisation that is coming from outside of that area, they may have been successful in obtaining that funding but they then have a big bridge to cross in terms of how to engage with those communities. That is why we place the emphasis on voluntary organisations or community organisations being better resourced and given the infrastructure and maybe supported or mentored by other organisations so that they can tackle problems because ultimately I believe it is the black community itself that could and should solve this problem.

Q499 Chairman: Brief answers from both of you following on from that because it may be in your written evidence; can you just describe how you measure the effectiveness of the work that each of

your organisations does. This is a difficult issue so how would you want to be measured or assessed on the effectiveness of your work? Mr Solo?
Mr Solo: In terms of the work that we do and in terms of the work that we are trying to do—and that is to change the value base of for example a father so that he can be more responsible and more consistent in his parenting—it is very difficult to measure. However, the success in what we have done we can measure in a number of ways. The usual feedback sheets at the end of our sessions from the fathers themselves say it has been helpful in informing them. The fact that fathers—and I think this is the beauty of the voluntary sector—come back week after week or month after month and there is no compulsion. I feel that there is something in what Barnardo's Babyfather is offering fathers and the community that is valued and is authentic and fathers are voting with their feet. In terms of further evaluation of our work, we have had Manchester and Liverpool adopt our model of working with African Caribbean men, this hard-to-reach group, and they have been quite successful and are now working with fathers in their own communities themselves, which links back to your previous point about responsibility.

Q500 Chairman: So it is spreading good practice. Mr Davis?
Mr Davis: For me the qualitative side of the work is often the difficult thing to measure. The nature of the support that is often needed and the milestones towards getting a young person who cannot read to read are easy to measure in terms of academic ability, but the support and the social factors that exist there are not recognised. For instance, that young person may not have been motivated or able to focus on their education because their father was not involved in their life in the way that they wanted them to be. So the work that Neil and other agencies might do in terms of engaging that father is not seen in terms of a measurable output but is actually the catalyst for change for that young person. I think it is very complex. A lot of funders will say we want the impact, we want the outcomes but you are not measuring like-for-like in a lot of cases. You have to assess basically where that young person is coming from and that should be the basis for that measurement rather than simply having a milestone that says we want everybody to achieve that because you may achieve that but that young person has not necessarily moved on in terms of their personal and emotional development.

Q501 Mrs Dean: Mr Davis, in your evidence you say that there is a need to stop funding music projects. Could you tell us if that is because you think music projects are ineffective or because you think the type of music projects that are funded have a negative impact on young people?
Mr Davis: I was very interested and I listened intently to the other speakers, all of whom I am sure make quite a lot of money from the music industry. I agree with them to a point that the music does reflect some people's experiences (not all) within the black community, however the perception for those other

people whose lives are not affected or reflected in that way see that very much as something to aspire to, and if the music is not being used to solve the problem, then it is part of the problem. If you have artists who portray themselves very much, as, "I'm a pimp, I used to be drug dealer, look at me now", all of these things are sending really powerful messages to vulnerable young people who are seeking role models and looking for alternatives to getting maths GCSE or studying for their three A stars. So I think we have to have far more accountability and responsibility in terms of the programmes that we fund and that funding needs to be geared towards what is preventative rather than what is reflective. If music is about reflecting what is going on out there then we do not need any more negative images reflected about the black community. What we need is preventative programmes that change that perception and alter that reflection.

Chairman: That is a very good point on which to bring the afternoon to a close.

Martin Salter: Excellent, excellent.

Chairman: Can we thank you both very much indeed for your help.

Tuesday 27 February 2007

Members present:

Mr John Denham, in the Chair

Mr Jeremy Browne	Bob Russell
Ms Karen Buck	Martin Salter
Mrs Ann Cryer	Mr Gary Streeter
Mrs Janet Dean	Mr David Winnick
Gwyn Prosser	

Witnesses: **Deputy Assistant Commissioner Cressida Dick,** ACPO lead for gun-crime prevention, **Chief Constable Peter Fahy,** ACPO lead for race and diversity issues, and **Superintendent Leroy Logan MBE,** Deputy Borough Commander, Hackney Police, gave evidence.

Q502 Chairman: Good morning. Thank you very much for coming. As you know, we are now drawing to the end of the inquiry the Committee has been running into Young Black People and the Criminal Justice System looking at the extent and any possible causes of the overrepresentation of young black people in the system. Obviously the recent tragic shootings give a particular focus to the inquiry, although today we want to look at a broader set of issues around the criminal justice system and not just the issues of gun crime—although we will touch on those. Perhaps I could ask you to introduce yourselves for the record, please.
Chief Constable Fahy: I am Peter Fahy. I am Chief Constable of Cheshire but also lead for ACPO (the Association of Chief Police Officers) on race and diversity issues.
Deputy Assistant Commissioner Dick: Cressida Dick from the Metropolitan Police. I am the Met's lead on gun crime and the ACPO lead for gun crime prevention.
Superintendent Logan: I am Leroy Logan, Superintendent of Hackney Police. I am the Deputy Borough Commander and the lead on partnership issues.

Q503 Chairman: Thank you. Before I go into the questions, I have to read out a statement about the *sub judice* rule in relation to the recent shootings. At today's hearing we will be discussing issues related to young black people and the criminal justice system. Some of the questioning will relate to gang culture and gun crime. I should make it clear to the press and the public that there are some restrictions on our questioning which arise from our House's *sub judice* rule. This rule prevents discussion in Parliament on cases which are actively before the courts or the subject of active inquests. The aim of the rule is to safeguard the right to a fair hearing. It is also important that Parliament and the courts give mutual recognition to their respective roles and do not interfere in each other's affairs. There have been a number of recent gun-related deaths in London which have received widespread publicity. All of these cases are *sub judice* because inquests have opened and in one case charges have been brought. I should follow that there should be no discussion of the details of those cases and nothing should be said in this hearing, either by members of the Committee

or the witnesses, which might be deemed prejudicial in any forthcoming court proceedings. I will ensure that the *sub judice* rule is not broken. However, I will permit questioning on some of the broader issues relating to the nature of the communities and of the lives of the young people in which these shootings took place. I should add that I consulted Mr Speaker about this and he is content with that approach. Chief Constable, could I start with a big question to you and a very important one. We have had a lot of evidence that there is an overrepresentation of young black people in the criminal justice system. Could you briefly summarise for me what the main things are that the police service has done in response to that overrepresentation.
Chief Constable Fahy: It has been a huge range of initiatives essentially, particularly coming from the time of the Scarman Report and then reaching right through the Stephen Lawrence Report and even the report as a result of the *Secret Policeman* television programme. Really the whole tenor of that work has been about trying to build closer relationships with all the communities that we serve, making sure that policing is sensitive to the needs of those different communities but also, crucially, that policing is seen to be accountable. Going back to the Scarman Report, we set up local policing consultative committees and from those a whole range of initiatives to try to create closer relationships, and particularly for the police to be seen as being accountable. Clearly the Stephen Lawrence case was hugely important for the police service, and a whole range of initiatives have been put in place, particularly in terms of the way we deal with black people as victims. Again, there has been a huge range of initiatives in terms of our own staff—the accountability of our own staff; the degree of monitoring; the involvement of independent advisory groups; improvements to training; lots of changes that we brought in as a result of the *Secret Policeman* programme, some of which had already been planned before that programme, in terms of changing the way people are recruited; the way that our new recruits are trained in their local community; improvements to diversity training; a huge amount of work around stop and search, which we can go to in greater detail—but I think one of the most important developments has been our commitment to neighbourhood policing, which is a

commitment right across the police service to create local teams of officers in local areas. This is not about having more officers, essentially, just on patrol in yellow jackets building positive relations; it is really trying to make sure that local policing meets the needs of those local people and that those local people, through local consultative processes, surveys, local meetings, have a chance to influence what those local officers are doing. It is clearly to involve more people in that community effort, through things like volunteering, the Special Constabulary and a whole range of other initiatives. It has been a huge amount of work. It would take me longer than the time we have available this morning to detail the full range of initiatives.

Q504 Chairman: It is a very large body of work to tackle some of the problems, for example, highlighted by the Lawrence Inquiry about institutional racism and to build closer relationships with the communities. There is nothing in the evidence we have yet seen from the figures which suggests that there is any change, though, in the trends to the apparent overrepresentation of young black people in the criminal justice system. Is there a particular problem that we are not managing to tackle effectively or is it that the changes you have highlighted as the main police response have not yet had time to work with the system and have a noticeable impact?

Chief Constable Fahy: I think we would point to the fact that there has been an improvement in the degree of confidence that ethnic minorities have in the police service and the criminal justice system as a whole. We think there has been a very significant improvement in the relationship between the ethnic minority community and the police. Clearly there are difficult areas and, in general, there is a difficult relationship between young people and the police overall. We would point to the fact that we have seen an increase in the number of prosecutions for racially aggravated offences. We would point to the fact that there are more black people and ethnic minority people joining the police service. We think there is a whole range of positive measures but you are right to point out that, in terms of this particular issue about disproportionality, the figures are not shifting. Clearly we feel there is a range of economic, social and educational issues behind this—and I know your Committee has heard a lot of evidence about that. Particularly in relation to this issue about the disproportionality in stop and search and the disproportionality in arrest rates, I think it is fair to say that we are a bit closer to understanding what some of the issues are but it is still a very complex subject.

Q505 Chairman: We will come back to that but perhaps I could pick up on something you just said. In the evidence to this Committee—and it has probably not been quite as clear cut as this—we have had almost two contrasting explanations as to what is going on. On the one hand, we have had some witnesses who have very strongly emphasised the things which are happening within black communities: family breakdown, drugs, the negative cultural influences (in music and so on) and poor success in schools. On the other hand, we perhaps have another set of witnesses emphasising racial discrimination, racism, poverty coming from exclusion and discrimination. Does ACPO have a sense of which of those explanations is most plausible?

Chief Constable Fahy: I think it is so complex, it is a mixture of all those factors. We are not saying the attitude of our own officers is not still a problem and one which we need to deal with, but even that is complex in terms of the pressure officers are often under to take action against particular crime problems in particular neighbourhoods. All those factors you have highlighted do play into it but we do think, overall, there has been too much concentration on the stop and search and not enough concentration on some of those wider issues. Clearly, almost a bigger problem is the entry point and the disproportionality in the number of arrests. We have tried to say in the submission that stop and search is one of those avenues into arrest but there are a lot of other interactions between suspected offenders and the public and the police which also need to be taken into consideration.

Q506 Chairman: The next question, which is my last opening question, I would like to put to each of you in turn, if I may. Whilst some people have welcomed us having an inquiry, other people have questioned why we are having an inquiry on the issue of young black people in the criminal justice system. In your view, are some of the experiences of young black people sufficiently different and significant to justify us having an inquiry that is focusing on young black people, as opposed to us having, as we could have done, an inquiry on young people and crime in general or perhaps young people from black and ethnic minority groups? Are we right to say that there is something sufficiently and significantly different about that experience to justify the inquiry?

Chief Constable Fahy: I think there are particular aspects about the level of disproportionality which clearly is a danger of becoming a cycle, in terms of people going through the system and then continually offending and finding it difficult to get out of the system. There are particularly worrying aspects about the involvement of young black people in gun crime and particularly the fact that they are far more likely to be victims of homicide. That said, I think we would say there are a lot of other common factors between the experiences of young black people and other ethnic minorities and in fact, lots of other young people in disadvantaged communities. That particular issue about alienation and disadvantage and how people climb out of that is an issue that is affecting a lot of communities right across the country at the moment and tends to be that section of society with which the police force comes into contact most often.

Deputy Assistant Commissioner Dick: I agree with Peter. I welcome the inquiry, for a start. I think there are some things which are specific and sufficiently different, particularly in relation to history and the history in this country of relationships, particularly with our service, looking at it from our point of view, which merit that examination specifically, as opposed to looking at, as you said, young people and the criminal justice system in general. However, I do think all the evidence suggests that there are also huge overlaps between young black people and other people suffering from very similar kinds of disadvantages, and much of what you will say about young black people in the criminal justice system could also be applied to other young people from a variety of different communities, but probably not all of it.

Superintendent Logan: Again, I echo my colleagues' positive endorsement of this inquiry. I think it is critical to recognise the cultural sensitivities through the years, in that we know that the biggest influences on young people are their parents and their peers. If parental guidance is not there—for all sorts of reasons that I am sure we will go into—then that will influence the perceptions of our young people. I think the significant thing that needs to be acknowledged that is different from other groups in different cultures is the self-destruction we are seeing in certain communities of young people, who are actually seeing their youth affiliations as more important than the norms and values of society, and the self-loathing that comes with living in deprivation, in areas of need and neglect and a lack of hope and expectation. I speak from a personal perspective, in that I was brought up in that urban setting and I was conscious of my ever-present parenting to keep me away from certain peer groups that would influence me into another lifestyle. I know how self-esteem is critical. If you do not respect yourself, then you do not respect others. It is quite clear that that self-loathing is correlated with a certain amount of self-destruction. We in the black community need to recognise that because a lot of it is within our setting. As my mother used to say: "Who feels it, knows it."

Q507 Ms Buck: Some of the evidence we have looked at seems to confirm, based on sentencing records, that there is a disproportionate involvement of young black people in particular patterns of crime, and some of that being crimes of violence. I wonder whether that confirms your experience, first of all, and, if it does, what your understanding would be of why that is. Why is there what looks like a different pattern of criminal activity amongst young black people than amongst other ethnic groups and young white people?

Chief Constable Fahy: The evidence is quite clear from the research that young black people tend to be more involved in offences like street robberies, drugs and sexual offences, and young white people tend to be more involved in property crime and particular offences like burglary, and that can explain some of the differences in sentencing rates and things like

that. The explanation for that, as you have already heard in some of the evidence, is that there is a connection between the low esteem that Leroy has talked about and some of the family break-ups, with youngsters ending up on the street and tending to be more involved in those street offences and then trying to gain credibility in terms of the gang culture, with that becoming a self-fulfilling prophecy. That is clearly some of the indication, and then, when there is obviously more focus on things like street crime and street robbery, that in itself leading to more focus being on those particular issues, of stop and search as a tactic, and that leading to more black people being brought to the criminal justice system.

Q508 Ms Buck: Is the impression of what you are saying that there is more kudos, more esteem attached within that criminal sub-culture to drug activity or street robbery than, say, property crime? If so, why? One can understand the argument that being tough on the streets gives one a certain amount of esteem in that context but why a particular type of crime?

Chief Constable Fahy: From the submissions, I would agree that certainly for the people who have not done so well in the education system and are struggling in terms of their self-esteem and who are perhaps not getting support from their families, then the idea of being part of a gang is more attractive. Clearly when they see from people around them some of the material benefits that can be gained from the drug trade—in terms of access to clothes, mobile phones and all those material goods—that can quickly appear to be very attractive compared to a route perhaps through traditional education. That is what starts attracting them to the edges of the gang culture. We really know—and again it is in the evidence—that anybody involved in that sort of culture, particularly involved in drug trading on the street, is at great personal risk in terms of violence and their chances of being a victim. I think there is more of a route through there. It is very dangerous in this sort of territory to stereotype, but we would possibly pick up that a lot of the white working-class lads seem to tend to get more involved in alcohol, and almost seek an escape route through drinking vast amounts of alcohol and the pub culture, rather than so much the street culture of gangs and the drug trade. But, as I say, in this world it is very dangerous to stereotype around some of this.

Deputy Assistant Commissioner Dick: I want to reiterate the point about victimisation. I know you have the data, but the level of victimisation is not as high but the over-involvement of black victims in those offences and in all violent offences and other offences is clear.

Q509 Ms Buck: What do you believe we know about these disproportionate rates of victimisation? I think you mentioned homicide as a particular factor, but it looks like that is true of rape and other serious crimes as well. What do we know about those variations in victimisation? We have heard very compelling evidence from witnesses that the fear

young people can experience of being on the street is itself quite a significant driver of some of this more violent activity.

Superintendent Logan: I can only speak from a Hackney perspective and a certain amount of experience I have had of boroughs in the Metropolitan Police. It is quite clear that a lot of the youth affiliations do have a bearing on the types of activities that they get up to, positive or negative. If you are in a group of young people aspiring for significance through the arts, culture, education, whatever it may be, you will see a more positive one than if you have an affiliation where you have inherited disadvantages, where you are living in a deprived area. And I am not talking about deprivation in terms of the structures around them, because we have estates in Hackney where they have spent millions of pounds; so they have regenerated the buildings but what has not come with it is the regeneration of the individuals. A lot of what is picked up should be picked up at an earlier stage. We are talking about housing; we are talking about support services; we are talking in particular about youth services. Youth service is an educational tool and of course that leads into school. If your peers are not aspiring for significance then whoever speaks the loudest has the biggest impact. In a lot of areas we have seen that they are drawn into these affiliations. A lot of crime has a correlation with the minimum wage. This is no excuse for it, but a lot of people, because they underachieve at school, have a lack of job prospects. They see credibility in the youth affiliation. A lot of that is epitomised in the music and the videos: "Get rich quick and die trying"— that sort of heavy influence on vulnerable minds. Let me say that within certain youth affiliations is a high degree of drug use, and alcohol use to some extent, and then you will start to see what is the easiest form of getting money—that minimum wage issue that I spoke about. We have seen movement from a certain type of property crime and now we are starting to see movement from street crime to selling drugs. They are not just staying in boroughs like Hackney, because we are being very robust and very clear how we deal with that, but they are quite willing to go to other areas outside London. So we are seeing that peer influence and those criminal role models that label young people saying, "Listen, teachers think you're unteachable, you're disruptive. The police think you're criminals. You might as well just get on with it." You cannot underestimate the influence of those criminal role models. You need to offset those misplaced loyalties, those skewed views, into getting positive role models in their place of existence, to shatter a lot of their beliefs and values, to say, "You don't need to get security significance in a youth affiliation that is negative. You can get it in a positive setting, with role models." You have to build the capacity. It is the capacity building to have the resilience to crime and that peer pressure.

Q510 Ms Buck: There will be lots more questions on those kinds of points, but, still on this issue of victimisation, I suppose it is the vicious circle

argument that some of the reflection of serious crime against young black people is itself a consequence of a disproportionate number of young black people, for all the reasons you have outlined—being in a vulnerable position, being on the street, being involved in gang culture—therefore being at a higher risk of, say, violent crime. Or are young black people themselves disproportionately at risk of being victims, even regardless of those factors?

Chief Constable Fahy: I think the figures show that for black people, overall, the chances of being a victim of crime are about the same as for a white person. It is really at what point you get into the circle. On the whole, we would point to the fact that that circle starts a bit earlier in terms of issues around education and the family situation, which then leads them into the street culture, which again leads them into contact with the police. I think, on the other hand, you are right, they clearly then see, as we said in our submission quoting Trevor Philips, that they are more likely to end up in a prison cell than in a university lecture theatre. That in itself lowers their self-esteem and lowers their aspirations and means that, particularly when they are faced with a fork in the road, they are perhaps more likely to head towards the street culture than working hard in the education system. As I said earlier, it is very complex. There are some issues which clearly are affecting it further down the food chain, so to speak, but certainly that disproportionality itself and, as Leroy said, then the criminal role models, do create a vicious circle.

Superintendent Logan: Young black men are four times more likely to be shot than their white counterparts. For young black men under 20, the incidents have doubled over the last four years.

Q511 Chairman: Do those high levels of victimisation indicate that these victims are themselves involved in crime and it is that that makes them vulnerable, or are we talking about a classic distinction between the criminal and the innocent victims?

Superintendent Logan: I would say there is definitely a link between crime, but, unfortunately, there are also these youth affiliations that are so tight that if any person who looks like a stranger challenges them then it may result in violence. So you do not necessarily have to be involved in crime.

Deputy Assistant Commissioner Dick: In London, if we look at homicides and shootings, 85% of our suspects—and we have to be careful about "suspects" I know—are described as black and 75% of our victims are. There is very limited academic research but what there is has shown that the overlap between offenders and victims is quite large and a lot of people who are arrested have already been a victim of gun crime and vice versa—not by any means everybody of course, but there is a large overlap.

Q512 Mrs Cryer: Could you talk about your sources of information regarding gun crimes and ethnic minority young men. We cannot go into detail on

this, I know, but does it appear to you that the recent incidents in Manchester and London are following on the path of what you would have regarded as being the case before? Is it following that same flow?

Deputy Assistant Commissioner Dick: I know more about London than I do about elsewhere, but, if we look at gun crime overall: UK-wide, and most certainly in London, there is a huge overrepresentation of young black people, both as suspects accused and, indeed, as victims. That is recorded crime. If you look at homicides and shootings—which we think we know most about because, by definition, they are the most serious: hospitals, if someone comes in with a shooting injury, will tell us, so the recorded figures probably match the actual figures quite well—we are seeing, as I said, in London this massive disproportionality. That is matched, when we talk to our human sources of intelligence. When we talk to communities, in fact they would probably say it is even more disproportionate than we do. We know there is a lot of gun crime generally which is not recorded and which we are not capturing, but at the high end of the market, the worst offences, we think we have a good picture from the recorded crimes. We are seeing a general reduction, nationally and in London, in the age of offenders. When Trident, which is the London initiative to combat gun crime in the black communities was started, the people who killed people were generally in their late twenties, in their thirties, some were even in their forties, hardened criminals and older people. Now, as you may know, we have had many who are teenagers and young teenagers charged with gun crime in the last two years—homicide, sadly. So for about three years we have been observing this reduction in age and no real change in terms of the overrepresentation of black people with gun crime—particularly in London, but also in Manchester and in the West Midlands, which are the three big gun crime forces.

Superintendent Logan: Again, this is from a Hackney perspective. For 10–17 year olds, we are seeing an increase in the use of gun-enabled crime, and a decrease for 18–25 year olds. When we say gun-enabled crime, it does not necessarily mean that guns will be used or even seen; it might be if they suggest "If you don't hand over your money I'll shoot you." That would be registered. But picking up a point around under-reporting, I think we need to understand that. When you speak to young people—as recently as yesterday evening I was at a youth independent advisors group and our young people are seeing that they can shape and steer various strategies. When you speak to them and say, "Do you report every single time someone might come up to you and steal your belongings, your mobile phone or whatever?" and they say, "To be quite honest, we need to weigh it up with where we live, the proximity of the suspect, the influence they may have and the value of the item: Is it worth my while?" Unfortunately, on the extreme view there are certain youth affiliations who have a lack of trust in the criminal justice system and so they rely on

their street justice, which is faster. Recognising the influence of criminal wrongdoing, that person is saying, "Don't worry, I'll deal with it." We have instances where positive, law-abiding young people are in a dilemma, saying, "Do I wait so long for the criminal justice system to have its way," if they are happy to wait, or "I have this young person saying 'I'll deal with it for you'." We need to build that capacity in those young people to make sure they report these crimes in the first instance.

Chief Constable Fahy: It is important to highlight the fact that the number of homicides by shooting is coming down. In all the areas that Cressida is talking about there has been a lot of success in bringing that figure down. A lot of initiatives are slowly, slowly working, but, clearly, when we get the series like we have just had now it raises the whole level of public concern. It is fair to say, that about six months ago there was a similar level of concern about knife crime. I think we need to look at the broader picture. Overall, we are having a lot of success, but that general trend of people being involved getting younger is worrying.

Q513 Mrs Cryer: Is the success of Operation Trident one of the reasons for the age levels coming down. We went to Feltham and met quite a number of very young people. They looked incredibly young. Is that as a result of Operation Trident inadvertently?

Chief Constable Fahy: In all the big centres, particularly in Manchester and in the West Midlands, in places like Liverpool and Nottingham which have a lot of coverage, they have all had their operations but at the same time put a huge amount of effort into local community initiatives and trying to support those. That has absolutely not been about the police alone by any means: all sorts of agencies have been involved in that. The issue about the age is probably more a factor about other trends out there in society rather than directly a relationship with those operations.

Deputy Assistant Commissioner Dick: I would tend to agree. I know a number of people have said that Trident has arrested a lot of older people and younger people are filling the vacuum. We still are proactively targeting a lot of older people. There are still older people undoubtedly involved in gang/gun crime, if I may put it that way, and many of them are extremely dangerous and many of them are controlling younger people. It is a theory. We do not know whether it is even a major contributor to the age going down. Certainly we do have older people controlling younger people but we also have a lot of other things which tell us, as Peter said, that guns are becoming more acceptable amongst a much wider range of young people. It may be that they are more accessible to younger people than they were. We are getting more casual use of the firearm by younger people and I do not think that can be attributed to Trident's success or Trident targeting more of the older people.

Q514 Mrs Cryer: Could you talk about your sources

of intelligence, about where these guns are coming from and how they can be stopped? Apparently there has been a change in the organisation getting hold of this intelligence and since 2004 it has been taken over by SOCA. Is that appropriate? Would it have been better left with the people who were doing it before, the National Criminal Intelligence Service?

Deputy Assistant Commissioner Dick: Guns are coming from a wide variety of sources. I wish I could give you a very simple answer. There is not a simple answer. I would be happy to put that into our submission later.[10] As I think you will be aware, many of the firearms that are used are not in fact real made-for-purpose; many of them are conversions, some of which have been imported quite recently, some of which have been around for a long time and are now being converted so that they can fire, having previously been non-firing, essentially. Real made firearms are still, in general, quite expensive. The ammunition is very difficult to get hold of. Sometimes it is homemade ammunition but it is very difficult to get hold of, to buy it. There are undoubtedly some coming through our borders. We know this and we have had some great successes— the Revenue and Customs, SOCA, various police services together—but there are a lot of firearms in circulation. If you know who to ask, you may be able to source one fairly quickly. I do not think, as it were, you and I would be able to find a firearm fairly easily, but if you know what you are doing and you know who to ask you can get one, either for hire for a night, which might not be very expensive, or, if you have a lot of money—many hundreds, indeed thousands of pounds if you are looking for a very high powered weapon –you can buy one. In some parts of some of our cities, people will know who to ask, and they will ask and will get to an armourer or a converter or someone who will hire it out fairly quickly. In terms of intelligence, the National Crime Intelligence Service has been subsumed into SOCA. I think SOCA are now giving guns a high priority and doing the same work on intelligence and, indeed, on assisting at the borders with international agencies, which is very important, as NCIS used to do. Certainly we want to support them in trying to do that.

Chief Constable Fahy: We think there is room for more action at a European and a G8 level in terms of trying to control the market. Clearly things like the Internet and the fact that it is much easier to travel and to move goods around Europe are clearly encouraging the market as well. The issue about border controls and the ease with which particularly replicas can be bought and then easily converted is a matter of considerable concern to us.

Superintendent Logan: It is quite clear that not just the availability of firearms but the cost has significantly gone down. That is why younger people can hire a firearm if they are so inclined. Their access to certain people who can say, "Look, I can let you have a gun for a small amount"—

Q515 Mrs Cryer: What is a small amount?

Superintendent Logan: £50 to £100 to buy certain calibre weapons. Of course years ago it would have been hundreds of pounds for a similar sort of weapon. Because of that, they have that disposable income, obviously, to use. One of the things I think is really important at a local level is recognising that it is still confined to the minority, a minority of youth affiliations where there is this issue of guns.

Q516 Mr Winnick: Chief Constable, the Home Secretary has announced that as part of a wider plan to deal with gun violence he is going to lay a parliamentary order to ensure that 18–20 year olds are subject to a minimum sentence of five years for carrying a gun. Presumably your organisation/chief constables are very much in favour of that.

Chief Constable Fahy: We would say that there needs to be a balance between enforcement and lots of other initiatives—and deterrent is an important part of that. Parliament had made it clear that a minimum sentence would apply in these cases. Those sentencing are allowed to take into account special considerations but we would say there seem to be a lot of special considerations in a lot of cases. We think the deterrent effect is important but also just as important is what happens to those people when they come out of the system at the other end. Clearly there are difficult public policy issues about the balance between sentencing and rehabilitation and also the degree to which public agencies can intervene earlier in the cycle. As is well known, we can identify these people at a very early stage. We would say that it is about the balance, but certainly there does need to be a deterrent effect through the criminal justice system and if Parliament has laid down that there should be a minimum sentence, then we feel the courts should enforce that.

Q517 Mr Winnick: How effective has been the minimum sentence for 21 year olds onwards? That was introduced, I believe, in 2003—not so long ago. Do you have any information of how many people have been convicted as a result of that?

Deputy Assistant Commissioner Dick: I think we should say that the legislation in this country is as strong as anywhere in the world probably already, and the extra changes which the Government are now looking at are exactly that: they are extra changes on the back of some very extensive controls in terms of firearms legislation. The introduction of the five-year mandatory sentence has led to fewer five-year mandatory sentences being applied than we expected. I know the Home Office can give you the exact figures but it is something like in 60% of cases where a mandatory sentence could have been applied the judges are in fact applying exceptional circumstances.

Q518 Mr Winnick: Perhaps I could interrupt you, if you do not mind. It does not appear that what Parliament agreed in 2003, a minimum sentence of

five years—which I think most of us would agree was necessary—has in any way led to a reduction in gun crime.

Deputy Assistant Commissioner Dick: Firstly, it is not being applied in all cases. In fact, it is not being applied in about 60% of cases when I think it could have been.

Q519 Chairman: Are the police frustrated by this?

Deputy Assistant Commissioner Dick: We have commented on it. I know it is being monitored and I know the Home Office are talking to ministers about that. I am sure in lots of individual cases there are very good reasons and the legislation gives indications to judges of the kinds of things they can look at. I can say that we expected a higher proportion to result in it being applied. We also did not realise that there was this loophole, if you like, of the 18–21 year olds. It is slightly controversial, but we did expect it to apply to 18–21 year olds, and clearly it could not have and now it will have. What deterrent effect has that had? Anecdotally, we think it has had a deterrent effect. It is not going to have a huge one overnight, perhaps, but there certainly is talk on the streets. There certainly is talk from intelligence sources which says that people are aware that you could get a five-year sentence just for having a gun in a public place. But it does not seem, you are quite right, to have had a massive impact on gun crime.

Q520 Mr Winnick: To say the least.

Deputy Assistant Commissioner Dick: But I would want to put a context. At the back end of the last century, gun crime was going up almost exponentially. It has subsequently levelled off and, indeed, is beginning to come down. In London it has come down. There are all sorts of complex factors that play into whether it is going up or down, and sentencing is only going to be one small part of that, but we have welcomed that mandatory sentence and we are looking for the 18–21 year olds—

Q521 Mr Winnick: Do you think it will help if Parliament were to agree?

Deputy Assistant Commissioner Dick: I am sure it will help, yes.

Q522 Mr Winnick: If that does occur and it becomes part of the law, is there not a danger that those who might be affected will simply make sure that the guns are being held by those who are under 18, so you go further down the age level—which will hardly help the situation.

Chief Constable Fahy: There is always that danger of displacement. We are very conscious of the fact it happens the same in the drugs world, that people can use other people to act as couriers or to hold drugs or firearms. There is that risk. That is why I think it is just as important that we have a range of other measures. Sentencing does not sit alone. Just as important is a whole series of other measures, around things like witness protection and the way the criminal justice system operates, which help us to

make sure we get convictions in these very, very difficult cases. I think there is always a danger of displacement and that is why the discussions last week involved not just sentencing but a number of other measures which are just as important.

Q523 Mr Winnick: Without touching on *sub judice,* which the Chairman mentioned at the beginning, of most concern is that, increasingly, many of these gun crimes are being committed by people as young as 15, 16, 17—which, to say the least, is extremely alarming. One wonders, therefore, whether what is being proposed by the Home Secretary is in any way effectively going to deal with the situation we are all concerned about.

Chief Constable Fahy: That is why I think it is important that it is just one part of the overall measures. I do not think there is any great mystery about this when you look at what has worked in this country, when you look at what has worked in the United States. It is about the criminal justice system and the sentencing and the quality of investigation, but it is also very powerfully about all sorts of other local community initiatives, of local people themselves taking the initiative, of local agencies working closely together. There are long-term programmes and on the whole it takes time to show an effect, but if you talk to most of those community groups involved in those sorts of initiatives they will say that enforcement and the ability of the police to prevent the market in firearms and to arrest the people who are involved is a very important part of that overall range of measures.

Q524 Mr Winnick: Were you in attendance at this gang summit which occurred last week, I think on 22 February.

Chief Constable Fahy: No, Cressida was.

Deputy Assistant Commissioner Dick: I was, sir.

Q525 Mr Winnick: There was another summit previously, in January 2003.

Deputy Assistant Commissioner Dick: Yes.

Q526 Mr Winnick: So whenever this issue becomes quite prominent there is a sort of gun summit at No 10. Is that the situation?

Deputy Assistant Commissioner Dick: It is fair to say that there has been a number of dreadful crimes in this country which have resulted in a huge amount of attention being focused on gun crime. As a consequence of the first one in 2003, which was just before I became involved in gun crime and organised crime—if I may put it that way!

Q527 Mr Winnick: That is one way of putting it, at least.

Deputy Assistant Commissioner Dick: As a consequence of that, the Home Secretary has held Home Secretary round-tables ever since. Successive Home Secretaries have paid a considerable amount of attention to this issue. It is also fair to say, although I cannot give you the figures, that there has been a huge amount more resource by the police,

other criminal justice agencies and, indeed, community groups put into in tackling gun crime since 2003. It has been an ever-increasing amount.

Q528 Mr Winnick: I am talking about Operation Trident now. Superintendent Logan, how far are you confident that information will come from within the black community, so that the police can apprehend those who are responsible?

Superintendent Logan: There are a number of issues, one of which is mainly around trust and confidence. If they feel they can rely on the police to serve them according to their needs, then they will be more likely, like anyone else, to come forward with information. It is also around their resilience to crime—not that sad acceptance that this is what happens to them and not reporting it—and work with agencies as well as the police. But it is quite clear, going back to gun laws for a minute, sir, that we have the strongest gun laws in the world and we are still having increased access to firearms, especially in the younger age groups. Despite that, there are young people who believe they need to equip themselves with guns because of certain affiliations. It is quite clear that at the local level we need to have local strategic partnerships making it a strategic objective that these issues of gun crime and youth empowerment are critical. In Hackney, where I work with the local strategic partnership, Team Hackney, we are working specifically on one of our strategic stretch targets around Trident issues. But it is not just from an enforcement point of view; it is around prevent and deter. It is around working with voluntary services, positive role models and youth services workers who are there on a regular basis to build capacity with them, so that they start to work with statutory agencies on a regular basis, so that, again, it is building not just safer communities but stronger communities.

Q529 Mr Winnick: Is the situation not somewhat more dire than that?—a sort of lawlessness. So that even when someone has been shot and survives, they are not going to tell the police who was responsible. They will almost certainly take the view that they will get their own revenge—a sort of wild west situation.

Superintendent Logan: I do not think it is a wild west situation because, as I said, it is confined to certain areas. I know from a Hackney perspective that all of our crimes are going down. We have already achieved British Crime Survey targets two years ahead of time. Where it should have been a 20% reduction, we are now at 27% reduction, so it is a success story but we still have young people with guns. I think it is important that we start to understand where capacity in communities has to be built. A lot of that capacity relies on a cultural competence of how you engage with those communities, understanding what their reality is. If they do not have a positive outlook on the police, you need to have positive forums. With my Safer Neighbourhood Teams, I have had community advisory panels. They talk about theses issues with

officers on a regular basis. Various initiatives are driven by the community, so all of a sudden they start to have a sense and a feel that you are recognising what the issues are and you are starting to apply resources. That takes time. And it is not just from the police point of view. It has to be from education, from housing—from all sorts of measures, even healthcare.

Q530 Mr Winnick: But you are not denying, are you, that if any incident has been in Hackney or, Chief Constable, in other parts, the situation is such that, instead of going to the police, it is simply a matter of getting their own revenge? It is part of the gang culture and gang rivalry.

Chief Constable Fahy: From my point of view, that has always, to an extent, existed. Where a victim is either involved in crime or at the edges of crime, they are more likely to try to sort out the issue amongst themselves. There is an issue about wider public confidence in coming forward with information and I think we have made progress on that, but there is also clearly an issue around intimidation and that is why witness protection schemes are very, very important. But often the public and the press do not understand that these are hugely resource-intensive investigations. The witnesses themselves may have criminal backgrounds or chaotic lifestyles and therefore just to bring one case to court often involves a huge amount of police effort, to protect witnesses for what can be a lengthy period before the case gets to trial. Therefore there has to be this balance between neighbourhood policing, going out there and building relationships and getting the confidence of the community, and also very, very good traditional detective work, basically to get informants and to make sure, when we can get the confidence of witnesses, that we can protect them right though what can, as I say, be a very, very difficult experience. Often, some of that can continue for years after the trial has concluded.

Q531 Mr Winnick: On drugs, is much of this gun violence a question of obtaining drugs and selling on and the rest of it? How much of that would you say is involved in this current gun crime?

Deputy Assistant Commissioner Dick: Gun crime, as we have said, does cover a very wide range of crimes. It is all serious, but if you look at the most serious there is a strong link often between a drug market, or a gang that is involved in drugs and other activities, falling out with another gang. So drugs is a common feature often, but not always in the most serious offences.

Chairman: I can see nodding of heads, so I am going to move us on at that point because we have a lot of questions to cover.

Q532 Mrs Dean: Many of the witnesses to this inquiry have questioned the relevance of the term "gang". To what extent would you agree that some groups who may be referred to as gangs may simply be groups of friends from the same area? What is your definition of "gang"?

Deputy Assistant Commissioner Dick: We do have a real problem with definitions and with people's perceptions. If you had been reading the newspapers over the last 10 days, you could easily have formed the impression that Manchester/London/other big cities are in the grip of a phenomenon which might be compared with Boston, Los Angeles or Kingston, Jamaica, and that is simply not the case in all kinds of ways. We do not have a nationally agreed—even amongst the police—definition of a gang. Often, when people refer to a gang, they do mean, as you say: a group of people standing on a street corner who I do not know or I do not like, or something like that. We try in the Met to be quite specific about gangs—as opposed to organised criminals at the top end—and those we would call peer groups or just groups. So our definition of a gang is a relatively durable predominantly street-based group of people who see themselves, and are seen by others, as a discernible group for whom crime and violence is integral to their group's identity. So when we in the Met say we have a certain number gangs, that is what we are describing. But our intelligence around those gangs, in terms of their size, their structure, if there is any—many of them are highly disorganised, they are very fluid, I could be in your gang today and someone else's tomorrow—is not as good as it should be and we have a lot of work going on to try to understand the gang phenomena better. When people say gang in London they tend to think of Trident-type gangs and of course that is only a proportion of the gangs that we have.

Q533 Mrs Dean: Can you say how or why young black—young people's involvement in groups is going to change over time, and are the ages of those involved in those gangs changing as well—the age profiles?
Superintendent Logan: Could I assist. Just from a Hackney perspective, again I am very mindful of using the word "gang". I have not mentioned gang once, so far; I have talked about youth affiliations. You have youth affiliations at all different levels and, as I said, they can be very productive youth affiliations as well as negative ones. I think there needs to be a recognition that certain cultural behaviour from the 1960s and 1970s—and we have spoken about Scarman already—when the cultural congregation of young black men used to be seen as threatening and there were certain responses by police in those earlier days. As an organisation we have learnt significantly. Even in my Safer Neighbourhood Teams, if they see a street affiliation they do not necessarily think they are involved in crime, that is just a cultural gathering of young people. What is critical is the intelligence; if you get the right intelligence you know the hierarchy which is set up, where there is a grooming process and where they can get to young people, even into schools if they are allowed, and how there is an initiation process, so you need to go and commit certain crimes to get into these gangs. It is quite clear that certain people respond to that and say no, and the majority of young people say no, regardless of

colour or culture. But there are those, because of certain inherited disadvantages, certain under-achievement at school, lack of job prospects—and I even talk about gangs and the issue they are involved in is a minimum wage thing, they want to live the dream. So it is an appeal but it is still for a minority. So I think we really need to emphasise the importance of intelligence, to see who is influencing these larger groups of young people. But at the same time we need to have it right across all our agencies. As I have spoken about already, our strategic partnership at all the different levels is looking at these issues. On our neighbourhood level we have the safer neighbourhood action panels that look at the enforcement. So it is a bespoke approach.
Chairman: That is a very helpful answer.

Q534 Mrs Dean: Two quick questions to follow. Do you have any idea of what proportion of the gangs exist mainly for criminal purposes, and what sort of numbers are we talking about of young people in one gang, for instance?
Superintendent Logan: It was a report quite recently; it was in the newspaper, that Hackney has 22 gangs. I would really like to know where they got that data. We have numerous street affiliations, and it is a very chaotic lifestyle. Sometimes that affiliation in a certain area will join with another one; there is no significant rhyme or reason from the outset, unless you get the intelligence to really see where those people are operating. I would say in terms of Hackney I do not think half of those are involved in crime to that extent. I know they might get involved in opportunistic crime maybe because something happened. It might be the fact that someone has disrespected them and they have responded, because a big issue is around managing conflict when they are in these larger groups. So it depends on what sort of crime you are talking about, but also it is the fact that there are very few that are involved within that form of criminality, which has already been highlighted.

Q535 Mrs Dean: Chief Constable, did you want to add something?
Chief Constable Fahy: I think we would say that we have always had gangs; from childhood gangs right the way through to criminal networks. I think the things that clearly have changed with the way that the world has changed is greater accessibility to drugs and to firearms and to other international connections, and clearly in terms of the more serious criminal networks their ability to move in and out of the country and create their own international connections is very striking. They are the three factors which have changed the impact of gang culture, but overall, as I think has been mentioned, what we are struck by is that things which have always happened in the past, the media has more of a propensity to pick up and suddenly a big issue arises. The same really about knife crime because very, very sadly and tragically young men have always killed themselves with knives. So clearly we need to react

to public concern and media concern but at the same time we need to have a view to the longer-term trends.

Q536 Chairman: I have to say that the Prime Minister has said that he wants Parliament to consider making membership of a gang an aggravating factor in sentencing. From what the three of you have said this morning it does sound as if the courts might have enormous difficulty in establishing whether somebody was a member of a gang for those purposes. Am I right to sense that note of caution?

Superintendent Logan: I think it is really critical that we look at this very, very carefully. Again, you have to be mindful of stereotyping and that blanket approach of one size fits all. It does not; it is very bespoke. As I said, it depends on the setting in that environment and where you are operating.

Deputy Assistant Commissioner Dick: My own view is that the size of the gangs in terms of people's perceptions, and particularly perhaps the media perception, is often extremely exaggerated. You will hear talk of 100s and 100s when we believe, when we have really looked at it, that you are probably talking of 15 or 20. The coherence is extremely exaggerated as well. The consistency and the structure is often very exaggerated in people's minds. Of course they create a huge amount of fear and one understands that. However, we are seeing some groups, which are becoming more structured, beginning to take on some of the ways of operating of the gangs that they are observing on the Internet from across the ocean and it may very well be—albeit it may be a difficult piece of legislation—that it would be helpful with a small number of those gangs to be able to apply such aggravating factors, but it is going to take a lot of looking at.

Chairman: Thank you. Gwyn Prosser.

Q537 Gwyn Prosser: Superintendent Logan, in your evidence you expressed concern at the role that music may play in drawing black people into criminality and you gave us the example of the "get rich quick or die trying" line. To what extent are you concerned about the influence of images promoted by mainstream artists in this respect?

Superintendent Logan: I think most people when they go into music look at it as being a force for good, like most things. I have very close relatives who are in the music field and I am happy to see that they have positive lyrics and they realise the importance of words and how to the vulnerable person—maybe through vulnerability of their lifestyle, to do with drugs, alcohol—they can play out those issues. There is various research to show that there is a link between certain music that advocates violence against people, women specifically, whatever, which can lead to a certain amount of disrespect for that group. We have seen how certain types of cultural emphasis on violence can influence certain cultural groups—it depends on their cultural affinity. And we cannot underestimate it. I think there is a critical need for music, media,

cultural arts to have a specific look and have that cultural lens and to say, "Listen, when you produce this product and it says to go and do something to someone and five links down the chain someone actually does it," they need to review—especially in music, especially in certain youth genres—how they can change that. I will give you an example. There are certain digital channels that play a lot of music called grime, and it is the urban street culture.

Q538 Chairman: We have had them as witnesses.

Superintendent Logan: I think the critical thing is that they were underplaying that they actually reduced crime because they were feeding back to certain groups who would be saying, "I want you to play that video," and they said, "No, that does not comply with codes of practice for transmitting that form of material." And I said, "Why do you not work with them to say, 'Listen, this is why, because it signals certain terminology that might be disrespectful to another youth affiliation.'" So they are starting to work with those groups. That music can be a force for good and that positive feedback and that learning is critical. So it is not just to say that the music is bad, but say, "How do we change people's thinking and start to make more positive music?"

Chairman: Can I say something to Members and to witnesses? We are running very, very badly behind time and we have another set of witnesses to come in the morning session, so can I ask—and I need to say this to myself too—both for questions to be as brief as possible but answers to be as brief as they possibly can be, otherwise we are going to leave huge, very important areas uncovered.

Q539 Gwyn Prosser: That sort of music we can influence to an extent but what about the music and lyrics which the gangs themselves create and promote almost as a tool of retribution and threat amongst other gangs. How much influence does that have?

Superintendent Logan: That is what I am saying, we are working with certain channels where we are saying, "When you get that video and it is totally unacceptable and you feed back to them to say, 'Listen, you have to change those lyrics, those comments, the commentary'" we need to assist them to improve their products. So it is not just being left to reject, there is a learning process and it is starting to feed back because they are saying that people are now presenting more positive lyrics in their musical products.

Q540 Gwyn Prosser: On the subject of stop and search, it has been an issue of controversy for more than 20 years. To what extent do you think we have that right and fair, and to what extent do you think that stop and search is carried out in an appropriate and respectful way?

Chief Constable Peter Fahy: This is a huge issue and we have spent a huge amount of effort on this. We have tried to put more of an emphasis on the quality of the interaction, so in the way that we train our

officers in the way that they carry out the stop and search, and so when it happens that at least the person who has been searched goes away, hopefully, with as positive an experience as possible. We have put a lot more effort into accountability, involving people like police authorities and independent advisory groups to monitor the stops and searches, to have access to the records and a whole series of other initiatives, the work that police authorities do, so that young people and others are aware of what their rights are in a stop and search situation. As we have tried to highlight in our submission, what we think is becoming more and more inappropriate is to base the measurement of stop and search on the resident population; it is like, to a degree, saying that we are going to measure the percentage of people who can see a consultant for cancer care against the resident population you would compare that to the number of people, perhaps, who are suffering from cancer. So that has been a really difficult area. We keep on being accused about the fact that with stop and search black people are five, six times more likely to be stopped and searched, but that is based on the resident population and clearly street populations at different times of the day at different places. So the emphasis really has been about the quality of the interaction and particularly trying to make sure that what we do is as accountable and as open as we can possibly do it and to make sure that the people involved are aware of their own rights. But there is no question about it; it is clearly a source of dissatisfaction and mistrust between the police and certain young people.

Q541 Mr Benyon: But you would admit that little progress has been made in terms of affecting that figure of five or six times as likely to be stopped if you are black?
Chief Constable Fahy: Only if you want to take that figure as being a valid way to measure stop and search, but if you are talking about the training that is making stop and search more intelligence-led, all those issues, we feel we have made a lot of progress. But, as I say, it is only if you want to compare it against the residential population figure, which in itself is often out of date because it is based on census material, then, clearly, no, we have not shifted that particular figure.
Superintendent Logan: Can I just say that I think most people recognise the importance of the stop and search tool. It is around how that interaction takes place. Where we have complaints around stop and search is not so much around the hit rate and how many lead to an arrest, it is when it goes from one thing to another. I have had quite mature people say, "I was stopped by police, I am happy for that to occur, but it then went from, 'You are a suspect for this and there is a suspect for that.'" I think we need to recognise the cultural sensitivities for stop and search; it has always been an issue of concern in the black community. That is one of the reasons why we have capacity building leadership programmes running in the Metropolitan Police through the Black Police Association, so that young people

know their rights and responsibilities and they start to understand why that is a tactic and how they can make sure that that interaction is more positive; but also holding the officer to account. So they will ask what are the grounds, what are the objectives, the identity of the officer, whatever it may be, so that they seem to be a lot clearer on what is happening around them, and then they will feed that on to other young people. So that capacity building, a peer-to-peer mentoring, I think it is really critical to break down a lot of the myths around stop and search.

Q542 Mr Benyon: An officer in the Met told me that the statistics were inaccurate because following Macpherson and all the other initiatives that we have discussed, if he were to stop a group of young black people he would follow it by the book because he did not want any repercussions because of their ethnicity to come back to him. If he stopped a group of white youths there might be less of a problem, he might be in a hurry and he might just not follow it as by the book as he would with the other group. Do you believe that there is any basis of fact in that information?
Chief Constable Fahy: I do not think the research bears that out but I think your point there is an interesting dynamic we face at the moment, that we almost feel now we are being criticised for being too sensitive.

Q543 Mr Benyon: That was his point to me.
Chief Constable Fahy: Indeed, and it is a curious position which we are now in, that certainly parts of the popular press think that the police have gone too far, to being too politically correct, too sensitive, and we have been criticised for the fact that we gave out leaflets to the Muslim population when we were carrying out counter-terrorist operations in Birmingham, and it is a strange place we are in at the moment. I think what we would say is we have learnt a lot of lessons from Scarman right the way through, and it is quite right that officers should be very, very sensitive to those particular issues, and everything we have seen is that the more accountable and open we can be to the local population, to the public, to the press, it is actually better in terms of ease for us in the way that we do our job. But I think overall in terms of some of the pressure we are facing at the moment we would say that we have made a lot of progress and that aim of making sure that officers are accountable and understand the seriousness of the particular issue, as Leroy says, the importance of this particular issue amongst ethnic minority communities, then we think that is a good place to be.
Superintendent Logan: I think it is quite clear that if you treat someone with respect and dignity, regardless of what may result from that stop then most people will be reasonable—it is when there is not that respect and dignity, there is not that cultural competence. And obviously there needs to be a supervision officer, so that when a stop and search has occurred if the supervisor is not with them at the time there will be that intrusive supervision—why

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was that done?—through the stop slips. Now we give a person who has been stopped to search or stopped on account a form so that they know more the reasons why they were stopped and the legislation. So there is a lot more openness and transparency, but I think a lot of it is around officers understanding the cultural sensitivities of stop and search.
Chairman: Time is slipping by, so I am going to move us on to Gary Streeter.

Q544 Mr Streeter: Just touching on the police DNA database, does it worry ACPO that the numbers of black young people on that database are double the proportion of the population at large?
Chief Constable Fahy: I think that comes back to the fact of disproportionality in the system overall. People are on the DNA database because they have been arrested or identified as a suspect and clearly one follows the other. So we need to do more research to understand why that disproportionality occurs at that particular point and what I have tried to identify in the submission is that, yes, as I said earlier, stop and search is one gateway into that but there are a lot of other people we deal with—people like door staff, CCTV operators, store detectives—who in themselves make decisions as to who they identify and who they report to us, and clearly that has an influence as well. So I think the DNA database is really a feature of disproportionality at that earlier point in the system.

Q545 Mr Streeter: Can you say a word, Chief Constable, about stopping and searching young Asians, particularly since 9/11 and 7/7 and so on? There are significant increases in proportions of young Asians stopped and searched and what could you tell us about that?
Chief Constable Fahy: Only that I think we have been faced with a very challenging situation in this country and the police have had to react under huge public concern and a particular threat, but what we have tried to do is absolutely apply the lessons that we learnt from Lawrence and from everything else about having very strong links with local communities, with young people and, as Leroy said, to make sure that that is carried out in a respectful way and that there is very strong monitoring behind that; but clearly we continue to look at our tactics in dealing with the counter-terrorism threat but stop and search will always be one feature of that.
Chairman: We are running out of time, so I have to curtail this.

Q546 Martin Salter: Very, very briefly—and I am sorry we are running out of time—it is an old chestnut but it is still incredibly relevant. There is an appalling shortage of Asian and black people in the police force. I know that huge strides have been made in order to try and increase representation of minority communities in the police, so two quick questions. How much of a barrier is this to you in your attempts to reach out to those communities, and why do you think that you have not been

successful in attracting them both into the Met and other forces, despite the efforts that you have all undoubtedly made?
Chief Constable Fahy: We do think there is a big barrier. We want to make it absolutely clear that the reason we think it is important is not because of political correctness or legislation or targets, but it is from a very strong operational case that if we want to gather intelligence and information from local communities, if policing is going to be legitimate, and if we are going to deal with all the tensions out there in a very, very diverse society, we need a workforce that can cope with that sort of society. We also need to make sure that we are getting our fair share of the brightest and best people. I need to say that because we are always criticised that we are only doing this out of political correctness—we think there is a very strong operational case. We have put a lot of effort into this; the Met has done particularly well but the figures at the moment say that it is going to take us about 17 years to get a representative police force. There are a lot of us in ACPO who think that is far too long, and that is why we are commencing a debate around the issue of affirmative action. It is very, very difficult politically. There is mixed experience in the United States, clearly particular experience in Northern Ireland with the 50-50 rule—catholic, protestant, but I think where that comes from is to build those sorts of relationships through having a workforce that can understand the way that young people are thinking, and to be able to make sure we can build those links and gather that intelligence. For very strong operational reasons this is very, very important to us. So, absolutely, as you say, a lot of progress has been made but that progress is too slow, and the way that particularly the communities, and the nature of the population in the big cities like London is changing, given that most police officers serve for 30 years, there is no way that we can catch up with that sort of speed unless we consider perhaps some special measures.
Chairman: Bob Russell.

Q547 Bob Russell: Chief Constable, in the last 90 minutes there has been barely any mention of knife crime. Answers to parliamentary questions that are tabled would indicate that three times as many people are killed with knives than guns. Are we in danger of allowing the gun debate to ignore the knife problems?
Chief Constable Fahy: I hope we are not because we would like to see this as part of an overall initiative that we have against violent crime, and that involves gun crime and knife crime, to try and bring those figures down. We are seeing more people going into the criminal justice system, but a lot of the features which we have talked about apply just as much to, shall we say, predominantly white working class areas or disadvantaged areas and often knife crime plays a part in that. I think our concern is that that group of people we deal with that are neither in employment, training or education, appears to be getting bigger, and the level of social mobility

appears to be decreasing, and overall in the future that is a concern for us. It is often in those sorts of areas where there is that level of alienation and dislocation that things like knife crime and gun crime exist.

Q548 Bob Russell: Superintendent Logan, your written submission is very impressive on how you feel the black community should take on a greater leadership role in combating young black people's overrepresentation in the criminal justice system. What would this mean in practice and how, if at all, can the Government facilitate this? And do you think there is a role here for the structured youth organisations to play a greater role in the black communities?

Superintendent Logan: I think it is quite clear that a lot of capacity that we talk about in young people needs to be from someone with a shared and common experience, similar role models—especially those who have grown up in that setting and can relate. So it is around offsetting the impact of those criminal role models. I think it is around support for fractured families and the assistance of young people, young women who have children at a younger age because there is a certain amount of alienation that goes with that culturally as well. I do not think we should ever underestimate how certain people can, from a cultural perspective, feel that the laws of the land prevent them from proper sanctions of their children, and we need to have that assistance. I think through the supplementary school system they do a lot of culturally sensitive assistance of parenting of young people around their history, and especially at this current time we are acknowledging the abolition of the transatlantic slave trade, and all these sort of things need to be made clear from a cultural perspective. I think those people have a real desire and a need to change their environment. And they are there; there are various organisations—National Coalition Building Institute (NCBI), Around Parenting, with positive black male role models to speak to young people in their areas, so they can relate to them, so there is that support as well. We need to start developing that leadership in our young people and let them know about their rights and responsibilities, working through the Safer Neighbourhood Teams, and let them know that they can shape and steer all sorts of initiatives in the community, so they do not have to become their environment, they can change their environment. Just to pick up on the issues of all the disproportionality we have talked about. Since the Stephen Lawrence Inquiry we have had the Race Relations (Amendment) Act and all the race equality schemes and the equality impact assessments, if they are implemented fully, then all of these disproportionalities—not just in policing but also in education right across the piece—those issues will be addressed properly. Because if you start

setting targets for all of this disproportionality, you start then being able to challenge why it continues, and make sure that the indicators are a lot more sensitive to the needs of the communities we are serving.

Q549 Chairman: Can I throw in one more question which is about police recruitment. We would be interested in your own personal experience of having chosen to join the police and having obviously a successful career in the police, and whether there was anything you wanted to add to what the Chief Constable said about how we get more black recruits into the police?

Superintendent Logan: Thank you very much, sir. It is quite clear it is not just about getting people into an organisation, it is around how you retain them and how they progress. Again, there is an inextricable link around internal staff confidence and service delivery, and if you are seen to be treating all members of your organisation right then people will be drawn to that success, and we are getting people into an organisation and our retention levels are improving. But we need to understand that it is not a numbers issue, it is around using the skills of those people within the organisation that because they are sharing a common experience they are able to add value. You might know that I was involved in the setting up of the Cultural and Communities Resource Unit that is now part of Cressida Dick's command, where they use affinity policing to respond to the needs of the community. So it is not a numbers issue, it is around utilising the strengths of the component parts from different cultures and backgrounds, faith issues, and it impacts right across all forms of policing.

Q550 Mr Winnick: That canteen culture that you mentioned, say 40 years ago where the first black constable was subject to the most awful type of racist harassment—you mentioned the person's name.

Superintendent Logan: Norwell Roberts.

Q551 Mr Winnick: The case is quite well known. That sort of culture, which was so racist, would you say that that has disappeared completely or nearly completely, or what?

Superintendent Logan: Absolutely. That sort of occupational culture and that overt racism has definitely reduced, and when we hear of it now it is dealt with promptly. I think certain people have certain attitudes that they might not even recognise is the way in which they deal with their colleagues and the people they serve, and we need to support them and heighten their awareness of how they can be better advocates for this organisation. So it has improved but there is still a lot to do.

Chairman: Can I thank all of you. There are lots more questions that Members would have liked to ask but we have other witnesses. Thank you very much indeed.

Witnesses: **Ms Ellie Roy**, Chief Executive and **Mr Chris Hume**, Director of Practice and Performance, Youth Justice Board, gave evidence.

Q552 Chairman: Good morning and thank you for joining us. We are moving to the second part of the session this morning. The previous one, obviously, was extended a little because of the desire to emphasise in particular the work on gun crime, and obviously there were other issues we wanted to talk about. If you could introduce yourselves and then we will get the questioning underway.

Ms Roy: I am Ellie Roy, Chief Executive of the Youth Justice Board.

Mr Hume: I am Chris Hume, Director of Practice and Performance at the Youth Justice Board, which covers monitoring and performance in the youth justice system, and identifying and promoting best practice.

Q553 Chairman: Thank you very much. In our inquiry we have quite often for our background briefings relied on Youth Justice Board data to tell us about the overrepresentation of young black people in the criminal justice system. It is your data, you have produced it, so what, in essence, has the Youth Justice Board done about the data that you have collected?

Ms Roy: You say that it is our data; actually the data belongs to the Youth Offending Teams at local level. Because we were very concerned about this issue we commissioned some research which was done by Oxford University because, as you know, and as you have demonstrated through the ACPO evidence and the other witnesses that you have had, this is an extremely complex issue and it is very difficult to understand what is happening here. So we commissioned the research so that we could get a better view on what was actually happening and what the drivers were. That research was *Differences or Discrimination?* and we published it in 2004. When we looked at the information contained in that what was absolutely evident was that there was no single pattern in all of this across the country and so it is extremely important that at local level the local agencies take responsibility for it. So we set a requirement in our annual corporate plan for the Youth Offending Teams at local level to understand their own data and information so that they understood the unique nature of these issues at local level. So they undertake a race audit and based on that they have produced race action plans and we have supported them in doing that work and we are now in the process of supporting them and thinking about how they put those action plans into operation at the local level, so that they work with their local partners on the issues that they know about. I think it has been a very useful exercise for the Youth Offending Teams because it has focused their attention very much on issues which were otherwise, I suppose, slightly invisible. But it has also meant that they have data which they can use at the local level with the other partners, because at the end of the day, although we have the data within youth justice, this is not a youth justice problem *per se*, it relates to not only wider issues within the criminal justice system but also the wider issues that the ACPO witnesses were referring to in communities, and the differences in opportunity that exist for many of these groups, particularly around education and so forth.

Q554 Chairman: You have partly answered my next question, but obviously this is all coming into place now and if we look at the figures the extent of the overrepresentation of young black people has been pretty constant since 2001. Does this indicate that a lot of these local agencies, including the ones involved in the Youth Offending Teams, have really been quite slow to focus on this aspect of their work and this issue and to try to address it?

Ms Roy: I will have to speak anecdotally about that. I think that probably is the case. It is such a complicated issue when you get into it that people almost step back from it and I think it has been very useful, therefore, for us to try to lead them in steps along the way, to say that the first thing to do is that you find out what is actually happening at local level and then you work with that analysis to say what can we do and what should we do and who else needs to be involved in this. I think particularly getting the other agencies involved around the court, working with the police, working with the court service is all very important in this. I think at local level they are actually finding that this data is also very useful in terms of the wider children's services and so on, and local authorities beginning to get quite interested in what it is telling them and what can be done with it.

Q555 Chairman: You made the point that the Committee has heard from all of our witnesses, that there is a wide range of factors, some of which are well outside the criminal justice system itself that we need to look at, but your own work has recognised that there are elements of the criminal justice system itself where discrimination may at least be in play—the rate of prosecution, the type of sentencing that takes place, whether young people are advised to plead guilty, a whole series of things of that sort. Recognising, as you do, that discrimination plays at least some part in the overrepresentation of young black people in the criminal justice system, what specifically has the Youth Justice Board tried to do about that? Is there anything beyond these action plans or is it very much down to local level and what they do?

Ms Roy: It is very much down to local level because I think that the analysis at local level needs to drive the action. What we have been keen to do is to work with the YOTs to understand what they are finding out as they do the analysis and so that we can learn from that and help them to share best practice between areas.

Q556 Chairman: So if we took, for example—this is slightly random—one of the issues highlighted by the Oxford University study it is more likely that black and Asian males aged between 12 and 15 would get a supervision sentence that is more than a year long, and they would be likely to get one of the more restrictive types of community sentences. If a

YOT in a local area identified that pattern of sentencing for young people what would you expect the YOTs to have in their action plan to deal with it?

Ms Roy: I would expect them first and foremost to look at that data and think, "Is that about the individual types of cases that we are dealing with here or is there a different pattern for those youngsters compared to others?" It may well be that because of the risk factors that are pertinent in those cases there is justification for having a longer supervision or a more intensive sentence. But we would otherwise expect them to be working very closely with the local sentencers, because one of the issues that we know is really crucial in terms of how sentencers choose the sentence that they pass, is their confidence in the youth offending team locally and in the way those sentences will actually be supervised. One of the issues which causes anxiety is the number of black boys in particular who are getting custodial sentences, and we know from our most recent data that we had a rise of 115 in the custodial population in 2005 to 2006 and of those 78 were black boys. That really does cause a lot of concern. So we have been working with the YOTs themselves and also with the sentencers on the reasons why they elect to make a custodial sentence, and trying to make sure that there is really good dialogue, that there is good feedback outside the prosecution of individual cases, which allows them to look at these issues, understand what is happening and understand what needs to be done if the courts are going to pass different sentences, but appropriate sentences all the same.

Q557 Mrs Cryer: I understand that Youth Offending Teams occasionally have to do a race audit of the people who are coming before them. To what extent have the differences in the representation of various ethnic minorities been attributed to real differences in the nature and level of offending?

Ms Roy: Again, this is a very complex issue. What we know is that in those areas where you have a concentration of young people from black and minority ethnic groups—and when I say concentration, when you have over 30% of the 10 to 17 year old population in a black minority ethnic group—then we have 30 YOTs which have that kind of population make-up at the local level. But when you then look at the number of offences committed there and whether those young people are offending proportionately to their representation in the overall community, what you find is that in 16 of the areas BME groups are committing a disproportionate number of offences to their level of representation in the community. In eight areas that rises to ten percentage points or more offences being committed than the representation in the local community. What is not possible to say from that is whether that is about a small number of persistent offenders, for example whether it is about the detection of crime—and we have heard a lot about that already this morning from ACPO—or whether it is the level of crime that young people are committing. It is not possible from the data that we have to say that. So the other source of detail that we use for this is the

self-report from various groups and again the information is not conclusive on this. The Home Office carried out an Offender, Crime and Justice survey, I think that was last year, and that showed that indeed white groups were more likely to self-report on crime, that they were committing more crime; but the MORI survey which the Youth Justice Board used to carry out showed that it was black groups who were reporting that they were committing more crime. So we do not have conclusive evidence on it, it is very difficult. I think what we would say is that we know that there is a very high correlation between a number of risk factors and the criminality of young people or young people at risk of crime and that is all the things you would expect—it is family, parenting, involvement in school, peer group, the local environment and community and so forth. And where you get concentration of those risk factors then you are more likely to get young people at risk of getting into crime and of course those risk factors tend to be concentrated in those areas that I have talked about. So it is as much about the risk factors as it is about the ethnicity of the young people, but a very, very complex picture to try to understand what is happening.

Mr Hume: Could I add that the *Differences or Discrimination?* research was unique and I think remains unique in the sense that from a very large sample it looked at whether the decisions taken in terms of sentencing were based on the individual nature of the cases and the history of the young offender or not, and was able to distinguish whether there was a potential that discrimination was taking place. The audits that we asked Youth Offending Teams to undertake did not have that sort of research and would not be likely to within the time and the resources available. But what we asked them to do within the comparison with their local populations was to look at each of the disposals to see whether there was overrepresentation or not, and then in terms of action plans we encouraged them to put in place the sort of action that, given that at a local level you are talking about a very small number of cases, particularly black young people and their disposals, certain arrangements would enable those decisions to be reviewed on a case by case basis, and what we have seen from a number of the action plans that are in place now is that arrangements are being put in place, such as panels and multi-agency reviews of each case of those which were highlighted in the *Difference or Discrimination?* research, like the length of supervision orders, are carefully looked at by panels to see whether there is any evidence that the underlying nature of the offence and the offenders would not have led to that level of sentence.

Q558 Mrs Cryer: Can I ask you about the reported shortcomings in the Youth Justice Board's systems for dealing with young people from ethnic minorities, including stereotyping and lack of cultural awareness among YOT practitioners? How far have these issues been overcome to date?

Ms Roy: Again Chris may want to come in on this but again within the action plans at local level we have evidence that this is a real focus to get proper training for the staff who are dealing with these issues, to make sure that staff actually understand and have the proper information about their local population and that they do have proper awareness of diversity and they are properly trained in diversity, and that they are confident in doing so. I think it is fair to say that this is not something that you do overnight; it is something that you need to work at and constantly work at and keep going back to and keep revising because it is really very important that people are helped to develop their understanding and that they can challenge one another constructively within their local teams, and so on, on what they are doing. I do not know if Chris wants to add to that?

Mr Hume: Just to repeat what Ellie was saying earlier, that we do not believe there is a one size fits all national solution on these issues and we are really working to support local Youth Offending Teams within the context of the agencies locally, particularly the local authorities and the criminal justice agencies, to have a thorough understanding of the young people that are coming in front of the criminal justice system and the resources available locally to improve the quality of responses to those young people. Invariably it is different in each of the localities and in those areas with significant minority populations—very different minority populations with different needs, which require local responses and particularly tailored arrangements. What we are seeking to do above all else is to support the availability of national qualifications and training which encourage a more diverse workforce through our national qualifications framework; secondly, to support the identification of good practice emerging locally and disseminate that more widely around the country. As the Chairman said at the beginning, this is very early stages yet, we are only in the second year of Youth Offending Teams having race action plans, and although we have been able to identify a number of very useful and promising approaches I think we are still at the stage where the best practice is yet to emerge and we will fulfil our role of disseminating that.

Ms Roy: There is one other thing worth adding to this, that in certain parts of the country although we can do an analysis and say that this is what it looks like now, actually they are getting huge waves of people coming in from new countries and that in itself is an issue. So you might train people or get people aware of cultural issues with one group, but this is changing all the time. We were in one London borough recently and they were talking about having 115 languages spoken locally. So that is really quite a challenge, to make sure that you have the systems in place and knowledge in place to be able to deal with those young people because you may well end up with a situation where you have young people coming through the door and nobody speaks the language that they do at local levels. So you need to have very good networks through the local authority and the police and the rest of it to be able to bring people in to assist and help with that.

Q559 Mr Benyon: Are the race action plans your way of dealing with the point that came out in *Differences or Discrimination?* about the poor recording of young people's ethnicity by the YOTs?

Ms Roy: Yes, that would certainly be a key feature.

Q560 Mr Benyon: Are there other steps you have taken since 2004?

Mr Hume: I would have said that because, as Ellie said at the beginning, this data belongs locally to Youth Offending Teams and the local partners and only they could improve the data and the recording. The issues that practitioners face about their willingness and ability to record are most likely to be resolved at local level. However, more generally in terms of quality of data our approach is really twofold. Firstly, we collect certain data to underpin key performance indicators that form our performance framework for Youth Offending Teams, and we think that that is a powerful driver for making sure that the data is available and is returned. We do have a key performance indicator about disproportionality, so that is a driver. The second thing really is that ownership for improvement through the race action plan initiative, as we said, is at the local level. So if Youth Offending Teams are to be successful in implementing their actions in the race action plans then the responsibility falls on them to improve their recording and their data to achieve it.

Q561 Mr Benyon: Are you noticing an improvement? For example, in only 57% of cases it was possible to determine that more detailed information on ethnicity other than the crude categories of "black" and "white". Are you noticing an improvement on those statistics since these measures were brought in?

Mr Hume: I would say that it is patchy, and I think it is only fair to say that so far the willingness of Youth Offending Teams to embrace this initiative is patchy across the country, and invariably the strongest response and commitment is in those areas with the highest black and minority ethnic communities, which in one sense is positive but the Youth Justice Board view on this is that all parts of the country are likely to have people from black and minority ethnic communities and need to be able to provide an appropriate service in response. So whilst we are encouraged by some areas—particularly those areas with the greatest need—we are certainly hoping to see an improvement in the data still in quite large parts of the country, in those parts of the country that are predominantly white.

Q562 Mr Benyon: A major part of the Youth Justice Board's work in finding ways to deal with young offenders is outside the court system, particularly through referral orders. Are there any significant differences in the operation of referral orders for young black people as opposed to other ethnic groups, particularly in high crime areas?

Ms Roy: I am not sure I can answer that from the data that we have available to us. What we do know is that disproportion rises as you go through the

system and so with the higher tariff you are more likely to get overrepresentation at those levels. But I cannot answer the question, I am sorry, on referral orders.

Mr Hume: If we do have information we will certainly provide it to the Committee, specifically on referral orders.[11]

Q563 Mr Benyon: Thank you. As far as your youth panel members in areas of high ethnic populations, are you getting a much more representative balance of ethnicity in these groups?

Ms Roy: On the referral panel or in the YOT staffing itself?

Q564 Mr Benyon: In both actually.

Ms Roy: I think that there is quite a good reflection in the YOT, particularly as Chris says, in those areas where you have a high ethnic population there is quite a good ethnic mix in the YOT staffing and indeed at the management levels. That tends to drop when you move up through the hierarchy and into the strategic management levels, but there is at that coalface level. The referral panels themselves—I cannot quote the figures to you, but they have been a really useful way of getting volunteers into the system and they have produced a much more diverse group of people to deal with young people. We have 5,000 volunteers up and down the country on referral panels and it has been useful because it allows people to come in from the local communities and deal with young people at an early stage in their offending career through the panels. It also means that some of those people who come in choose to then go on to work in the youth offending field itself, so that has been a positive initiative.

Q565 Chairman: Would you be able to send us what figures you have?

Ms Roy: We will certainly go through it and see what figures we have.[12]

Q566 Chairman: Can I throw in one extra question here? In the youth justice system the referral system is designed really to divert lower level offenders, first offenders away from the more serious parts of the criminal justice and it seems to be quite successful. What we have seen quite a lot of in this inquiry is young black people committing quite serious first offences, which means, as far as I can see, that they are not going to go through the diversionary stages, they go straight into the more formal parts of the criminal justice. When we met young gang members from one of the X-it programmes the issue essentially came up that you may commit a serious crime when you are 14 and by the time the criminal justice gets round to sentencing you you are probably nearly 16. In the interim, if you have been lucky, at least, you may have had some influence which changed your direction, and things can happen quite quickly when you are a teenager. We do not seem to have in the system any way of

providing better support for young people who decide to change their criminal lifestyles. Should we be looking at this more carefully? Is it right to have the current hierarchy of offences or should there be ways of having this more flexible at local level?

Ms Roy: I think it would be better to have a more flexible approach to it. Clearly if a young person commits a very serious offence then they have to be held to account for having committed that offence and you have to have a boundary that says it is unacceptable. But I do think we need to be careful that we do not write young people off and push them further into criminality, and we need to make sure that we work with them in positive ways, both to enforce but, very much as the ACPO witnesses were saying—and I would agree with a lot of what they said—about positive role models and finding other routes for those young people. I think the other thing that is very important is that although those young people may only come to attention because of a serious offence at age 14 you have to ask what has been happening before that and whether or not they might have been identified at the local level as a young person at risk of getting into offending. Certainly a lot of the work and the schemes that we have in local areas youth inclusion programmes and youth inclusion support panels, are very good ways of actually identifying those children and young people who are at risk and getting them the support that they and their family need and also getting them into more constructive opportunities which will help to shape their behaviour, and there are good results from a number of those schemes. As we have had more money to invest in that over the last couple of years we have seen in a number of areas a really strong joining up between the Youth Offending Teams leading on those prevention initiatives and the other prevention work which goes on led by local authorities and so on, so that in some areas we are beginning to see a prevention strategy which is not just about the YOT leading it, but which is that broader approach, and I think that is very, very important in terms of identifying the young people who are struggling, and who are at risk, and doing something constructive with them at an early stage.

Q567 Mr Winnick: As Chief Executive how long were you aware that the Chair, Professor Morgan, was getting increasingly critical of locking up more children?

Ms Roy: I think I can safely say that Professor Morgan has been making those comments since before he became Chair of the Youth Justice Board.

Q568 Mr Winnick: So his resignation did not come as a surprise to you?

Ms Roy: No. Professor Morgan made his own decision because he was clearly frustrated as to what he saw as a lack of progress on the issues that were of concern to him.

Q569 Mr Winnick: How far do you agree as Chief Executive and, Mr Hume, in your position, with his comment which he made, I believe, last October, namely, "Locking up more children is the equivalent

[11] *See* Ev 386
[12] *See* Ev 385

for penal policy of building more coal fired power stations for global warming." As good an illustration as any from his point of view. Do you agree with that, or is that a leading question for you as Chief Executive?

Ms Roy: I think I am prepared to talk to it without reference to my former Chair, if I can put it like that. When Professor Morgan has talked about that he has made the comparison with the numbers of children and young people who were being locked up in the late 1980s, early 1990s. That is his starting point, and obviously we have more young people in custody now than we did at that point. I think if you were asking me what I would like to see I would like to see us locking up fewer young people because I would like to see alternative types of facilities in place that we could use for young people who are struggling in various ways in their families and their communities and so on. But those places, I am afraid, are few and far between and I think that one of the issues about custody is that there are some young people who have to be locked up because their offending is so serious. But when you get to custody, custody cannot say no and I think sometimes we are ending up with kids in custody who should be in other types of facilities, particularly where there are mental health issues and so forth. So I agree with Professor Morgan to that extent, we should be investing in a lot of other types of facilities to help these young people, but while those do not exist and where young people are committing serious offences we have no alternative but to use custody.

Q570 Mr Winnick: We are encouraged that you touched on the possibility of another inquiry which we hope to be carrying out. Mr Hume.

Mr Hume: Just on a purely empirical basis, it is clear that the earlier you intervene with young people the better. Our evidence is that young people first entering the criminal justice system have, on average, committed what would have been if processed seven offences at that stage. By the age of 14 if you have not offended then you are unlikely to do so. Re-offending rates are substantially higher the further that you go up the criminal justice system, with re-offending being lowest at the pre-court stage. In terms of what that tells us is that early intervention with young people who have the risk factors associated with offending is going to make most impact before that behaviour becomes entrenched and is most likely to divert young people ultimately from custody. That is particularly true of the group we talk about at the moment—young black people who the evidence in *Differences or Discrimination?* would suggest are probably more prone to those risk factors than other groups.

Q571 Mr Winnick: Do you think there is a possibility that at least some of the people who offend do so at an age where they do not really realise the consequences of their actions? Do you think that is a possibility, Ms Roy?

Ms Roy: I think that some children do start to offend at a very young age, actually below the age of criminal responsibility, and their behaviour is such that you can look at it and say that they are very much at risk of starting to offend. I think in a sense a lot of the young people that the YOTs deal with do not think about consequences, and that is one of the problems, that they do not think about the consequences. They may be of the age of criminal responsibility and they may be sharp enough and intellectually bright enough to understand the consequences of their actions, but they do not think about it particularly when they are with their peer group. The bulk of youth offending takes place in groups with their peers and so on. So even if they are capable of doing it, unfortunately they do not always think it through, or indeed care about the consequences of their actions.

Q572 Bob Russell: In seeking to combat the overrepresentation, how much guidance, if any, has the Youth Justice Board produced for local Youth Offending Teams, and if guidance has been given what is the nature of it?

Mr Hume: Two things have been issued but in the context of the evidence base being at a very early stage we produced in 2001 guidance on equality for Youth Offending Teams and we published that in collaboration with the Commission for Racial Equality. But in essence most of that guidance was generic practice that would relate to public services more generally, and was issued very much with a mind to the Race Relations (Amendment) Act, and general practice in the delivery of public services that promote race equality. I think the next stage would be—and perhaps building a fuller picture on how we got to the race action plans—the audit tool that we produced in 2004, which was produced for us by NACRO, the Race and Justice Unit in NACRO. To go back over the story again, we have been collecting data on offences and disposal by ethnicity since 2000 and that had been telling us the story which we all know, which is that there is overrepresentation. We sought in 2002, in producing our guidance on effective practice, which is our overall view on what works in working with young offenders, to see what research evidence there was about what is effective in working with black and minority ethnic young people, and we engaged a wide range of academics to view the literature and research, and what it told us was very little, if anything, about what is effective in working with black and minority ethnic young offenders over and above the general good practice in the provision of public services. On receipt of *Differences or Discrimination?* it was clear that we had some understanding of what the overrepresentation was about—a combination of over exposure to risk factors with a degree of discrimination, to which the Chairman has alluded, in certain decisions in the criminal justice system. So we established an advisory group of various experts from the field, including our colleague who was with us this morning, Leroy Logan, on that group, and engaged NACRO to try and pull together something by way of further advice and directions. We built that into an audit tool which NACRO produced, which underpinned the race action plans and it did no more than really signpost some of the ways in

which this issue could be tacked. For example, I have mentioned already about having panels of multi-agency systems to review the very small number of decisions just to make sure that there is no evidence that the decision is not proportionate to the offence and the offending history. Where we are going now, we are very much expecting the experience on the race action plans and the work that Youth Offending Teams are doing will identify some examples of things which are working at the local level. We have commissioned a second piece of research, as you have seen in our written evidence, which is going to look at what are the needs of this group and how they are being addressed by Youth Offending Teams and secure establishments, and we hope to be able to bring the two together—probably it will not be for another year, 18 months, possibly two years—when we hope that we will be able to issue a much broader and useful set of guidance about what is effective, what has worked well, with some much stronger research evidence. I am sure this inquiry has come to the conclusion that there is very little about what is effective and the work that we are doing is beginning to build that evidence base.

Q573 Chairman: Can I just follow that through? It does seem to me to be extraordinary. We have had evidence from a wide range of groups, from Kids Company to the From Boyhood to Manhood Foundation, very different models of work but all working with primarily young black people, and it does seem extraordinary, does it not, that there is no serious research into which of these models work and which do not. I know you are not responsible for the Home Office—and we will have a Minister later—but the Home Office has a research budget bigger than most universities as far as I can see. How can it be that we have this major problem and there is very little serious academic research about which models work and which do not? Do you have any idea and has the Youth Justice Board ever lobbied, to your knowledge, to the Home Office research department to get some of this work underway?
Ms Roy: I do not think we are in a position to comment on what the Home Office chooses to research and what it does not.

Q574 Chairman: No, I wondered if you have highlighted to the Home Office.
Ms Roy: I think the Home Office expects that we will do the research on the youth side of it. Certainly we have strong links across with RDS and they do quality assure the research that we do. I think this is becoming—particularly with the issues you were referring to earlier around guns, gangs and so on—a much more critical issue now and I would hope that the Home Office will start to do some broader research on this, as to whether there is a model or a series of models that you can look at. I suspect myself intuitively and having been to Kids Company and From Boyhood to Manhood and all the rest of it, that there probably is not a single model and probably a lot of this is about relationships and who actually forms positive and constructive relationships with these youngsters, who can gain

their respect, who stays with them over a long period and who, therefore, can influence them and what positive adult models do they have. It is quite interesting, we visited one of our YOTs recently in London and we spoke to some of the black staff there who were dealing with a real problem around guns and gangs and they were saying exactly that; they were saying, "We need positive role models in the community; why have we not, for example, got a target for the number of black teachers in our schools and in primary schools, black male teachers in our schools? Why do we not have incentives to get black males to go in and make sure that we get people in the key places where they will build that relationship with credibility with the youngsters?"
Chairman: I rather stole Bob Russell's line of questioning but I wanted to know about that topic.

Q575 Bob Russell: We have had an extensive and comprehensive response to my question and the Chairman's supplementary and there is not much left on that one. We should perhaps finish with this question. Are there any targeted prevention programmes and, if so, how are they focused on specific ethnic groups?
Mr Hume: Yes, there are. We were successful in securing £43 million of new money in the last spending review to develop what were already fairly successful and evidence-based youth crime prevention programmes, namely youth inclusion programmes, youth inclusion and support panels, safer schools partnerships and parenting initiatives. So the evidence base was quite strong that they were effective generically for preventing youth crime, and in distributing that money we particularly encouraged in the conditions of the grant and the guidance that localities—particularly localities with high black populations—sought to develop programmes that were targeted at those communities. Two things have really emerged—and again this is fairly early because we are only just over a year into the rollout of those programmes. Firstly, we found one or two fairly small numbers of either youth inclusion programmes or youth inclusion support panels that are targeted on specific small geographical areas with high black and minority ethnic populations—

Q576 Bob Russell: That is geographic and of course the term black and minority ethnic groups can be quite broad, so have you concentrated at any point on the different ethnic groups within that category?
Mr Hume: What I was going on to say was that those programmes, particularly one in Peterborough which is on an area that is almost exclusively working with Asian young people, the nature and style of that service and the staff have tailored a service that is very specific to the needs of that group. In Bristol we have a sub-programme which is a particular initiative which is about identifying young black people and putting together constructive activities.

Q577 Bob Russell: So they are being tailored?

Mr Hume: Tailored, and that only receives people from the black community, obviously from particular areas from Bristol; and a similar programme in Lambeth. So they are beginning to emerge but again, as we said in the last question, really the evidence base in terms of their effectiveness is still not very strong.

Q578 Martin Salter: Building on Bob's question, clearly the additional money in the Comprehensive Spending Review was aimed to target intervention programmes that were going to make a real difference and we have also heard in our previous evidence session some real problems as a result of a lack of positive role models for some of these youngsters at risk of offending or going down that pathway. To what extent are you using the additional resources to bring forward parenting programmes and to involve parents in some of these diversion and inclusion projects?

Ms Roy: When we allocated the money to local areas what we did was to give them a menu of programmes that we wanted to see them deliver at local level, and we asked them to choose what they wanted to do and what was going to be most appropriate for their local need, and to work and sign it off with the other local agencies, so that it was not just a YOT initiative but it did get the buy-in of the wider community. So we do have a lot of parenting programmes—and Chris might have the figures on what we have exactly—and a lot of work that has been done at local level is about parenting, and we have seen the YOTs deliver a lot of work around parents because they are clearly critical to this agenda, and giving them support and helping them to work with their young people.

Q579 Martin Salter: What is a "a lot"?

Mr Hume: Initially of the £45 million about £2 million was identified as specifically being for parenting programmes, but as Ellie suggested we allow flexibility to respond locally. I believe the figure is £6 million has actually been spent on parenting interventions, and we have 11,000 parenting interventions being delivered by YOTs a year, as compared with 5,500 three years ago. So the money is clearly levering a lot more. But these are generic programmes and not programmes aimed at any specific black or minority ethnic community.

Q580 Martin Salter: Do you have any evidence or evaluations which show the effectiveness of these programmes?

Mr Hume: Specifically parenting in general?

Q581 Martin Salter: Yes.

Mr Hume: We conducted research in the early years of the Youth Offending Teams where we had a number of demonstration projects on parenting, and that was fully evaluated under Home Office RDS methodology and it identified significant improvements compared to comparison groups in re-offending rates with young people who had been on parenting groups. So quite significant strong evidence that they lead to improved re-offending rates.

Q582 Chairman: Throughout this inquiry there has been a lot of evidence coming to us that the parenting issues in at least parts of the black community are quite distinctive, that the reasons for lone parenthood and things of that sort are not just the same as everywhere else in society. It seems surprising that your parenting programmes are all generic and you do not have at least some evidence of people developing innovative new programmes tailored to the needs of this particular group of families and young people. Is that a fair comment?

Mr Hume: Again, as we were saying, we would not wish to be prescriptive from the centre; we would not have an evidence base of which approach and which programme would be relevant to the black communities, and equally the black communities being so different in each locality. So our hope is that this will be emerging at the local level.

Q583 Chairman: Is hope enough? I see that you cannot sit in your office and say, "Everyone has to have one of these," but you can surely go a bit further and challenge people at local level more strongly as to whether they have identified those needs.

Mr Hume: The challenge would come from our performance framework which includes, as one of our key performance indicators, improvements in the disproportionality of young black and minority ethnic young people in the youth justice system, and our challenge would be to see over a reasonable period of time evidence, not only that there are arrangements in place to try and improve performance, but also evidence that the disproportionality is reducing; and, where it is not, the approach that the Youth Justice Board would take would be to say why and show us that you are addressing this issue in a serious way, and that is where we would get involved.

Q584 Martin Salter: One last question. It seems to me that there is a plethora of different programmes out there. We have Positive Futures, we have Connexions, we have your work. Is it possible in your view that there is perhaps too much choice or not enough coordination?

Ms Roy: Probably both really. It can be very confusing at local level but that is why I referred earlier to the fact that having put the prevention funding out and said to the YOTs, "You lead on the thinking about this but you must join what you are doing together with the other agencies," in some areas what they have done is to double the money that we have given them because they have managed to put it together with other funding coming in from other places. So they have to do that at local level; they have to have the leadership and the ownership of this issue at local level and then work out how they are going to do it and what resources they have available for that. It is always a dilemma, how do you target the resources that you have? I have been

involved in various discussions recently about reducing re-offending in which we said, "Would it not be wonderful if DCLG and the Department of Health and the Home Office and everybody else could have the same targeted group of people and if we could get all of our money and all of our interventions going towards the same group we might really make a difference." But of course we are all driven by different indicators and targets and so forth. So it does get very, very difficult to make sense of this and I still think that the only way to do it is to do it at the local level and to get the ownership and the sign-up, but based on an analysis of what the issues are at the local level. I think if I have a concern at the minute it is what is going to happen to our prevention programmes and all of this work after the Comprehensive Spending Review, because the funding is going to be critical to continue this. I think we have a basis in place where we actually have the potential to learn a lot about what will make a difference with this and to spread best practice, but we need to have a continuation of the funding in order to do that.

Q585 Martin Salter: What impact do you think the new National Offender Management Bill will have on this?
Ms Roy: The new National Offender Management Bill of course is for the older age group.

Q586 Martin Salter: But people grow up.
Ms Roy: When they are grown up. I suppose I would say about the National Offender Management Bill one lives and hopes, but our fix is very much what happens with children's services, the targeted youth support and Every Child Matters.
Martin Salter: Nicely dodged!

Q587 Chairman: One final one, Barrow Cadbury in their evidence to us suggested that your cut-off at 18 is a problem in dealing with this group of offenders and argued for a Youth Justice Board, for certain groups of offenders, particularly some young black people, an ability to stretch up the age range to 21 or 23 in terms of supervision of offenders might make a lot of sense and possibly therefore a greater emphasis on rehabilitation post-custodial sentence and so on. Have you ever had any discussions about whether it would be helpful if your remit was changed to give you greater age flexibility?
Ms Roy: I personally have not had any discussions but I know that discussions did take place at an earlier point, I think when Lord Warner was on the Youth Justice Board and Ethne Wallis was National Probation Director. I think there was a debate at that stage about how this should operate.
Mr Hume: A point to add to that, and it does to an extent relate to the previous question, is that probation is one of the four statutory partners of a youth offending team locally, and the idea is that they are part of a multi-agency partnership. One of the reasons for that is the transition from children's services into adult services, so I think the continued involvement of probation working very closely with Youth Offending Teams is a vehicle to enable a much smoother transition into adult services. We understand from figures that 40% of people worked with in the adult criminal justice system between 18 and 20 were involved in the youth justice system, so it is a very high progression rate. Getting that transition right by probation continuing post the implementation NOMS in Youth Offending Teams is critically important.

Q588 Chairman: Can I put Mr Salter's question in a different way? Is it possible that the opening up of the provision of the probation services might enable some new services to become more tailored to dealing with this transition problem from young offenders to young adults?
Ms Roy: It might or it might confuse matters even more.

Q589 Martin Salter: Very good answer.
Ms Roy: I just do not know how that will work. I think we will have to see how that plays in due course.
Chairman: Thank you very much indeed; a very good session.

Tuesday 13 March 2007

Members present:

Mr John Denham, in the Chair

Mr Richard Benyon	Gwyn Prosser
Mr Jeremy Browne	Bob Russell
Ms Karen Buck	Martin Salter
Mrs Ann Cryer	Mr David Winnick
Mrs Janet Dean	

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Witnesses: **Rt Hon Baroness Scotland of Asthal QC,** a Member of the House of Lords, Minister for Criminal Justice and Offender Management, Home Office, **Mr Vernon Coaker MP**, Parliamentary Under-Secretary of State, Home Office, **Ms Helen Edwards CBE**, Chief Executive, National Offender Management Service, Home Office, **Ms Ursula Brennan**, Chief Executive, Office for Criminal Justice Reform, and **Mr Simon King**, Head of Violent Crime Unit, Home Office, gave evidence.

Q590 Chairman: Thank you for coming. This is the final session of the inquiry into Young Black People and the Criminal Justice System. Baroness Scotland, it is quite clear that the great majority of young black people are not involved in the criminal justice system. However, in our evidence, we have had Lee Jasper, who works for the Mayor of London, saying we have quite literally a crisis in the black community amongst our young people; Superintendent Leroy Logan of Hackney Police referred to the "self-destruction" of some communities of young people who "see their youth affiliations as more important than the norms and values of society". Those are two quite different witnesses saying that there is a real concern about where we are with some young black people at the moment. Do you accept that what these witnesses are describing is a reality**?**

Baroness Scotland of Asthal: I accept that there is a real issue in relation to violence and indeed criminality amongst young people as a whole. I also accept that in certain areas, particularly in the most deprived areas in our country, there are features which reflect that dysfunction and that black and minority ethnic young people are particularly affected by that. I am not sure whether implicit in the suggestion is that this is an issue which affects black young people and not young people generally in the deprived areas of our country.

Q591 Chairman: The witnesses need to speak for themselves but the evidence we have heard from quite a number of witnesses to this inquiry, whilst they have said that similar things happen, similar levels of crime take place amongst groups of young white people, is that nonetheless there are some quite specific features of the way in which crime is developing, the way the response to crime is developing, amongst young black people which are quite distinct and the fact they are not just the same requires different responses. Are you saying you do not think that is the case, that identifying young black people is a problem in the way in which we approach this issue?

Baroness Scotland of Asthal: I am saying that what we have seen with all types of offenders is that you have to look at the socio, cultural and economic factors which influence their offending. For instance, if one were to look at women's offending, it takes a different pattern, in the main, to male offending. There are different parts of the country where you will see different trends, which are influenced by the culture in which those individuals sit. I think it is important to identify whether there are significant cultural differences and other socioeconomic differences which create criminogenic factors, which draw you to a different conclusion. I am saying that I am a little wary of the suggestion that those factors are dependent solely on the colour of the individual's skin and not the position in which they find themselves.

Q592 Chairman: Perhaps I could draw you out. What would you say the cultural factors are we might be looking at?

Baroness Scotland of Asthal: If you look at the questions of displacement, the length of time that people have been in the country, the nature of the areas in which they live, I know this committee is only too familiar with the fact that around 70% of people from ethnic minorities live in the 88 most deprived local areas. If you then look at the criminogenic factors which are indicative of those who end up in our prisons, we see that failure to get a job, failure to get accommodation, failure to keep appropriate education, low attainment, all of these features impact negatively on those who end up in the criminal justice system. There is a disproportionality in the representation there.

Q593 Chairman: Would you say that those factors are sufficient to explain why young black people are so overrepresented in the criminal justice system and indeed that overrepresentation appears to be getting worse?

Baroness Scotland of Asthal: We have to analyse those factors. You know that we have been analysing those for quite some time. What I am resisting, I suppose, is the suggestion that there are separate distinct cultural factors which are simply predicated on black and minority ethnic individuals' culture which predisposes them to behave in a way

which is criminal. I do not know, Chairman, whether that is what you are suggesting to me because, if you are, then I would be resisting it.

Q594 Chairman: Let me just look at some of the work the Home Office has done. The Criminal Justice System Race Unit was set up five years ago. One of the Ministers responsible for that, Paul Goggins, said that the aim was to get behind the surface of statistics and understand the process through which discrimination may be occurring. That was set up five years ago. The Home Office submission to us states that it is "unable to say with confidence . . . why disproportionality occurs". It does not look, on the face of it, as though the Home Office has made very much progress in understanding why disproportionality happens, let alone any progress in reducing it.
Baroness Scotland of Asthal: If I may respectfully say so, that would be unfair. One of the things we have all had to try and do is to look at the datasets. We have not always had the data as to how things actually occur. One of the things that we have done is to look at the whole of the criminal justice system, to look at every stage, because we know, from the figures that we now have, that there is inexplicable disproportionality at every stage of the process. We have disproportionality on arrest, disproportionality in terms of charge, disproportionality in terms of result in court, disproportionality in terms of sentence and disproportionality in sentence length. What we have tried to do is to unpack those systems to better understand where the change occurs. We look at the work we have done on stop and search action teams and at practical policies that we can implement to see whether we can make a difference on disproportionality. As we roll those out, we have seen that disproportionality has changed. In one area where there was disproportionality of 4 to 1, as a result of operating the stop and search action plan protocol, it is now 2 to 1, so it is coming down. I think it would be unfair to say that we are not (a) addressing this issue aggressively, but (b) starting— and I think there is a level of acute frustration that we have not been able to get to the kernel of this more quickly—to find the things that will make the difference and starting to employ those tools to change the picture.

Q595 Chairman: The difficulty that the Committee has is that disproportionality would be very familiar to anybody who was looking at these issues five years ago. You mention stop and search. I wonder if you can mention any other areas where you say in the last five years the Home Office has actually made real progress in reducing disproportionality.
Baroness Scotland of Asthal: We have made progress in reducing disproportionality in staffing levels across the criminal justice system, and I think the Committee has seen the figures where we have a much more representative workforce; the work that we are doing through the CPS in terms of the charging of offences has made a difference. If you

then look at the ability that we now have to address issues of race and disproportionality in the police force and the approach that we are taking there, all of these have an advantage, but I think we need to look more broadly. We know that those who come into the criminal justice system are affected by factors which are outwith the criminal justice system. If you then look at what we are doing across the Government and at disproportionality in terms of outcome and performance there, it would be fair to say that we have made a significant step change.

Q596 Chairman: It would be fair to say, would it not, that in terms of the actual outcomes of these processes, there are relatively few places you can point to where we have made significant improvements across the board?
Baroness Scotland of Asthal: One of the most important, surely, is in relation to confidence. One of the things we have been grappling with for a long time is the confidence black and minority people have in the criminal justice system.

Q597 Chairman: We are talking about young black people in the criminal justice system and reducing disproportionality there. As far as we can see, there has not been any significant reduction in the overrepresentation of young black people in the criminal justice system five years after the specialist unit in the Home Office was set up to address this issue. I am trying to get an accurate picture of where we are. The Committee will acknowledge the changes in the composition of the police force, staffing and so on. How much positive progress have we made?
Baroness Scotland of Asthal: That is why I say that one of the issues of real frustration is that we have identified a whole series of things which needed to be changed, which we are changing. Notwithstanding the fact that we have changed the systems, we are getting better datasets, better analyses, the changes that we would like to see are not happening as quickly as we would like. We now have the beginning of that change. I gave you an example of the work that the stop and search action team is doing and the implementation of that, I think we should acknowledge, over the last 12 months, is already starting to show real differences and real changes. It is our approach towards neighbourhood policing, the involvement of communities, the Safer Schools Partnership which involves the community and the aftercare, the common quality of service standards, the police performance assessment framework, all of those are contributing to changing the template.

Q598 Chairman: You are, quite rightly, keen to make it clear that people do not offend because of the colour of their skin, which the Committee would entirely accept. However, the Committee has had a lot of evidence as to what is happening within certain sections of the black community: black school exclusions, parenting, all those sorts of issues, the things which take a particular form in those

communities. You seem to be reluctant to get into that area of debate. I wonder whether this is not leading the Home Office not to look at some important issues. We know, for example, that between 1997 and 2003 the number of black male prisoners of British nationality increased by 21.5% and there was a 5% rise in the number of white male prisoners with British nationality. We have been told by your officials that the Home Office has not conducted any detailed research, which looks specifically at the causes behind that growth in the minority and ethic population. Do you worry that in your understandable desire not to say there is a particular problem with the black community, we are failing to examine what is gong on to see if there are particular causes, particular trends and particular factors that need to be tackled?

Baroness Scotland of Asthal: I do not think so, for this reason. If we look at what we need to do to change patterns of criminality, we have to better engage communities. One of the things that we have failed to do in the past is properly to include communities in some of the problem solving. If you look at the things that have been successful, the operations which have been successful to curtail criminality in all communities, if you look particularly in relation to black and minority ethnic communities, where we have really engaged local communities, we have made dramatic changes. That involves understanding the culture, understanding the intelligence in terms of how crime operates in that area, and engaging people in a way that makes sense. Many of the people who have spoken to you will have talked about the fact that many communities have withdrawn from this. If you look at what happens in many Caribbean communities, historically there was an unwillingness to engage or combat authority. That is changing. Lots of the quite exciting things that are happening are happening as a result of community engagement with the services. So the local criminal justice boards as part of their confidence agenda have a specific target to better engage all our communities, which includes BME communities.

Q599 Chairman: If I may, that does not necessarily say that it would not be worthwhile asking the question as a Home Office: why is the proportion of minority ethnic prisoners increasing at a much more rapid rate than those of male prisoners? Many of the witnesses we have had to this inquiry have welcomed the inquiry because they regard it as an opportunity to air issues that are going on in their community that they feel have been neglected for too long. Your position seems to be one of defending a position of saying, "We do not really want to assert these issues for fear of alienating the communities and not getting them on our side"?

Baroness Scotland of Asthal: If I am giving that impression, that is the antithesis of what we are actually doing because what we have looked at, and we have looked at very boldly, is to say, "This disproportionality is unacceptable". We cannot understand why this is happening. There is no justification for it when you strip away these issues. The issue of why the black community is so concerned is absolutely right. If you look at the victims, why are there more black victims than white? That is not an acceptable position for us. Why are the numbers in our prisons of black and minority ethnic people going up? Why do we have sentencing which seems to impinge more trenchantly on black young people than others? Why is there this difference on the ground? These are very hard-edged questions that we are asking again and again and again at every stage because we do not accept that the disproportionality we currently see is explicable and therefore acceptable. If it was disproportionality based on a sound series of reasons, then we would be much more comfortable but we are not comfortable. If this Committee has gained the impression that that is not at the forefront of the work we are doing, then I very much regret that and would apologise if I, in anything I have said, have added to it because that is the antithesis of what we are trying to do. We are absolutely determined that we will change this because it is not acceptable.

Q600 Martin Salter: Just to give you a break, Patricia, my first question is to Vernon. We are all aware, and the Home Office is particularly aware, of the link between drugs and crime. We are also aware of problems with the rehabilitation programmes that are rolled out. I want to quote to you some evidence that we were given from Camila Batmanghelidjh, with whom I know you are familiar. "Drugs play a very major part. We cannot access rehabs for young people; and there are a lot of young people who want to give up drugs but it takes about nine weeks before a drugs worker is allocated; and most of the rehabs that are out there cannot cope with this aggressive client. The rehab model is based on a middle class talking-shop model, and these kids cannot control themselves very well so when they have an outburst in withdrawal in rehab they get chucked out." I raised this issue personally with the Prime Minister, and your predecessor I remember was sent delegations on the issue. Is not one of the causes behind some of the explosion in drugs crime we have that there is still a consistent failure to make a seamless transition from the court to the rehab unit without these unacceptable delays?

Mr Coaker: This is a very important point that you make about the evil role that drugs play in many communities across the country. Could I explain that there is a number of elements to the whole purpose of the Government's drugs strategy. It does answer your question, if I can broadly draw the strategy. First of all, any part of a drugs strategy from the Government's point of view has to involve tough law enforcement. There has to be a clear set of rules which the police rigorously enforce, and that is one aspect of it. The second aspect of it is obviously education and ensuring that our young people and others are educated about drugs and the harm that drugs cause. The third element of course is the element to do with treatment. We would say, and quite rightly, that we can point to figures which show

an explosion in the numbers of people that we have now entering treatment as a result of the drugs strategy. Many of those people access it, as you know, through the drugs intervention programme and tests either on arrest or charge. We get those people into treatment. We are also, alongside that, working with our colleagues in health to try to ensure that the criminal justice route is not the only route by which people can access treatment. Obviously we want that. We are looking at what we can do to increase the number of people accessing treatment through health, and also making sure that people have the information with respect to self-referral. Of course, once people are in treatment, by whichever route they have got into that treatment, the key then and the task for the drugs strategy now is to ensure that we keep those people in treatment when they come out, whether they are in treatment or in detox or in rehab. That requires a step change in what we are doing and what we are looking to do in terms of what that means not only for treatment in terms of heath but in terms of housing, benefits, self-esteem, employment and family relationships, all of those sorts of things. If we get that right, then of course we break that cycle of desperation and hopelessness. What we need to work on is this situation. I meet people across the country, say in Liverpool or Burton (Mrs Dean's constituency), and what they are concerned about when they are in rehab is what will happen to them when they leave. We have to ensure that when we have people in treatment we develop all those processes and programmes to break the link between offending and drug addiction for somebody who is not able to lead a full and proper life in their addiction.

Q601 Martin Salter: When will we see that step change and how will this benefit policy?
Mr Coaker: We would say that there has been a significant step change already: a huge increase in investment in the drugs programme, massive increases in the numbers of people going into treatment, and, alongside that, the development of services with respect to rehabilitation and other things. We need to ensure that whether you are in Newcastle, Cardiff, Plymouth, Reading or London, or wherever you are across the country, that access to those services is available to everyone and is not post-coded. Looking at it, we find there is some variation, and that is part of the work we are doing at the present time to refresh and to look at our drugs strategy again because we know, having got these people into treatment, that the next step is about ensuring that that treatment is even more effective.

Q602 Martin Salter: To follow up, and this may be more appropriate for Patricia, the Home Office submission to us states that young black people make up 3% of the youth population but 10% of those arrested for drugs offences. You have also done some of your own research regarding the disproportionate number of young black people represented in figures amongst those arrested for

robbery. Having got these figures, having done this research, what conclusions have you come to and what are you proposing to do about it?
Baroness Scotland of Asthal: One of the things that we are really looking at is how we can stop these incidents continuing to occur. For instance, if you look at the programmes that we put in on offender management, the fact that we are looking at the seven pathways, we are working to identify, particularly in relation to young people with the young offender teams, the sorts of programmes that really work, the intensive supervision programmes, but we are also trying better to understand what other things are fed into that type of behaviour. It has been very interesting to see how, in various parts of the country, we have been able to put forward programmes which actually do appear to make a difference. What we are trying to do is to pull all that intelligence together because in many of these programmes, if you are able to put in a programme which has a number of core criteria, you can interdict that. That is what is starting to happen now. It really needs us to do this in a more comprehensive way. One of our aspirations for having offender management which is end-to-end is being able to target these issues in a much more creative and effective way than we have been able to do in the past.

Q603 Chairman: Could I push you slightly? One of the things that has perplexed me and the Committee, and I am not sure we have had a coherent explanation, is that the patterns of offending amongst young black people are different to the patterns of offending of young white people. Young black people are much more likely to be involved in public disorder and burglaries, disproportionately so. Young black people who have drugs are more likely to commit robbery offences. Has the Home Office come up with a convincing explanation for why you get those differences of pattern of offending?
Baroness Scotland of Asthal: Firstly, I do not think anyone has come up with a satisfactory explanation as to why we get those patterns of behaviour. One of the things that we know is that we are only going to come up with what works by working fairly aggressively and very differently with the different agencies and with the community so that we can get to grips with this. If there was, for instance, from this Committee an understanding as to what the silver bullet is, I can honestly tell you we would grasp that with huge acclaim, but we know that the thing that seems to be working is the joint working across the agencies, including the young people, working together with the community to make that difference. That is what we are trying to do, to try and understand better why the communities are functioning in slightly different ways. I said earlier in response to your question that we even have regional variations. There are ways of offending that happen in the north and in the Midlands which are significantly different from the patterns of behaviour that are happening in London. We have to look at

those regional and cultural variations and try to better understand those if we are to make the difference.

Q604 Mrs Dean: The Home Secretary has said he is considering gang membership an aggravating factor in sentencing but witnesses to this Committee have suggested that whilst gangs are a serious issue, this is often exaggerated and often groups referred to as gangs are nothing more than a group of friends. Is it really practical or appropriate to legislate against so-called gang membership, given the acute difficulties in defining these groups?

Baroness Scotland of Asthal: In some ways you can. I need to emphasise that this is an issue that we are looking at. It is really important for us to understand what contribution gangs make and is it going to be an effective thing to do to identify it as an aggravating factor. There is no decision at the moment as to whether you should legislate on it. You know that we have the Sentencing Guidelines Council. We have a whole set of tools. What is important, and I think this Committee is emphasising this, is that we should not shy away from looking at that as an issue and looking at it as a reality of what is happening in the lives of a number of young people now. It is the looking at it which is important for us to better understand it and then to respond to see what we should do about it.

Mr Coaker: This is very much part of what the Chairman was saying about the need not to shy away from difficult issues. There clearly is an issue, increasingly it seems anecdotally from when you go to communities and talk to the police, about gangs becoming more organised and people having more concern about what the gang thinks than society's values and the community's values. We need to try to find out what is going on in respect to that and what we mean. We have seen the various definitions, from a group of friends to street gangs to organised criminals, and all those sorts of differences in terminology. We need better to try to understand how that impacts on crime and disportionality. It is something we are looking at. Whether it is a good thing to do or not is something for the future. We should not shy away from it. The real concern that I am sure communities have told the Committee and have certainly us is the worry about the increasing loyalty that people feel to a gang, based on territory, based on other things. We need better to understand that and see how we can support not only the police but communities in trying to address that problem and reasserting society's values and the common values. Could I add one aside that I think is important. From reading the evidence, people have spoken about role models. The positive role models are absolutely right. That may be the focus of a question later. May I also say that part of tackling gangs and tackling this problem in communities—I know my fellow Minister believes this as well—is about needing to do something about the negative role models, the people in their communities who are clearly living beyond their means. People are asking why something is not being done about that. We can

take away assets from the proceeds of crime. The police and the courts are working hard on that. We are trying to redouble our efforts on that. We need to do more on that issue so that these people do not get kudos, do not get a sense of people looking up to them from making money illegally and living beyond their legitimate means. We need to do more on that.

Baroness Scotland of Asthal: If you listen to what parents in all communities are telling us, and I think you have heard a number of adults from the black community, they are particularly concerned about how they feel their young people are almost being seduced away from their way of living into this alternative culture. It is as if it is a cult and they want to get them back out. We have to listen to that, address it and work with it. If we do not listen to what people are telling us, we are not really going to find a way out of some of the difficulties that we are all facing now.

Q605 Mr Benyon: Minister, have you attempted to try to find a form of words that might work in the legislation that would define a gang as opposed to the evidence that we have heard that it is very difficult, because there are large numbers of groups of people that hang around street corners that many people consider to be gangs, but they are just simply groups of friends hanging around on street corners?

Baroness Scotland of Asthal: Vernon has been doing a lot of work on the whole issue of gangs and how we take that forward. A definition is going to be of real importance. There is a Serious Organised Crime Bill going through now. We are looking at what serious crime is. There is a whole raft of things that we are now looking at in terms of the Hallsworth and Young definition which identifies three levels of groups. There is a way forward on this.

Mr Coaker: We use the definition of Hallsworth and Young, which defines these three levels that I was talking about before. There is the peer group, which is just people who congregate together, of mixed ethnicity, with shared leisure choices, the sort of thing that we all recognise, the group of friends like that of my son or daughter or your children or grandchildren. That is clearly not a gang but it is a group. They define that. Then there is what we often call a street gang where you start getting into territory and identity. These people may carry and use weapons, including firearms and knifes. The issue about the street gang element of this three level definition that Hallsworth and Young use and the police use as well is that it is becoming more associated with criminality. Frankly, it is becoming more violent, more distant from the values of the community in which they live, with almost a separate entity, as Patricia was saying. Then there is the organised criminal network. It may be wrong, but I think the area where people are particularly concerned is the street gang and what is happening with respect to street gangs. On Mrs Dean's question about whether membership of a gang should be an aggravating factor, we know that street gangs are becoming more organised and more violent. Can we

come up with a definition that's workable, commands a consensus and will help us? The answer is that that is work to be done. I do not think we should rule it out. We cannot say: yes, this will happen. The Hallsworth and Young definition at the moment is a generally accepted definition that is being used.

Chairman: That is very helpful. They have submitted their work in evidence to us drawing on similar sources.

Q606 Mr Winnick: On gun crime, to some extent leading on from some of the earlier questions put to you by the Chair, do you accept that there is a particular problem affecting the black community? Let me be more specific: young black people, the subject of our inquiry, but particularly young males as opposed to females. There does not seem to be a particular problem with young black females. Does the Home Office accept that there is a particular problem involving gun crime amongst young black males?

Baroness Scotland of Asthal: We accept that there is a terrible, regrettable and increasing problem on the issue of the use of guns. It is something that we are radically trying to address. What we have not had any evidence of to date is that this issue is either solely, mainly or disproportionately an issue for black young men. We know that there are more black victims of gun crime than white, but there is no current data to indicate that this issue of guns is specifically a black as opposed to a generally criminal issue.

Q607 Mr Winnick: Lady Scotland, I wonder if I could just give you a few quotes from Lee Jasper, the adviser on race matters to the Mayor of London. I quote what he told us in this inquiry. "We have, quite literally, a crisis in the black community amongst our young, black people". A black pastor who gave evidence to us said as follows about our inquiry: "My gut feeling was 'about time' and the feeling that it has been overlooked, undermined, underplayed and has not been given the effective attention it needs. I suppose in local communities it is more obvious. The dream had been that the centre would pick it up and do something". Finally, the Deputy Assistant Commissioner of the Metropolitan Police said: ". . . there is a huge overrepresentation of young black people, both as suspects accused, and, indeed, as victims," as you have just said. Surely that demonstrates, does it not, that there is a crisis from the quotes that I have given and that perhaps there is a certain amount of complacency on the part of the Home Office?

Baroness Scotland of Asthal: There is absolutely no complacency on the part of the Home Office. If you look at the actions that we have taken to address this issue, both from the police and the community, I am sure Lee Jasper and the members of his committee will have told you about the community response and the action the Metropolitan Police are taking to address this issue together with the Home Office, so there is certainly no complacency. The other issue

that I would invite the Committee's attention to is that of course those who have given evidence have done so about the situation in relation to London. The areas in which this activity is occurring have a number of features which are similar to other areas where similar activity is occurring, but the complexion or composition of the communities differs. If one were to look at the situation across the country as opposed to those conurbations that may have an overrepresentation of black young men who are within the age range and in the sorts of communities where this is featuring, one would see that there is a correlation between those two. Therefore, I am not for a moment moving away from the point that this is a real issue certainly amongst those and a real issue for London. Then to do the quantum leap, which I must say to the Committee I think is quite dangerous, and to say that this is solely or predominantly a black issue as opposed to a general issue in relation to guns would be a profound mistake.

Q608 Mr Winnick: Lady Scotland, what concerns many of us is the phrase used by the police and I am not criticising the police, black-on-black. I am not suggesting the police are doing this but there is a sort of feeling that it only really involves the black community; the victims are mainly black as a result of the gun crimes against them and so on. Therefore, and I am not suggesting the police are saying what I am now going to say, there is a general feeling that it does not involve the wider community and the victims are black. There is no doubt that in nearly all cases, the large majority of cases, would you agree, where violence has been used by blacks, the victims have been black?

Baroness Scotland of Asthal: I think there have been a number. Can I say that I agree with you that to talk about black-on-black violence is wholly unacceptable, not least because the majority of offences are of course committed generally—and I am not talking about gun crime—by white people on white people and nobody calls it white-on-white violence. So I think it is very regrettable, verging on the offensive, to talk about it in those terms. Also, it has to be absolutely understood that if an offence peculiarly affects the black and minority ethnic community, that does not mean that it should deserve a lesser degree of attention. The Home Office would not give it so. We want a criminal justice system which is equal and fair to all, irrespective of race, gender, ethnicity, sexual orientation or faith. If we do not have a system which delivers that, then it is not a system which can truly be called fair. If the Committee has an anxiety about that issue, can I say very profoundly that we share it. This is not a black issue. It is a general issue of concern which needs to be addressed wherever it arises.

Q609 Mr Winnick: I certainly agree with you of course on the phrase black-on-black, a phrase which I would never use. I am quoting here. One would hope the police would not because obviously it minimises the suffering and terrible hurt it causes to

those who are the victims of crime, regardless of the colour of their skin. Can I put to you bluntly, Lady Scotland. You said there is a danger of pursuing the inquiry in certain ways, or words to that effect. Do you think, and I am going to put the question as bluntly as possible, that it is racist to look into the possibility that a lot of the gun crime involves young blacks, not older blacks or female blacks, under the age of 21 than otherwise. Do you think there is a sort of racist possibility or rather that it can be seen in that light by probing the amount of gun crime involving young black offenders?

Baroness Scotland of Asthal: I think that it is really important not to conflate the two issues. There are issues in relation to proportionality and how black and minority ethnic people are participating within the criminal justice system. It is important for us to understand why that is and for that exploration to be rigorous. Therefore, I really welcome the highlight which this Committee has given to that issue. It is unfortunate to conflate the two issues in relation to gun crime and disproportionality. The reason I say that is because, just as with knives and with gangs, those are issues which tragically impinge on all of the communities. I would certainly be very anxious that the work that this Committee is doing should not be misunderstood and used in a way which I think nobody on this Committee would like. Certainly the issue in relation to gun crime and all its manifestations and how it affects all communities should be looked and looked at rigorously.

Q610 Mr Winnick: The witnesses who appeared before us who happen to be black do not seem in any way to have misunderstood our inquiry, and indeed have welcomed it. I hope that is the reaction at the Home Office. Can I ask you this regarding the question of gun crime and sentencing. The Home Secretary has very recently announced his intention to lay a parliamentary audit to ensure that 18 to 20 year olds are subject to a minimum of five-year sentences for possession of a prohibited firearm. At the moment, and obviously you are the Minister and you know, it only applies to 21 and over. Why did the Government not lay such an order earlier when Parliament voted for a five-year sentence in 2003, it voted for it being applicable to those aged 18 and over? Why the delay?

Baroness Scotland of Asthal: I think there was a lacuna. In the way in which the law worked, it was believed that those individuals would be covered. As a result of a recent court decision in *Campbell*, it identified that the court took the view that those individuals within that age group were not covered. As a result, it has been necessary to lay an order but, before *Campbell*, the way in which the provisions had been interpreted was that individuals who fell into that age group would be caught. We have identified, as a result of *Campbell*, that they are not caught. Obviously we are seeking to remedy it. You are absolutely right that Parliament clearly intended that they should be covered. This simply seems to

have been an issue which was not addressed in a way that enabled that to occur. By virtue of laying the order, we are seeking to fill that gap.

Q611 Mr Winnick: Had many convictions actually taken place for those 21 and over who had been found guilty of possession of a prohibited firearm?

Mr Coaker: I understand there have been but we do not know the number. If it would be helpful, we could write to the Committee with that information.[13]

Q612 Chairman: When was the *Campbell* case?

Mr Coaker: It was about a year ago.

Q613 Chairman: Can I ask why it was not until the recent shootings took place that the Government decided to announce that it was going to reinstate the position that Parliament thought it had voted for? Why did it take a year?

Mr King: We were considering what the best response would be. It was considered that it might be appropriate to appeal against a different judgment in a different case. I think what has happened recently is that we have made a decision that the quickest way to ensure that 18 to 20 years olds are caught is to lay an order. It has just been a process of considering what the best response would be.

Q614 Mr Winnick: Has the order been laid?

Mr Coaker: No, it has not.

Q615 Mr Winnick: When is it going to be laid?

Mr Coaker: We anticipate it will be done by June.

Q616 Chairman: In hindsight, it might have been better to have moved more quickly after the *Campbell* case.

Mr King: Yes.

Q617 Mr Winnick: It will be done before the summer recess?

Mr King: Yes, it will be in force by the summer, so it will be laid shortly.

Q618 Mr Browne: Baroness Scotland, may I start by saying that I did not hear a single Member of the Committee say that the increase in gun crime was solely attributable to black people. You were the only person who made that claim, as far as I can recall. I would not wish anybody to infer that that was the view of either myself or of any other Member of the Committee that I am aware of. You also said that there was no evidence at all in the Home Office either to support or refute the assertion that black people are disproportionately responsible for gun crime. Is it your intention to undertake that research and when might we know? At the moment there seems to be a lot of listening and understanding but there does not appear to be very much concrete action.

Baroness Scotland of Asthal: One of the things that you know we have done is to better engage in terms of getting the datasets. We did not have the sort of data that would enable us to make critical and informed choices. If you look at how we changed the way we collate data, the investment you have seen here and through the changes, and we have spent about £2 billion on that, we are hoping to get real time data which we would be able to use as a management tool for the criminal justice system generally.

Q619 Mr Browne: The ethnicity of people who are convicted of firearm offences is not recorded by the Home Office. Is that what you are saying?
Baroness Scotland of Asthal: I think the ethnicity of those who offend is increasingly recorded to enable us to better understand the shifts in population and the nature of offending.

Q620 Mr Browne: So you can actually measure whether there is a disproportionately large or disproportionately small amount of gun crime perpetrated by black people or white people, or neither?
Baroness Scotland of Asthal: We will be able in the future to know that with a greater degree of precision through C-NOMIS, Ursula Brennan has been dealing with some of that.

Q621 Mr Browne: To be clear, you said that at the moment you have no way of knowing that at all. In your earlier comments you said you have no way of knowing. In fact, it might be solely attributable to one ethnicity.
Baroness Scotland of Asthal: No, that is certainly not what I said. I said that the data we currently have that we have collected does not indicate a bias towards one ethnic group or another. At the moment, there is not information which would say that this is more of an issue for the black and minority ethnic community than in relation to white. That information is going to continue to be collated. We will be reviewing it. I think what was being put to me by the Chairman was that this was a significant issue in the black community with black young men. What I was responding to is: I understand that may have been said, I understand that it may have been said in relation to London. I understand that that was information the Committee had been given. But if you look across the country, the figures across the country that we are getting, we have no data which would verify that this is more an issue for the BME community than it is for any other community. That is what I am saying.

Q622 Chairman: Minister, if I could follow up Mr Browne's questions and it is really quite central to some parts, what further data are you able to share with us at this stage? We have found in this inquiry that often the Home Office says, "We have no data" and we have had data from the Metropolitan Police or other major police forces which have tended to show something different from what the Home

Office is saying. I am not sure whether the position is that the Home Office has data that counters that information or just because the Home Office has no data, it is saying you have nothing to go on.
Baroness Scotland of Asthal: We have data, as I have told you, which indicates that there are a large number of victims who are black. The data that we do have does not indicate that a great number of the perpetrators are black. For instance, we have crimes recorded by the police in which weapons, including air weapons—so it is not just bullets—were reported to have been fired and caused fatal or serious or slight injury in England and Wales. There were 25 Black or Black British fatal inquiry victims for these crimes in 2004-05 and 19 in 2005-06. So we can tell you about the victims, that there are more black victims, but we have no indication across the country data which tells us that the perpetrators are more likely to be black than white.

Q623 Chairman: I am grateful for that. The Committee would welcome receiving whatever information you can give us.[14] I have a further question which is simply this. Would you be confident, Minister, that bringing together gun crime involving guns that fire bullets with air pistols in one category is a satisfactory category of crime for analysing this problem?
Baroness Scotland of Asthal: I think we have to look at all gun crime. Unfortunately, they are coming now in different species. We are looking at how to do that.

Q624 Chairman: That is to separate them?
Baroness Scotland of Asthal: It is to better understand them. You have air weapons of course, which are used in one way, quite often used by young people inappropriately, and you have other guns, which tend to be used in more serious forms of criminal activity.

Q625 Mr Browne: I was going to ask about the five-year minimum mandatory sentence for firearms. As I understand it, and correct me if I am wrong, recorded firearm offences have approximately doubled in the last decade and this is one of the responses that the Government is attaching particular significance to. Does the Home Office believe that the five-year minimum mandatory sentence is having a big impact, what impact does the Home Office anticipate it will have in terms of reducing firearms offences, and particularly whether it will have the effect of encouraging children below the minimum age for the minimum mandatory sentence to apply to carry firearms rather than young adults?
Mr Coaker: It is fair to say that we all recognise that there has been, as you say, a more than doubling of firearms offences in the last eight or nine years. This is relevant in answering Mr Browne's question. If you look at the most recent figures, there was a levelling off between 2004 to 2005 and 2005 to 2006

[14] *See* Ev 308

where there was only an increase of 0.1%. The latest figure that we have is that there is a 14% fall in total firearms offences in the 12 months to September 2006. The relevance of me quoting the latest statistics, the levelling off in the rise and then the reduction in firearms offences, is that of course they come after the introduction of the minimum five-year sentence. I am being frank with the Committee because exchanges need to be frank just to move forward, which is what we all want. I do not have the evidence for that. All I am saying is that in 2004 the minimum legislation came in and then we have started to see a reduction in firearms offences. Clearly, that is not the only reason. There has been a lot of other policing activity and community activity, et cetera. That is one perhaps possible point that could be made. With respect to the other points Mr Browne made, it might be helpful to the Committee, because people read this, to say that the current sentencing position as we know is that if we talk about younger children, we are clarifying the position with respect to 18 to 21 year olds, in answer to Mr Winnick's question. The order will be laid to clarify that situation. For 16 and 17 year olds, the current legislation is a minimum of three years' detention with a maximum of 10 years. For 10 to 15 year olds, the current sentencing position is that there is no minimum sentence but there is a maximum sentence of 10 years. Young people below the age of 15 can currently, should the court choose to do so, taking into account all the circumstances, impose quite a serous sentence on those young people for a possession offence. The point was made about whether the reduction of the minimum age, clarification of that to 18 and consideration of it being younger, will drive younger offenders down. I think Cressida Dick, the Deputy Assistant Commissioner, made the point that the Metropolitan Police, as well as other police forces, are worried about younger people becoming involved. Again, it is something we have to do in terms of reviewing the legislation as to whether more needs to be done with respect to that. I would also point out that there will be a new law which comes into effect in April, next month, from the Violent Crime Reduction Act, which will make it an offence to mind a weapon for somebody. So we think that may help as well with respect to the younger age group, who, again anecdotally, we understand are being used more as minders and carriers of weapons, which my barrister friend will tell you, there is clearly a difference between possession and minding. But we are already taking action, and in order to address the problem that you raised, Mr Browne, it may be that the minding offence will help because obviously that is applicable to younger people and it is already something that will become law next month.

Q626 Mr Browne: As you have just mentioned, Mr Coaker, we had Cressida Dick, from the Metropolitan Police, in front of the Committee a couple of weeks ago and she said—and I quote— "The introduction of the five-year mandatory sentence has led to fewer five-year mandatory sentences being applied than we had expected." It is a bit like life sentences, mandatory has a different meaning from the dictionary as it applies in the Home Office. Mandatory does not, as one might expect, mean that it applies in every case. As I understand it, five-year minimum mandatory sentences for the possession of an illegal firearm have been applied in 40% of cases; the majority of people appear not to have received the mandatory sentence. Can you confirm that that is the case and is the Prime Minister's gun summit at Number 10 going to increase this figure or is it completely irrelevant and a one-day wonder?

Mr Coaker: I read the evidence that the Deputy Assistant Commissioner gave and I have no reason to believe that that is not accurate. I think the legislation does say that there is a minimum mandatory sentence, but there are exceptional circumstances which the court can take into account. We announced, as a result of the Prime Minister's summit, and indeed the round-table that we have had subsequent to that where we have involved large numbers of community groups, the police and others working in this area, that we are looking at all of the legislation with respect to gun crime, to see whether there are changes that need to be made, and part of that review will obviously be looking at all of this.

Q627 Mr Browne: But Minister is there not a slight fraud being perpetrated on the public, that they see on the news and on the television all of these people going into Number 10 Downing Street, specially invited to have a summit on cutting gun crime, and there are big headlines in the newspapers saying that there will be a five-year mandatory sentence. I think most people, if you stopped them, would assume that that meant if you were caught walking down the street with a firearm concealed on you, and you were caught by the police, you would go to prison for five years. Yet what we find is that the exceptional circumstances are not the exception, they are the norm; the exception is the mandatory sentence actually applies. We can have an argument about whether that is good policy or just bi-captured initiative, but at the moment people are being told that one thing is happening and actually the reality is quite the opposite.

Mr Coaker: Obviously the court will make judgments on that and that is why we are reviewing the legislation as well, to see whether more needs to be done. I have to say, however, that I do not think following the terrible events of the last few weeks that people would see the summit as a fraud; I think people would want to see the Government looking at what is happening and doing, as this Committee is doing, trying to understand how the legislation impacts on all of this; what more needs to be done with respect to communities; how we involve communities more in what is happening; what is effective and what is not effective, and that is what was done at the summit. A series of actions came out from that and I think that is what the public would expect. What they would also expect is to see, as you

rightly say, that that is not just something that occurred then and that is why we have a round-table at the Home Office, which the Home Secretary chairs, which draws in all of those people, and that is why we have set up an action plan to take all of this forward, to ensure that not only have we been doing good work, which we have been, but that we carry that on and we look at what we are doing to see if it is as effective as it can be.

Q628 Chairman: Can I just say, Ministers, that I am more responsible than anybody else for the fact that we have made relatively slow progress this morning, but I am going to be a bit more disciplined and I am going to ask Members of the Committee and Ministers as well if we can give shorter answers and questions. It is my fault that we have only got to where we have. Bob Russell.

Q629 Bob Russell: Lady Scotland, our inquiry has shown today, as confirmed, that the Home Office has a lot of statistics and data but in the jigsaw of life not all the pieces are available. Is it correct that the Home Office currently does not collect data on the ages of suspects involved in firearms offences?
Baroness Scotland of Asthal: I think we are able to collect ages now in terms of the new system we have put in place. One of the problems that you will understand, Mr Russell, is that in order to make those statistics stack up we have had to go back and look at all the data. So it is very difficult at the moment to say that we would be able to give an age profile of those who currently offend. We also have, of course, a different system in the adult estate than we have in the juvenile estate; the juvenile estate collates their data differently. So what we are trying to do now in building the data, and the C-NOMIS is the adult, ASSET—is the approach used by the juvenile estate and we are trying to put those two together so that in the future we will be able to have those figures accurately and more precisely understood.

Q630 Bob Russell: So the age data is now being collected. When did that commence?
Baroness Scotland of Asthal: It is collected in terms of the information that is being put in is the name, age, offence with which the individual is charged. So in the future I would hope that that information would be capable of being disaggregated in a way that we would be able to use it as a management tool. One of the things we have had in the past is that we have collated data but that data has not been very easy to disaggregate so that you can use it to help you understand what is happening in the criminal justice system. The new system should enable us to do that.

Q631 Bob Russell: So to a certain extent you are making decisions without the historic data—you are now collecting it but you do not have the historic data?

Baroness Scotland of Asthal: We have incomplete data; that is one of the problems. So the juvenile estate will tell us, of course, the figures in relation to what is happening there. Some of the juveniles, of course, will be in the adult estate and some will be in the juvenile estate. Ursula might want to comment further on that, as to how we are trying to merge these two together.
Ms Brennan: Could I just comment on the data. Data in the criminal justice system is collected by all the different agencies using five bar gate systems, bits of paper, IT systems, collected for their own purposes. When the Chairman said that sometimes the Committee has had information from the Met, and so on, which maybe seemed to contradict the data that the Home Office had, or maybe the Home Office had said it did not have data, one of the things that the Home Office has been doing in the past 12 months is to be much more rigorous about its data. One of the things we have done previously is to collect a lot of data and then realise afterwards that the quality control on the collection of it was not always as accurate as it should be. In relation to ethnicity data we were not collecting consistently the same standard of information about ethnicity to enable us to be able to look at issues around race and the criminal justice system. We did a root and branch review of the data and the statistics and we have set out a minimum data set now. All the agencies across the whole of the criminal justice system will collect that data and we will be able to get consistent data, but at the moment sometimes there is a bit of a sense of, if you want sentencing data, for example, the courts have probably picked up ethnicity data from what the police might have recorded and that is not always picked up thoroughly and if it is picked up in the courts it is not always entered on to the courts' systems. So there is a case that data is collected in some cases but we have not had the ability to track it through the system and that is what we are now trying to put in place.

Q632 Bob Russell: Thank you for that. If I could move on to another area that concerns me, and that is killing by sharp instruments—I used to call them knives—which accounted for three times as many deaths overall as killing by shooting, although I acknowledge that within our inquiry the numbers are more equal. Nevertheless, knife crime is responsible for three times as many deaths as gun crime, so what is the Government doing to tackle knife crime amongst young people?
Mr Coaker: If I could answer that. We have taken a number of steps with respect to that. If you look at the Violent Crime Reduction Bill, and this obviously—

Q633 Chairman: Minister, I am also going to say to the Committee that we are going to have a full session with the Minister on knife crime, so if you could summarise it.
Mr Coaker: Again, the three approaches that we take, as I mentioned to Mr Salter, with respect to drugs. Tough enforcement of the law; through the

Violent Crime Reduction Act we have raised the age that somebody can buy from 16 to 18; increased the maximum sentence for possession from two to four years—so tougher enforcement with the law. Alongside that, education and alongside that community engagement, so those three issues, which perhaps, Chairman, we can explore that fully when we return.

Bob Russell: We will return to that in two weeks' time, but I wanted to put on the record today that there is more to deaths than just gun crime. Can I just leave my final point with a plea to Lady Scotland, please do not demonise the word "gang" when the legislation is being framed. It used to be a word of endearment, and I certainly would not want the Scouts' Gang Show to be abolished!

Chairman: Just to explain to the press and the public, the Committee is having a one-off hearing on knife crime with the Minister in a couple of weeks' time, which is why we are moving rather rapidly over that important issue. Changing tack now, Karen Buck.

Q634 Ms Buck: Thank you. Can I bring you back to the discussion about the more constructional causes of criminality, and ask you particularly some questions about education because there has been a very strong theme in the evidence that there is an issue about young black children's educational under-achievement and a strong impression given by witnesses that that problem in schools, from whatever cause it stems, is itself a driver of disaffection and can lead, in some cases, to young people's failure and therefore being on the street, whether that is because of not being able to look forward to employment prospects or simply an alienation from the system. Firstly, do you accept that evidence?

Baroness Scotland of Asthal: We do accept that educational attainment is a real criminogenic indicator for people committing offences later. We also accept that there has been for quite some time an issue in relation to the number of black young people who are excluded from school, and the correlation between those two seems to us to be important and something that must be addressed. The Committee may know that in July of last year I set up an inter-ministerial group on reducing re-offending. The reason we did that is because the levers to change some of the criminal behaviour in our streets does not just rest with the criminal justice system; it rests with the issues that we are seeking to engage in education. It also rests with the parenting issue and the way in which we are seeking to support parents to deal with some quite difficult and entrenched problems that they have with young people. So Phil Hope and I are working really hard—you will see in the Education Green Paper on how we are trying to move this agenda forward. We are working too on the Safer Schools Partnerships. So, for instance, Vernon and I had a meeting last week with Lord Adonis and Tony McNulty to talk about how we could better promote Safer Schools Partnerships. How do we weave this issue into the plans that we have because getting an opportunity

for children to complete their education, understanding what may oblige teachers to think that they have to exclude young people is going to, we believe, have a dramatic effect. And if you look at those schools which do have the benefit of a Safer Schools Partnership their ability to keep children safely in school has been enhanced; their ability to keep children safe has been enhanced. There is a lot of work for us to do and we are doing it.

Q635 Ms Buck: Can you explain to the Committee exactly what constitutes a Safer Schools Partnership and what is its measure of success?

Baroness Scotland of Asthal: One of the things that the Safer Schools Partnerships bring together is schools, together with the police, together with the Crime Reduction Partnerships to look at the sort of factors which are causing criminal behaviour or dysfunctional behaviour. Some of it is a group of kids getting out of control when they leave. What that means is they come together, they have a plan and some of those plans will involve having a designated police officer in the school or a community support officer to work with the school and the children, to build relationships, to garner intelligence and therefore to interdict this sort of behaviour early because we really do understand that early intervention works, and in those schools where they have had that plan they have worked very well. We all know that two or three years ago, when we started to talk about Safer School Partnerships, many head teachers were antipathetic to it; they did not like the idea of a police officer coming in. That has radically changed. If you talk to head teachers now they are not talking about the fact that they do not want them but many schools are saying, "Why do I not have them because I think this would make a dramatic difference?" So what Lord Adonis and we are trying to do together is to see how we can better support the initiatives that are happening in local areas, but you will know that this initiative has to come from the Chief Constables; it is within their budget. We cannot oblige them to do it, but what we can do is to share with them what works and demonstrate to them that in fact where we have these Safer Schools Partnerships we have had a reduction in crime, we have had a reduction in anti-social behaviour and we have had an improvement for the schools in the number of people who remain at school and a drop in the number of children who are excluded because of poor behaviour. That has a material impact because the kids are not on the street, they are not getting into trouble and they are keeping safe.

Q636 Ms Buck: Does it worry you that there appears to be evidence of increasing polarisation in schools, not least on grounds of ethnicity?

Baroness Scotland of Asthal: Of course if that is happening that would be extremely worrying, but you will know too what the Department of Education is trying to do to address that—almost a twinning is happening with schools to bring schools together, to share facilities, to get to know each other

better. These issues, of course, have been done by education. But of course we are worried if this polarisation is happening because polarisation brings conflict.

Q637 Ms Buck: On this issue of the inter-ministerial working group that you have talked about, what are the success measures and what is the timescale?
Baroness Scotland of Asthal: In terms of outcome we want to see a reduction in re-offending. It is to support the seven pathways out of offending, and each department you will see working together with the Department of Work and Pensions because there is the whole issue as to how we get people into work; working together with DCLG and that is about accommodation, which we know has had a significant impact; working with Health in relation to mental health and drugs strategy.

Q638 Ms Buck: But this is not specifically geared at school age children.
Baroness Scotland of Asthal: It is geared at all offending, so the Youth Justice Board will sit with us on the inter-ministerial group.

Q639 Ms Buck: So there is not a specific process by which you liaise with the Department of Education on—
Baroness Scotland of Asthal: There is because we have the regular meetings through the inter-ministerial group, and the reason I set up this inter-ministerial group in July is that we had an officials inter-departmental group driving this safer communities programme forward and reducing re-offending, and if you look at the London Reducing Re-offending programme that is really the sort of model; but we thought that we needed the departments, the Ministers to better support that so that we could drive it in each of our departments.

Q640 Ms Buck: Is there a target or should there be a target for reducing exclusions and for closing the gap between black exclusion and non-black exclusion?
Baroness Scotland of Asthal: I think—and I have to be very careful here—that we are across government talking about what our new PSAs should be, and one of the things that we are very interested in, and certainly education is very interested in, is to look at prevention, to see whether we cannot prevent young people from entering into the criminal justice system, and there is debate as to whether that should not be a target. And there is the target, you will know, in terms of disproportionality, because we want to see a proportionate response to how we are dealing with all our different groups.

Q641 Ms Buck: So at the moment there is not an explicit commitment to reduce the differential between black and general levels of school exclusion?
Baroness Scotland of Asthal: There is a commitment certainly, and there is part of the Home Office PSA, to reduce disproportionality. We are working and discussing with other departments as to how that

should be better shared and indeed we are discussing with the Department of Education what we can do together in relation to this issue.

Q642 Ms Buck: One last question. The DfES report released earlier this month found that racial discrimination was a factor in determining the disproportionality in black exclusion; is that something that you accept?
Baroness Scotland of Asthal: I am sorry; I missed what was a factor?

Q643 Ms Buck: That racial discrimination was a factor in the disproportionate level of exclusions of young black pupils. Is that something that you accept and, if so, what do you think the Home Office's role should be in tackling it?
Baroness Scotland of Asthal: We believe that the level of disproportionality cannot currently be explained and we want an explanation, for if it is fair, what is it? I think we are all committed to finding that. We do have at the moment a commitment to reduce but we do not have a target. As I have said to you, we are looking at the moment—and you will know that PSAs will very soon be confirmed—as to what our cross-departmental PSAs should be.

Q644 Chairman: I will bring Mr Coaker in, and if you come in, Minister, perhaps you could address this question. Have you actually discussed the DfES report on school exclusions with DfES Ministers?
Mr Coaker: I know Baroness Scotland can say something.
Baroness Scotland of Asthal: We have discussed those. As I have said to you, I am discussing how we reduce re-offending, I am discussing disproportionality with Phil Hope, and I am also going to discuss this issue further with Lord Adonis.
Mr Coaker: Chairman, thank you very much. Very briefly, two additional things which may be of use to the Committee with respect to education. Firstly, is the fact that DfES officials are on the Home Secretary's round-table on guns, knives and gangs as well; so that is the first thing. The second thing is that following the summit at Number Ten Downing Street, Beverley Hughes did write to me from the DfES because we did raise the issue of gun culture and gun crime and the role of extended schools and we wanted to identify more clearly where there were issues with respect to that in particular areas. And our officials, DfES officials and Home Office officials are now working together to look to see how we can make sure that we get a proper geographical spread of extended schools.
Baroness Scotland of Asthal: I really do want to emphasise that the reason we set up the inter-ministerial group is that we want to make a difference and we are going to judge our performance by outcomes; not by the number of policies and procedures we have put in place but what difference we make to reducing re-offending. This inter-ministerial group has only been up and running for a period since July—the first meeting was July.

Chairman: Thank you Minister. We need to move on. Richard Benyon.

Q645 Mr Benyon: Moving on to family and parenting issues, we have had statistics of the number of black and ethnic minority families with dependent children who have just one resident parent, and we have also had evidence to this Committee of the strong feeling that family breakdown and the absence of strong male role models is a major contributory factor to offending. Do you agree with that statement and what action do you believe should take place to encourage more male role models to have influence amongst young black men in particular?

Baroness Scotland of Asthal: Firstly we think, as I indicated earlier, that parenting has a huge and can have a huge impact; that the role model, both of male and female role models are very important. So the Young Offending Teams, as you will know, have engaged quite trenchantly in promoting, through the Respect Agenda, the parenting, and they are also looking at the cultural differences of families, so with the Young Offending Teams providing the interventions to parents of all backgrounds and based on risk and need, and ethnicity is one of the factors that have been taken into account, and we have a recent evaluation of the parenting interventions by the Youth Justice Board and it did not highlight there any race disproportionality in the level or types of intervention. But I think it is absolutely critical that we do provide better support for families and positive role models is something that we know can have a very beneficial effect. As Vernon Coaker said earlier, negative role models equally can have a very damaging effect. So we are seeking to better support parents to provide that concrete nurture for children that we know makes a material difference, but also we are trying to address the negative, stereotypical role models that are coming out which have a deleterious effect on young people. So it is doing both.

Mr Coaker: To help our understanding of that—and I know that you have had Decima Francis here as well—I went to the From Boyhood to Manhood Foundation a couple of weeks ago to talk to Decima with a group of young people and some of the people who work there, to try and get a better understanding of the important work that they were doing and what we could learn from that as we try and develop the policies that Lady Scotland has spoken of.

Baroness Scotland of Asthal: To put it in context, we have about 11,000 young people with final warnings or other community penalties, and the Committee will know that final warnings are actually very successful, and they are being supported by parenting interventions, and where we have parents engaged in this activity we have noticed that there has been a difference between the likelihood of them then going on to need more trenchant interventions. So it is something that positively works.

Q646 Mr Benyon: You can coerce or support fathers to have more influence in the upbringing of their children and you have spoken of some of those areas, but one of the most impressive bits of evidence we have had before this Committee was Shaun Bailey, and he said to us that he was saved by the cadets; it was the first time that a man had shouted at him and told him to do something and he just did it. He said that that one organisation pulled him out of a pathway which would have led him, he is quite convinced, in the wrong direction. Is it not time to really unleash the power of the voluntary sector into some of these communities to provide just those sorts of positive role models you are talking about?

Baroness Scotland of Asthal: You will know that everything that we are doing in terms of the Offender Management Bill was to enable the voluntary sector to be full partners in reducing re-offending, and the voluntary sector has a huge contribution to make, not just in this area but also in a whole series of areas. The Committee will know that I launched in 2005 the Reducing Re-offending Alliances—that is the corporate alliance, the faith-based alliance and the civic alliance, to garner the energy of the community and volunteering, to help us to address some of these issues, and it is about creating really exciting and positive role models in local communities and we want to harness that. I think it would be simplistic to think that only one sector can deliver this; it will take everybody working together to deliver the change we seek. It will need the public sector doing its part, it will need the non-governmental agencies doing their part and it will need volunteers to do their part too.

Mr Coaker: It is never an either/or with these; it is all of it. As Ms Buck was saying, in terms of schools that is a crucial role; the voluntary sector is very crucial. We have spoken about the From Boyhood to Manhood Foundation; we meet with Mothers Against Guns, the role that they play; but also we talk to Street Pastors. I know that Reverend Isaacs has spoken to you and again it is fantastic work they were doing. I have to say I was astonished because when I went to speak to them about what work they were doing they told me that three-quarters of their pastors are actually women. We all stereotype, and I did not think that that would be the case. So that is positive models, and three-quarters of the people going out and doing the valuable work that they were doing were women, and I think what they are doing is fantastic—both the Street Pastors, From Boyhood to Manhood and Mothers Against Guns, all of those. But it is everything, and this is something that will only be solved by every part of the system, state, voluntary, individuals, all of those things working together.

Chairman: Gwyn Prosser.

Q647 Gwyn Prosser: Minister, several witnesses have told us that some of the more extreme forms of rap music and films, which glorify violence and crime, even talking about killing being "cool" can have an influence on the young people and draw them into crime. To what extent do you think that that sort of material is an influence?

Baroness Scotland of Asthal: I think that that sort of material can have a deleterious influence, but I think it is very difficult to draw a line between legitimate expression of artistic licence and that which is pernicious, and I do think that we have to look very carefully to see whether some of this music is not incitement. You will know that the police and others are looking at it because if it is glorification or incitement to commit a crime then there is an issue that we already have legislation that can deal with it. We have to be a bit cautious though because we know, for instance, that there is a lot of very exciting rap music at the moment, which is done by the pastors to engage young people into positive role models. The YOT teams are doing a lot of rap music with a positive and lifting effect on young people. So I think it is very difficult to target a whole genre of music and say that this sort of music should be eradicated—it is the content which is obviously something of real importance. But it can be inspirational and it can also motivate in the wrong direction too.

Q648 Gwyn Prosser: You do not see any policy issues arising out of it in terms of the content, other than the legislation you already have in place?
Baroness Scotland of Asthal: I think it is an issue that we have to look at, but it is one of the things that is so sensitive. Most of the people around this table may remember the mods and rockers.

Q649 Chairman: That is not the way to endear yourself to the Committee!
Baroness Scotland of Asthal: Or the punk rockers!

Q650 Chairman: That is more like it!
Baroness Scotland of Asthal: So for every generation there has been the generation before who thought that the music enjoyed by young people is reprehensible, excites their passions in a way that is inappropriate and leads them into error. That is about different generations. I think we just need to be a little sensitive about where the line should be drawn because I think that people—and this is before anyone's time—thought that Elvis Presley was a detrimental impact on sexual morality. I have heard about him in the past!
Mr Coaker: It is very difficult. Again, as the Committee itself raised, I think Mr Winnick raised about Lady Chatterley's Lover and Tom Jones and Delilah, it is a very difficult issue but that is not to understate the fact that we do have to keep it under review and we do have to look at it to see whether we need to do anything, but it is a very difficult area to move into, where you are moving to censorship rather than things that are impacting on people's behaviour.
Gwyn Prosser: We certainly do not want to ban rap.
Mr Winnick: Or Lady Chatterley's Lover!

Q651 Gwyn Prosser: I want to move to the issue of disproportionality with regards to stop and search, and it has been mentioned briefly already. Minister, in 2004 the Home Office stated that by 2008 black people would have more confidence that the criminal justice system treated them fairly, and then it went on to say that the disparity in stop and search would be reduced. We are in 2007 and we are told that you are still six times more likely to be stopped and searched if you are black than if you are white. So have we failed in that target?
Baroness Scotland of Asthal: I think we certainly are not achieving it and I cannot tell you how frustrating that has been. We have now developed, as I told the Committee, an effective action plan which we developed together with the action teams in terms of trying to better understand what would work, because so many things we have tried in the past do not appear to have worked. This new protocol does appear, in the forces that are operating it, to have reduced the level of disproportionality. So, if you like, we are on our way. Am I disappointed that we have not been able to move faster? Absolutely. It has not been because of lack of energy, it has not been because we have not spoken to as many people as we can. We have brought expertise in from the community and we have asked the community—and young people actually—"What do you think would make the difference? How do you think you would need to be approached so that you would think it was fairer?" And we have put all that into the new protocols that have been rolled out. The only light I can tell you that we certainly have at the end of the tunnel is that in those areas where we have rolled out that approach it does appear to be reducing disproportionality. I am personally very, very disappointed that we have not been able to move more quickly on it, but I think we have to look at every single level of the criminal justice system to try and address this issue. It is getting there but I do not think it is getting there quickly enough.
Mr Coaker: I went to *Choice FM* a few weeks ago to talk about this issue with some black people and it started off about the disproportionality, and in the end we had a good discussion because what I said was that stop and search is actually an important tool for the police to have in order to prevent crime, but that disproportionality is an issue. The work that we were doing that Lady Scotland has just alluded to is about trying to do something about that. We have a stop and search community panel, which is chaired by Lord Adebowale, with Doreen Lawrence, and there is a delivery board of stakeholders. So we are trying to do something about that. It goes to the heart of many of the discussions that we are having here today and the discussions that you have had over the last few months of your inquiry, that despite many of these attempts and many of these real efforts to make a difference there is a stubbornness, almost, for it to change. So what is it that will bring about that effective change? Again, to reiterate what Lady Scotland said, in the end the judgment is the change in the statistics and that is what we are searching for, and obviously what your inquiry is trying to help with as well, because clearly a lot of work has been done. If you talk to senior police officers about stop and search they go and talk to

young black people, they talk to their officers, there is a lot of training and yet it stubbornly stays at a level at which we would all not wish to see it.

Baroness Scotland of Asthal: There are two things that make me more hopeful. One is the practice-orientated package, because we wanted to give officers something that they could implement in a way that made sense, on the ground. Staffordshire, which is an example, have applied it. They used to have disproportionality at the rate of 4 to 1, and since they have been using this new approach it is 2 to 1; so that is a halving. So we know that these practical things can and do make a difference and we are trying to roll it out right the way across the country, and we hope then to see a reduction. The other thing that will make, I think, a big difference, is that as we get a bigger data set we will be able to compare like with like. I hope that we will be able to move, even if it takes five, 10 years, into real-time data, so that real-time data will be able to be used by practitioners on the ground, by the Chief Constable, by the Head of the Unit, to then disaggregate where disproportionality lies within their own workers. So you will have issues where individual A has a disproportionality rate at 9 to 1, at the stage of individual B having no disproportionality at all of 1 to 1. You are able then as a manager to ask a question: "Why are you 9 to 1 when your fellow worker"—officer, whoever it is—"does not have any disproportionality at all?" That gives us a level of acuity that we have never had before, and it will give us a level of acuity in real-time, so that we can target where are the causes of that disproportionality, and hopefully we will then be able to say who will need to be trained, because we are training everyone at the moment, and we have to assess what is the impact of having done that, who do we have to train and also who do we have to take out?

Gwyn Prosser: That analysis might give you an unhappy answer. Thank you, Minister.

Chairman: Moving on, Martin Salter.

Q652 Martin Salter: I will wrap my questions together—I will not "rap", others on the Committee do that! There is a report by the Youth Justice Board in 2004, which showed that a much higher proportion of black males, 92%, as opposed to 62% of white males, received custodial sentences of 12 months or more—another example of disproportionality. Have you done anything to address this disproportionality and is there anything that you can do at the Home Office to address this disproportionality? And could it be something to do with the fact that—and there is an explanation in the report here—black males are more likely to plead not guilty and therefore not necessarily benefit from the discount, and could that be a factor?

Baroness Scotland of Asthal: This is an issue that we are looking at across the criminal justice system, at the National Criminal Justice Board, and it is being dealt with with the Office for Criminal Justice Reform, which is trilateral, because some of the issues about how people get sentenced is that we have an issue about who gets arrested, who gets charged and if charged who gets prosecuted, if prosecuted who gets convicted, if convicted who gets sentenced and why are we seeing a difference in the length of sentences applied to black and minority ethnic offenders compared to others? These are questions which we are asking systemically. So it is not an issue just for the Home Office, it is an issue for us all. You will remember that we have had two Hood Reports; there was the original Hood Report, back in the late 1980s and we have had a more recent Hood Report looking at those issues too. But it is an issue that we want to look at right the way across the criminal justice system and one of the things we are looking at is should there be a target or a PSA to reduce the level of re-offending across the board, because if we do that it will reduce, I hope, the disproportionality as well. There are a number of things we are trying to do with the DCA, with the CPS and ourselves to attack this issue. But at the end, of course, sentencing, as you know, is an independent activity carried out by judges on an independent basis, and we cannot, of course, control the decisions that judges come to, but I think there is an issue about helping to share better information, to help people to come to better informed decisions.

Chairman: Thank you very much indeed. Bob Russell.

Q653 Bob Russell: Lady Scotland, it has been reported in Parliament that 32% of all black males are on the DNA database in comparison with 8% of white males, and it has been reported more recently that perhaps as many as 77% of young black males will soon be on the DNA database. Are those figures correct?

Baroness Scotland of Asthal: The figures in relation to 77% I think are correct, and we have to look at why that is. The database, of course, simply collates information properly retained from the criminal justice process. We changed the rules, as you remember, to enable us to retain DNA data on a greater number of occasions than we have had hitherto. At one stage we could only retain data if someone was convicted; then we could retain data if someone was charged, tried and convicted or acquitted. Then we have moved it back to be able to retain data on arrest, and as we have done that we have been able to collate more and more data to the successful extent that we are able to better identify those who have committed crime, but also better identify those who have not committed crime. So it is a sword and a shield.

Q654 Bob Russell: It is not the same for the white population though, is it?

Baroness Scotland of Asthal: No, and that I can say to you is a matter of concern to us because the disproportionality that may be reflected in the criminal justice process is being reflected in the DNA database. Overall, of course, from the statistics available the difference is not so great, so, for instance, we have 84% arrests are white, 9% are

black, 5% are Asian, 1% are classified as other and 1% are unknown, and the figures in relation to arrest are reflected in the data sets that were kept.

Bob Russell: I want to keep to the DNA database because that is where I am putting the questioning. So if three out of every four young black men are on the DNA database.

Chairman: This is one out of every three at the moment.

Q655 Bob Russell: 77%, three out of four. Trevor Phillips made the observation—and I am quoting him—"This is tantamount to criminalizing a generation of young black men." Do you agree with him?

Baroness Scotland of Asthal: I do not think that it is tantamount to criminalizing a generation of black men, but I think the way in which the criminal justice system is operating is something that this Committee is looking at because of the level of disproportionality. The disproportionality in the criminal justice system is being reflected in the figures that we are collecting on the database. So the data that we have reflects the arrest rate, more or less. So it is whether someone is arrested, because at the point of arrest if your DNA is taken and put on the database it does not mean that you are subsequently charged, it does not mean that you are subsequently convicted; but it does mean that your data will be retained.

Q656 Bob Russell: I think those percentages in that last comment speaks volumes.

Baroness Scotland of Asthal: As I have said, if you look at the arrest rates of 84% white, 9% black, 5% Asian and 2% either other/unknown, the database reflects that arrest proportionally.

Q657 Bob Russell: I will leave it there and move on now. As the Home Office has a statutory duty to promote race equality why does not the Government collect figures on the ethnicity of ASBO recipients and recipients of fixed penalty notices?

Baroness Scotland of Asthal: Of course, as we have tried to make clear, we are improving the data set of information that we are collecting. Our main focus, of course, has been to improve the data which we get from those who are arrested, charged and put through the criminal justice system and the full panoply. That is our first and, if I may respectfully suggest, the most important thing we need to do to get a data set which is actually worthy of being used as a management tool.

Q658 Bob Russell: It is difficult to monitor it though, is it not, if you do not have the information?

Baroness Scotland of Asthal: We are collating that information more and more, and I do not think we have a complete set, as I have made clear.

Q659 Bob Russell: My last question is, is there any anecdotal evidence that ASBOs are being applied disproportionality to some ethnic groups?

Baroness Scotland of Asthal: I have no indication that that is so.

Mr Coaker: Can I just add to that?

Q660 Bob Russell: Yes, I asked the question.

Mr Coaker: Nobody has ever said that to me anecdotally at all.

Chairman: Thank you. David Winnick.

Q661 Mr Winnick: Minister, regarding the report by the Criminal Justice System Race Unit at the Home Office, entitled *The experience of young black men as victims of crime*, it said—and I quote—" . . . found that young black men 'lacked confidence in the police's ability to deal with victims of crime'" and therefore, in effect, took justice in their own hands. How far do you believe that has contributed?

Baroness Scotland of Asthal: I am not sure how far it has contributed. I certainly would accept that there was a very important issue about the level of confidence that black people had in the criminal justice system, and that is why we have concentrated quite hard on improving the system so that all people can have confidence, and what we have seen, which is quite pleasing, is an increase in the confidence that the black and minority ethnic community have in the criminal justice system since we have been doing this work. So if you look at the figures from 2003-04 to 2004-05 you will see that there has been a significant rise in the confidence of black people in the way in which the criminal justice system operates. I think there is still a lot more to do; it is an issue, which you will know, is part of the local Criminal Justice Board agenda—it is certainly on the National Criminal Justice Board, which meets every month. We are scrutinising it in terms of the returns from local areas to disaggregate what is happening on the ground, and particularly to try and address this whole issue of disproportionality. We believe that unless we do, we just will not have a criminal justice system that is not only fair, but is seen to be fair. So all the work that we have done on this is very important, and I think we need to do more; but the warming thing, I suppose, is that we are seeing a shift in perceptions and a gaining in confidence and I think we have to push harder and harder. I very much welcome the fact that we are able to look at this every single month and the National Criminal Justice Board and local criminal justice boards are being obliged to look at it too, and give us the returns as to how well they are doing or not doing.

Q662 Mr Winnick: Obviously if there is progress, as there appears to be, Minister, that is very hopeful. A senior police officer, who obviously you are aware of, Leroy Logan, who gave evidence to us very recently indeed, said—and I quote—"Unfortunately on the extreme view there are certain youth affiliations who have a lack of trust in the criminal justice system and so they rely on their street justice, which is faster". Much has been made about the Macpherson Report and the lack of confidence at the time in the black community, arising from the

horrifying murder of Stephen Lawrence. Are you satisfied that the progress has been substantial since the Macpherson Inquiry reported?

Baroness Scotland of Asthal: I think it has been substantial but I would go back to what Vernon Coaker said. One of the things I think which has alarmed us all is how stubborn some of these issues have been. You think that you have your hands around it and you may have the solution and it comes out the other end so you do the other end and it continues like that. That is why we need to look at the things that are working. We know that some of the practical toolkits that we are doing on the ground are working; the way in which we have approached confidence is working; the need to engage the communities in successful operations is working. If you look at anything that we have done that has been successful—Operation Trident, Operation Trafalgar—all of those operations have had within them an essential element, and that is real community engagement. So we know that if we continue along that line we are more likely to get success, but success for us does mean changing outcomes. I think sometimes there has been a lot of activity and I find myself constantly saying to all of us, to my partners, "And what difference are we making?" because we really have to make a difference. And we are starting to see the things that can and do make a difference and we are starting to put them in place. If I can give you an example of an issue that affects all women but also disproportionality affects women who are disadvantaged, and that is the issue of domestic violence. People said there is nothing you can do about domestic violence, you cannot change it; we have changed it, we have introduced specialist domestic violence courts, we have introduced independent domestic violence advisers, we have introduced the MARACs, which is the Multi Agency Risk Assessment Conferencing, and by taking this more holistic, inclusive approach we have been able to change things. And I think that is the same with disproportionality here; we have to be practical, we have to be inclusive and we have to engage the communities themselves to build confidence.

Q663 Mr Winnick: All that you have just said is very reassuring, but on domestic violence it could be argued that, to some extent at least, it has been changed—apart from political intervention, which is always welcome—by the number of women who are involved in the police force. We know of course that the number of black people in the police force is very small indeed—there is no doubt about that—but how confident would you be about black people joining the police force and not being subjected, in any way going about their daily duties, in the canteen, to banter which many would describe as outright racist. How confident would you really be that the situation has changed so significantly in the last 40 years?

Baroness Scotland of Asthal: I think we are much more confident of changing that culture than we ever have been, because if you look at the recruitment policies that we have changed, the scrutiny that now goes on in relation to who gets into the police force, the training that is going on, and the fact that we are including the community in neighbourhood policing is a critical part of the service delivery model that we have. How do we do business? We are doing business in a much more interactive community sensitive way and we are making people accountable for that change. We are looking at outcomes and saying that if we are not reducing crime—and I think we need to bear in mind that we have reduced violent crime and we have made these issues better and we need to do more. So are we where we want to be? I do not think we are.

Q664 Mr Winnick: We are nowhere near where we want to be, surely—nowhere near.

Baroness Scotland of Asthal: Exactly, but are we further on than we were? Absolutely. Do we now know some of the tools that we can use to drill down on this and make the change? Yes, we do. Did we know those before? No, we did not. In terms of joining up, why did I create the inter-ministerial group on reducing offending? Because that is exactly what I did to change domestic violence, and when I became Chair in 2003 we were told by a lot of people that we cannot change this. What did we know? If we did it cross-departmentally, if all the departments worked together we could change it, and we have. What do we know about reducing re-offending? Exactly the same thing; it cannot be done by the criminal justice system alone, it has to be done by all the other departments working with us in a very conjoined way, and what I have been really impressed by is the work that we, across the departments, have been able to do since July. We have total commitment from the 11 departments involved; we have work going on not only in England and Wales but also in Northern Ireland. It has made a massive difference. So we may not have got as far as we would like to be, but we are a lot further on than we were and we at least know exactly where we are going and how to get there. That, I think, is a big improvement.

Q665 Chairman: Thank you, Minister. I am going to move us on because the Ministers have been here for a long time, and we are very grateful to you. Lady Scotland, can I pick up one particular issue which you raised earlier, where you talked about a very vigorous approach by Youth Offending Teams to tackle these issues of disproportionality? It is for the Committee to judge, but we have had witnesses from the YJB in the recent past. I am not entirely sure that they left us with a sense that the centre of the YJB has much influence over how much the Youth Offending Teams are doing locally, in terms of even collecting the basic data that is required to deal with disproportionality. We were told by one member, who said, "I would say that it is patchy and I think it is only fair to say that the willingness of the Youth

Offending Teams to embrace this initiative"—that is both collecting data and dealing with disproportionality—"is patchy across the country." This is such a vital part of the system, and you said this yourself.
Baroness Scotland of Asthal: It is, absolutely.

Q666 Chairman: I know the YJB are arm's length independent, but is it not time for the centre to get a bit more of a grip on Youth Offending Teams and to make it clear that this is not an optional part of the work of Youth Offending Teams and that it has to be central to every one of them?
Baroness Scotland of Asthal: We are having some fairly robust discussions with all partners engaged in this area and I think it is very important for us to understand the huge difference that the YJB has been able to make.

Q667 Chairman: I think the Committee recognised overall the achievements of the YJB, but in this particular area.
Baroness Scotland of Asthal: And it is an area which we have to address and we have to highlight with them. So if you look at what is happening with the data that the YJB is going to collect now and the way we will integrate that with the data that we have in the adult estate, so we have it end to end, is why I thought it was very important for the YJB to be on the reducing re-offending inter-ministerial group, because there are three separate strands: there is a strand in relation to what affects women, what affects men but also what affects young people. Disproportionality affects all across the board, so it is a vehicle where we can try to deliver clear messages, shape a joint vision but also craft the way in which we will together deliver it, and that is the way we will have end to end management and also have really well targeted things that we can do to reduce re-offending.

Q668 Chairman: Thank you. Talking about reducing re-offending, it has been put to us by a number of witnesses that with some young black people becoming involved sometimes in quite serious crimes at a relatively young age we are having—and you said this yourself—to deal with how we reintegrate and rehabilitate people after they have been through the system. It has been suggested to us by a number of witnesses that the cut-off of the Youth Justice Board at age 18 is particularly inappropriate to handling this group of young offenders who may be sentenced to below 18 ending a sentence in the adult prison estate at 18 or 19, and the resettlement needs continue into their early 20s. Has any thought been given as part of the development of NOMS to enabling the YJB or something similar to carry through that support?
Baroness Scotland of Asthal: I think it has because, Chairman, you are expressing a view that has been expressed by a number of people about the transition from juvenile to adult, and what we are looking at at the moment is young adults—is there something that we should have a set of programmes

which would specifically deal with young adults who are in that transition? So it is an issue that I think needs to be addressed and we are looking at how we address it better.

Q669 Chairman: Is there a sense of timescale for the announcement?
Baroness Scotland of Asthal: It is imminent.
Chairman: Good, we will look forward to it. Richard Benyon.

Q670 Mr Benyon: Minister, you understand the frustration of community and voluntary organisations with short-term funding and we have had evidence from people who have said that they are announced with a fanfare of publicity, that they are tremendously well received locally but by the time you have them up and running the funding finishes. Can you assure us that there is a more long-term approach being taken to this?
Baroness Scotland of Asthal: Absolutely. One of the things that we have been working really hard with a number of departments upon is how do we get joined-up delivery, how do we have a common baseline for the Third Sector, so that they know how to apply, and we are doing it collectively in a way that makes sense. We are also looking through the local area agreements as to how we will bring together a bit of synergy across the piece, so that the local area agreement gives us a springboard to look at what that area needs as opposed to sectorial needs, and a bit more long-term. We are doing it too in relation to how we will structure the national offender management process. So that we will identify these in an area, identify who can supply and identify how we can brigade those smaller groups in a way that makes sense. The Offender Management Bill gives us an opportunity to commission, and commissioning will enable us to look at what the voluntary sector can best offer and make sense of that.

Q671 Mr Benyon: Can you understand that a lot of people operating in some of these communities are expending a lot of emotional capacity—
Baroness Scotland of Asthal: Absolutely.

Q672 Mr Benyon: They are not skilled fundraisers and a lot of the language that you have just used will be alien as to how they approach it.
Baroness Scotland of Asthal: Absolutely.

Q673 Mr Benyon: It has to be put in words that they clearly understand that makes it easy for them to apply for the money and then they can achieve things on the ground.
Baroness Scotland of Asthal: I absolutely agree with you because some of the needs that we have in the young people, and indeed some of those who offend, are very specific. Many of the voluntary sector groups have developed an expertise in a niche which the individual may need, and one of the challenges for us is how do we make sure that the energy of the Third Sector is harnessed, that we do not lose the

small groups who are doing very valuable work; how do we make sure that consortia of volunteers are still able to deliver what they wish to deliver in a way that is meaningful and has good outcomes and changes the life chances of the people with whom they deal. So we absolutely understand that. What we are doing with the voluntary and community sector engagement programme that we are doing across government is trying to bring that understanding to all of those who fund, so that the Third Sector will have a common approach, a common template with which they can be familiar. It is quite interesting to see how health has changed its funding pattern to fit with local authorities, so actually the funding will happen at the same time, which I know lots of small voluntary organisations will find a real boon. So we are looking at issues like that—very practical, just to make it easier for those who want to volunteer for help to do that, and we think we have a better way forward than we have had.

Q674 Mr Benyon: The Home Office recently announced that half a million pounds would be made available to community groups in tackling gun crime and gangs as part of the connected fund. How do you anticipate local community groups might spend this money and how will you measure its success?

Mr Coaker: The connected fund is something that we think is extremely important. I take the point about the sustainability, and that is something that has come up at the round-table; but specifically with respect to the connected fund, what we do see is small bits of money, a few thousand pounds, because what the voluntary sector has said to us often is that it is small amounts of money that make a huge amount of difference at a very local level, and what we are trying to do is to fund very local groups in local communities, whether it be with respect to guns or knives or gangs so that they can make a difference in their own areas. One good example that has been funded is Mothers Against Guns. They have received money, they work locally, they produce leaflets, it pays for some travelling expenses—all of those sorts of things. Those women I know, Chairman, from my own experience in Nottingham, where I meet the Mothers Against Guns in Nottingham, for obvious reasons, they are a fantastic group of people. If you think of Janice Collins or Chris Bradshaw or others, whose sons have been murdered on the streets, through their grief they have worked hard with a small amount of money to say, "We cannot turn the clock back, we will campaign for changes that we think are important, but we will also try and make a difference

in our communities," and those are exactly the sorts of groups that we are trying to support and help, replicated across the country as far as we possibly can.

Q675 Chairman: One last question, if I may. Minister, you have told us about the reducing re-offending inter-ministerial group, which is reducing all types of offending. Is there any structure that is enabling ministers to focus specifically on this question of overrepresentation of young black people?

Baroness Scotland of Asthal: It is the CRE Scrutiny Panel doing that with us. We are doing it in probation and police, but can I just say, Chairman, that I really think we cannot just have it in one area. One of the things that is clear is that this issue of disproportionality is systemic and we have to follow it through, right the way through the whole system, if we are going to make the difference that we want to see.

Q676 Chairman: I understand that, Minister, but you yourself put education, exclusions and so on in the context of reducing re-offending, so we are at one in saying you have to look at the whole system. But I wondered if there was any place at which you and your fellow ministers from the DfES and so on got together to look specifically at all the factors leading to overrepresentation of young black people, whether it be education, parenting, the operation of the police or whatever?

Baroness Scotland of Asthal: I have used and I will use the inter-ministerial group. The reason I say that, as you will appreciate, Chairman, getting 11 ministers together at any one time is always an interesting challenge, and if you are able to use that vehicle to address the issues that cause re-offending, it is the most useful forum. To take up Mr Benyon's point, I have been speaking to Ed Miliband about Third Sector and the work that we do there; with Phil Willis about DCLGs accommodation because accommodation is an issue, and with others in DWP in relation to how we change that. So it is across the piece because we do see disproportionality in the various areas—in health, and I know that the Committee will have looked at those issues too. So it is all of us really.

Chairman: We may not have had 11 ministers in one Select Committee, we have had two, and for an extremely long time, so we are very grateful to both of you, and indeed to your officials, for spending so much time with us and for answering the questions so forcefully. Thank you very much indeed; thank you for coming.

Written evidence

1. Memorandum submitted by Opinion Leader (Results of Research commissioned by the Home Affairs Committee into Public Perceptions of Young Black People and the Criminal Justice System

1. Introduction

1.1 *Background*

In March 2006, the House of Commons Home Affairs Committee announced that it would be holding an inquiry into the relationship between young black people[1] and the criminal justice system. It is common in the media and elsewhere for a connection to be made between young black people and criminal behaviour. However, the evidence for this connection is contested. The inquiry will seek to establish whether:

— Patterns of criminal behaviour amongst young black people differ in any significant way from crime amongst other young people.

— There are other possible causes of young black people's overrepresentation in the criminal justice system.

— There are any specific policies required to tackle this overrepresentation.

The inquiry will focus particularly on public perceptions of criminality among young black people and the reasons for their overrepresentation in the system. The Committee has called for written submissions and is also taking oral evidence from interested individuals and organisations. Attitudinal research has also been commissioned in order to gauge wider public perceptions of young black people's involvement in crime.

1.2 *Objectives*

Opinion Leader was commissioned by the Home Affairs Committee to conduct the attitudinal research on public perceptions of young black people and the criminal justice system. The specific objectives of the research were to find out:

— How the public perceives the involvement of young black people in the criminal justice system.

— The perceived reasons for the degree and nature of young black people's involvement in the criminal justice system.

— The main factors that shape public perceptions of crime in general and young black people's involvement in crime.

— How perceptions differ between people of different genders, ages, ethnicities, socio-economic group and geographic areas.

1.3 *Approach*

Qualitative research, comprised of focus groups, was the chosen method. Qualitative research can provide deeper insights into perceptions and the factors which are influencing views. Focus groups allow participants to share their experiences and provide the opportunity for researchers to explore any differences in attitudes.

A total of 10 x 90 minute focus group discussions, each with 7–8 participants, were held in England and Wales between the 6 and 22 November 2006. The group programme was designed to cover a broad cross-section of the population, including different genders, ages, ethnicities, socio-economic backgrounds and geographic areas. This enabled detailed exploration of how perceptions vary between different population groups. The full sample matrix is shown below:

Location	Ethnic diversity	Age	Ethnicity	Socio-economic grouping (SEG)
London	Highest ethnic diversity	16–24	White British	High (BC1C2)
London	Highest ethnic diversity	16–24	Minority ethnic	Mixed (BC1C2DE)
London	Highest ethnic diversity	25–49	Minority ethnic	Mixed (BC1C2DE)
London	Highest ethnic diversity	25–59	Black British	Mixed (BC1C2DE)
Nottingham	High ethnic diversity	16–24	Black British	Mixed (BC1C2DE)
Nottingham	High ethnic diversity	50+	White British	Low (DE)
Cardiff	Moderate ethnic diversity	16–24	White British	Low (DE)
Cardiff	Moderate ethnic diversity	50+	White British	High (BC1C2)
Bath	Low ethnic diversity	50+	White British	Mixed (BC1C2DE)
Bath	Low ethnic diversity	25–49	White British	Mixed (BC1C2DE)

[1] For the purpose of this inquiry, the Committee is using the ONS Census ethnicity category "Black or Black British", which comprises "Caribbean", "African" and "any other Black background".

A topic guide was used to guide the discussion and this is appended to this report. In brief, the groups commenced with a "warm up" where participants discussed their perceptions of crime and criminality generally before exploring issues of age and race. This helped to determine where age and race fit spontaneously in people's perceptions and ensure that participants were in no way led. The discussion then covered the following four areas:

— **Perceptions of who are victims of crime and of who commits crime:** Probing on age, ethnicity, gender and socio-economic factors, and exploring whether these factors differ for different types of crime.

— **Perceptions of young black people in particular:** General impressions of this demographic group, perceptions of extent of criminality within this group, perceived variations within it and the extent to which involvement of young black people in crime is an issue of concern.

— **What factors are perceived to have a bearing** on young black people's involvement in crime: eg cultural, socio-economic, family background etc.

— **Where these impressions come from:** For example, word of mouth, personal experience, media portrayal, access to statistics etc. We recognise that this element is crucial and was fully drawn out in the discussions.

The following enabling techniques were used to help uncover deeper or subconscious feelings:

— Photo matching—we showed groups photos of people of different ages and ethnicities (and gender, socio-economic background etc) and asked them to select likely victims and offenders.

— Vignettes—we gave groups short stories describing a particular crime taking place. We asked them to describe what types of people might be involved, why they became involved, and what would have prevented them being involved.

At the end of the discussion participants were given postcards to write key messages about the issue of young black people and crime to the Home Affairs Committee. This device allowed each participant to sum up their individual thoughts and priorities at the conclusion of the group sessions.

2. Executive Summary

Crime is something everyone has a point of view on. People draw their perceptions from what they have seen, heard and sometimes experienced in their local communities, and high profile cases reported in the national media also contribute to the overall public perception of crime.

However, a key finding from this research is that while the media often makes a connection between young black people and criminal behaviour, this link does not feature strongly in the public's consciousness.

Instead, the public perceives that young people of all racial backgrounds are more likely to be perpetrators (and victims) of crimes. In addition, the public sees men as more likely to commit crimes than women, although the perception is that the gender gap is closing. People from lower socio-economic backgrounds and who live in deprived areas, are seen as being more likely to commit certain types of crimes. However, the view is that, with increased peer pressure and consumerism, crimes these days can be committed by people from any socio-economic group.

Race was mentioned spontaneously in discussion with respect to certain specific types of crime, such as gang-related crime. However, a small minority of older white British participants did spontaneously mention race as a factor in a broader range of crimes.

When shown statistics demonstrating an overrepresentation of black people in the criminal justice system, most people accept that this is the case even though they had not been conscious of this. They question why this situation has arisen and particularly to what extent the overrepresentation is due to young black people actually committing more crime and to what extent it is due to this group being particularly and unduly targeted by the criminal justice agencies.

People perceive there to be many possible causes for young black people's overrepresentation in the criminal justice system. Some are perceived to be the same reasons as would apply to young people of any racial background. These include consumerism and Americanisation of cultural values, peer pressure, family breakdown, lack of discipline, boredom, and the availability of drugs and alcohol. Additional racially-specific factors mentioned include racism, inequality, lack of integration and disaffection of young black men in particular.

People tend to suggest measures which could tackle the representation of all young people in the criminal justice system rather than young black people in particular. There is a strong focus on deterrents and discipline, although measures to combat boredom are also seen to be important. The message from black people themselves is that positive rather than punitive measures need to be taken, particularly in the areas of education and employment.

Overall, crime and criminality are seen as complex, multi-faceted issues, and there is reluctance to see one specific audience being drawn out for special attention. Most are keen to reject racial stereotyping with respect to young black people's involvement in the criminal justice system. The public particularly wants to avoid the risk of making a particular racial group a scapegoat.

3. MAIN FINDINGS

This chapter contains an analysis of the main findings. The analysis is organised into four sections which reflect the main areas of investigation in the study:

1. General perceptions of crime.
2. Perceptions of perpetrators and victims of crime.
3. Perceptions of young black people and crime.
4. Exploration of potential solutions.

3.1 *General perceptions of crime*

Key highlights in this section:

— The public perception of crime is based largely on what people have seen, heard about and sometimes experienced in their local community.
— People are most aware of volume crimes, however muggings and menacing behaviour are also frequently mentioned.
— People acknowledge that very serious crimes (murders, gun crime etc) are far less common, however high profile cases reported in the national media also contribute to the public's overall perception of crime.
— There is a general feeling that crime is getting worse, even though some are aware that statistics do not support this.
— Concern about crime can have a direct impact on people's lives—some have altered their behaviour to lower their risk of becoming a victim.
— Those with families show concern particularly for their children and see young people as being more at risk.

As a warm up, and to contextualise later discussions, groups commenced with a general discussion of how people feel about crime and criminality.

3.1.1 Types of crime

Across all locations, the most frequently mentioned types of crime perceived to be taking place locally are:
— Theft and robbery
  — Some participants reported multiple experiences of having their cars broken into.
  — Those in urban centres stated that they frequently witness shoplifting taking place.
  — Several had been mugged for their personal possessions (mobiles, ipods etc) or know people close to them who had been mugged.
— Anti-social behaviour
  — Graffiti and vandalism are visible signs.
  — People also frequently refer to drunk and disorderly behaviour.
— Menacing behaviour and random acts of violence
  — Intimidation and bullying was a theme in discussing crime, particularly amongst younger age groups and parents.
  — There was a perception that motiveless crime and random acts of violence are on the increase.
— Drug use/drug dealing
  — Flagrant drug use and drug dealing in certain areas has led some to perceive that the issue is not taken seriously by the police.
  — Younger groups tend to be more tolerant of drug related activity, with some saying that the use of "softer" drugs like marijuana should be decriminalised.
  — Most felt that drug activity fuels other volume crimes such as theft.

People recognise that, with the exception of muggings and assaults, the incidence of more serious crimes is far lower than volume crimes. Nonetheless, serious crimes tend to have a high media profile, and people are particularly conscious of stories of murder and of crimes involving weapons such as guns and knives.

> *"A lot of shooting in the last eight years or so, quite a lot of shooting."*
> Black British, 25–49, London

> *"There's not that much crime but we do get a bit down by Kensal Rise, there's been a few gun shootings and a stabbing down at Kilburn."*
> Other ethnic minority, 25–49, London

> *"You've got stabbings and shooting and that."*
> Other ethnic minority, 16–24, London

Later results show crimes involving weapons tend to be associated more with young black people than with other groups, due to the perceived correlation with (black) gang culture emanating from the US.

3.1.2 Source of perceptions of crime

The public perception of crime is based largely on what people have directly witnessed, heard about, and sometimes personally experienced in their local community.

Physical signs that people referred to in the groups include:

— Examples of vandalism and graffiti.
— Groups of youths "hanging around" on the street and acting in an intimidating way.
— People openly using and distributing drugs.
— Increased theft prevention measures in shops.
— Bars and restaurants, as well as clubs, now needing to hire security staff.

In addition to these visible signs, several in the groups had been a victim of volume crime and most knew others who have been a victim. Participants frequently repeated stories that they had heard from friends, family, neighbours and work colleagues, indicating that word of mouth is a key factor in determining perceptions.

> *"This group of boys stopped and asked him for a lighter and he didn't have one on him and they just picked him up and knocked him down the stairs. He was in hospital with stitches."*
> White British, 16–24, BC1C2, London

> *"A few of my friends' daughters have been attacked for things, one of them was actually attacked and filmed on a mobile phone as well."*
> White British, 30–50, BC1C2, Cardiff

Reality television also plays a role in forming people's views on street crimes and anti-social behaviour beyond people's own local area.

> *"Street Crime—which I like—shows towns in different parts of England . . . the police actually going out and stopping fights and drunkenness and bad language and all that."*
> White British, 50 + , BC1C2, Cardiff

The public finds out about serious crime mainly from the media. People acknowledge that TV news, and local and national newspapers, play an important part in raising public awareness of serious yet infrequent crimes. In addition, the London groups referred to the yellow police signs appealing for help and information. Without these signs, people would not necessarily have been aware of the more serious crimes committed on their own doorstep.

> *"It's not unusual to see one of those yellow boards saying 'man shot' or 'person abducted'. There are more of those things around my area."*
> Black British, 25–49, London

3.1.3 Levels of fear and insecurity

Most perceive that crime is on the rise, even though some are aware that the statistics do not support this.

That said, in general, people do not consciously fear becoming a victim of a serious crime. They rationalise that statistically their chances of being a victim of this sort of crime is low, and it is not something that they think about day-to-day.

However, they do see themselves as being potentially at risk of a volume or street crime. Concern about these sorts of crimes can have a direct impact on people's lives—some reporting having altered their behaviour (eg method of transport, places they visit etc) to lower their risk.

Older people, women and people from higher socio-economic backgrounds tend to be relatively more concerned about crime, although it is high on the agenda for all population groups. People with families are particularly concerned for their children and see young people as being more at risk than other groups.

3.2 *Perpetrators and victims of crime*

Key highlights in this section:

— People perceive that young people are more likely both to be victims and perpetrators of crime.

— There is a perception that men are more likely to be involved in crime, although people see that females are increasingly taking part in criminal activities.

— People from deprived backgrounds are seen as more likely to commit certain types of crimes.

— People do not spontaneously associate race with criminality, with the exception of gang-related and gun crime, which tends to be associated more with black communities.

People were asked to nominate which types of people are more likely to be victims and perpetrators of crime. This questioning was unprompted initially and then a number of specific scenarios were introduced to encourage people to think about a range of different offences. A range of photos were also used as stimulus material.

3.2.1 Perpetrators of crime

Most people are able to identify the population groups they feel would be more likely to commit a crime. The determining factors are seen to be:

— Age.

— Gender.

— Deprivation.

People perceive race to be less of a determining factor and, in general, race is only cited in relation to specific crimes.

Age

Across all groups, the consensus is that young people (teens through to early 20s) are most likely to be the perpetrators of volume and street crime. Some claim to know pre-teens who are committing crimes and younger people have experienced crimes perpetrated by their peers taking place within and around the school environment.

> *"When I was 12/13 I had pogs and stickers. Now they're exchanging death videos."*
> White British, 16–24, DE, Cardiff

> *"The younger kids; much younger than us. About 13, 14 or 15. They know they can get away with it and they won't go to go to jail."*
> White British, 16–24, DE, Cardiff

> *"Muggings are quite high as well but it's usually young people mugging each other."*
> Other ethnic minority, 25–49, London

> *"I think there is a hierarchy of crime and think mugging might be where it starts . . . By 25 is you are still doing crime you are not doing mugging."*
> *Black British, 25–49, London*

Gender

People perceive males to be more likely to be involved in crime compared to females, however there is a perception that an increasing number of females are now taking part in criminal activities. People refer to the increasing "ladette" culture and some have noticed that gangs now include young women as well as men.

People perceive males to be most likely to commit crimes of a more serious nature. Young men in particular are perceived to be more likely to behave aggressively and get into altercations, and less likely to back down when arguments escalate.

> Scenario: It is 3 am on Saturday morning. The streets are crowded with people coming out of nearby bars and clubs. An argument breaks out between two people and one of them stabs the other

> *"We thought it was two men, late twenties to thirties, probably very drunk. If they can afford to be drinking until 3 am they must be employed and therefore we think well dressed. I would think them working rather than middle class. I think lots of 20–30 year old men have a big hormone thing going on. They feel that they still have to show their masculinity or power".*
> White British, 25–49, Bath

Deprivation

There is a perception that deprivation increases the likelihood of young people turning to crime. It is thought that young people living in deprived circumstances have most to gain by turning to crime as a means of acquiring money and possessions. People living in deprived areas are also felt to lack positive role models and opportunities.

However, pressures of consumerism and peer groups are not seen to be confined to lower socio-economic groups, and in this context it is perceived that even people from more affluent backgrounds can be enticed into crime.

Visual cues

The public tends to rely on visual cues to help them judge whether a person is more likely to be a perpetrator of crime. As part of the discussion, participants were shown a selection of photographs of different types of people. Across all groups, the most selected photos were of:

— A young man wearing a hooded top ("hoodie").
— A young man with a shaven head ("skinhead").

Both these photos were of young white men.

People acknowledge that this may be a stereotypical assumption which is unfair in some instances. But they also conclude that in most cases it will only be someone who wants to be intimidating or considered a criminal who would choose to look like that.

> *"Anyone with a hoodie is automatically in there [considered a perpetrator]."*
> White British, 16–24, BC1C2, London

> *"I'd be more wary of a hoodie walking towards me than a man in a suit."*
> White British, 50 +, DE, Nottingham

Race

Most do not think that race determines who is more or less likely to be a perpetrator of crime in general. Black and minority ethnic participants not surprisingly most strenuously believe this. However, it is a generally held view that young white men are just as likely to be perpetrators of crime as young black men.

> *"I'm answering from my own personal experience and people are just people, everyone is just the same, it's not black people, white people, Asian, like it's depending on their circumstances and their education then that's just they are what they know."*
> Black British, 16–24, Nottingham

> *"There's as many white people committing crime in these areas as there are black"*
> White British, 50 +, DE, Nottingham

However, a small minority (mainly older people living in ethnically homogenous areas) perceive there to be a link between race and criminal behaviour in general. Their perception is that young black and ethnic minority young people are responsible for most of the crime that takes place in their local area. This perception appears to be based on hearsay, claimed experience and witnessing changing demographics in the area eg expanding Somali community in Cardiff.

> *"I have a friend who lives in Grange Town and he is 82 and terrified. Two of his friends have been mugged by Somalis. I do think Somalis are more likely to be committing crimes."*
> White British, 50 +, BC1C2, Cardiff

> *"Virtually everyone of my mixed heritage students has been arrested, almost guaranteed and often repeatedly."*
> White British, 50 +, Bath

> *"There's a lot of them [Somalis] now. You see them hanging around the centre; it can be very frightening, intimidating."*
> White British, 50 +, BC1C2, Cardiff

There is also a wider perception of a link between race and certain types of crime. In particular, young black men tend to more associated than other groups with gang-related and gun crime.

> *"What we see in the media where people are shot in the streets, they do tend to be black. I am sure it is not just them. . ."*
> White British, 50 +, BC1C2, Cardiff

> *"I am not racist in any way but it is reported as black gangs, black youths. There are very, very little white reports of gangland killings and shootings in this country. I think they do go on and I probably know they do go on but are they reported as much?"*
> White British, 25–49, Bath

> *"It is more black on black with the shootings."*
> Black British, 25–49, London

3.2.2 Victims of crime

Age and gender are also seen to be primary influences of how likely an individual is to be a victim of crime. Again, people perceive race to be a lower order factor.

Age

A clear consensus from groups was that young people are most likely to be a victim of crime. They believe that young people are more likely to possess sought after items such as iPods, mobile phones and branded clothes. Also, young people are thought to spend more time out of the home and take fewer precautions regarding their personal safety. Those aged between 11 and 16 are seen as most vulnerable as they are less able to defend themselves.

The elderly are also considered more likely to be a victim of volume crime and mugging. Participants recognise that they are less able to protect themselves, however, they are thought unlikely to possess the items most sought after by young perpetrators.

> *"I would definitely say it is younger people because you are more likely to get into a row if you are younger."*
> White British, 16–24, BC1C2, London

> *"Always the elderly and the young I think."*
> Black British, 16–24, Nottingham

> *"My 12 year old nephew was mugged but I think he is so young, he didn't see he was being mugged. He just saw it as a big boy asking for some money. You know, God bless him."*
> White British, 50 + , Bath

Gender

Participants across all groups think that young men are more likely to be a victim of crime. Participants say that young men are more careless of their personal safety than women and that their bravado can place them in more dangerous situations.

> *"Muggings and gang fights are between blokes."*
> White British, 16–24, BC1C2, London

> *"Women will usually walk home in pairs."*
> White British, 16–24, DE, Cardiff

Location

On the whole, participants believe that volume crime and street crime is far less likely to occur in affluent areas. Participants believe that police are more responsive in these areas, more people use cars rather than public transport or walking, and people in more affluent areas take greater care of their personal property.

Participants in Bath believe that the size and rural location of their city means they are less likely to be a victim of crime than if they lived in nearby Bristol. They claim that people are more likely to know each other, thereby making it difficult for a criminal to evade detection.

> *"This is actually in a rural area, I haven't heard of anybody being attacked in Bath."*
> White British, 25–49, Bath

> *"This is perhaps looking back 20 years, but I feel safer here than when I lived in Nottingham and Plymouth."*
> White British, 50 + , Bath

Behaviour

The way a person looks or behaves is seen to have a potential impact on their likelihood of becoming a victim. People who look scared or vulnerable are more likely, in particular, to attract the attention of perpetrators. People putting themselves in vulnerable situations, such as using their mobiles alone or at night, is also seen to be a contributing factor.

> *"A big thing would be how people act, their posture and attitude."*
> White British, 16–24, BC1C2, London

> *"You get a small little wimp of a chap and he is there with his mobile phone and something else. A big bloke just says 'ah, they're mine'. He doesn't stand a chance."*
> White British, 50 + , DE, Nottingham

> *"Like if you've got your handbag wide open or if you are not paying attention to what you are doing."*
> White British, 16–24, BC1C2, London

Ethnicity

No groups make any spontaneous racial generalisations regarding who is more likely to be a victim of crime. However, when working through a set of scenarios, white British participants generally selected images of young black people as the more likely victims of gun crime. One of the black British participants also referred to race when describing the victim of a mugging scenario that takes place in a predominantly black area:

> *"It's going to be middle class white or young white or weak looking white."*
> Black British, 25–49, London

3.3 *Perceptions of young black people and crime*

Key highlights in the section:

— People are reluctant to generalise about race and crime.

— In response to the statistics, questions are raised about the extent to which the overrepresentation is due to victimisation compared to because they were actually committing more crime.

— Young white people from lower socio-economic backgrounds, and those who live in ethnically diverse areas, are particularly critical of the link as it does not reflect what they see happening in their local areas.

— Many question why the focus is so narrow when the people perceive the issue to be much broader.

Participants were told part way through the groups that the main focus of the research was to understand what they thought about the issue of young black people and crime. It was also explained that there was an inquiry taking place to examine this issue.

Initially, many were uncomfortable about talking about young black people and crime. Black groups expressed concern that the research may be discriminatory towards black people. Other racial groups were concerned that by making comments they may be construed as racist. However, on further discussion, people opened up more and gave more considered reactions to statistics that were presented to them.

3.3.1 Spontaneous response

As highlighted in the previous section, with the exception of gang related gun crime, most do not spontaneously think that young black people are significantly more likely to commit crime than other young people.

Even when directly questioned about this, most people maintain that they do not see race as a key factor when looking at a person's propensity to engage in criminal behaviour.

Not surprisingly, black and minority ethnic groups feel this most strongly. In Nottingham, where there has been much media coverage around this issue, young black people are particularly sensitive. They feel that young black men are being unduly targeted as criminals.

3.3.2 Reaction to crime statistics

To highlight the issue of overrepresentation of young black people in the criminal justice system, participants were presented with a set of statistics. Participants were informed that:

— Relative to the general population, in 2003–04 Black people were over three times more likely to be arrested than White people. (Asian people's rates were similar to White people).

— Black people are six times more likely to be stopped and searched than white people.

— Black people make up 8.8% of arrests but 14% of stop and searches.

— Black people make up 6% of 10–17 year olds being supervised by the Youth Offending Teams (2004–05)—but only 2.7% of the population.

— Black men account for 10.3% of the overall prison population but only 2.2% of the total UK population.

— Young black people (including mixed black and white) make up over half the children living in poverty.

— Young black people are more likely to live in lone parent families (56%):
    — Asians 16.6%.
    — Mixed ethnicities 46%.
    — Whites 25%.

— Half or more young black men (aged 16–24) are not in full time work.

Most people accept the statistics, but there is consensus that the overrepresentation of young black people in the criminal justice system is not clear cut. Both black and white groups thought that the statistics risked over-simplifying the situation and concentrating too much on race compared to other factors (age, family background, economic means etc.) The statistics could also be read in two ways:

— Young black people are committing more crimes.

— Young black people are overrepresented because they are unduly targeted.

However, some young white participants living in ethnically diverse areas do not believe the data as they do not reflect their own experience.

> *"There are Somalis that do cause problems and then I have a lot of Somali mates who don't cause problems. I know a few Asian boys that do cause problems and I know a few Asian mates that don't. . . . You can't blame one person because of race."*
> White British, 16–24, DE, Cardiff

> *"I'm really shocked about the black thing, to be honest."*
> White British, 16–24, DE, Cardiff

Black people themselves tend not to be surprised by the statistics. They are more concerned that the reasons (particularly racism and discrimination) should be fully explored, that young black people should not be treated as scapegoats, and that appropriate solutions should be found.

> *"The first five [statistics] I could answer by saying the police have already admitted to being institutionally racist so those statistics are bound to be like that."*
> Black British, 25–49, London

> *"If you're looking for a certain thing, if you're for a black person to arrest, you're going to find a way to arrest them."*
> Black British, 16–24, Nottingham

> *"And if they're being stopped and searched so many more times how come they [black people] only make up so much of the prison population, should you they [police] not be going for the people who make more, the majority of the prison population."*
> Black British, 16–24, Nottingham

3.3.3 Factors that shape perceptions regarding young black people and crime

For those living in ethnically diverse areas, personal experience and word of mouth are key factors shaping people's perceptions of young black people and crime.

> *"I know black people who are stopped by the police because the police just pick on black people."*
> White British, 50 + , DE, Nottingham

More generally, the media is cited as a key source of information. There is some perception that the media can be gratuitous in linking race to the crime where the perpetrator is black, when the same connection would not necessarily be made for a crime committed by a white person.

> *"I mean growing up reading the media everyday, a black man has done this, a black man has done that, everyone is going to think every black man's a criminal."*
> Other ethnic minority, 16–24, London

> *"All the high profile crime that is on the TV at the moment—they are all black people. So we are being brainwashed in a way."*
> White British, 50 + , BC1C2, Cardiff

Some black people interviewed felt that the media were systemically biased in their portrayal of black people and crime.

> *"They [the media] don't say in the news, 'another person shot another person', it's 'a black person shot a black person.' They accentuate the colour before they accentuate the actual crime itself."*
> Black British, 16–24, Nottingham

> *"They [the media] say black on black violence, I've never heard white on white violence, I've never heard that term in my life. It's like when you read, say for example the Sun, if you don't see the colour black then you know the person's white. They'll only mention the person's ethnicity if he's black or Asian."*
> Other ethnic minority, 16–24, London

3.3.4 Perceived reasons for young black people's involvement in crime

Key highlights in this section:

— People perceive that the causes of all young people's involvement in crime are complex and interrelated.

— Key factors mentioned include consumerism, hip hop culture which glamorises crime, family breakdown, lack of discipline, boredom, and the availability of drugs and alcohol.

— The causes of young black people being involved in crime are seen to be partly the same reasons as for all young people.

— Additional perceived factors that people perceive include institutional racism, deprivation, inequality, lack of integration and disaffection.

Participants were asked to explain why young black people are represented more highly within the criminal justice system. As explained in previous sections participants think that many of the issues affecting young black people relate to all young people regardless of ethnicity. They identify several factors that they believe are having a negative impact on today's young and ultimately influencing criminal behaviour:

— Consumerism and popular culture.

— Family breakdown.

— Lack of discipline.

— Boredom.

— Increase in availability of drugs and alcohol.

However, in addition to these factors participants identify several other interrelated issues that they think explain the condition of young black boys and men specifically:

— Institutional racism.

— Social and economic deprivation.

— Lack of provision within the education system for young black people.

— Lack of male mentors.

— Lack of opportunity in the work place.

— Lack of integration.

— Disaffection.

Consumerism and popular culture

Older people believe that young people today are growing up in an age that prioritises consumerist values and instant gratification. They claim that it is not surprising that young people no longer seem to want to work and earn what they have. They propose that for some young people the need for "must have" items such as ipods and the latest fashion is so strong that they would rather steal than to go without.

Hip hop culture (most often represented by American rappers) is also identified as a key factor in turning more young people towards crime. Young and older groups alike believe that hip hop glamourises law breaking, drugs and gun crime, and that it encourages young people to act in anti-social ways. As will be shown in a later section, young black boys are seen as being particularly susceptible to this imported culture, but the influence of hip hop is perceived to have transcended race.

> *"I mean you see 50 Cent now on the telly and all with his bandanna on. He's with his gun and that. So he's obviously going to affect the minds of youngsters round thinking 'yes I can be like that'. Walk round with your hood up; walk round with a knife and things like that."*
> White British, 16–24, DE, Cardiff

> *"I think it's to do with society as well, you see everyone is having this ipod and everyone always has the newest phone. Children can gain anything just by stealing off other children. I think society and the pressures of people having all these things have led to an increase in robbing."*
> White British, 16–24, BC1C2, London

Family breakdown and lack of discipline

Many, especially those in the 50 + age group, feel that the breakdown of the traditional family unit has also contributed to the perceived increase in crime amongst the young.

There is a general feeling that lack of discipline inside the home is also contributing to young people being involved in crime. People believe that children are too often allowed to make their own decisions and are left to their own devices without adequate supervision. Popular TV programmes like "Supernanny" reinforce these perceptions.

> *"Some parents don't really care what their children are doing at night, so long as they are not bothering them."*
> White British, 50 +, BC1C2, Cardiff

White British (especially the 50 + age group and high socio-economic groups) feel that lack of discipline outside of the home further adds to the problem of youth crime. They refer to what they see as the lack of discipline practised in schools and inadequate punishment for young offenders.

> *"Schools can't touch children today . . . If you don't have discipline at a young age you are not going to have it when you are 20 or 30."*
> White British, 50 + , BC1C2, Cardiff

> *"It is discipline—the parents. Look at the kids . . . 17 or 18 years old, their parents are 32, 33, young British born . . . it is just a lack of discipline."*
> Black British, 25–49, London

Boredom

Both older and younger participants claim that young people, particularly younger teens, are committing crimes not so much for financial gain as for simply something to do. They believe that random acts of violence have become a source of entertainment, with young people filming their criminal activity and sending it to one another. Having insufficient resources and activities in local communities is seen to be contributing to boredom and disaffection which can lead to crime.

> *"I think that kids are being deprived of other resources like youth clubs and other places to go."*
> Black British, 25–49, London

> *"Find a way to keep children of 13-18 off the streets so that they have something to do that they enjoy doing."*
> White British, 50 + , BC1C2, Cardiff

Increase in availability of drugs and alcohol

Drugs are seen as a strong factor driving street crime. There is a perception that young people's involvement with drugs is increasing, both as users and dealers.

> *"I think at the heart of it [all crime] there is drug dealing or there are drugs."*
> Black British, 25–49, London

> *"Well generally the thieving and the stealing etc is done because of the drugs. So it goes like hand in hand really."*
> White British, 50 + , DE, Nottingham

A number of additional factors are perceived to apply to young black people's involvement in crime.

Institutional racism

Black and minority ethnic groups, and a number of white people, feel that institutional racism is one reason why young black people are overrepresented in the criminal justice system. Ten years on from the Stephen Lawrence inquiry, there is a feeling that nothing much has changed.

> *"Police have already admitted to being institutionally racist so the statistics are bound to look like that."*
> Black British, 25–49, London

> *"Have you got an objective police force? Have you got an objective society?"*
> White British, 50 + , BC1C2, Cardiff

Several from black and minority ethnic groups, and also some white people living in racially heterogeneous areas, report that they have directly witnessed the undue targeting of young black people by the police. Many had heard stories of a young black person being stopped and searched, apparently unnecessarily, by the police. Black and ethnic minority people also believe that black people are more likely to be given custodial sentences than white people who are charged for the same sort of crime. In addition to these first hand experiences, perceptions of institutional racism are often attributed to the belief that the police do not support the black community. Black British people refer to the Stephen Lawrence enquiry by way of example.

> *"They have already got a magnifying glass looking over black boys and they're going to get arrested. They [black men] are not going to get cautioned, they are going to be DNA'd."*
> Black British, 25–49, London

> *"I think the majority of the police are white and that people are more comfortable with people who are like themselves, so obviously if you're a black person you're more inclined to be stopped and searched or arrested just because you're different from them."*
> Black British, 16–24, Nottingham

"My son, he went down to Plymouth, he is Black, and he got robbed. He confronted the robbers and he frightened them off. They were indigenous people from that neighbourhood. They [the robbers] went to the police saying my son actually physically beat them up and the Custody Sergeant took the indigenous people's side."
Other ethnic minority, 25–49, London

"My son got stopped by the police once and he is a good guy, honestly he really is and they stopped him because he looked like someone else! That's racist."
Black British, 25–49, London

Deprivation

Participants across the groups identify that black people are more likely to live in the most deprived, urban areas of the country. Black children growing up in these areas are perceived to struggle to achieve in a context of deprivation, poorer quality of education and less access to developmentally important activities such as sports and drama.

"It's a cycle as well, you know, because it's so hard to get out of the poverty cycle. And it just keeps going on, it's recurring. And if they deal with that issue then that in turn will help deal with other issues. It may help with crime, it may help with employment."
Black British, 16–24, Nottingham

"You are going to find a lot more crime being committed in inner city areas and that is where black people live, where the deprivation is and those two things are obviously linked."
White British, 25–49, Bath

"Asians and blacks move into areas where poverty is rife. They don't go into an areas where it is really good class of living."
White British, 50+, DE, Nottingham

Lack of provision within the education system for young black people

A number of people, both from black and other minority ethnic groups, perceive that the school curriculum does not sufficiently incorporate the experiences of black people. Young black people hold this view most strongly. In one of the groups, for example, people mentioned that children are not taught about the contribution of black people to history and the world. This is felt to result in young black people leaving school with no sense of black achievements and no sense about their place in the world and society.

"Trevor Phillips—he was saying that to some extent it is a lack of relevance to the curriculum, so that might be a factor."
White British, 25–49, Bath

"When I was young I went to a centre because they [the school] said I couldn't behave at school . . . at the centre I had this old white woman—you see it has nothing to do with colour—as a young women she had gone out with a black man and knew about all the apartheid and things like that. I learned about things like Marcus Garvey, Malcolm X as well as [Martin Luther] King as well as [King] Henry or King Arthur and all those kinds of things and I came out with more things than I would have done in school."
Black British, 25–49, London

There is also a view amongst black people that many teachers do not know how to motivate or relate to young black people.

"I notice that young black boys get excluded from school very easily."
Black British, 25–49, London

"Some teachers are so old fashioned and so past it they are not even ready to address the issues, they don't care."
Black British, 25–49, London

"I think it's about black people ourselves, going into positions where we can influence . . . then it does go back to education again; and I think it goes back to having options in education as well."
Black British, 16–24, Nottingham

Lack of male mentors

A lack of positive male mentors for young black men is identified by some as a factor. The main black male success stories are seen to be sportsmen, musicians and rappers, but there is a lack of black male mentors in other fields, such as medicine, politics and the civil service. There is also a perception that young black people are more likely to grow up in single parent families without a father figure.

"When I was growing up I had Mohammad Ali. He was the only black man on TV. Now they have got Snoop Doggy Dog and the rap stars . . . all shooting each other."
Black British, 25–49, London

"There are not many black young men who are mentors."
Other ethnic minority, 25–49, London

Lack of opportunity in the work place

Unequal opportunities in the workplace are seen as another reason why young black men are more likely to turn to crime. Black people themselves cite numerous examples of discrimination when looking for work. There is a perception that young black people do not aspire towards white collar employment as they feel they are unlikely to succeed in achieving this. Once in employment, black people identify a glass ceiling above and they will struggle to be promoted.

"I have always known you have got the white person and you have got to be higher than that person. You have to jump."
Black British, 25–49, London

"Even now I apply for jobs and stuff like that, if you get a black man applying for a job and a white man, they give it to the white man."
Other Ethnic Minority, 16-24, London

Some people from other ethnic backgrounds are also conscious of discrimination faced by black people.

"Most of the young black kids that I know have got jobs very, very similar to the white kids working in Sainsbury, Home Base, fast foods etcetera but the problem is that the white kids will leapfrog over them and will be going to college, will be getting proper trades and professions."
White British, 50 + , Bath

"If it is meant to be that we all have equal rights now, no discrimination with age, colour and whatever why is it that most people in big companies are white."
White British, 16–24, DE, Cardiff

Lack of integration

A perceived lack of integration between different racial groups is also perceived to be an underlying factor in some areas. This separation is seen to contribute to a feeling of "otherness" and of mutual suspicion.

Some white participants in Cardiff perceive that the local Somali community have self segregated themselves and have not sufficiently adapted to the British way of life.

Black people also point out that race segregation is also something that government contributes to. For example, in Nottingham black people tend to be housed in the most deprived "black" estates.

"I think now they're segregated, everything's segregated, it seems as though its not but the country still is segregated and the housing communities are segregated. You create negativity and it's like isolation as well."
Black British, 16–24, Nottingham

Disaffection amongst young black men

The statistics and the discussion on causal factors also opened up a debate about whether the disaffection of young black men could be another contributing factor to their overrepresentation in the criminal justice system.

Older white British people say that young black men seem more defensive, acting like they have a "chip on their shoulder". They go on to say that it is this attitude that makes young black men less approachable and could perhaps explain why it is harder for young black men to find employment. They debate whether it is this "attitude" that leads police to target them.

"It's a big chip—a lot of them have got chips on their shoulder and I am sad to say that."
White British, 50 + , BC1C2, Cardiff

"Well, actually, I think they're stopping black men more than white is because of the attitude—the way they present themselves—they way they're walking through a town. They're going to get them more. They stick together more—in threes and fours, and then—the dress is sort of more uniform."
White British, 50 + , DE, Nottingham

While not accepting the above characterisation of young black men, older black people say that young black men have to deal with certain issues that could explain any perceived attitudinal perceptions. They argue that young black men in today's society have little power, respect and authority and they are most

often talked about in the context of crime and failure. Black people say that the only way that many young black men believe they can derive respect from (white) people is by demanding it through a show of force and intimidation.

> *"When you [young black man] get to a certain age you have to 'front up' and show you are the man. But that just sends the signal that 'this guy is trouble.'"*
> Black British, 25–49, London

> *"When I came over here I went from a good boy, to trying to fit into the crowd so that I could hang out. All of a sudden what is bad is forgotten about. It is about fitting in to the crowd being 'a man'."*
> Other ethnic minority, 25–49, London

> *"I work at Citibank and I was trying to get through the barriers in the entrance. This guy came up to me, he goes, 'can you let my colleagues through?' thinking I'm a security guard. I'm like, 'No I am not the security guard.' So it is just that in general people in this country look at a black man and think you can't be successful."*
> Other ethnic minority, 25–49, London

4. EXPLORATION OF POTENTIAL SOLUTIONS

Key highlights in this section:

— Suggested solutions focus on the overrepresentation of young people in the criminal justice system and not just the overrepresentation of young black people.

— The message from black people themselves is that positive rather than punitive measures need to be taken, particularly in the areas of education and employment.

Participants were encouraged to develop solutions to tackle the overrepresentation of young black people in the criminal justice system. A wide variety of solutions were suggested; some were designed to apply to all young people and others were racially specific.

Appropriate deterrents

A generally held view about criminality overall (even among younger age groups and black groups) is that sentencing is currently too lenient and therefore not a sufficient deterrent. However, this is not perceived to apply particularly to young black people's involvement in crime but across the board.

Promote discipline and guidance

Another view with respect to crime generally is that a root cause is lack of discipline at home and at school. Some would like parents and teachers to be empowered to apply greater discipline.

People also identify inadequate parenting as an issue. "Teenage" parenting in particular is seen as something that needs to be addressed. Ideally, people would like to see effort made to discourage teenage pregnancy but failing that, it is felt that young parents should be given more advice and support in bringing up children. Young white participants in London support the Government's idea of super nannies to coach and guide families to bring up children.

> *"We have to take responsibility for our youth because if you're saying the system is allowing them to fail then what we are doing as parents and as brothers, sisters, uncles whatever, to prevent that from happening."*
> Black British, 25–49, London

> *"I heard on the radio that the government are trying to form a massive team of super nannies to like try and deal with kids at an early age . . . I thought it was quite a good idea."*
> White British, 16–24, BC1C2, London

Activities to combat boredom

Those in urban areas, particularly from lower socio-economic groups felt that many activities aimed at young people are expensive and beyond the means of many parents. This is perceived to result in boredom and the pursuit of the wrong sort of activities. People would like to see more investment in community resources and activities to keep young people occupied.

> *"The lack of like youth clubs and stuff, that's what's causing that because if children had places to go other than the streets yeah then children wouldn't be staying up on the corners until all hours of the night doing nothing and then they see people walking by so they think yeah, come lets rob him."*
> Other Ethnic Minorities, 16–24, London

> *"Most of them don't mind kicking a ball but wherever you go, no balls, no balls. All the people come out cursing them and they can't go to the parks you've got all the mothers there and in all fairness move on, move on, please there are little kids. They've got no ground."*
> White British, 16–24, Cardiff

Positive and prompt response to problems

Black groups feel that the criminal justice system brands too many "unruly" young men as criminal. They believe that many of the 13–16 year old boys who get involved in crime will probably grow out of their delinquent behaviour by the time they are 18. However, they say that once a young person receives a criminal record and/or goes to jail, it becomes difficult to overcome this.

> *"I think even when we were growing up we knew people who did their little thieving and shop lifting and whatever and it was a phase. But it happened and they outgrew it and they never got arrested, they got a caution, they never got arrested and sent to Feltham or whatever it was just a phase, they didn't have their DNA taken for it but now they do. They are not allowed to have those phases."*
> Black British, 25–49, London

Black groups therefore feel that more effort needs to be made to deal with behaviour earlier on. They like the idea of referral units that deal with young offenders but think that they could be rolled out to deal with young people who are showing signs of becoming involved in crime.

> *"I think it's great that there is referral units like what you work in however I wish there wasn't a need for the. Trouble starts off with a little itch and if you let that itch turn in to a scar, you deal with it at the earliest possible stage."*
> Black British, 25–49, London

Target the issue through education

Black groups think that effort needs to be made to engage with young black boys in the education system. They believe it is essential that young black people stay and do well in school. They call for more black people to become teachers. They think the exclusion of any pupil, regardless of race, should be used as the option of last resort.

In terms of the curriculum, participants think that courses that reflect the diversity of the country should be included. In this way, black and other minority groups can learn from, and be inspired by, the experiences and contributions of minority groups in the UK.

> *"Everyone needs to play a part . . . teachers are going to play a part in a child's life for a certain part of the day."*
> Black British, 25–49, London

> *"A lot of this is prejudice from some of the teachers like I said earlier on, because they come from middle class backgrounds and they stereotype us already."*
> Other Ethnic Minority, 25–49, London

Equal opportunities

Black and other ethnic minority groups think that companies should be encouraged to hire young black men and that recruitment policies of all companies should be closely monitored.

Views amongst black and other ethnic minority groups were divided as to whether the government should introduce positive discrimination policies as has been done in some other countries. Some oppose this, believing that no one should be given a job that they are not qualified for. However, others feel the situation is serious enough to warrant more proactive measures.

Specifically, there is a strong view that young black people need to be recruited into the police force and other criminal justice agencies in greater numbers.

> *"You need a lot more policemen who are black."*
> White British, 50 + , DE, Nottingham

Positive images and role models

Black and ethnic minority participants believe that more should be done to promote positive images of black people within the media. They want the media to present more "good news stories" involving black people, and particularly black men.

Similarly, black participants want to see more male mentors providing advice and guidance to young black people. The hope is that young black men can be encouraged and inspired to succeed in life. But also, male mentors can be a source of real support for young black boys, especially those growing up with no fathers. Regardless of ethnicity, all participants think that other role models are needed to combat the negative influence of hip hop and gangster role models.

> *"Even documentaries made by black people are negative, they're not about the positive things that black people are doing in the community. Black people that are doing good things in the community are not promoted."*
> Black British, 16–24, Nottingham

> *"I think (black people) knowing their roots, their backgrounds. You know when we see television they don't want to see the nice—you know (good things happening)."*
> Other Ethnic Minority, 25–49, London

Promote racial harmony

White groups in particular think that more should be done to prevent particular groups of ethnic minorities from becoming isolated from mainstream society, and by extension, mainstream opportunities.

Older (50+) participants think that integration would be helped by making immigrants take citizenship classes to ensure they understand British values and customs as well as to help them integrate better into society.

> *"Instead of putting all black and ethnic people in one area of the city, it would be best to maybe let them live with other cultures where they would have to learn to live with each other."*
> White British, 16–24, DE, Cardiff

> *"Make them integrate into the English population better, which they don't. They've got to have their own way of life and they sort of come to us but they don't want us to go into their type places."*
> White British, 50+, Nottingham

February 2007

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2. Memorandum submitted by Dr Marian FitzGerald, Specialist Adviser to the Committee

EXECUTIVE SUMMARY

Background

This paper is based on statistics provided specially for the Committee by four police services:

— The Metropolitan Police Service (MPS);

— Greater Manchester;

— The West Midlands; and

— Nottinghamshire.

The forces vary in the size and internal make-up of their "Black" populations. The largest Black group in London is of African origin. Although Black Caribbeans are the largest single Black group in the other areas, only in the West Midlands do they account for over half of the Black population (at 56%). Among young people, the proportion is much smaller and the growth of the African and "Mixed" groups is becoming increasingly important for the future.

The police figures are patchy but they were able to provide them at the level of Basic Command Units (BCUs) and for the financial year 2005–06, whereas the most recently published Home Office figures are at force level only and date back to 2004–05. The figures were supplemented by Youth Justice Board statistics for the force areas.

Victimisation

General

The Home Office does not require forces to keep ethnic information on victims of crime reports; but figures kept by the MPS suggest the following:

— Black people are slightly overrepresented as victims compared to their presence in local populations; but

— the lower figure for Black males compared to other groups confirms that they may be less likely to report crimes against them to the police.

— Black overrepresentation as victims is higher in the younger age ranges; and

— they are more likely to be victims of violence (including serious violence and rape).

Homicides

Despite the requirement to keep ethnic information on homicide victims, a surprising number of cases show ethnicity as "unknown" in some forces. The London data are more complete, though; and the total figures for six years are large enough to show that:

— by far the largest numbers of homicides in the Black group were of males aged 21 to 30; but

— by far the highest level of "disproportionality" was at younger ages where Black males accounted for nearly two thirds of all murders of 10 to 17 year olds.

More detailed information for 2005–06 suggests that, overall, murders with sharp instruments in that year were more than three times as common as those using firearms. In the case of Black men, though, the figure reduces to two-to-one; and in the case of Black male victims aged 15 to 30, 10 were murdered with guns compared to 13 stabbings.

Entry into the Criminal Justice System

Searches

In London, police searches under s1 of PACE fall disproportionately on Black people in all 32 boroughs; but in most this closely reflects the suspect descriptions recorded by the police. Compared to other groups, s1 searches fall particularly heavily on Black men and a higher proportion of these are in the younger age ranges.

The arrest rate from s1 searches of Black people is similar to or higher than that for Whites in all areas; and this too could be cited by the police as evidence that the searches are justified. However, most s1 searches do not result in an arrest; so even if there are legitimate reasons for the level of disproportionality, this would still mean that Black young men going about their lawful business are disproportionately searched. And, as the Committee repeatedly heard, this is a major source of deep-seated resentment.

The problems are far more acute in the case of searches under s60 of the 1994 Criminal Justice and Public Order Act. These do not require officers to have "reasonable grounds" for any search, so the arrest rate is much lower; and their impact on Black people is more disproportionate in. Generally, s60 searches are much less common than s1 searches; but, in the West Midlands, they account for about half of all searches on Black people—and in the BCU with the largest Black population they are twice as common as s1 searches.

Arrests

Most arrests are *not* the result of police searches. So it is mistaken to claim that searches significantly increase the numbers of Black people in the criminal justice system. Black people are overrepresented in the arrest figures too; but the level of disproportionality varies by area and actually appears to be lower in London than in the three other forces.

Where further analyses were possible these show important differences in the offences for which different groups are arrested as well as differences by age, although there are also local variations within this picture. Black young people are generally more likely than Whites to be arrested for robbery and drugs offences, but a higher proportion of young White people in the same areas enter the criminal justice system for burglary and criminal damage. However, robbery tends to be more common among young Black people aged 10 to 17 whereas by age 18 to 20 a higher proportion are arrested for drugs offences. Not only are drug offences a more important route into the system for Black young people than for Whites, the offences they are accused of tend to be more serious.

In Greater Manchester and Nottingham, figures were available for young people of 'Mixed' origins and these further highlighted the growing importance of this group for the future. Young people of Black Caribbean/White heritage in Nottingham actually outnumber those of Caribbean origin as such among arrestees aged 10–17.

Disposals

Since the CPS and the courts are not required to collect ethnic statistics, there is little published information on the proportion of arrests of different ethnic groups which result in a disposal of some sort. However, both Greater Manchester Police and the MPS were able to provide some information on this. They differ in the overall proportion of all arrests which do not result in a formal disposal; but, in both areas, arrests of young Black people are slightly more likely to result in no further action compared to Whites. At the same time, Black young people are slightly less likely to receive a caution or warning.

In London, the proportion of young Black people charged with an offence is higher than for Whites in both the 10 to 17 and the 18 to 20 age groups; but the figures are also large enough to break this down by offence type. In the case of robbery, the vast majority of offences result in a charge and there were no ethnic differences within this; but the overrepresentation of Black young people in robbery will itself increase the overall proportion of Black young people charged with an offence. Cases of violence against the person, though, are more likely to result in young Black people being charged compared to Whites but the opposite is true in cases of theft and handling. Reliably to interpret these contrasting findings would require information on the relative seriousness of the offences involved and on other factors such as admission and criminal histories.

Additional insights from Youth Justice Board statistics

General

Significant numbers of young people who receive a reprimand or formal warning from the police appear not to be known to local Youth Offending Teams, although the scale of the problem varies by area. Black young people are disproportionately represented among the 10–17 year olds who are known to the youth justice system but the overall level of "disproportionality" is lower than in the police statistics. This may be because the published police figures refer only to "notifiable" offences, but many young people in the YOT statistics have committed summary offences and/or have breached a previous order (although the prevalence of some of these categories varies by area).

Patterns of offending

Despite their differences from the police figures, the YOT data show similar ethnic differences in offending patterns, even within the same areas. Again, White young people are more likely to have received a disposal for criminal damage and burglary offences while Black young people are more likely to enter the system for robbery and drugs offences. However, the pattern for the 'Mixed' group is different from either.

Remands and disposals

Both Black people and those of Mixed heritage, though, are consistently less likely to receive pre-court disposals. They are more likely to be remanded in custody rather than bailed and they are also more likely to receive custodial sentences. The YOT data do not provide any information on the level of seriousness of their offences, whether the offences are admitted or other relevant factors like previous convictions. However, both Black and Mixed heritage young people receive longer sentences than Whites and a higher proportion of these are sentenced for offences which, in the case of adults, would be eligible for custodial sentences of 14 years or more

Issues arising from the analyses

Police forces hold much richer and more up-to-date ethnic information than is apparent from the figures published by the Home Office. Importantly, these are susceptible of analysis at sub-force level, by age and in many cases also by gender. As such, they have considerable potential for informing local policy and this is essential for several reasons.

There are local variations in the make up of minority populations, their particular social, economic and policy context and issues of crime and policing related to these. Interventions need to take account of these factors and to be delivered in ways which are locally appropriate. Their impact will then also need to be monitored at local level.

That is, top-down solutions may not be appropriate and one-size-fits-all approaches may not work in many situations. In most areas the numbers of ethnic minorities in forces' data will be too small for meaningful analysis at BCU level; but an over-emphasis on statistics (driven by an imperative to make the figures look less "disproportionate" in the absence of any agreement on what fairness should look like) may actually inhibit forces from finding other ways of exploring the issues, discovering with precision where any problems are arising and taking any necessary action.

In any case, no progress is likely without local "ownership" of the issues; but the relative absence of information in some forces even on items where they are formally required to keep ethnic statistics suggests that the s95 figures are currently seen as yet another set of statistics forces have to collect to provide returns to the Home Office. Even where the data provided to the Committee have provided valuable new insights, the forces which provided them may not have been aware of these or their possible policy implications.

Similarly, the YJB data appear very comprehensive; but the published figures do not provide any breakdown within ethnic group by age or gender. Nor do they include information on other factors which would need to be taken into account before any inferences of discrimination could be drawn. However, it is also worth exploring why the youth justice figures show less disproportionality than the police statistics. One possible reason is that the police figures count incidents rather than individuals; and this may itself exaggerate the impression of disproportionality since the same individual may come repeatedly to police attention and any ethnic differences in the rate at which this occurs could significantly affect the total for each group.

Collecting ethnic statistics cannot be justified if they are not analysed with rigour and the findings used to inform policy and practice; and this is especially true in the present context. For there is an increasing danger that the publication of figures which repeatedly and crudely highlight Black people's overrepresentation in crime compared to their presence in the population may eventually serve only as evidence to support racist stereotypes.

1. BACKGROUND

Origins of this report

The published statistics on ethnic minorities and the criminal justice system are patchy in their coverage. Also, those for individual police forces cover the whole of any force area, even though the distribution of minorities varies considerably at sub-force level, as do overall levels of crime, the deployment of police resources in relation to this and the use of police powers. In addition, for the purposes of the inquiry, the available data are often limited by the absence of any breakdown by age; and no information is available on the ratio of males to females within different ethnic groups at most key points in the criminal justice system.

The Committee therefore approached four police forces to ask what additional information they could provide from the data they already routinely hold which might shed light on these issues. The forces were:

— the Metropolitan Police Service (MPS);

— Greater Manchester;

— the West Midlands; and

— Nottinghamshire.

The first three of these are large urban forces, whereas Nottinghamshire is a much smaller force, much of which comprises rural areas and medium size towns. However, it has recently suffered levels of gun crime and drug-related activity which are more usually associated with the inner city areas of metropolitan forces; and here, as in the other three forces, young Black people have been victims of this violence. The forces vary in the size and the ethnic make-up of their resident Black populations (see further below); but between them, they account for 75% of the Black population served by the 43 police forces in England and Wales. That is, any supposedly national average figures for Black people in the published figures may largely be determined by what happens in these four forces.

The information received from the forces varied in its coverage, in the extent to which this recorded ethnicity and also in the form in which the data were provided, which in turn had implications for the extent to which further analyses were possible. The forces were, though, most helpful in responding to our requests in a very short space of time and, taken together, the material provides important additional insights to the statistical information available to the Committee to date. It also indicates the potential of force level data both for exploring the factors behind the overrepresentation of Black people (and young people in particular) in the criminal justice system and for considering their implications for policy and practice.

This report begins by setting out information on the Black population of each area, set in the context of the force's Basic Command Units (BCUs). It then looks in turn at:

(a) victimisation;

(b) entry into the criminal justice system; and

(c) subsequent decisions;

before concluding with some brief, personal reflections on possible implications for the inquiry.

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The police are no longer responsible for the decision to charge arrestees; and the CPS are unable to provide any ethnic data on this point. Nonetheless, the data from forces offered some useful insights under c) and this was supplemented by statistics on 10-17 year olds in the same local areas from Youth Offending Team (YOT) returns to the Youth Justice Board.

The local context in four forces

Most police data are still presented using the traditional "4 + 1" codes adopted when mandatory ethnic monitoring was introduced in 1996 (ie White, Black, Asian, Other and Not Known/Recorded). This system was based on visual classification by police officers and was effectively a condensed version of the six point (PNC) classification traditionally used by the police to classify suspects by ethnic appearance. The currently available published data, for the most part, still use this four point classification. However, officers have formally been required since 2003 to ask any individual they stop, search and/or arrest to classify themselves according to the 16-point Census classification. For the purposes of this paper, it is assumed that the "Black" group in the police statistics comprises the following Census categories:

— Mixed White-Black Caribbean.

— Mixed White-Black African.

— Black Caribbean.

— Black African.

— Any other Black group.

Table 1 shows the total size of this Black population in each of the force areas and its internal composition. Both vary considerably, with Black Africans the predominant group in London but people of 'Mixed' White and Black Caribbean heritage accounting for more than a quarter of all Black people in Greater Manchester

and the West Midlands, and fully a third in Nottinghamshire. It is only in the West Midlands that Black Caribbeans still account for more than half of the total Black population; but even here the figure is no more than 56 per cent.

Table 1

Size and composition of "Black" population in each force area[2]

	% residents "Black"	Mixed White-Black Caribbean	Of which Mixed White-Black African	Black Caribbean	Black African	Any other Black group
MPS	12.4	8.0	3.8	38.7	42.7	6.8
Greater Manchester	1.9	27.5	10.2	34.0	21.5	6.8
West Midlands	2.8	27.0	2.5	55.8	8.1	6.6
Nottinghamshire	2.3	33.3	3.9	48.8	8.1	5.9

The MPS additionally provided an age breakdown for the different groups in the London population and this provides further evidence that, even in London, the population of "Mixed" origins will form an increasingly important component of the Black youth population for the future. Meanwhile, the Black Caribbean population of the capital will continue to shrink and already comprises less than a third of the total Black group in the 10-17 age range (see Figure 1).

Figure 1

Composition of 'Black' group by age
(London)
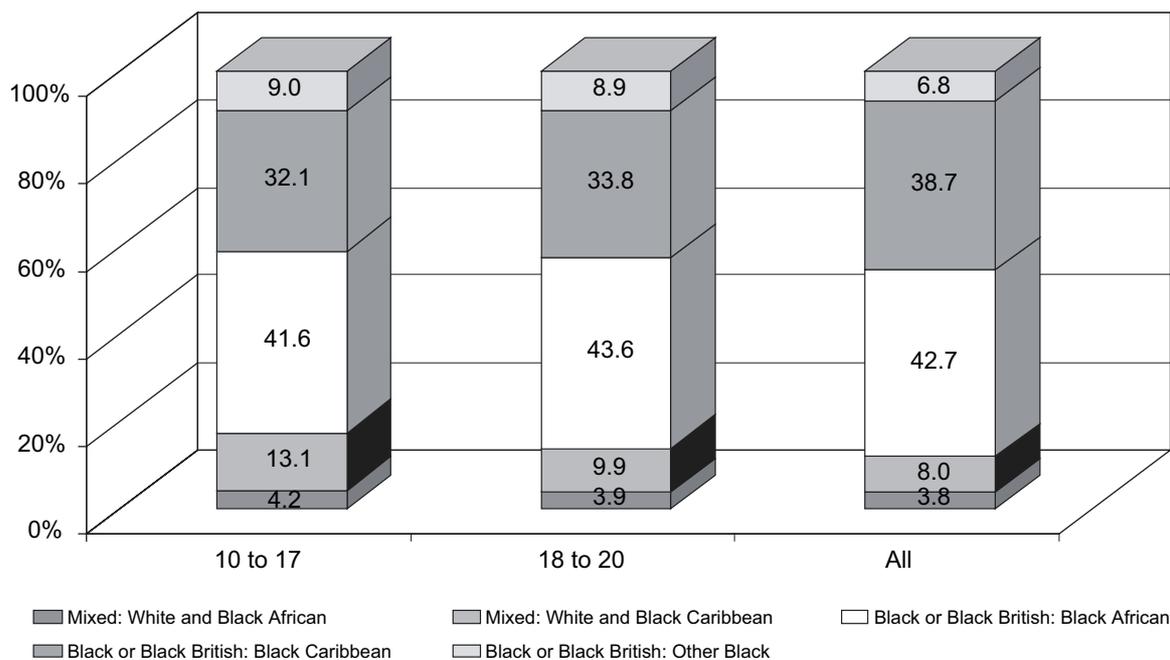
However, the distribution of the Black group within each force area is very skewed. As Figure 2 shows, it does not follow the distribution of the population as a whole between the component BCUS.[3]

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[2] The West Midlands police, unlike the other forces, did not provide population figures using the full 16 point Census classification, including only a composite "Mixed" group which will include unknown numbers of White-Asian and other Mixed heritage individuals. The figures shown in Table 1, therefore, are taken from the 2001 Census for the West Midlands Metropolitan district where the Black population forms a somewhat lower proportion of the total (2.8%) than in the figures provided by the police (3.7%). It is probably safe to assume, though, that the internal composition of the force's Black population is broadly similar to that shown in Table 1.

[3] Greater Manchester supplied a full ethnic breakdown only for local authorities within the force area; but the Manchester City Council area (which covers over half of the force's total Black population) is covered by three BCUS—North Manchester, Metropolitan and South Manchester).

Figure 2a

**Distribution of the Black population, compared to all residents
MPS**

Legend:
- ☐ Barking & Dagenham
- ■ Barnet
- ☐ Bexley
- ☐ Brent
- ■ Bromley
- ☐ Camden
- ■ Croydon
- ☐ Ealing
- ■ Enfield
- ■ Greenwich
- ☐ Hackney
- ■ Hammersmith & Fulham
- ■ Haringey
- ■ Harrow
- ■ Havering
- ■ Hillingdon
- ☐ Hounslow
- ☐ Islington
- ☐ Kensington & Chelsea
- ☐ Kingston upon Thames
- ☐ Lambeth
- ☐ Lewisham
- ☐ Merton
- ☐ Newham
- ■ Redbridge
- ☐ Richmond upon Thames
- ☐ Southwark
- ☐ Sutton
- ■ Tower Hamlets
- ■ Waltham Forest
- ■ Wandsworth
- ☐ Westminster

**Figure 2b
Greater Manchester**

Legend:
- ☐ Manchester City Council
- ■ Salford City Council
- ☐ Tameside MBC
- ☐ Stockport MBC
- ■ Bolton MBC
- ☐ Wigan MBC
- ■ Trafford MBC
- ☐ Bury MBC
- ■ Rochdale MBC
- ☐ Oldham MBC
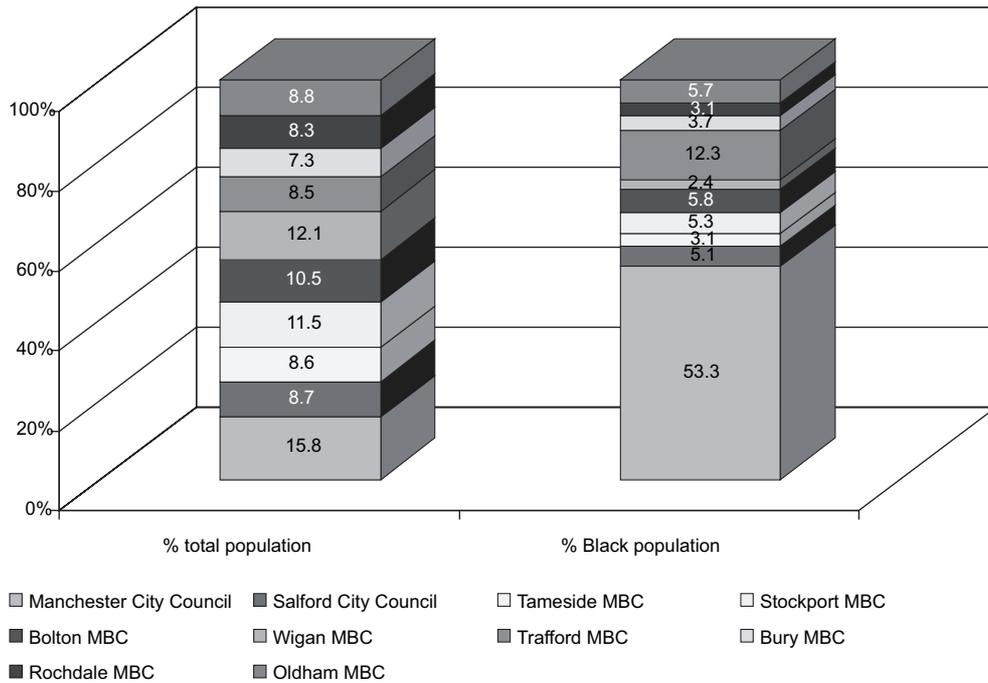
Figure 2c
West Midlands
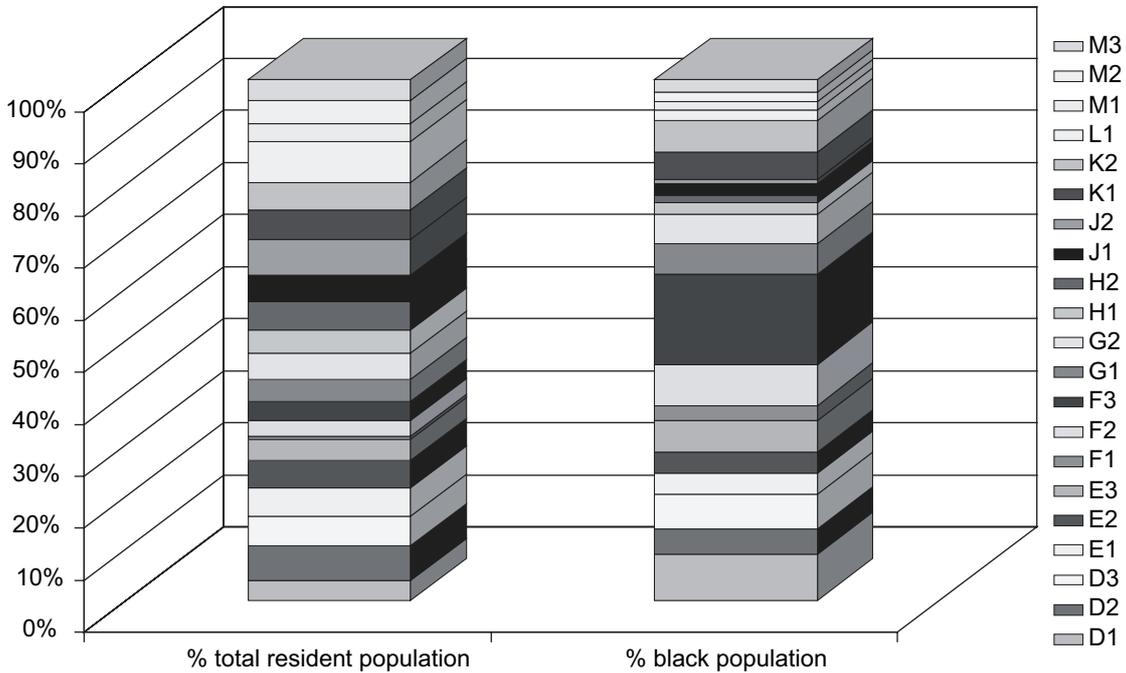
Figure 2d
Nottinghamshire
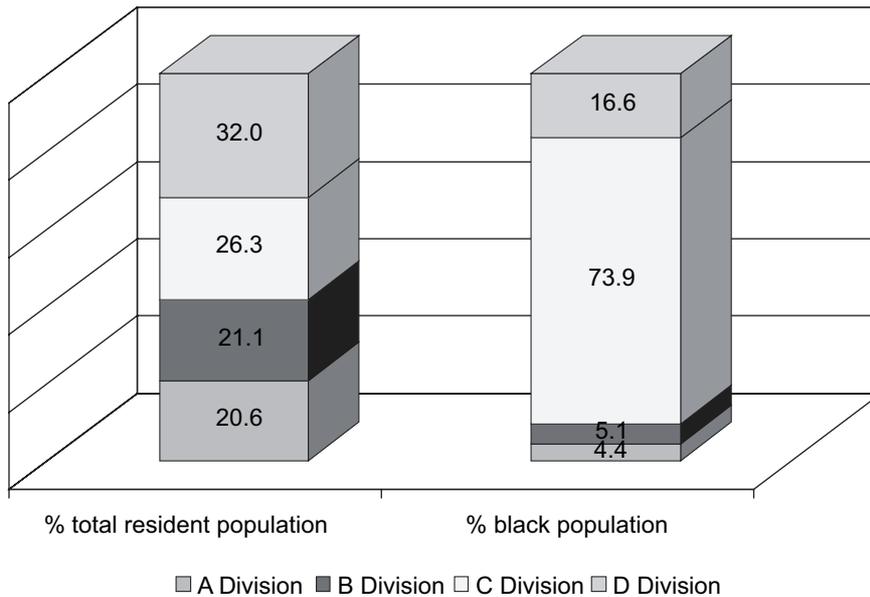
In each force, the areas in which Black people tend to be concentrated also tend to have higher than average levels of crime. However, the high crime areas in each force are not exclusively those with larger than average Black populations; for crime levels tend to be closely associated with two types of area characteristics. On the one hand, victim surveys confirm that people living in very deprived areas are more likely to be victims of crime. White people account for the majority of residents in many deprived, high crime areas within each of these forces, and in many forces, such areas will be almost exclusively White. On the other hand, some of the highest levels of recorded crime in any force area are in town and city centres or other neighbourhoods which have relatively small resident populations but which attract large numbers of non-residents for shopping, leisure, business or for other reasons.[4] Some of these reasons may be crime-related—for example in areas with significant drugs markets and red light districts.

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[4] In this context it is worth noting that the "Airport" division in Greater Manchester and Heathrow in London are two examples of the "pure" case of BCUs which contribute to the crime totals for the force but effectively have no resident population.

In this latter type of area many (if not most) of the victims and the perpetrators of any crimes reported will not be local: they may come from adjacent, more residential areas or from other parts of the same city; but some will not live within the force area at all. Hence, the borough/CDRP of Westminster dominates the picture for the MPS, accounting for over 7% of all London crime but under 3% of the capital's population. Similarly, the North Manchester BCU within the Greater Manchester CDRP accounts 12% of the force's total crime but for 5% of the force population.

In all forces, the distribution of uniformed operational officers varies between BCUs with higher than average numbers assigned to the highest crime areas. Typically, town and city centres are the most intensively policed and have the most visible police presence; but this will also apply to some degree to the deprived high crime areas which is where Black people are more likely to live.[5]

2. VICTIMISATION

General

As anticipated, the data kept by all forces on victimization in general had large numbers of cases in which ethnicity was not recorded. This is in part because the police are not required to record victim ethnicity in cases other than homicide. In addition, though, some recorded crimes are either "victimless" (such as drugs offences) or they involve corporate victims rather than individuals. In view of both the large proportion of cases where ethnicity was not recorded and the relatively small size of their Black populations, no victimisation data are presented here for Greater Manchester, the West Midlands or Nottinghamshire.

In the MPS, the level of non-recording for victims varied considerably by borough, averaging 16.5% overall but covering a range from 44% down to less than 2%. Table 2 shows Black people as a proportion of all victims of recorded crime, compared with their presence in the local population for boroughs where cases with no ethnicity recorded were 12% or lower. On average Black people were slightly more likely to be victims of crime than their presence in the local population would predict but there are a few cases where the figures are much higher. More work would be needed to discover whether, for example, the higher victimization figures in Barking, Greenwich and Wandsworth relate to the presence of particular groups of refugees and asylum seekers who might not have been included in the 2001 Census figures. It may, nonetheless, be significant that in the areas where Black people account for over 20% of the population there tends to be more parity between the population and victimization figures.

Table 2

Black people as victims of crime*
selected London boroughs 2005–06

|	As % all victims of recorded crime	As % resident population
Richmond-Upon-Thames	2.5	1.6
Kingston-Upon-Thames	4.6	2.2
Sutton	5.3	3.4
Bromley	6.7	3.7
Hounslow	8.1	5.4
Bexley	8.5	3.4
Tower Hamlets	10.4	7.7
Harrow	11.0	7.1
Wandsworth	14.9	11.2
Barking & Dagenham	15.8	8.2
Greenwich	18.4	12.5
Brent	22.8	21.6
Newham	23.5	23.5
Lambeth	27.7	28.6
Southwark	29.5	28.1

* Figures based only on cases with ethnicity recorded

Further analyses of the victim data for London as a whole suggest that, where ethnicity is known, there are further ethnic differences in the gender and average age of victims of crimes recorded by the police, as well as differences in the type of crime involved. In interpreting these figures it is important to bear in mind that the level of recorded crime is in some measure determined by the willingness of victims to report to the police in the first place. So the lower figure for Black males as victims of crime shown in Figure 3 could reflect under-reporting. For the idea that Black men have a lower underlying rate of victimization would be surprising in view of the homicide statistics for this group discussed further in the next section.

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[5] Data from the MPS, however, suggest that the allocation of uniformed officers is slightly lower than might be expected in Hackney and Lambeth which are two of the boroughs with the largest Black populations.

Figure 3

Victims of recorded crime by gender

MPS

2005-6
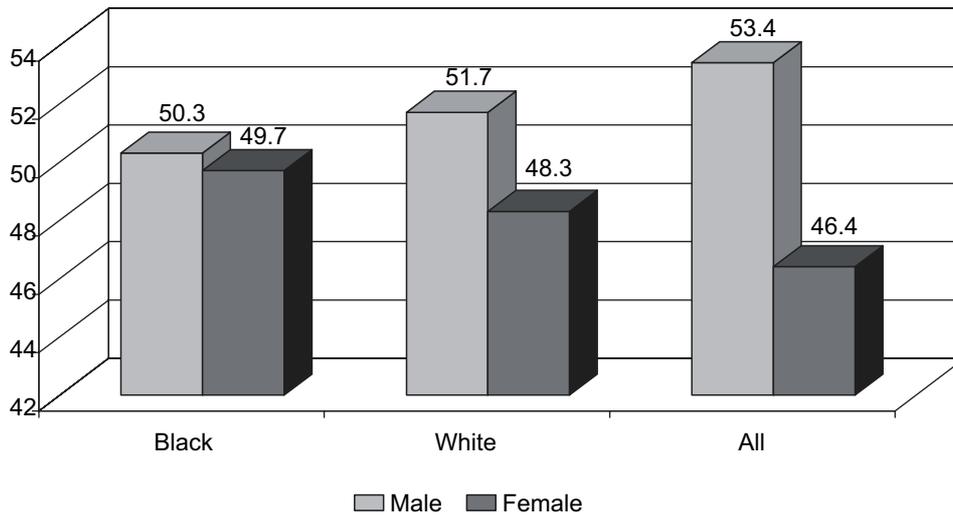
Notwithstanding the possibility of under-reporting, in cases which do come to the attention of the police, Black people account for a higher than average proportion of victims in the younger age ranges (Figure 4).

Figure 4

Black people as % all victims

by age

MPS 2005-6
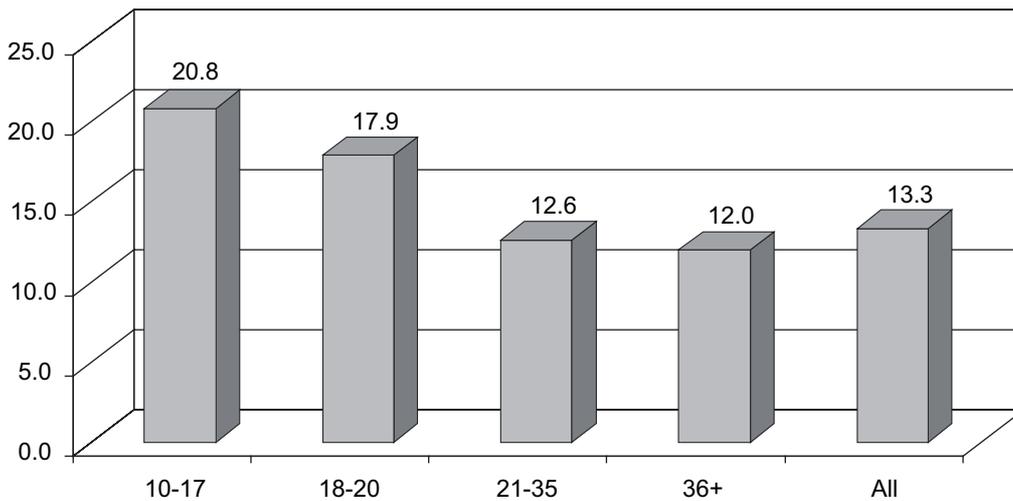
Black victims are also significantly more likely to be victims of crimes of violence (Figure 5); and within this very broad offence category, they account for a higher than average proportion of victims of both murder (see further below) and grievous bodily harm (GBH). Similarly, while only a small proportion of any group is recorded as the victim of a sexual offence and the overall figure is no higher for Black people than for any other group, Black victims accounted for a quarter of all the recorded reports of rape in London where ethnicity was known. However, contrary to assertions made by several witnesses to the committee, robbery does not account for any larger a proportion of Black victims than it does in other groups.

Figure 5

Victimisation by crime type
MPS 2005-6

Legend:
- ☐ Violence Against the Person
- ■ Sexual Offences
- ☐ Robbery
- ☐ Burglary
- ■ Theft and Handling
- ☐ Fraud or Forgery
- ☐ Criminal Damage
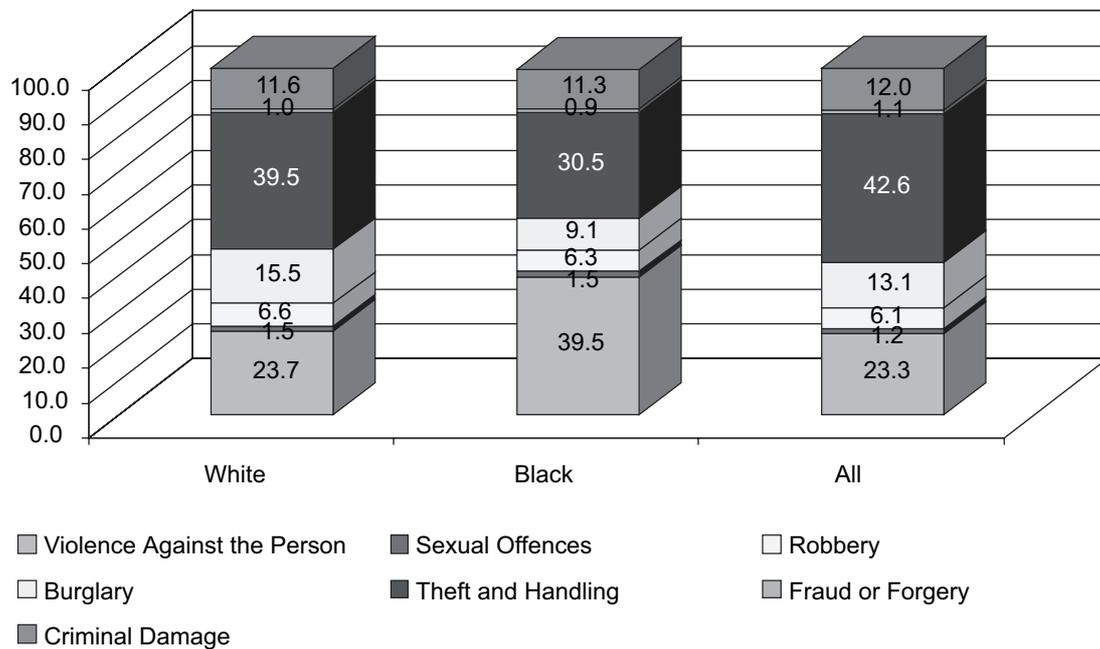
Homicides

Homicides are rare events; so the total numbers will be small, particularly for minority groups within the population and it was for this reason that forces were asked for their homicide data for six full years, from 1999–2000 to 2005–06. Nonetheless, Nottinghamshire had only recorded 69 homicides over that period, of which 15 had no recorded ethnicity and only two were shown as Black.[6] In the West Midlands, the numbers were much larger (390); but ethnic information was missing in nearly two thirds of these cases.

Missing data was less of a problem in Greater Manchester; but at 20%, this still makes inter-ethnic comparisons uncertain when there were only 24 recorded Black victims out of a total of 339 homicides[7] in six years (ie 7% of all homicides, rising to 9% of cases where ethnicity was recorded). What can safely be inferred is that Black people are disproportionately victims of homicide in Greater Manchester, since only 2% of the force population is Black. Caution is needed in breaking down these figures any further since the total is already small; but it is worth noting that this included only one Black female victim. Of the 23 Black males who were victims of homicide, by far the largest numbers were aged 19 to 25 (nine) and 26 to 35 (eight).

By contrast, not only are the numbers of homicide cases in the MPS very much larger than anywhere else (with a total of 1,337) only four cases had no recorded ethnicity; and 422 of the total were Black, thus allowing scope for further analyses by gender and age.

It is important to bear in mind that child murders are rare in any group; but Figures 6 and 7 suggests that while Black girls are slightly more at risk than Black boys through infancy and primary school, the number of Black boys who are victims of homicide rises sharply from the age of 10 onwards.

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[6]   There is no record, for example, in the Black female category of the case of Danielle Beccan who was shot dead in October 2004 and whose murder featured prominently in the national press.

[7]   These exclude the victims of Harold Shipman.

Figure 6

Black victims of homicide by age and gender

MPS

1999-00 to 2005-6
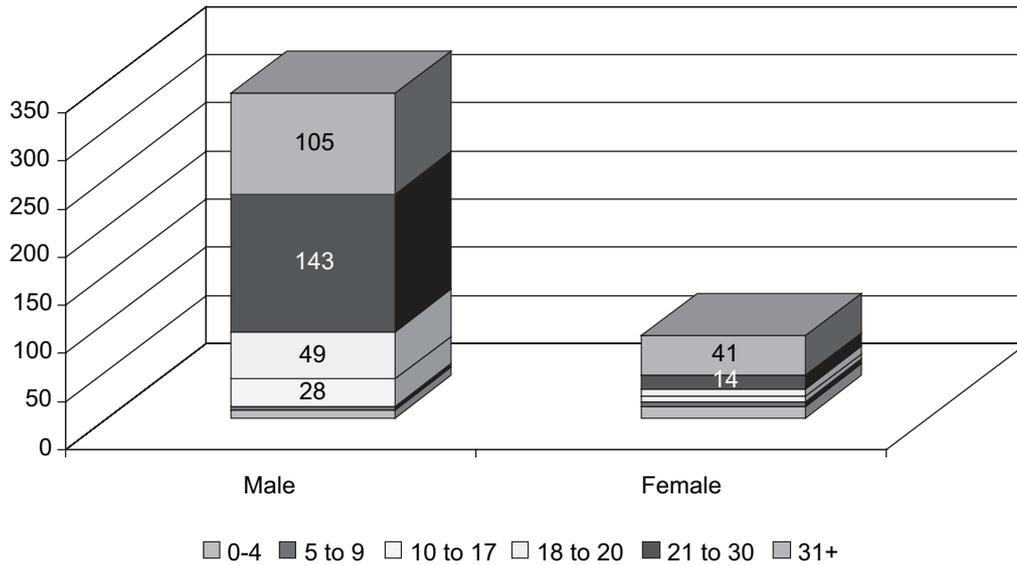
In all age groups, Black people account for a disproportionate number of homicide victims of both sexes. However, by far the highest level of disproportionality is in the 10 to 17 age range where Black boys and young men account for nearly two thirds of the London total (see Figure 7).

Figure 7

Black people as % of homicide victims in London

1999 to 2006

by gender and age band
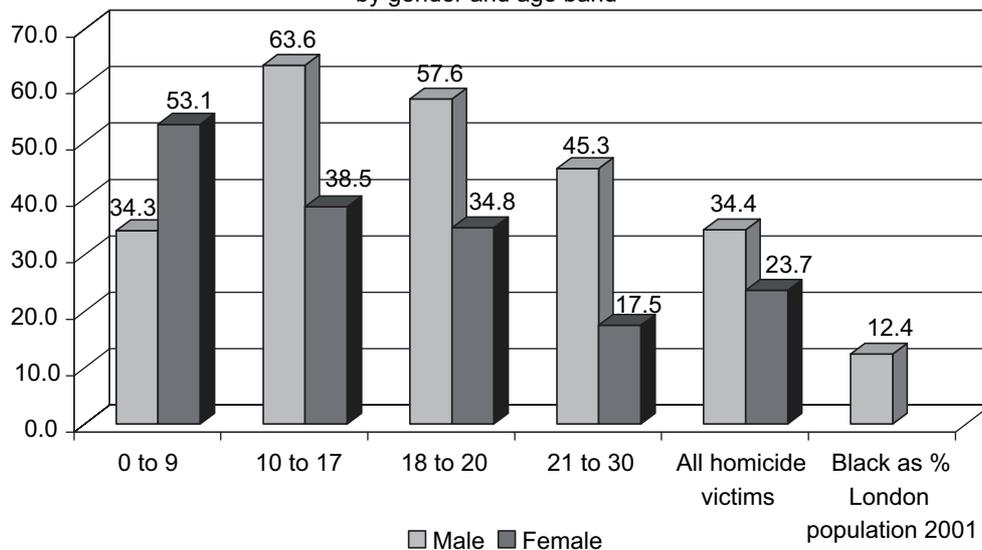
Additional information provided by the MPS for the financial year 2005–06 provides case-by-case details of all homicide victims in that year and includes information on method of killing. The overall figures highlight the much greater prevalence of firearms-related deaths in the case of Black victims compared to all other groups (Figure 8a). In fact, Black victims accounted for 15 out of the 22 cases of homicides involving firearms in that year.

Figure 8a

Homicide by method and ethnicity of victim
MPS 2005-6
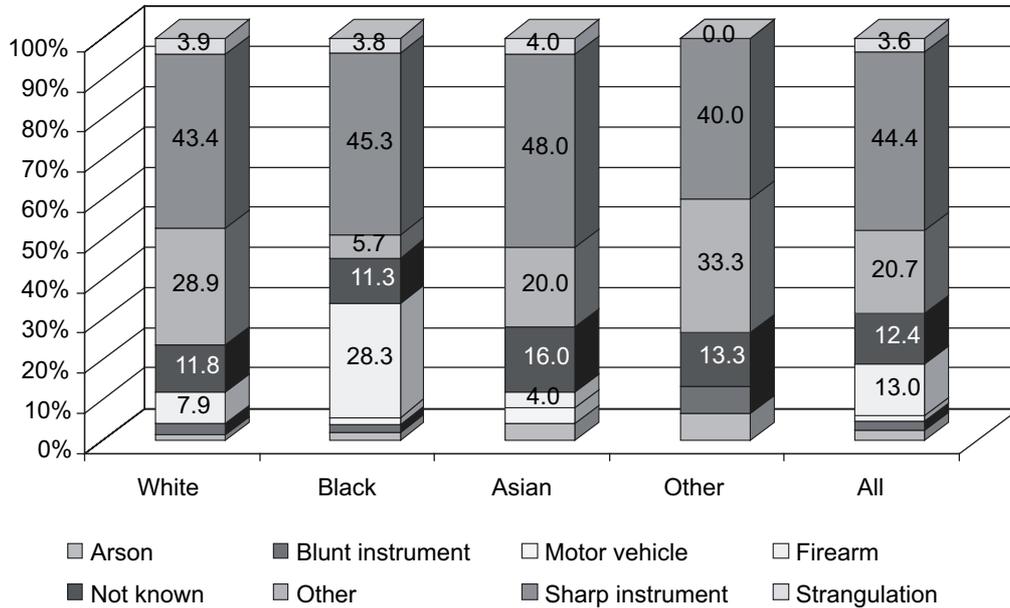
Given the small number of Black deaths attributable to different methods of killing, further analyses must be treated with caution. However Figure 8b may be illustrative in that it shows that 10 out of the 11 firearms killings of Black men were of young men aged between 15 and 30. It should, nonetheless be borne in mind that a higher number of victims in this age group were actually killed with sharp instruments (ie probably a knife of some sort).

Figure 8b

Homicides with black victims
by method, gender and age MPS 2005-6
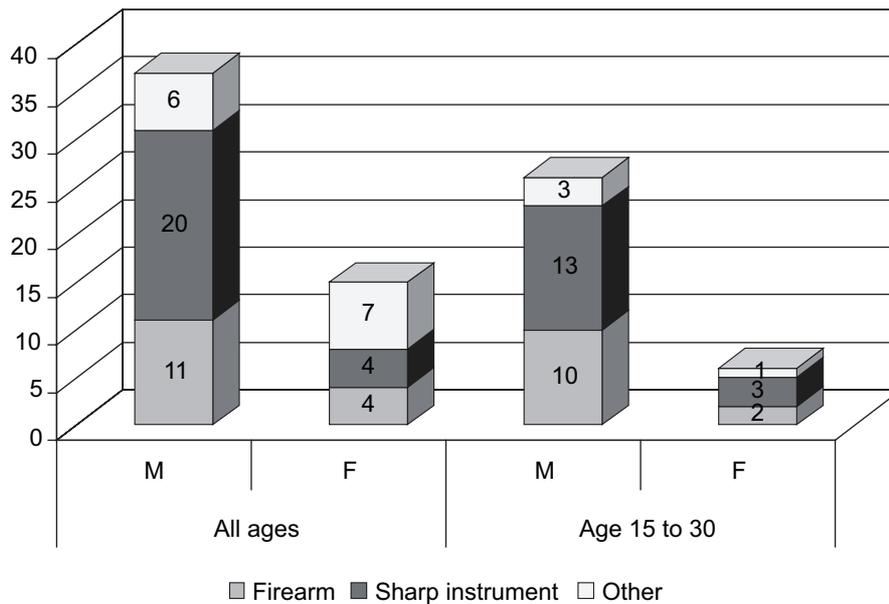
3. ENTRY INTO THE CRIMINAL JUSTICE SYSTEM

Searches

    Contrary to the claims made by many witnesses, police searches have little influence on the total numbers of young Black people who enter the criminal justice system. However, as the Committee has repeatedly heard, they are a major source of tension between the police and young Black people. Most of these searches are conducted under s1 of the 1984 Police and Criminal Evidence Act (PACE) which requires officers to

have "reasonable grounds for suspicion" that the person they search is carrying illegal or prohibited goods before they can search them. However, the power under s60 of the 1994 Criminal Justice and Public Order Act allows officers to search anyone without needing "reasonable grounds for suspicion" and this power has also been used quite extensively in some areas in recent years. Each of these types of search is considered in turn.

s1

As Figure 9 shows, s1 searches tend broadly to track the level of crime within different BCUs in both Greater Manchester and London. Certainly the use of the power is highest in the city centre BCUs which also record the highest level of recorded crime. Indeed, the second "spike" in the Manchester data (which interrupts an otherwise steady rise related to the level of crime) is in the Metropolitan BCU which is adjacent to the city centre. In London, though, while the level of searches on average tends to be higher in BCUs with higher levels of crime, there is considerable local variation. Further work would be needed to discover whether this was in any way correlated with the types of crime in different areas; but extensive experience of working with search data in different police forces suggests that differences between BCUs which do not appear to be crime-related tend to reflect local custom and practice rather than any strategic, shared force-wide understanding of how and where the power should be used.

Nottinghamshire did not provide search figures broken down by BCU; but the pattern in the West Midlands (Figure 9c) stands out from the other two forces in that it does not show the expected peak in searches in the BCU with the highest crime levels.

Figure 9a

MPS
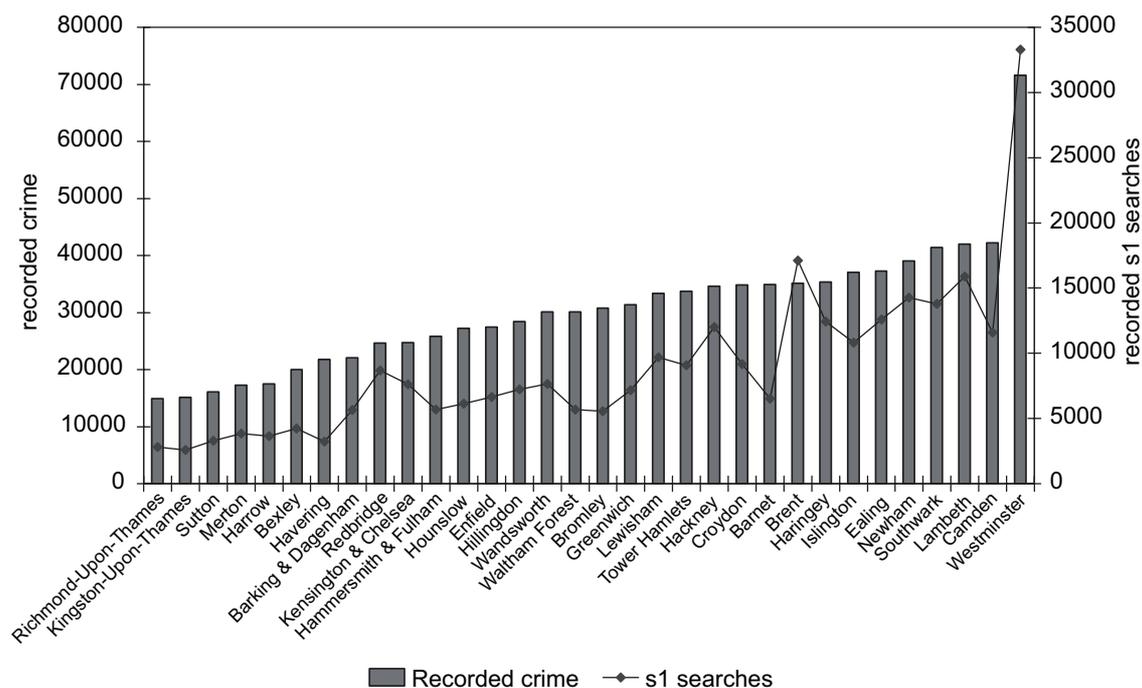
Figure 9b Greater Manchester
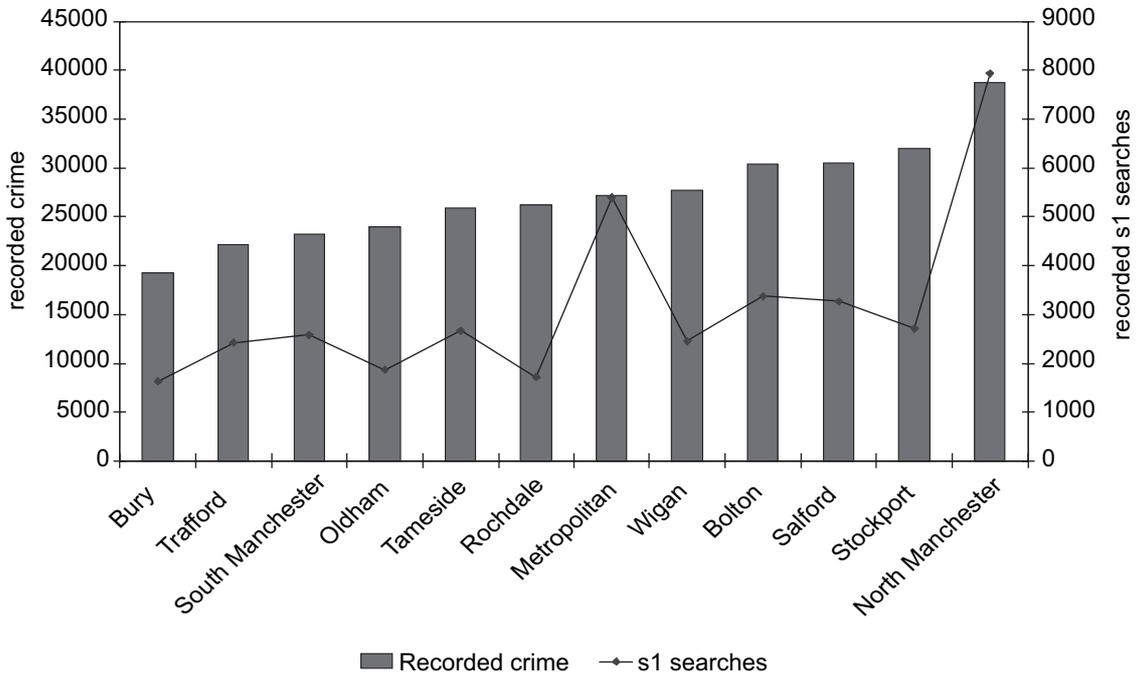
Figure 9c West Midlands
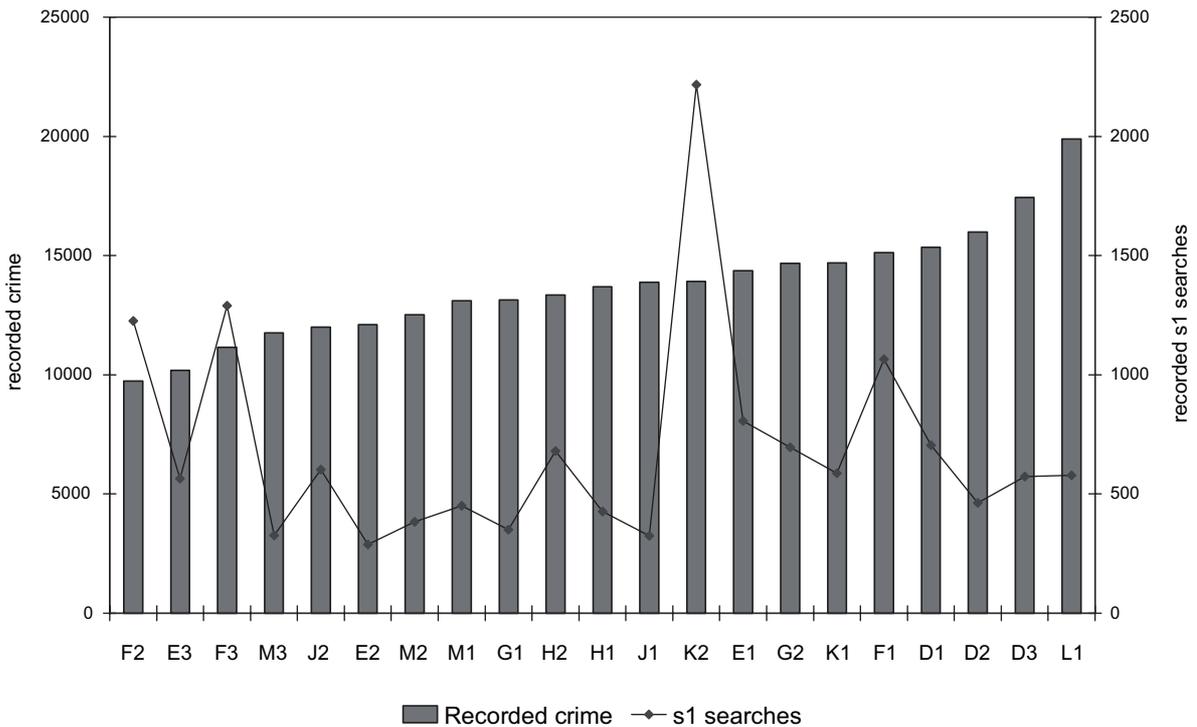
When considering the ethnic breakdown of the s1 figures for 2005–06, it must be borne in mind not only that the police are now required to ask everyone they *search* to assign themselves to a Census ethnic classification (see earlier). Following recommendation 61 of the Macpherson report, they are now also supposed to record details (including ethnicity) for the far more numerous occasions where they stop and question a member of the public. Forces have designed a common form for recording both types of encounter; but this is necessarily far more complex than the previous search forms. As yet, no figures have been published for stops, suggesting that these returns are incomplete and/or otherwise deemed unreliable. Meanwhile, anecdotally, the additional requirement regarding stops, combined with the change in the form, has affected both the level and the quality of s1 recording in ways which may distort inter-ethnic comparisons.

Most forces have continued to use officer classification alongside self-recorded ethnicity in the case of searches; and the MPS, Greater Manchester and Nottinghamshire provided returns on this basis—although the Greater Manchester returns are not entirely comparable with the other areas since these now include a "Mixed' category in addition to the "White", "Black" and "Asian" classifications.[8] However, returns from the West Midlands were based on the full Census breakdown and this may, in part, explain the fact that ethnicity was not recorded in 22% of cases in the West Midlands, compared to 4% in Nottinghamshire and less than 2% in both London and Greater Manchester. For the sake of comparability, "not recorded" cases have been excluded from the following analyses but this does mean that the figures for the West Midlands must be considered less reliable than for the other areas.

Figure 10 confirms that the proportion of Black people in the s1 figures considerably exceeds the proportion of Black residents in the local population in all four force areas, although the extent of "disproportionality" varies between the forces. The figure is three times as high in London but five times as high in Greater Manchester and the West Midlands and six times as high in Nottinghamshire.

Figure 10

Black people as % s1 searches (2005-6)
compared to % black residents in force populations
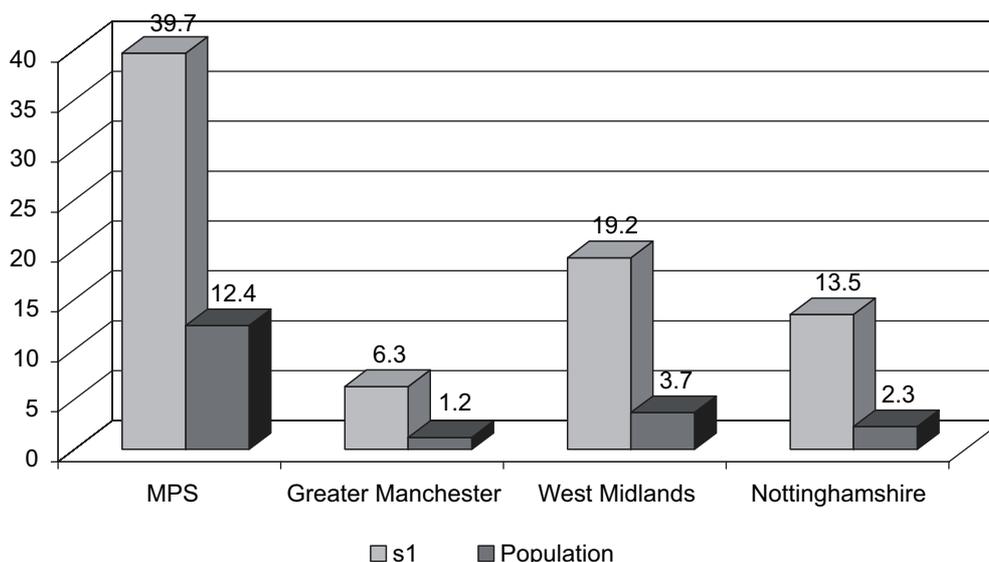
There are important ethnic differences by age and gender within this picture; and these are broadly consistent across all forces. A higher proportion of s1 searches in the Black group fall on the younger age range, compared to Whites—in particular the group aged 18–20, although in Greater Manchester (where the average age of people searched tends to be lower for all groups) there are also marked ethnic differences among 10–17 year olds (Figure 11a).[9] Also, while searches on women are relatively uncommon in all groups, the gender ratio for the Black group is also different from that for Whites, with a higher proportion of all searches falling on men (Figure 11b).

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[8] For the purposes of analysis here, only the "Black" figure has been used; but this necessarily under-estimates the experience of Black people in Manchester relative to the other forces since a high proportion of the "Mixed" group will also be Black and their inclusion might be expected to add up to 40% to the Black total (see Table 1).

[9] No further analyses are included for Nottinghamshire in this section of the report, in view of the much smaller numbers in Nottinghamshire, the fact that their data were received later and some unresolved queries about the search tables.

Figure 11a

s1 searches by age
selected forces 2005-6

| | 10 to 17 | 18 to 20 | 21 to 30 | 31+ |
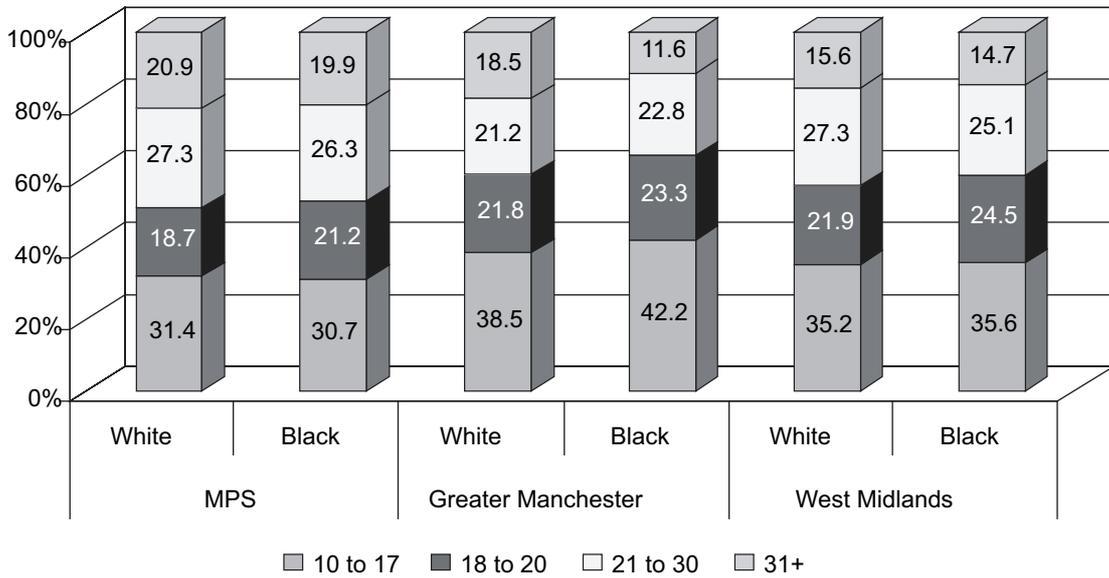
Figure 11b

s1 searches by gender
selected forces 2005-6

| | Male | Female |
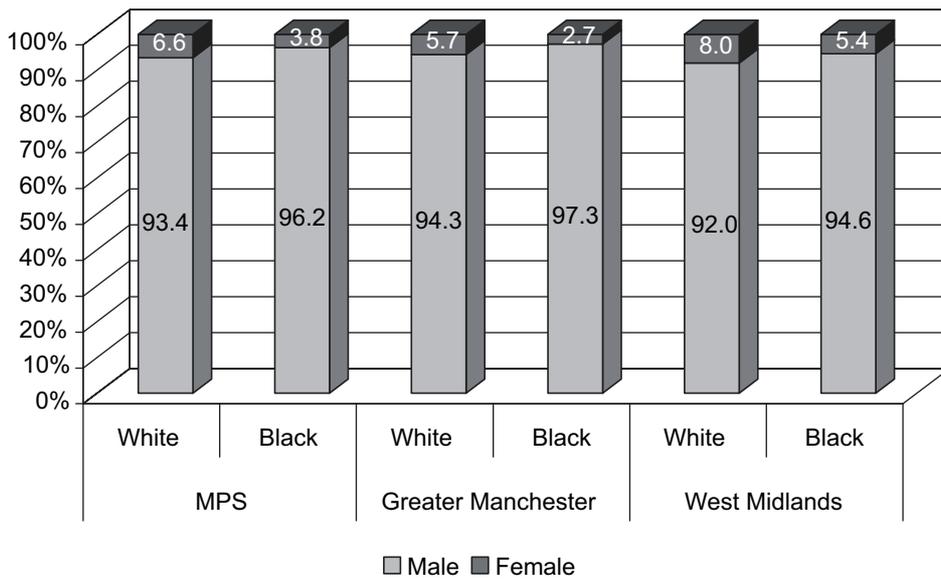
In sum, the overall level of Black disproportionality in searches is inflated by the *higher than average levels of search among young Black men,* as illustrated by the figures for Greater Manchester in Figure 12.

Figure 12

Black males as % all s1 searches by age
Greater Manchester 2005-6
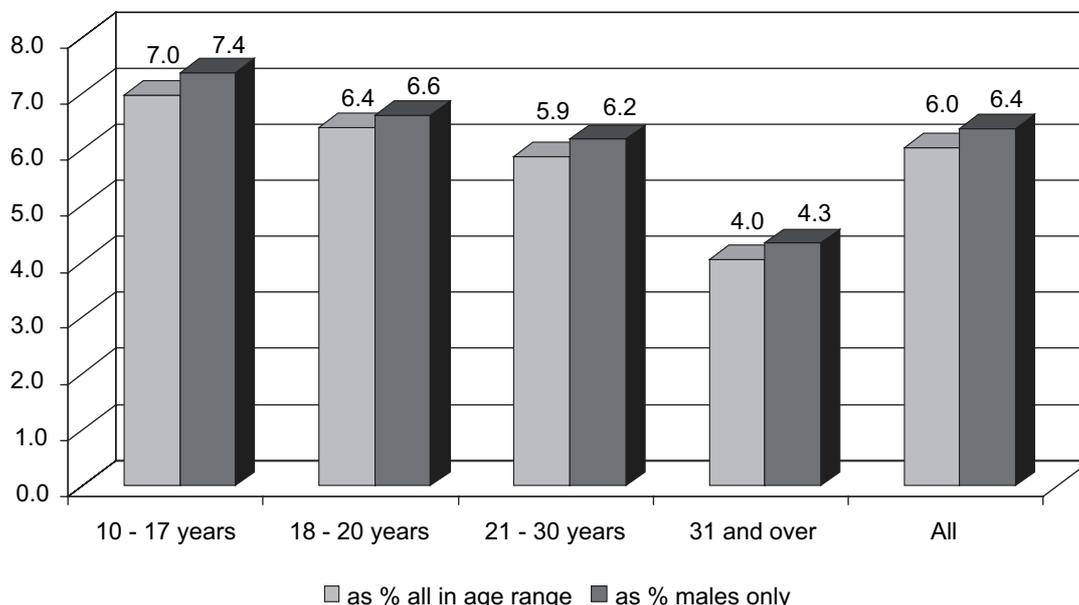
To some degree the figures may also be inflated by the fact that Black people live in higher crime areas which tend to be more intensively policed and where the s1 power may be used more. However, as Figure 9 has illustrated, this relationship is by no means clear cut. The figures for London show an overrepresentation of Black people in all 32 boroughs relative to their presence in the local population. Uniquely, though, the MPS also keeps data on the ethnicity of suspects in reported crimes where the victim or witness can provide a description. As Figure 13 shows, with few exceptions, in London the proportion of suspects described as Black corresponds closely with the proportion of s1 searches on Black people.

Figure 13

Black people as % suspect descriptions and s1 searches
by borough
London 2005-6
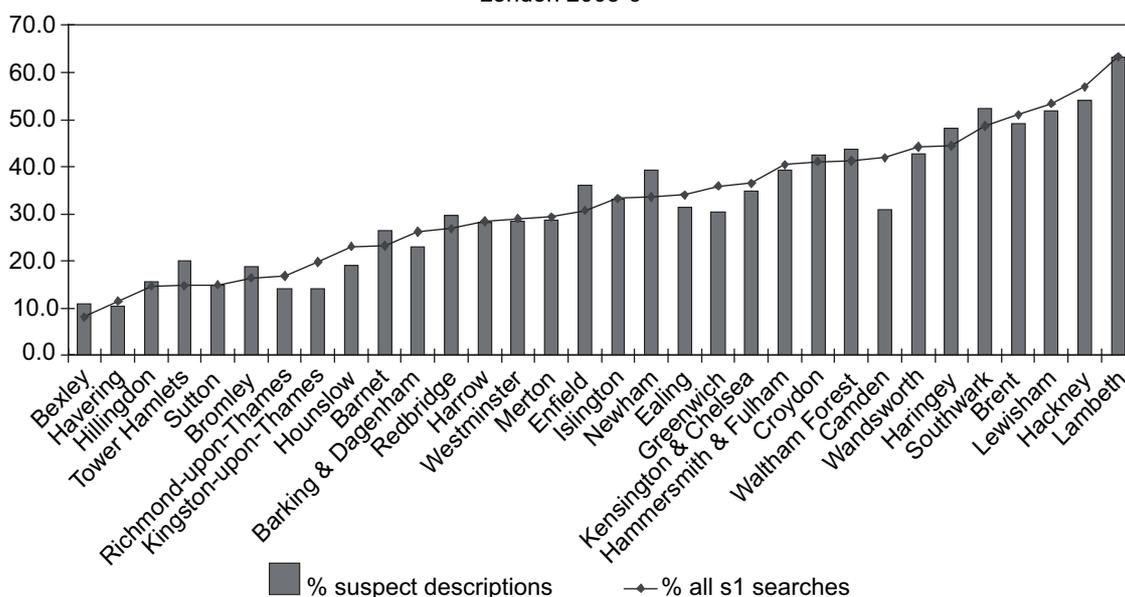
Suspect descriptions, though, are far more likely in the case of contact crimes. In 2005–06, the average number of suspect descriptions for each recorded case of burglary or theft/handling in the MPS was 0.4 and 0.3 respectively; but there was one for every recorded case of violence and the figure rose to 1.7 in the case

of robbery (where the police may be more likely to have statements both from victims and witnesses). So involvement in contact crime—and robbery in particular—will itself incur a greater likelihood of being the target of an "intelligence-led" police search.

The arrest rate from s1 searches is slightly higher than average for Black people in all three forces which provided these data[10] (Figure 14), although there are also local variations within this. Arrest rates for all groups appear to be lower than the force average in the city centre areas of both Greater Manchester and London (at 8% and 11% respectively).

Figure 14

Arrest rates from s1 searches
selected forces 2005-6
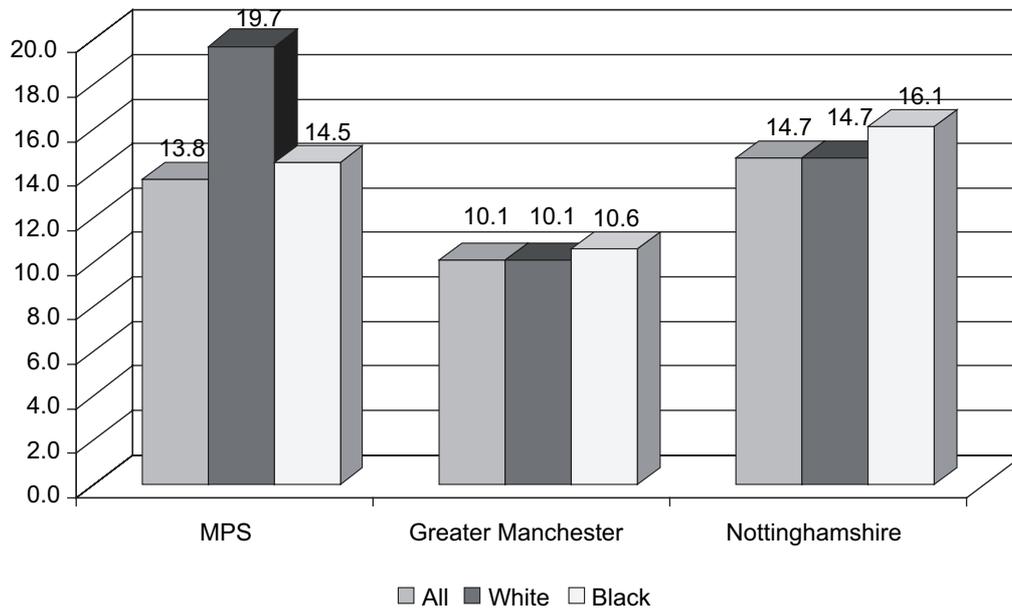
The arrest rate may also vary by age. However, in terms of the groups with whom the Committee is most concerned, further analyses of the London figures suggest that arrest rates are somewhat higher than average for young Black men, not only overall but compared with their White peers of the same age (Figure 15).

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[10] The White arrest rate in London seems improbably high and may provide support for the anecdotal evidence for one aspect of the fall off in recording quality referred to earlier which may, in turn, have implications for "disproportionality". Sources in different forces have spontaneously suggested to me that officers have now reverted to recording more conscientiously those searches where they feel they may be open to scrutiny. This tends to include those which involve minorities and/or which result in some further action. Those which are less likely to be recorded, therefore, will include searches of White people which do not result in an arrest and where officers may feel less vulnerable to complaint.

Figure 15

% Males arrested following s1searches by age
MPS 2005-6

Black ■ White
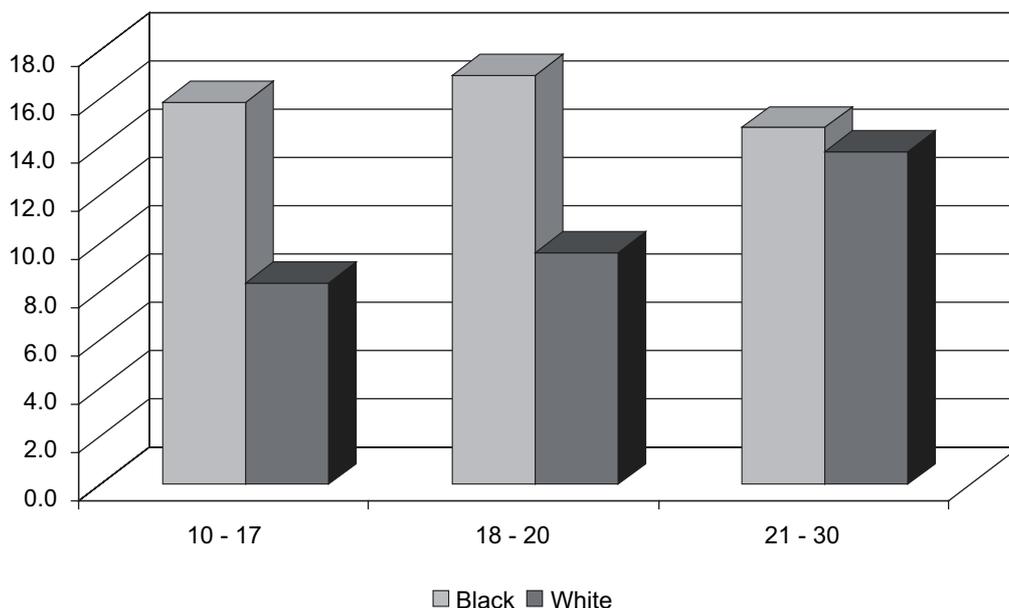
Inasmuch as the arrest rate provides the only *prima facie* evidence of the extent to which searches are justified, therefore, it suggests that the police are equally likely to have "reasonable grounds" for suspicion when they use their s1 powers on Black people as they do in the case of White people. However, the s1 power of its nature sweeps up very large numbers of people who at the time of the search are not committing any offence, including large numbers who may not even have any history of offending.[11] Insofar as Black people are very disproportionately subject to s1 searches, this inevitably means that completely innocent Black people are indeed disproportionately targeted by the police; and this (as the Committee has repeatedly heard) constitutes a major source of grievance and alienation—even though the police may reasonably claim that their targeting does not constitute discrimination but is largely justified *pre-hoc* on intelligence grounds and *post-hoc* by arrest rates.

S60

s60 of the 1994 Criminal Justice and Public Order Act allows officers to search anyone without needing "reasonable grounds for suspicion", albeit subject to the constraint that the order can only be applied in a designated area "in anticipation of serious violence" for a limited period on the authorisation of a senior officer. Because it does not require grounds for suspicion, the arrest rate from s60 is very much lower than for s1, averaging less than 3%. So the impact of s60 searches on innocent members of the public going about their legitimate business is much greater still than that of s1.

The power was introduced on the basis that it was needed in connection with specific events where large crowds were expected to gather and there was the possibility of disorder, such as a football match or a demonstration. However, in a Panorama programme in 2000, West Midlands police claimed to be using the power as an effective tool for tackling street crime; and the unusual extent to which it is used in this force relative to others has been the subject of an inquiry by the Independent Police Complaints Commission, the fact of which is publicly known although no report has formally published.

As Table 3 shows, in 2005–06, West Midlands police used the s60 power at a very much higher rate than either of the other two major urban forces.

Table 3

Use of s60 by selected forces 2005–06

	s60 totals	Population	Rate per 000 population
MPS	11,541	7,164,990	1.6
Greater Manchester	1,989	2,539,043	0.8
West Midlands	12,268	2,555,426	4.8

[11] In my study of searches in London in 1999, I asked for checks to be conducted on a large sample of s1 searches which had not resulted in an arrest to see whether the individuals targeted had any criminal record. An equal proportion of both Black and White subjects of these searches (50%) were not known ever to have offended.

However, as Figure 16 shows, the use of the power is very uneven within each of the force areas and is highly concentrated in a minority of BCUs. Also, it is only in Greater Manchester that one of the peaks for s60 corresponds with the BCU with both the highest crime levels and the highest rate of s1 searches (see Figure 9 above).

Figure 16

Use of s60 in different BCUs

Figure 16a MPS
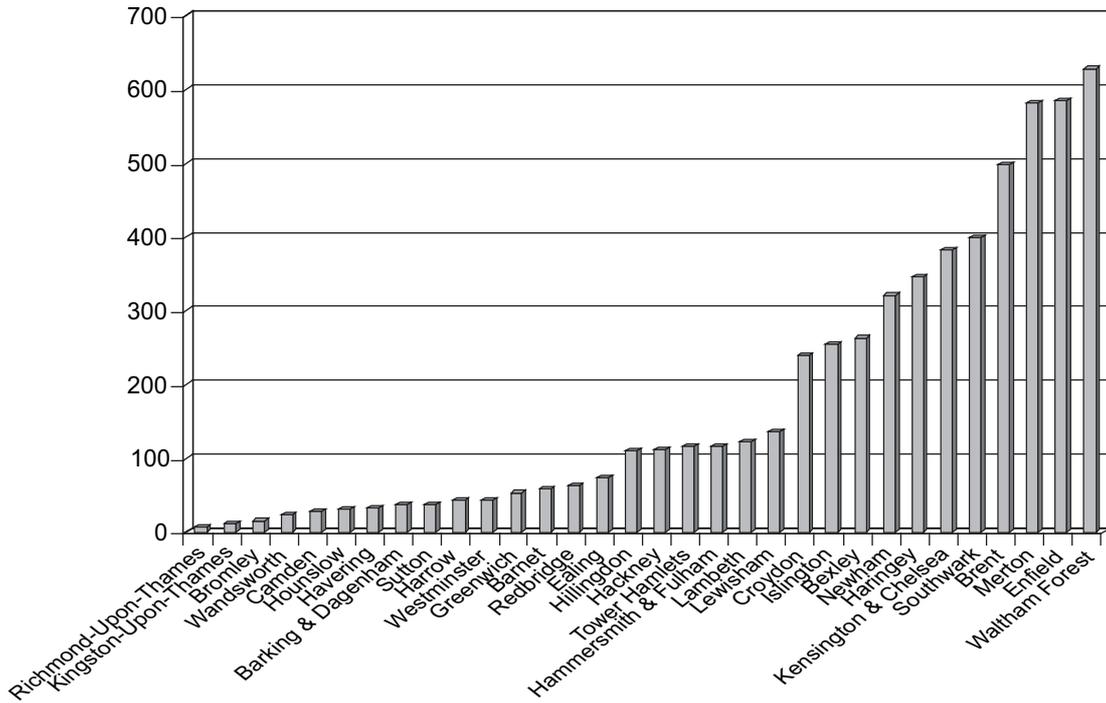
Figure 16b Greater Manchester
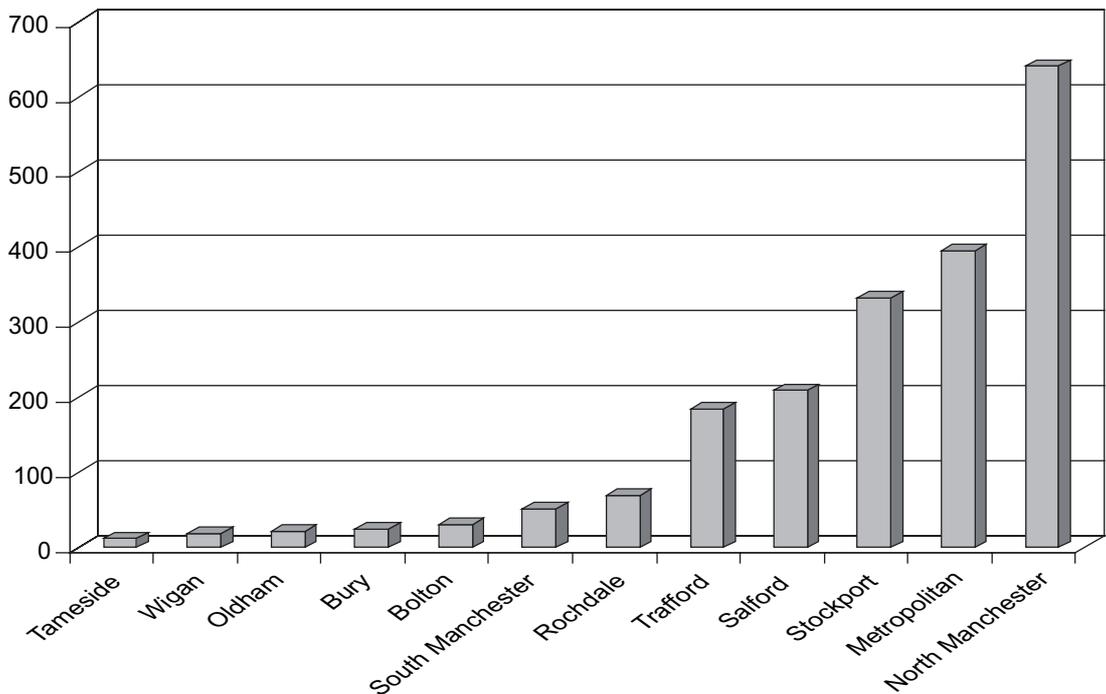
Figure 16c West Midlands
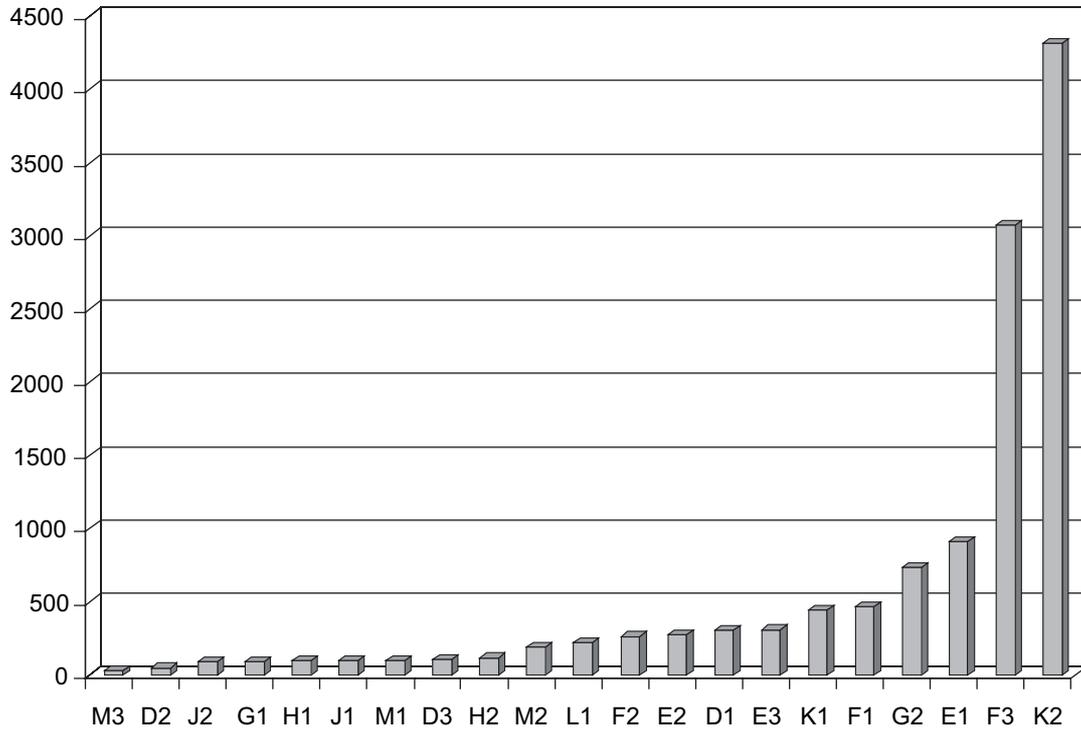
In terms of the impact of s60 on Black people, the problem of missing ethnic data is again acute in the West Midlands where the figure for cases where ethnicity was "not known" rose to over 30% in the case of s60 compared to 22% for s1. By contrast, the "not known" figures for the MPS and Greater Manchester are comparable with those for s1, at around 2%. When these missing data are excluded, it is apparent that the extent of disproportionality is higher again in s60 searches than it is in s1 searches in each of these three force areas (Figure 17). It is in the West Midlands, though, that s60 has by far the greatest impact on Black people. For, even with the uncertainties created by the large number of non-recorded cases, in the force overall, the absolute number of s60 searches on Black people was at least equal to the number of s1 searches; and in the K2 division—where the highest number of s60 searches were recorded—the number of s60 searches was actually double that of s1 searches on Black people in 2005–06.

Figure 17

Black people as % s1 and s60 searches
selected forces 2005-6
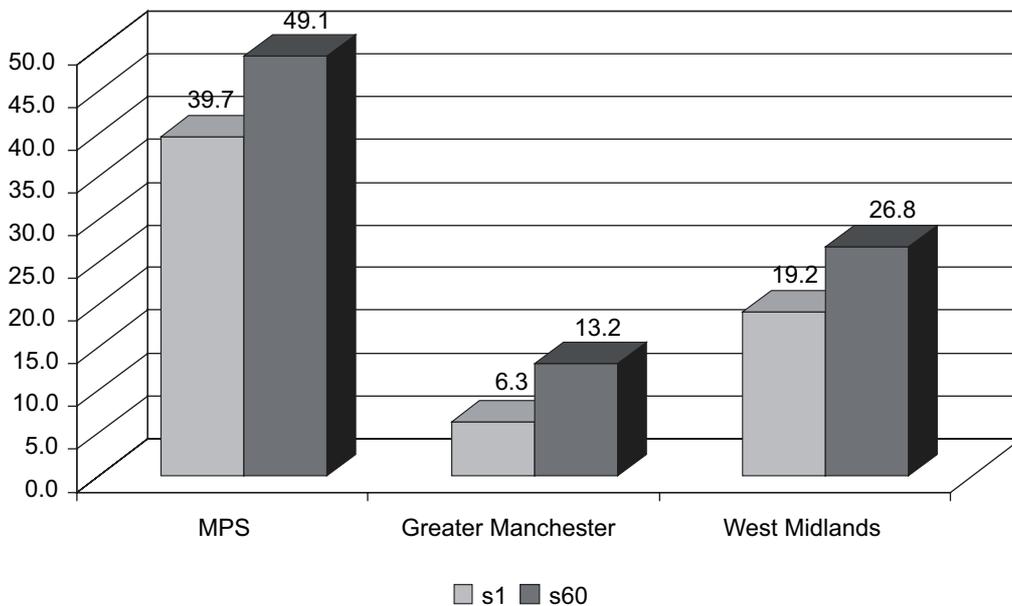
Importantly for the committee, the use of s60 in the West Midlands impacts far more on the youngest age groups than s1. Whereas around 16% of White and Black people searched under s1 were aged 10–17 (see earlier), in the case of s60, the figure rose to nearly 40% for both groups.

Figure 18

% s60 searches in different age bands
West Midlands 2005-6
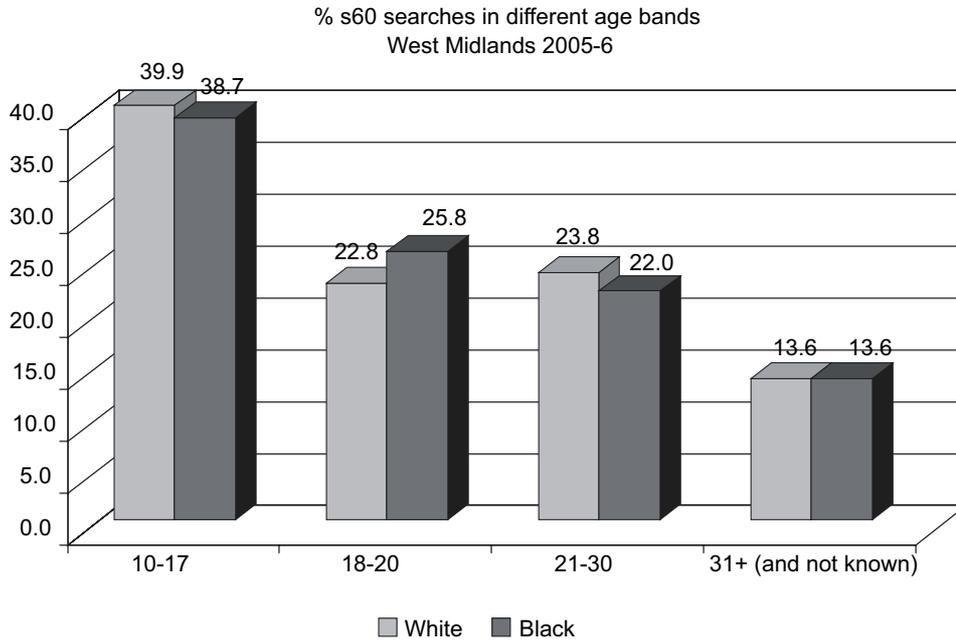
Finally, the West Midlands data did not include information on arrests from s60 searches; but the arrest rate for both the MPS and Greater Manchester was about 4% on average and was the same for Black people.

Arrests

The Home Office s95 publication only provides information on arrests for notifiable offences. Analyses of the figures provided in the most recent publication suggest that, in 2004–05, arrests from s1 searches contributed less than 10% to the total arrest figure.[12] As Figure 19 illustrates, the contribution of s1 arrests was much higher than average in London, where the recorded use of the s1 power has always tended to be greater than elsewhere. In all areas, though, s1 arrests accounted for a slightly higher proportion of total arrests for Black people. The figure is still little more than a tenth overall, though; and the size of the disparity in the proportion of Black people arrested as a result of s1 searches in the figure for England and Wales is simply a reflection of the fact that the MPS accounts for 25% of all arrests from s1 searches but 69% of all s1 searches of Black people were conducted in London.

Figure 19

Arrests from s1 searches
as % all arrests for notifiable offences
2004-5

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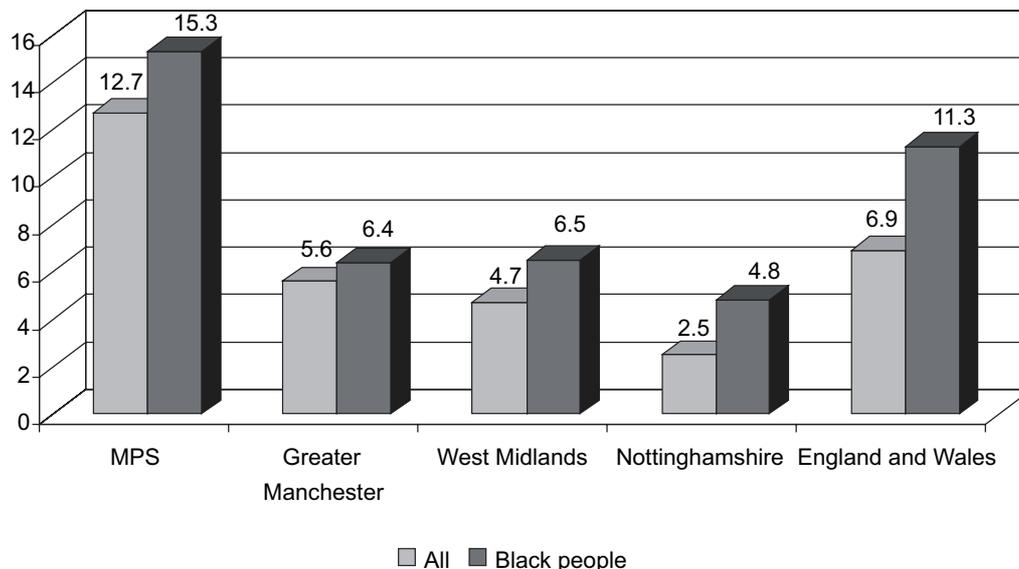
[12] The publication does not make clear whether the s1 arrest data are similarly limited to notifiable offences. However, if—as seems likely—they also include non-notifiable offences, their contribution to these published arrest figures will be even more modest.

In considering Black people's entry into the criminal justice system, therefore, it is more important to consider patterns in the totality of arrests than to focus on searches. Rather, the concerns associated with searches pertain more to people who are not arrested (see earlier) than as a route of entry into the system.

Compared to their presence in the local population, Black people were overrepresented in the arrest figures provided by all four forces to the inquiry (see Figure 20). There was, nonetheless, some variation in the extent of this disproportionality;[13] and the pattern broadly followed that for s1 searches in that the level of Black overrepresentation tended to be slightly lower in London than elsewhere.

Figure 20

Black people
as % all arrestees
selected forces 2005-6
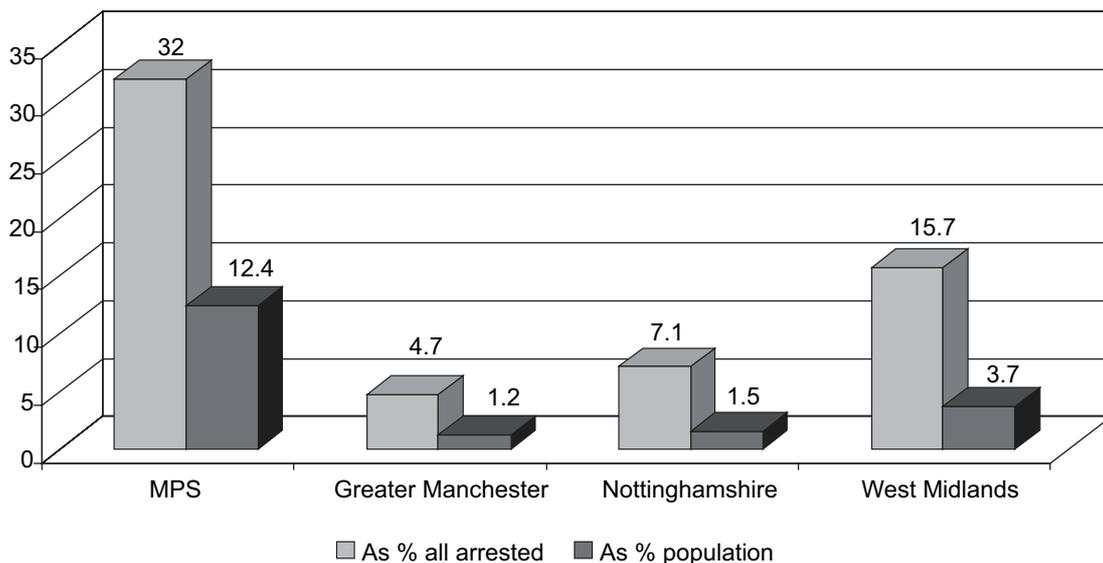
Also, while a higher proportion of these arrests occur in areas with larger Black populations, the disproportionality (as with searches) occurs across all BCUs, irrespective of their level of crime or the size of their Black populations, as the picture in London at Figure 21 illustrates. The extent of this overrepresentation appears much higher than average in a small number of boroughs, though; and the reasons for this might usefully be explored.

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[13] In the case of Greater Manchester and Nottinghamshire account must additionally be taken of the "Mixed" group for whom arrests figures were given separately; so the population figure for Black people in Figure 20 is based only on the main Black groups. In Greater Manchester these accounted for 3.3% of arrestees, compared to 1.3% of the population; and the figures in Nottinghamshire were 3.3% compared to 1.2%.

Figure 21

Black people as % all arrested
by borough MPS 2005-6
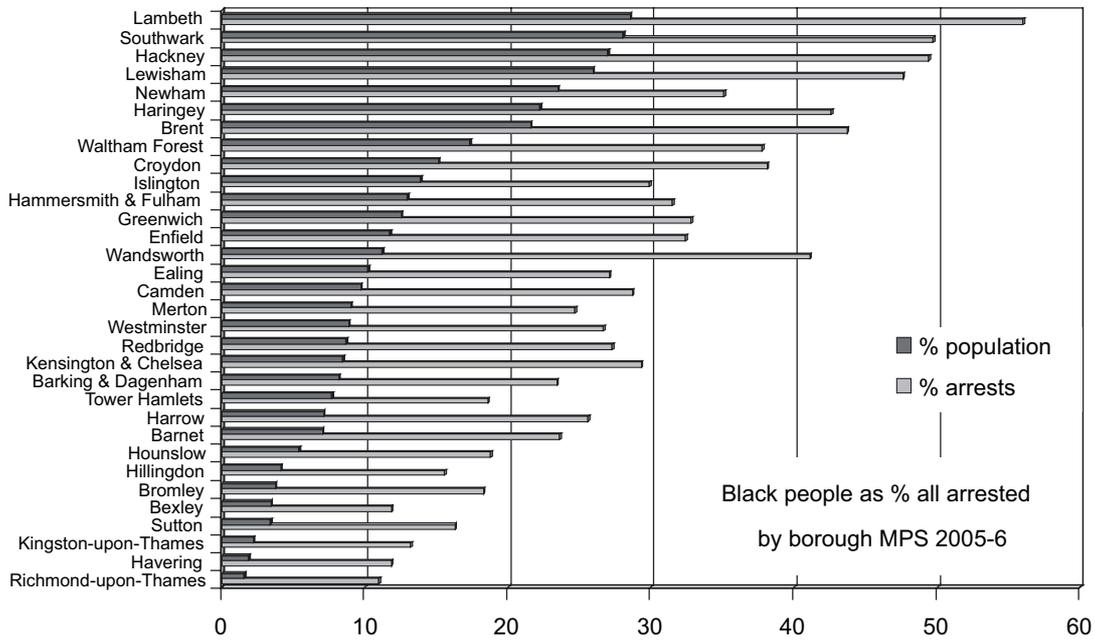
It is only in the MPS that Black arrestees tend to be younger than Whites (Figure 22a); and again this overrepresentation of Black young people appears to be amplified by the higher proportion of Black young men who are arrested whereas there is less disparity in the arrest rates of Black and White women. Males accounted for 86% of 10–17 year old Black arrestees in London, compared to 82% for Whites in the same age group.

Also, the White people arrested in Greater Manchester and in Nottinghamshire appear to be younger than those in the Black group; but the figure for 10–17 year olds in the "Mixed" group in Greater Manchester in particular is a further reminder of the growing importance of this group for the future. This is also illustrated by the ethnic make up of the different age bands in Nottinghamshire (Figure 22b) where the arrest data were presented on the 16 point Census classification. In addition, the aggregated figures used here for the West Midlands can similarly be unpacked into the Census categories, showing that 35% of arrestees of Mixed White-Black Caribbean heritage were aged 10–17, compared to a below average figure of 18.5% for the Caribbean group.

Figure 22a

Age of arrestees
(as % all arrestees within ethnic group)
selected forces 2005-6
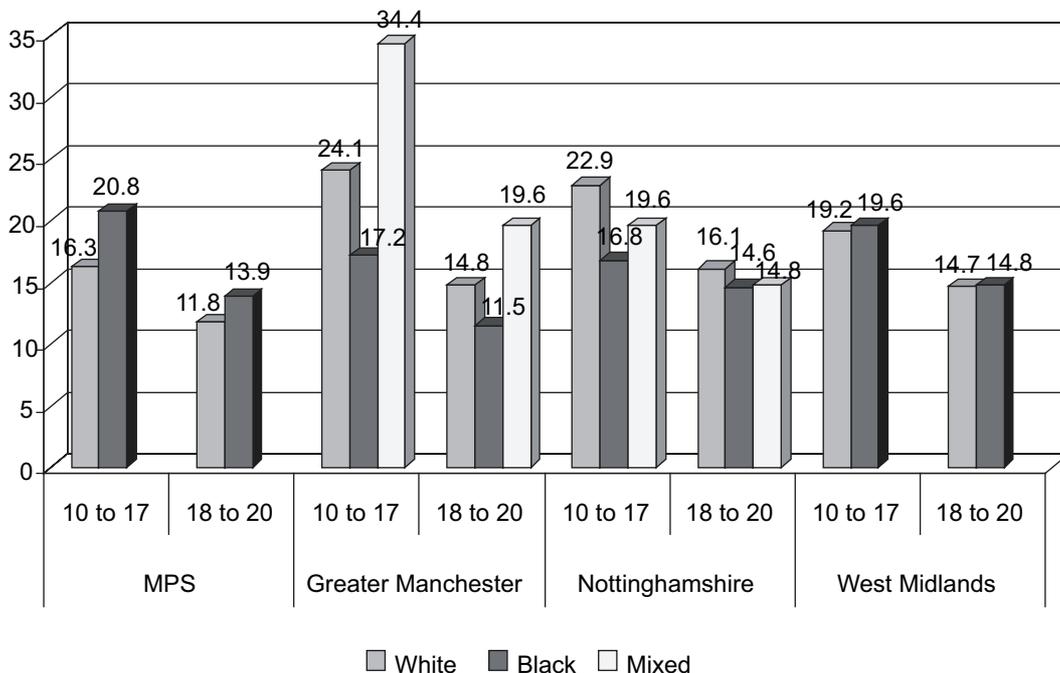
Figure 22b

Ethnic make up of black arrestees
by age band (Notts)

☐ African   ■ Caribbean   ☐ Other   ☐ Mixed White-Black African   ■ Mixed White-Black Caribbean
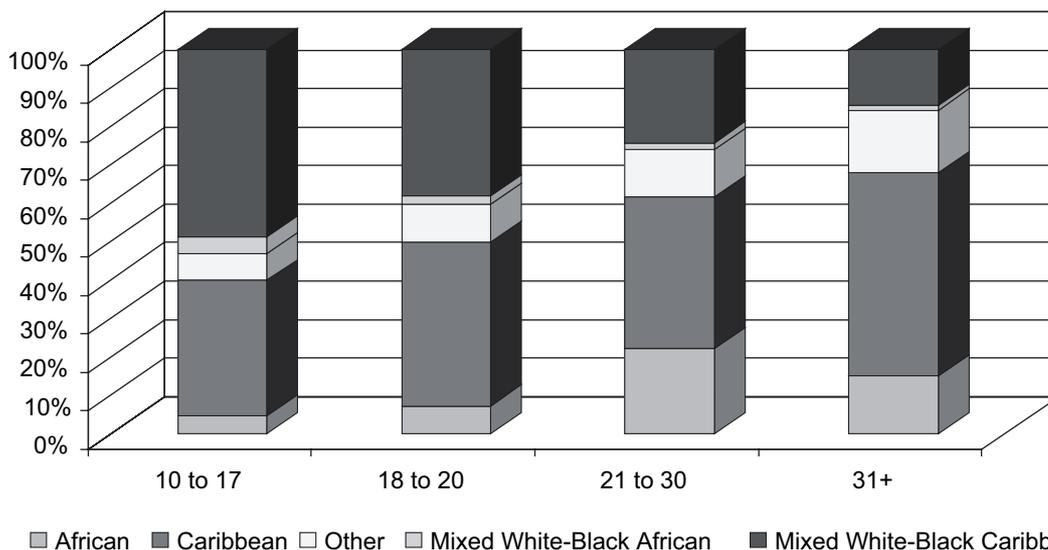
The offences shown in Figure 23, it should be noted, cover arrests for notifiable offences only. The detailed statistics provided by several forces included figures for non-notifiable offences as well. In the MPS these accounted for about a third of all arrests on average; and although the figure was lower in the younger age ranges (at around 15% for both Black and White arrestees aged 10–17) this has some implications for the youth justice statistics which are discussed further below.

With regard to notifiable offences, there are important ethnic differences in the offences for which people are arrested; but these also vary between areas, in part reflecting the particular crime problems of each force. Also, as the figures for Nottinghamshire and Greater Manchester illustrate, there are both similarities and differences between the "Mixed" and the "Black" groups which may have implications for the future. In all areas, though, the Black—and to a varying extent the "Mixed" group—are more likely to have been arrested for drugs and for robbery offences than other groups.

Figure 23a

Greater Manchester
arrests by offence type and ethnic group

■ Violence against the person
☐ Theft and handling
■ Sexual
☐ Robbery
■ Other
☐ Fraud and forgery
☐ Drugs
■ Criminal damage
☐ Burglary

Figure 23b

Nottinghamshire
arrests by offence type by ethnic group

Figure 23c

West Midlands
arrests by offence type and ethnic group
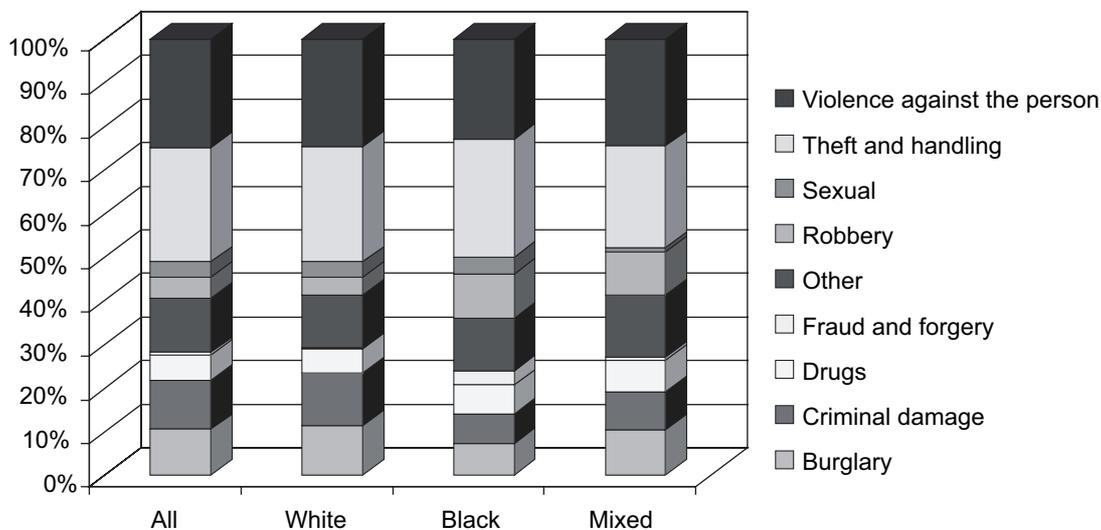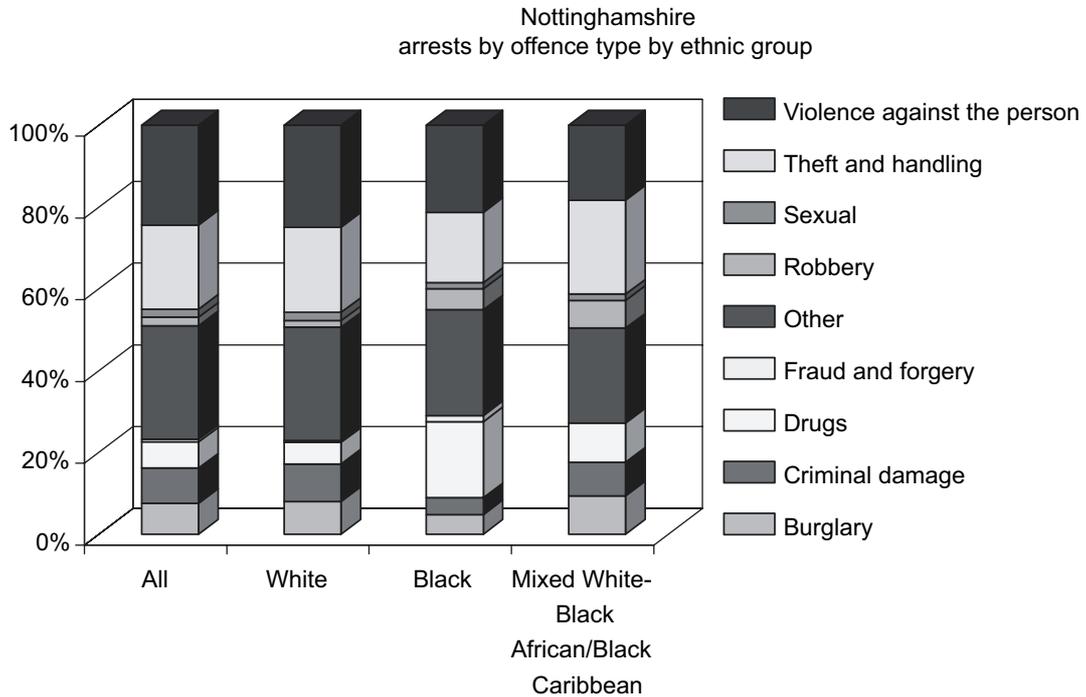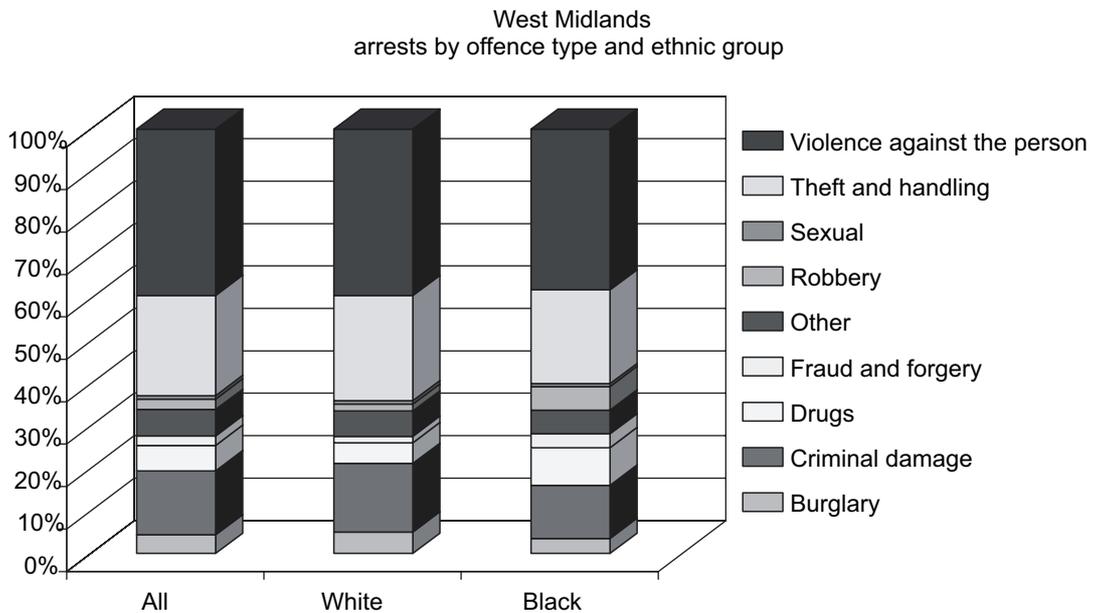
However, these broad offence categories themselves also mask a wide range of specific offences, some of which will be more likely to culminate in a custodial offence if a charge is brought and successfully prosecuted (see also next section). The "drugs" category is particularly interesting in this context, not least since drugs offences are "victimless" so the numbers in any force area are largely dependent on proactive policing.

A specific additional request to the MPS for a breakdown of drugs arrests sheds further light on ethnic differences within the overall "drugs" category; and the detail provided within the Nottinghamshire figures provides additional, important insights.

As Figure 24a illustrates, White people arrested for drugs offences in London are more likely to be charged with personal possession. By contrast, Black people—even at the youngest ages—are more likely to be charged with possession with intent to supply. These differences may go a long way to explaining the fact that Black people have not equally benefited from the change in policing policy with regard to drugs in the MPS in recent years (Figure 24b) The additional information provided by the MPS to the inquiry shows that the fall since 2003 has largely been driven by a fall of 50% in arrests for personal possession, so White

people have benefited very much more from this. Arrests for possession with intent to supply, however, actually rose at the same time by over 20% and this will have had a disproportionate impact on the Black group, offsetting any reductions in those arrested for personal possession.

Figure 24a

Drug arrests by grounds MPS
2005-6
(all and by age/ethnic group)
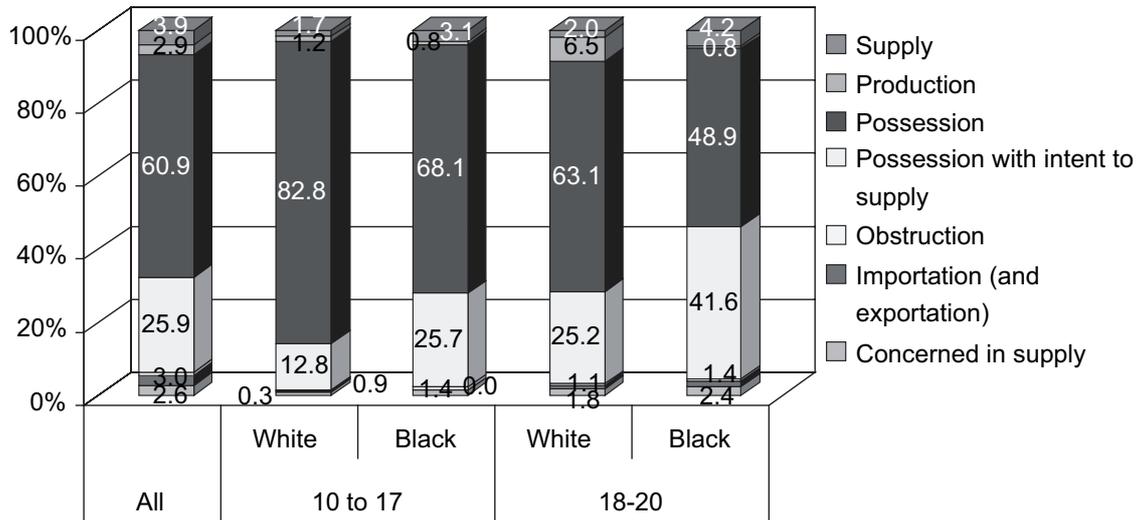
Figure 24b

Arrests for drugs offences MPS
1999 to 2004/5
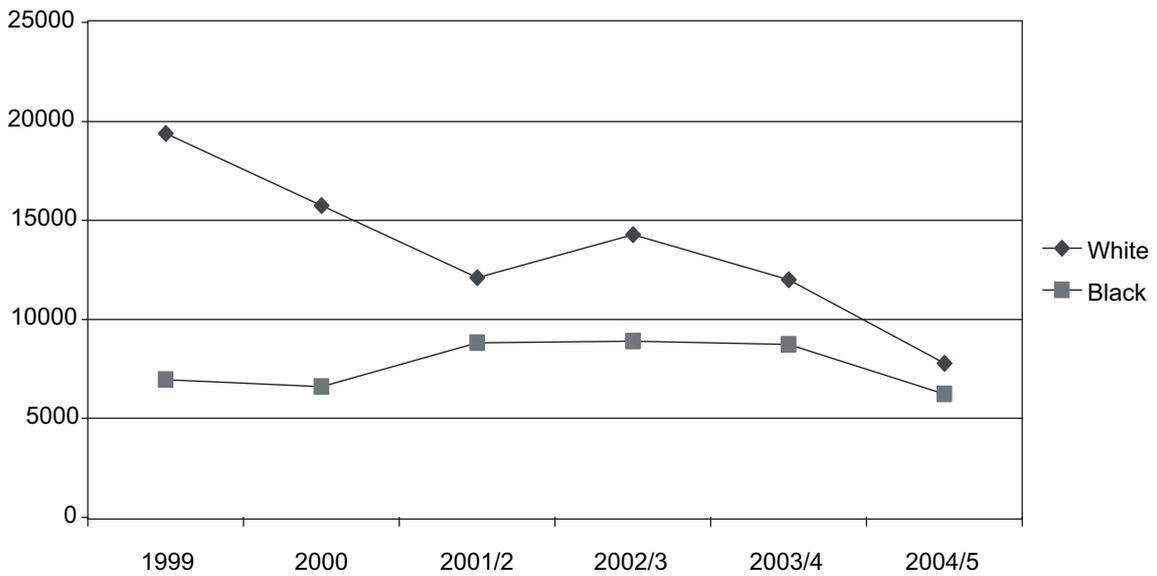
In Nottinghamshire, a more refined breakdown is available within the drugs arrest category than in any of the other forces' data. This shows that, in the case of Black arrestees, arrests for supply are also more likely to involve class 'A' drugs (Figure 24 c). In addition, they highlight a more general issue which may be of relevance to the inquiry, which is that, even within the same ethnic group, patterns of offending tend to change as people get older.

Figure 24c

Nottinghamshire
Drugs arrests by type of offence and age
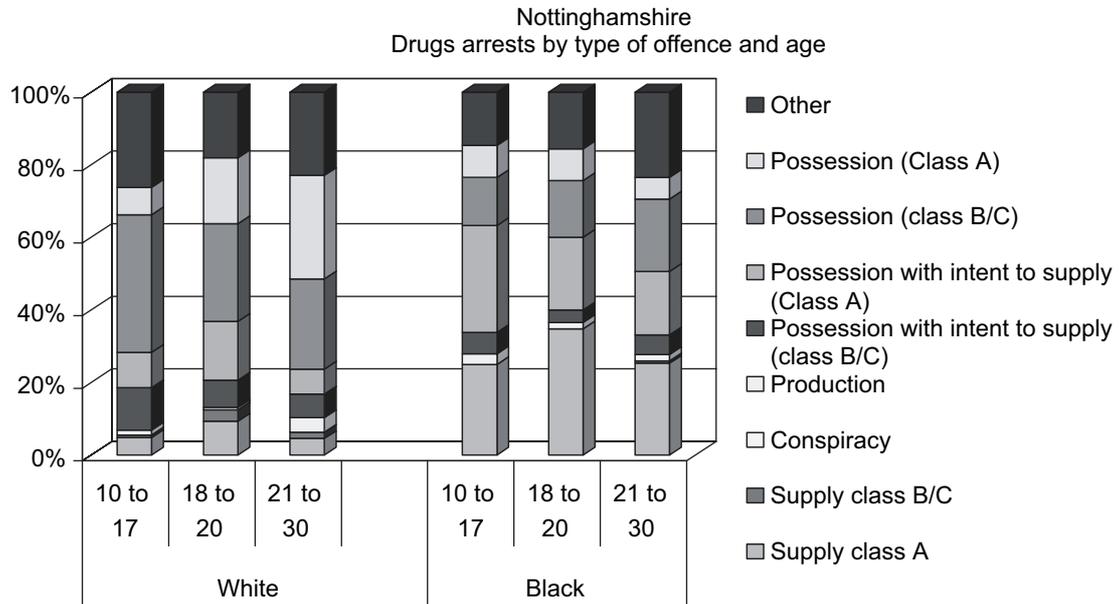
As Figure 25 shows, notwithstanding important area differences in the extent of their overall involvement in drugs offences and in robbery, in both London and Nottinghamshire robbery is more common among Black juveniles. As they get older, though, young Black people appear to move out of robbery and into drug-related offending.

Figure 25a

Arrests by offence category among young people
MPS 2005-6
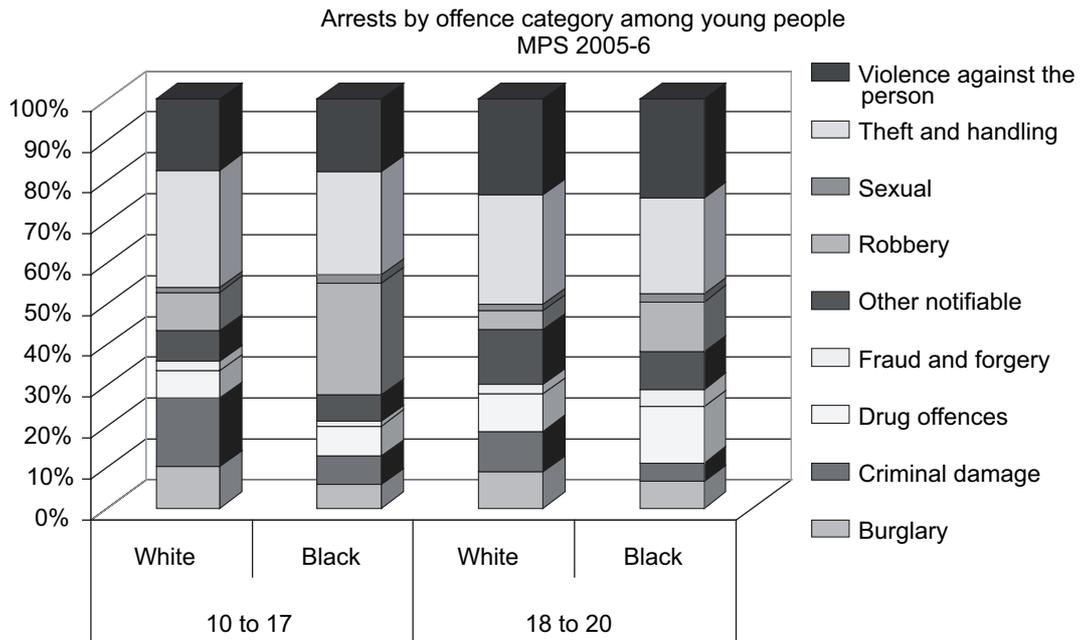
Figure 25b

Arrests by offence category among young people
Nottinghamshire 2005-6
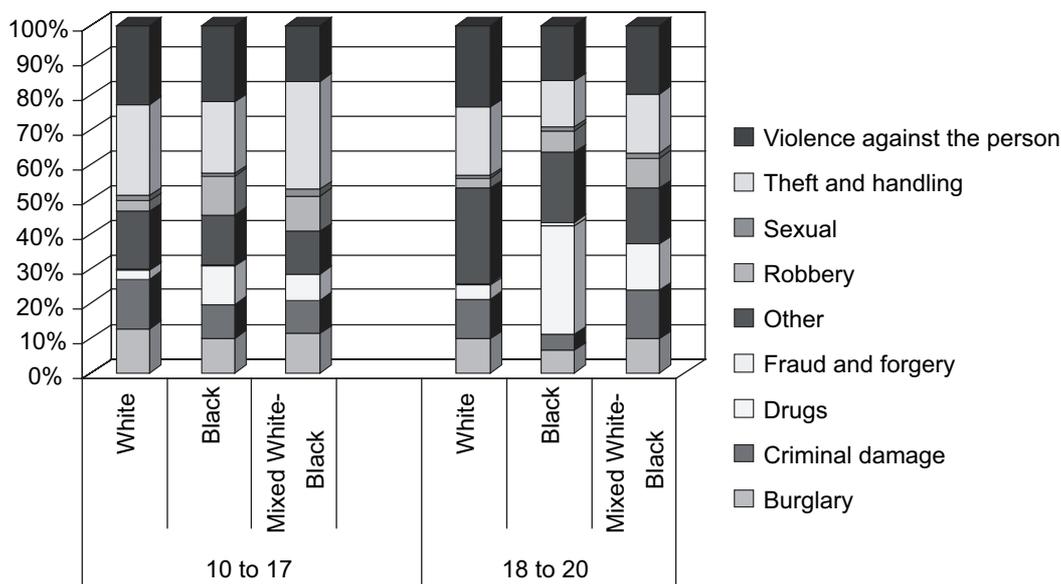
Their disproportionate involvement in both robbery and drugs offences has further implications for the type of disposal young Black people face relative to others at the post-arrest stage.

4. Disposals

There is a significant gap in ethnic data at the disposal stage due to the absence of ethnic monitoring data published by the CPS. However, all four forces were able in principle to supply information on disposals by ethnic group. In the event these data were received from only three forces. Of these, however, Nottinghamshire provided information where the number of cases of "unknown" ethnicity was consistently very much larger than the ethnic minority total (and in some instances larger than the figure for White people). So it has only been possible to use the disposal data provided by Greater Manchester and the MPS.

The two forces use slightly different categories for disposals and both issue some caveats about the coverage of the figures.[14] The overall picture which emerges from both areas (Figure 26) suggests that a higher proportion of all arrestees in Greater Manchester than in London were subject to "No Further Action".[15] However, they also suggest some differences between the two forces in the disposals of Black arrestees relative to Whites. In London, Black people are more likely, on the one had, to be charged with an offence rather than cautioned or given a formal warning but, on the other, to have no further action taken against them (shown as "not proceeded with"). Importantly, though, Greater Manchester again highlights the extent to which differences may be more acute as between the White and Mixed group, suggesting that any figures for the Black group may look different where individuals of Mixed heritage are excluded from the totals. In Manchester it is the Mixed group which has the highest rate of "no further action"; and a lower proportion are charged with any offence.

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[14] Thus the MPS provided comprehensive data on everyone who passed through the force's custody suites in 2005–06, including people who had not been arrested—for example because they were en route to or from prisons or had been taken to police stations as a "place of safety". Of those who had been arrested, by no means all had a recorded disposal, in part because final decisions may not yet have been made or entered onto the system at the time the figures were provided.

[15] This may to some degree be affected by the much higher numbers of cases with no recorded disposal in the MPS data.

Figure 26a

Disposals of arrestees
MPS 2005-6

☐ Charge ■ Disposal unknown ☐ Formal caution ☐ Formal Warning ■ Not proceeded with ☐ Summons
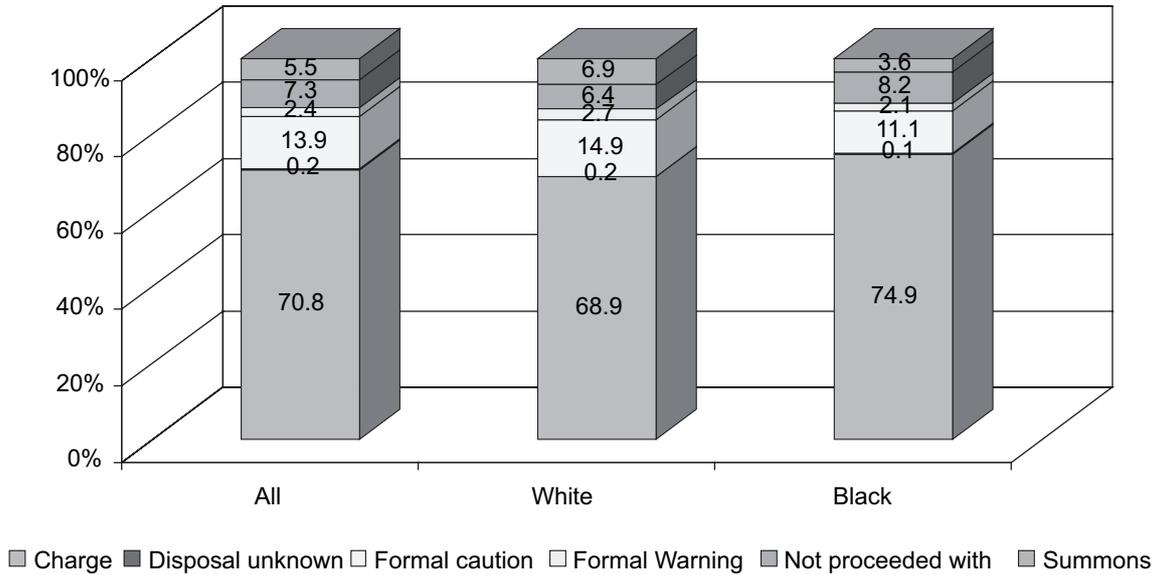
Figure 26b

Disposals of arrestees
Greater Manchester 2005-6

☐ Charged ■ Cautioned ☐ Taken into consideration ☐ No further action ■ Transferred elsewhere
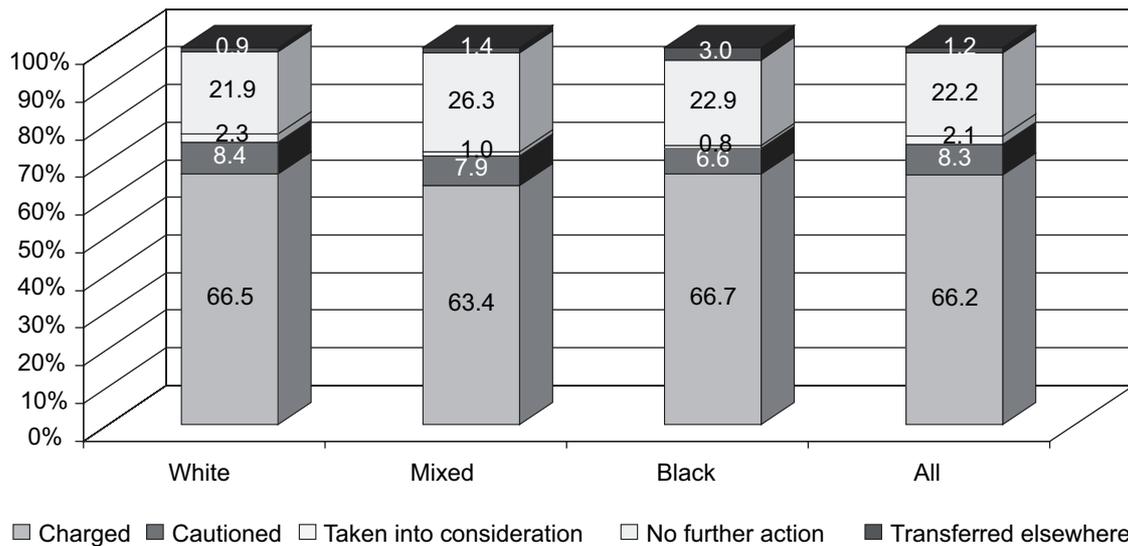
This broad overview picture may tell us little, though, and could actually be misleading inasmuch as it does not reflect a number of factors which should properly affect disposal decisions, including the following.

Eligibility for a caution or warning depends on:

— the arrestee's admitting the offence;

— their previously criminal history (including whether they may not be eligible because they have previously been cautioned); and

— the seriousness of the offence.

The decision to charge, in turn, will be influenced by these factors; but, in addition, where the arrestee does not admit the offence, the police and CPS will require sufficient evidence—not least in terms of the active co-operation of victims and witnesses—to ensure a reasonable chance of conviction.

The likelihood of being charged with an offence is lowest among younger people who are *de facto* less likely to have any previous convictions or warnings. This is well illustrated by the Greater Manchester figures which have the further advantage that they subdivide the 10–17 age range. As Figure 27 shows, the age profile of the Mixed group here is very much younger and they are actually far more numerous than the

Black group among 10–17 year olds. It is also a reminder that the total figures for disposals in Figure 26 above are determined by decisions for adults. They bear little relation to what is happening to people in the age ranges of particular concern to the inquiry. However, the numbers for 10–13 year olds in Manchester are so small, especially for the minority groups, that any further breakdown by disposal type would be unreliable.

Figure 27

Age of arrestees with recorded disposals
selected ethnic groups
Greater Manchester 2005-6

Legend: ◻ 10 - 13 years   ◼ 14 - 17 years   ◻ 18 - 20 years   ◻ 21 years & over
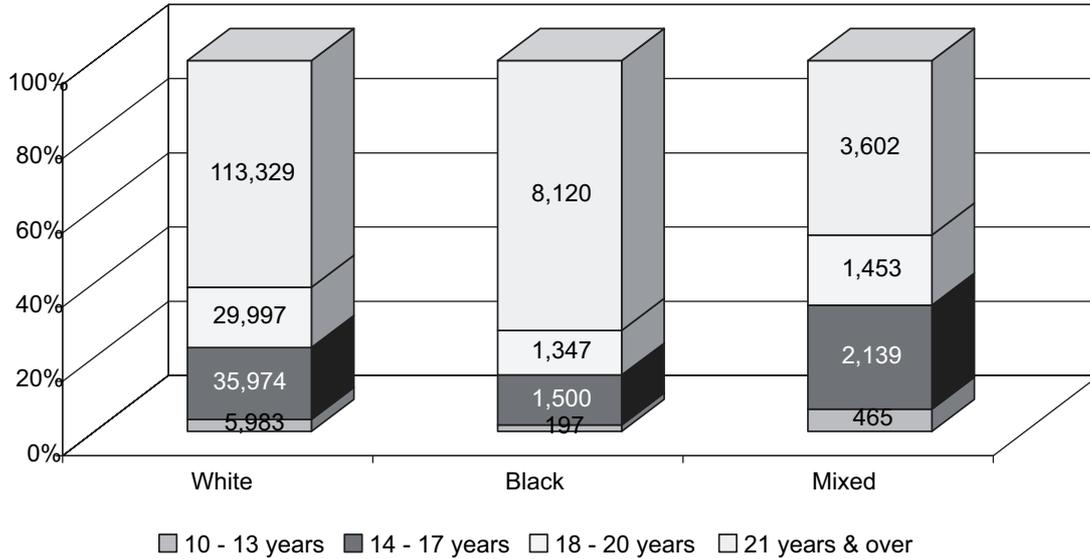
In the 14–17 age group, Black young people appear more likely to have no further action taken against them, whereas the Mixed group is more likely to be charged with an offence. For both groups, though, the rate of cautioning is lower than for Whites in each age band (Figure 28).

Figure 28a

Disposals arrestees aged 14 to 17
Greater Manchester 2005-6

Legend: ◻ Charged   ◼ Cautioned   ◻ TIC   ◻ No Further Action   ◼ Transferred Elsewhere
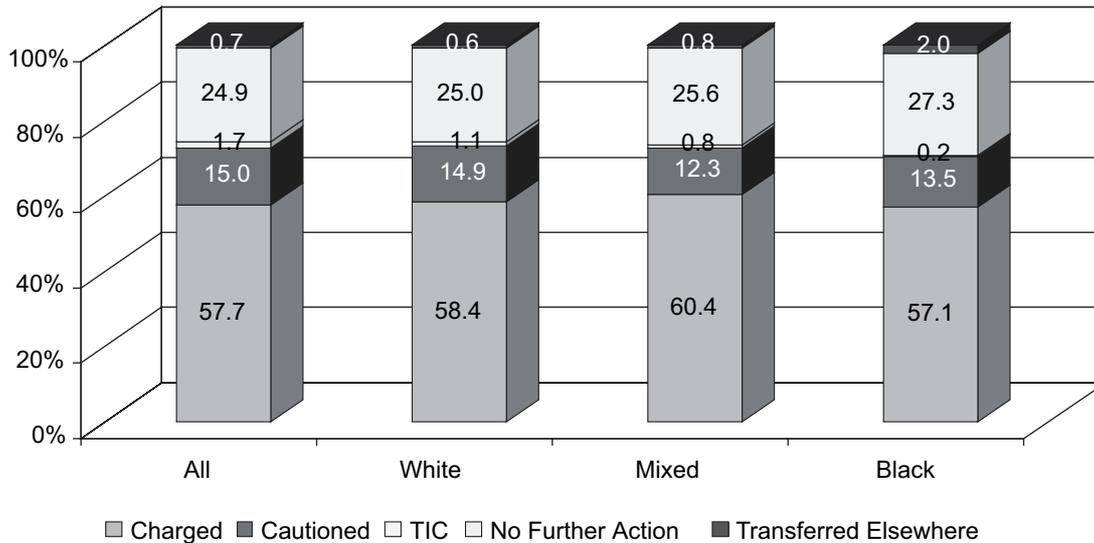
Figure 28b

Disposals of arrestees aged 18 to 20
Greater Manchester 2005-6

| Legend: | ☐ Charged | ■ Cautioned | ☐ TIC | ☐ No Further Action | ■ Transferred Elsewhere |
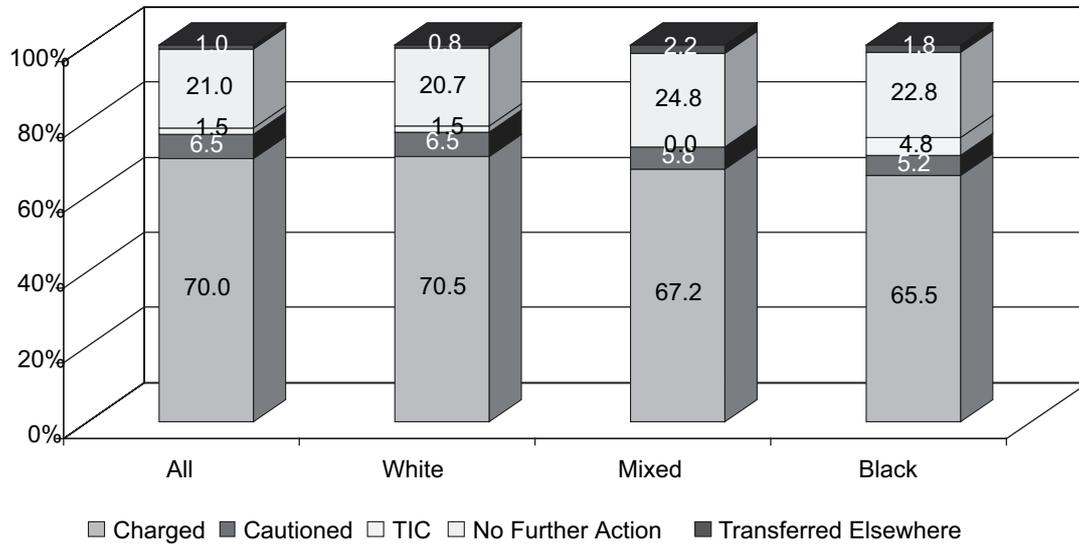
The figures for London do not distinguish people of Mixed heritage from the Black group; but they are large enough to be disaggregated by offence type. As Figure 29 shows, some of the overall differences in disposals between Black and White young people may be related to differences in the type of offence for which they are arrested in the first place. In particular, over 80% of young people arrested for robbery are charged, including those in the lowest age range; so their overrepresentation in the robbery figures already increases the higher charge rate for young Black people overall and it lowers their eligibility for a caution. However, there are also ethnic differences within offence categories, some of which are replicated in both age bands. In general, the proportion of cases which result in no further action ("not proceeded with") is slightly higher for Black arrestees, with the exception of 18–20 year olds arrested for violence against the person.

Figure 29a

Disposals for selected offences
10 to 17 year olds
MPS 2005-6

| Legend: | ☐ Charge | ■ Formal caution | ☐ Formal warning | ☐ Not proceeded with | ■ Summons |

Figure 29b

Disposals for selected offences
18-20 year olds
MPS 2005-6

| | Charge | Formal caution | Formal warning | Not proceeded with | Summons |
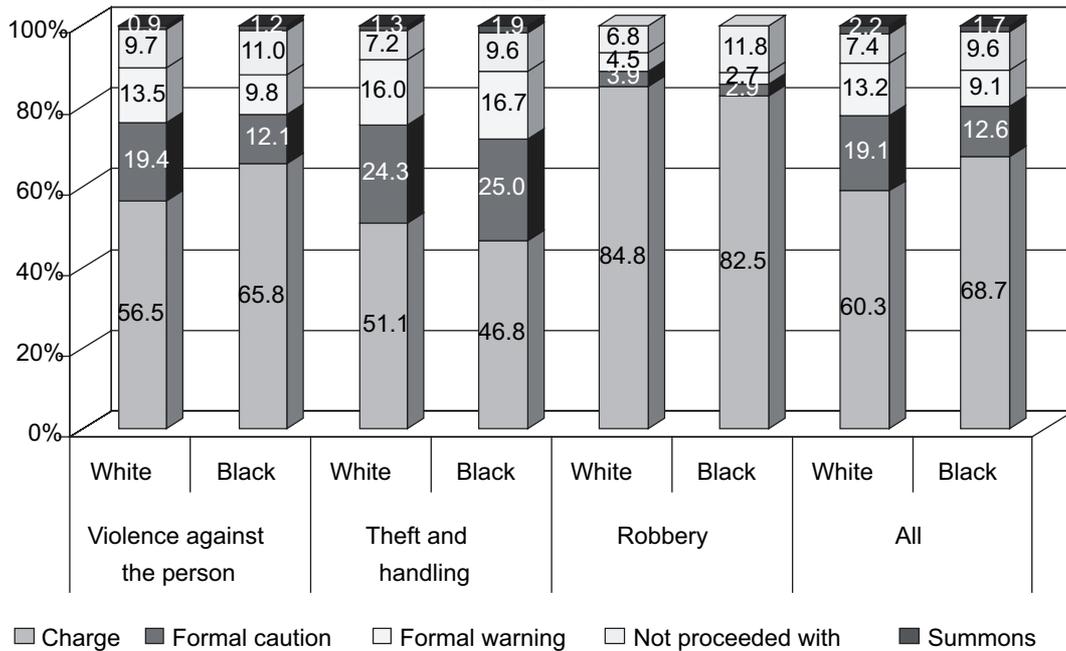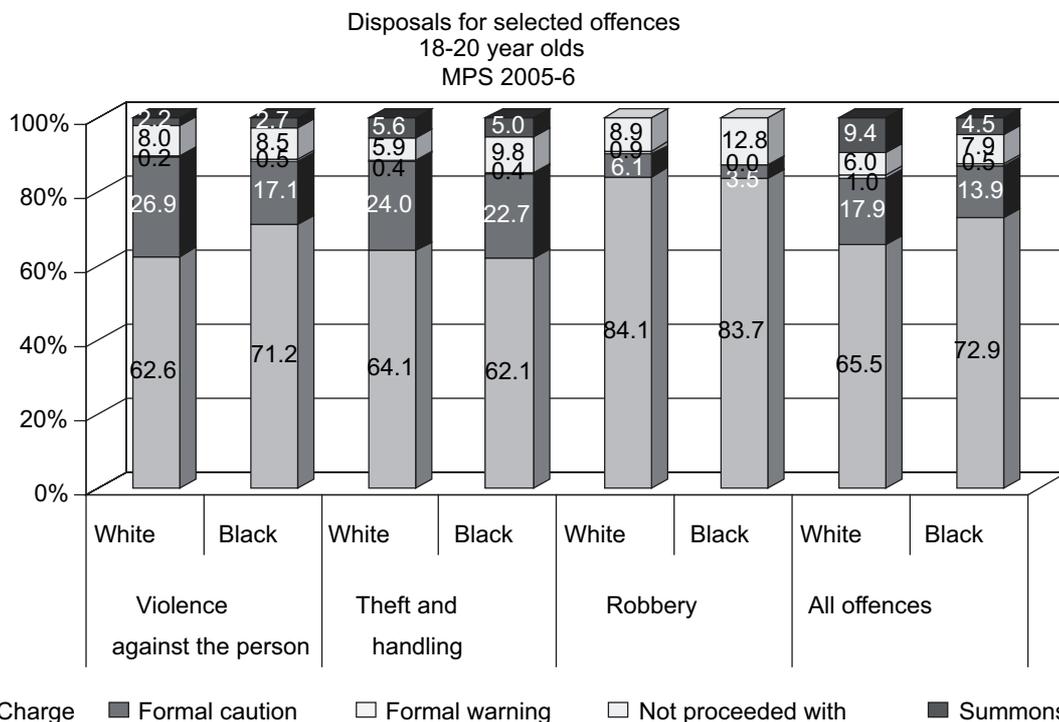
In both age groups, though, the proportion of Black people who are charged following an arrest for violence is much higher than for White arrestees; but further work would be needed[16] in order to establish whether this was because the offences involving Black young people are more serious, because those involved are less likely to admit the offence, because they are ineligible for a caution or warning owing to previous convictions or for any other reason and combination of reasons. By contrast, young Black people tend to be far less likely than their White counterparts to be arrested for theft and handling offences; but those who are are more likely to receive a caution or warning. Again, more detailed work would be needed to establish whether, for example, these offences are more likely to be first time offences for Black young people, and/or whether the nature of the thefts involved is different. For the "theft and handling" category is very large, spanning shoplifting, theft from the person and the main types of notifiable motor vehicle crime (that is, theft both of and from motor vehicles).

5. 10–17 Year Olds Known to the Youth Justice System

General

In addition to the police data which is the basis of the earlier sections of this paper, the Youth Justice Board (YJB) provides a range of information on the offences committed by young people aged 10–17 as well as on the bail/remand decision and disposals. This is based on standardized returns from the Youth Offending Teams (YOTs) to the YJB and is available on the practitioners' portal within the YJB website broken down by region and by individual YOT within this. It is potentially a very rich dataset (subject to the caveat that the ethnic breakdowns are not available by gender or age) and only limited analyses have been undertaken for this paper.

The YJB data do not map readily onto the police statistics in two particular ways; and these are worth clarifying before looking at any further insights the YOT data offer the inquiry.

In the first place, there appears consistently to be a shortfall between the number of "cautions" the police record and the number of young people known to the YOTs who have been subject to any form of "Pre-court decisions"' (ie police reprimands and final warnings). The figures in Table 4 are taken from the s95 publication, in view of the absence of age-related disposal data from two of the four police forces who responded to the inquiry's request for further information. They therefore refer to the financial year 2004–05; but the information we received from Greater Manchester shows a similar picture for 2005–6, when the police recorded 8,682 cautions of 10–17 year olds whereas the YOT total for pre-court decisions was 4,717.

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[16] This could not be done using the aggregate data provided for the purposes of the current paper, detailed though that is. It would require analysis of the detailed information in a sample of individual cases.

Table 4

Pre-court disposals of young people aged 10–17
2004–05
Police vs YOT data

	National	*MPS*	*Greater Manchester*	*Nottinghamshire*	*West Midlands*
YOTs	85,370	6,397	4,346	2,062	4,442
Police	101,202	10,819	5,926	2,388	5,186

If, as appears to be the case, the youth justice system is unaware of significant numbers of young people dealt with by the police, this may of itself be a particular matter of concern. This is not least because, inasmuch as they are eligible for this type of disposal, many—if not most—of the young people in question may be first time entrants to the system; but this might imply that some young people who have already been reprimanded or warned by the police for an offence only come to the attention of the YOT once they have re-offended. That is, they may miss out on being included in relevant programmes to prevent their becoming further involved in crime.

The second area of apparent mismatch between the police figures—and, in particular, those published by the Home Office—is that a substantial number of young people known to the YOTs have received disposals for what appear to be non-notifiable offences (see Figure 31). These will include the various breach categories, several offences within the "criminal damage" and "public order"' categories, as well as many "motoring offences" (as distinct from vehicle theft). The latter account for a significant number of the offences which bring young people into the system and they will include driving without insurance, allowing oneself to be carried in a stolen vehicle, various vehicle defects and minor road traffic violations.

Together these imply that we have a less than complete picture of young people of all ethnic origins at the earliest stages of their involvement in crime and the criminal justice system. This may mean that inter-ethnic comparisons are less reliable than has been assumed;[17] but, importantly, it may also be an obstacle to effective early intervention and limit the scope for evaluating the effectiveness of preventative work. These factors may also help to explain why the YJB figures give an impression of 'disproportionality' which is far less stark than the picture considered thus far. Figure 30 suggests that Black young people are represented within the juvenile justice system at about twice the rate of their presence in the population at large and that there is no overrepresentation of the Mixed group.

Figure 30

Young black people and those of mixed heritage
in the youth justice system, England and Wales

	Black	Mixed

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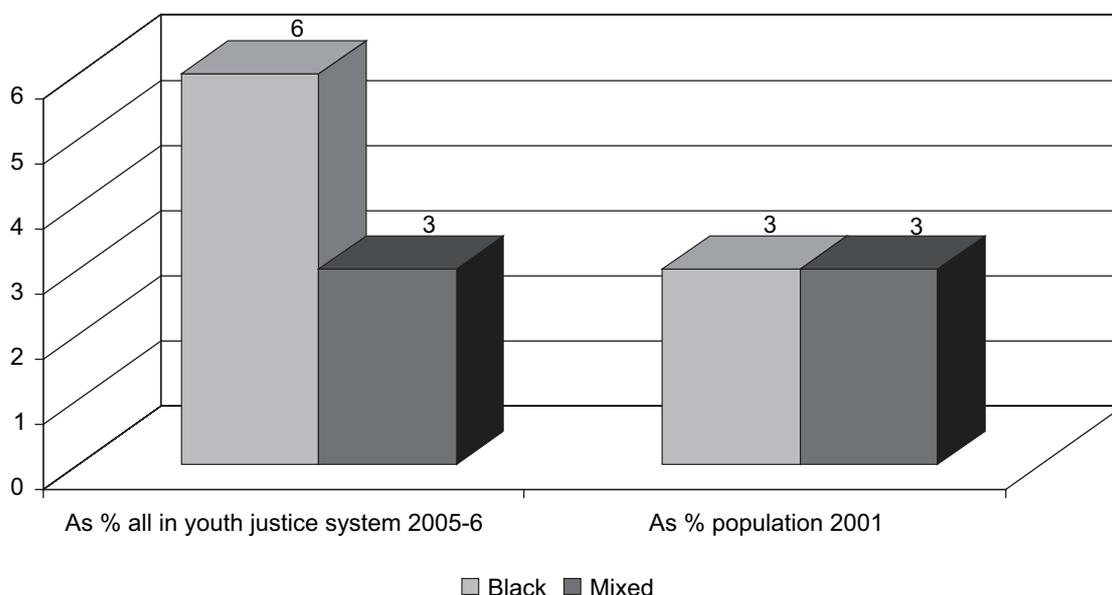
[17] A further complication in this context is that many of the figures cited refer to incidents (whether of stop/search, arrest or disposal) but they are discussed as if they related to individuals. This point is discussed further in the concluding section of the paper.

Patterns of offending

The YJB data routinely present figures for "Black" young people separately from an omnibus "Mixed" category. Overall, they confirm that there are not only patterns of ethnic differences in the offences for which young people come to the attention of the criminal justice system but also important area differences.

Figure 31

**Offence characteristics
of 10–17 year olds subject to disposals
2005–06**

a. MPS

▨ Arson	▨ Breach of Bail	☐ Breach of Conditional Discharge
■ Breach of Statutory Order	▨ Criminal Damage	▨ Death or Injury by Reckless Driving
▨ Domestic Burglary	☐ Drug Offences	■ Fraud & Forgery
▨ Motoring Offences	☐ Non Domestic Burglary	☐ Public Order
▨ Racially Aggravated Offences	■ Robbery	▨ Sexual Offences
■ Theft & Handling	☐ Vehicle Theft	☐ Violence Against Person
▨ Other		
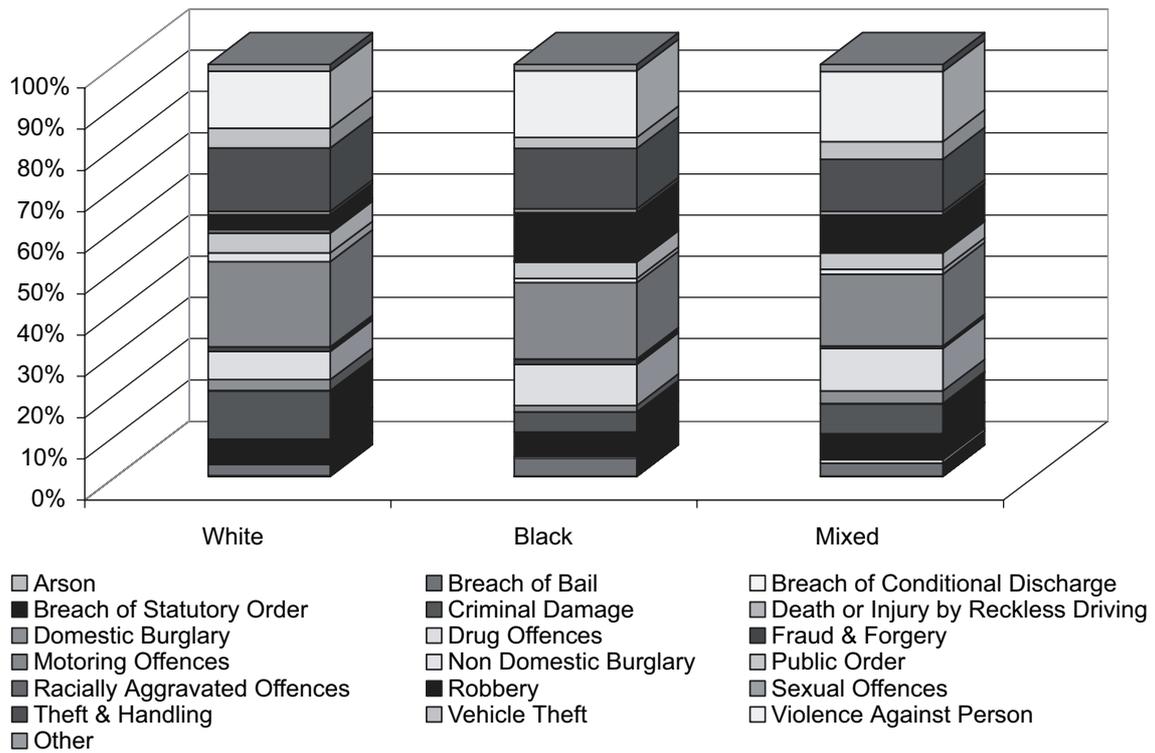
Figure 31b. Greater Manchester

Legend:
- Arson
- Breach of Bail
- Breach of Conditional Discharge
- Breach of Statutory Order
- Criminal Damage
- Death or Injury by Reckless Driving
- Domestic Burglary
- Drug Offences
- Fraud & Forgery
- Motoring Offences
- Non Domestic Burglary
- Public Order
- Racially Aggravated Offences
- Robbery
- Sexual Offences
- Theft & Handling
- Vehicle Theft
- Violence Against Person
- Other
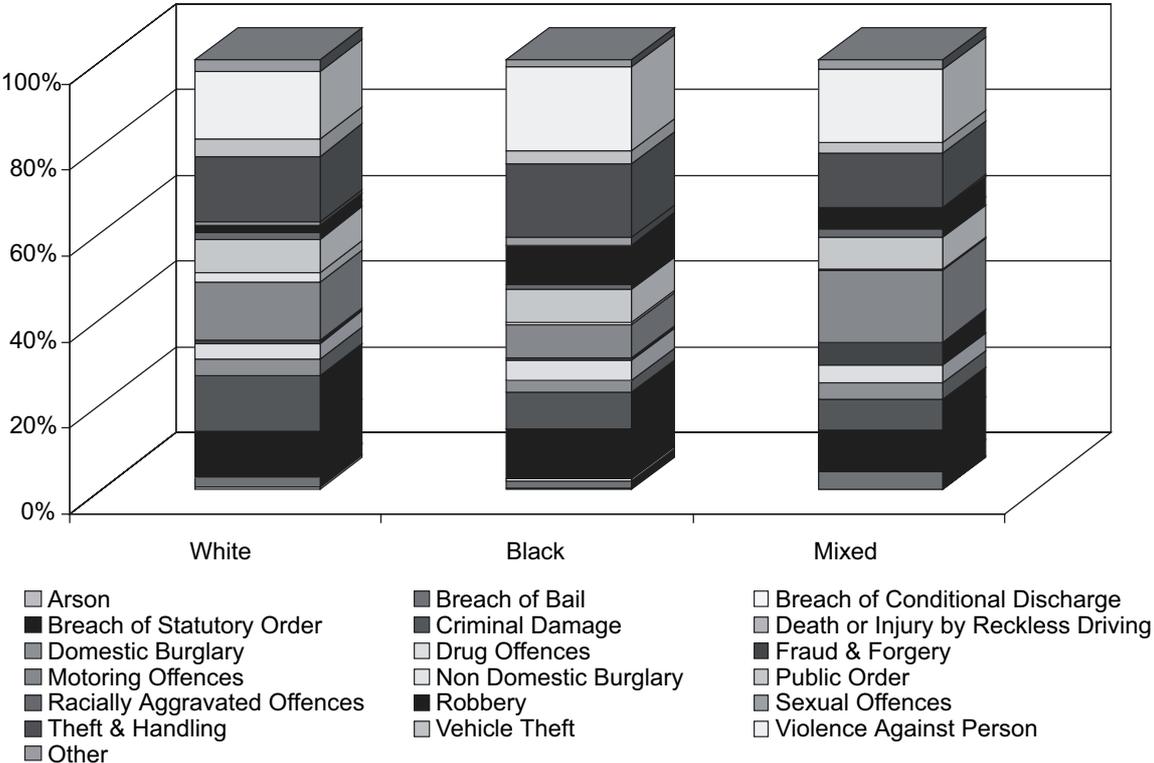
Figure 31c. Nottinghamshire

Legend:
- Arson
- Breach of Bail
- Breach of Conditional Discharge
- Breach of Statutory Order
- Criminal Damage
- Death or Injury by Reckless Driving
- Domestic Burglary
- Drug Offences
- Fraud & Forgery
- Motoring Offences
- Non Domestic Burglary
- Public Order
- Racially Aggravated Offences
- Robbery
- Sexual Offences
- Theft & Handling
- Vehicle Theft
- Violence Against Person
- Other
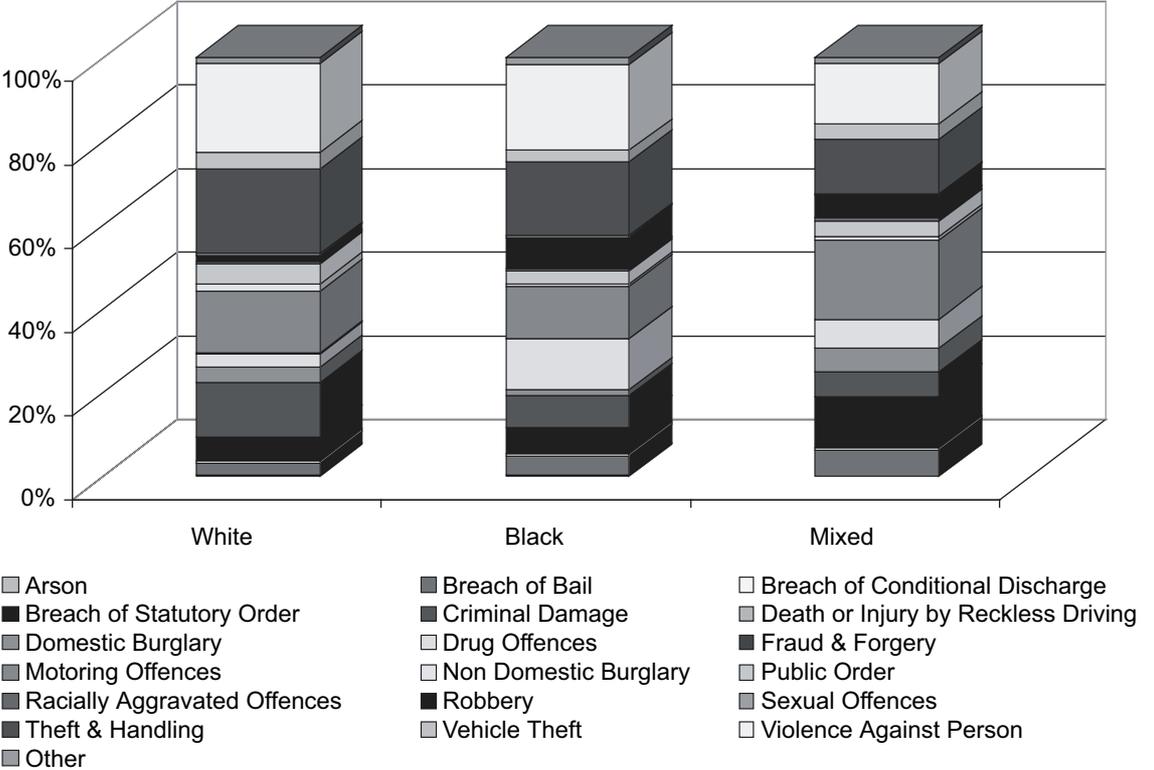
Figure 31d. West Midlands
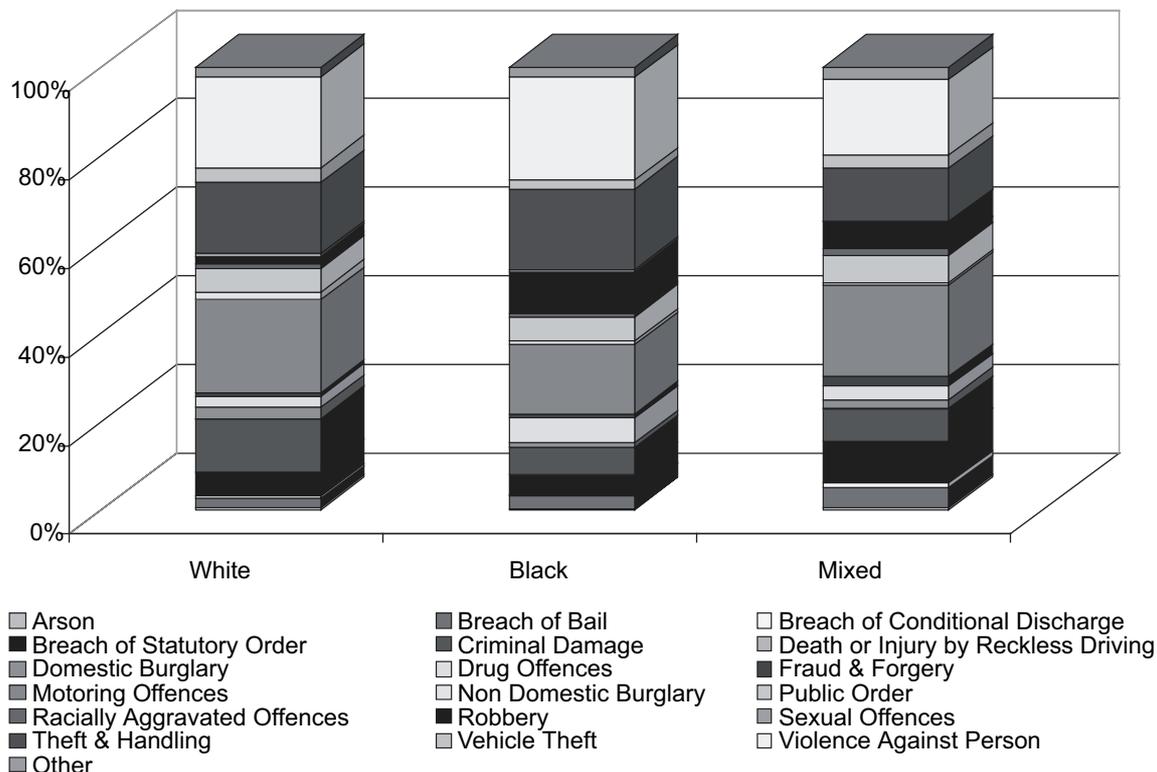
A common feature is the overrepresentation of the Black group in the robbery figures; but this still accounts for only a minority of all the offences for which this group was subject to disposals. Added to this (although the numbers are smaller still) is an overrepresentation for drugs offences relative to other groups, especially in Nottinghamshire. White young people, by contrast, are much more likely to have entered the system as a result of anti-social behaviour related offences such as criminal damage and public order. The Mixed group often occupies an intermediate position between the two but tends to be more comparable with White people in the relatively high proportion of cases involving motoring offences in all areas. Finally, the higher proportion of young people supervised by the YOTs in Greater Manchester for breaches of statutory orders may reflect the much higher than average use of ASBOs in that city. However, the proportion who are breached is noticeably higher for the Mixed group than for White young people in the West Midlands.

Remands and disposals

The YJB figures provide a stark picture of ethnic differences at opposite ends of the disposal spectrum, which is broadly consistent across all areas (Figure 32). Not only is the Black group less likely to receive a pre-court disposal and more likely to be sentenced to custody, this is even more true of the Mixed group, despite (as noted above) the fact that their offending profiles are more similar to those of White young people in the system.

Figure 32

YOT returns
%10 to 17 year olds of different ethnic origins
dealt with pre-court or sentenced to custody
selected areas 2005-6
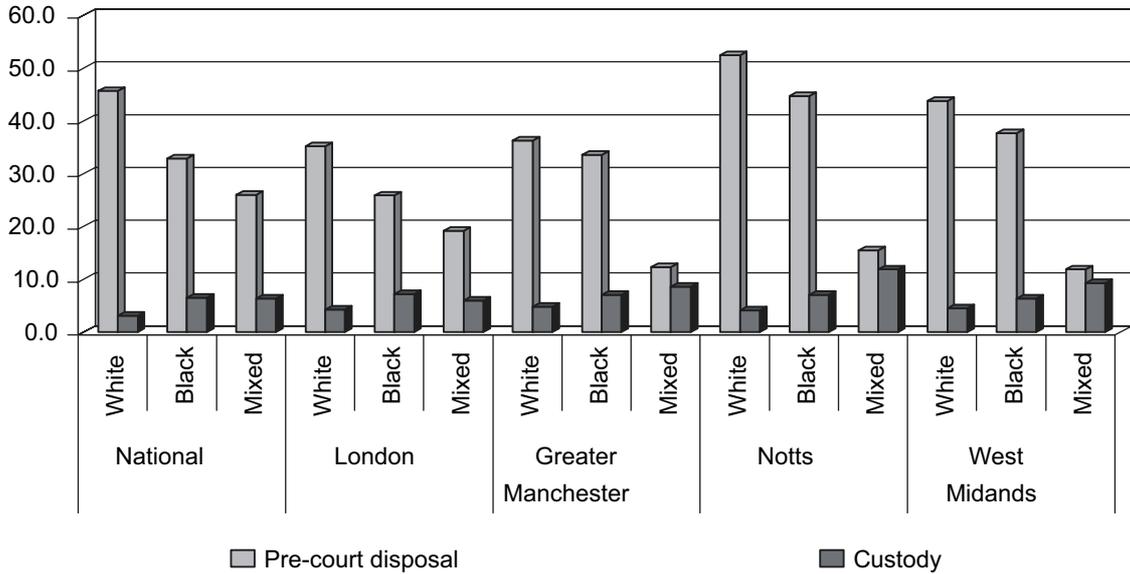
Of those not dealt with pre-court, a higher proportion of both Black and Mixed heritage young people are remanded in custody (Figure 33)—a fact which, of itself, will increase the likelihood of a custodial sentence if they are found guilty.

Figure 33

Porportion of 10-17 year olds
(other than those dealt with pre-court)
remanded in custody before disposal
2005-6
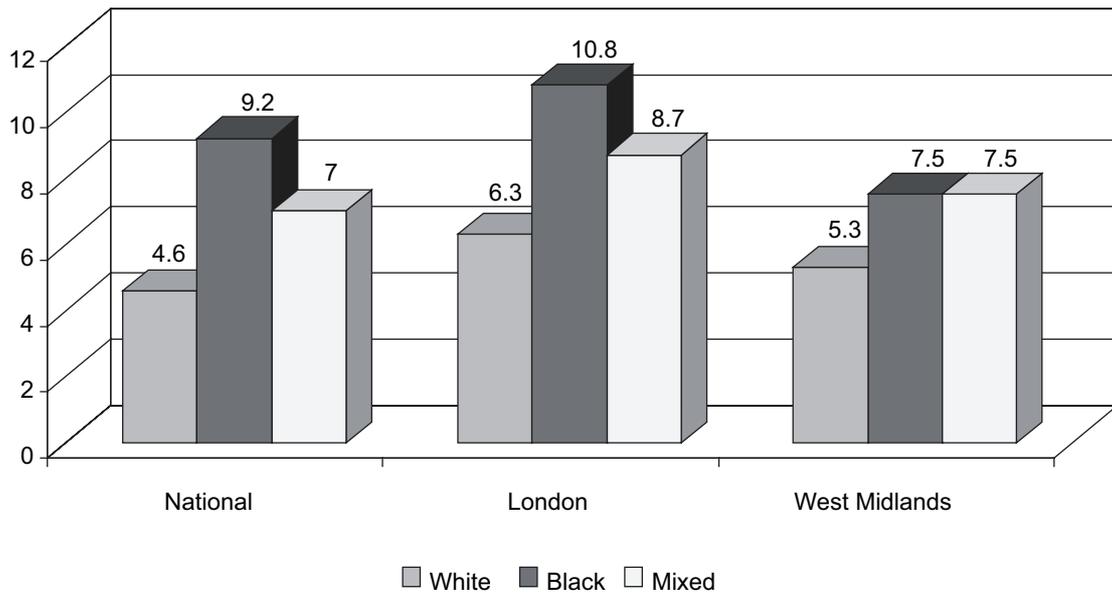
These YJB figures do not provide any further breakdown for disposals by offence type; and still less is it possible to take account of other potentially relevant variables, such as seriousness within offence type, age and previous convictions. However, in addition to their greater likelihood of being sentenced to custody, both Black and Mixed heritage young people tend to receive longer custodial sentences; and this figure is boosted by the higher proportion who are sentenced under section 90 and 91 powers which apply in cases where an adult would receive at least 14 years in custody.

Figure 34

Custodial sentences
as % group sentenced to custody
England and Wales
2005-6

Legend:
- ☐ Other
- ☐ Section 90 - 91
- ■ Detention & Training Order (4 months plus to 2 years)
- ☐ Detention & Training Order (4 months)
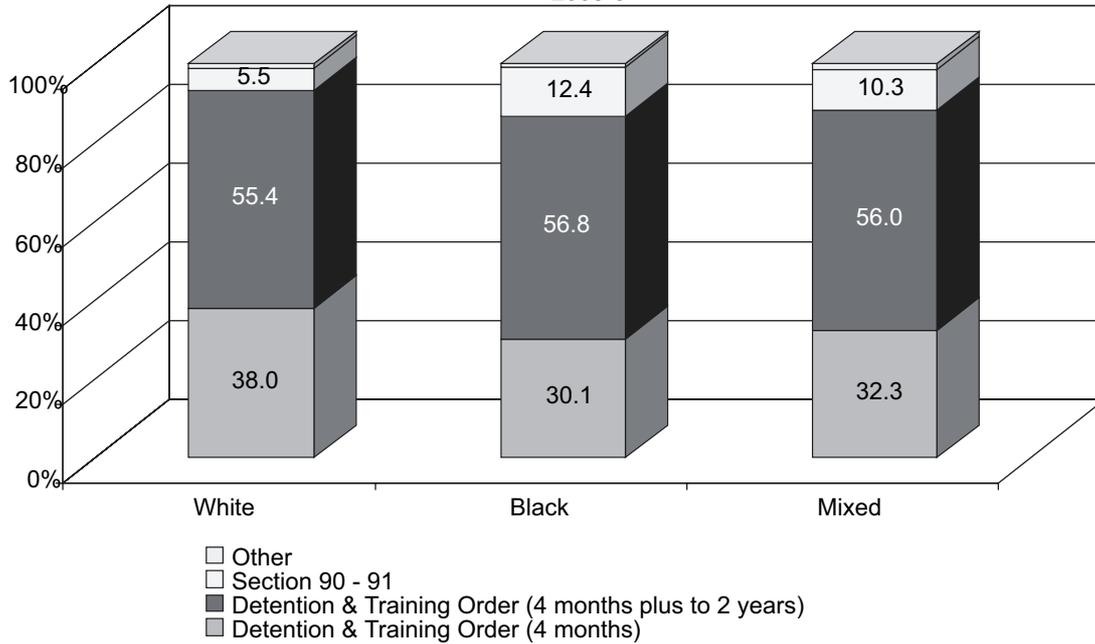
Finally, it is only in the context of custody that information provided specially to the inquiry by the YJB provides some insight into the ethnic make-up of the Mixed heritage group. So the picture in Figure 35 may be accurate only for the minority of young people convicted of the most serious offences. However, it does suggest that people of Caribbean group account for a higher proportion of young Black people in custody than would be expected from their presence in the population at large, while individuals of White and Caribbean heritage predominate among the 'Mixed' young offenders sentenced to custody.

Figure 35a

Composition of black group aged 10-17
serving custodial sentences compared to population

Legend:
- ☐ Black African   ■ Black Caribbean   ☐ Black Other
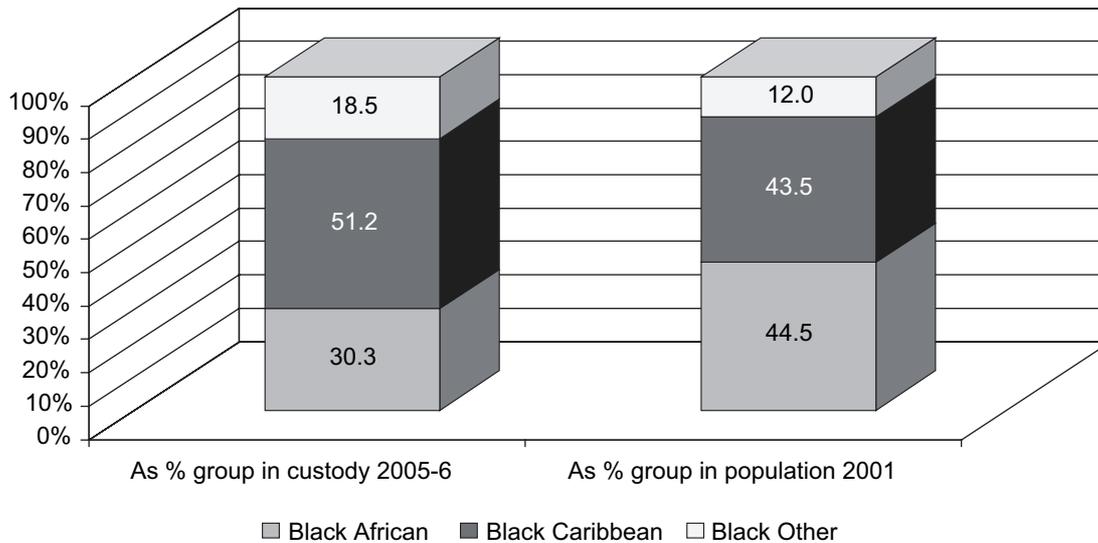
Figure 35b

Composition of mixed group aged 10-17
serving custodial sentences compared to population

Composition of mixed group aged 10-17 serving custodial sentences compared to population. Bar chart. As % group in custody 2005-6: 14.7, 72.1, 8.6, 4.6. As % group in population 2001: 21.2, 42.3, 9.6, 26.9. Legend: White-Asian, White-Black African, White-Black Caribbean, Other Mixed.
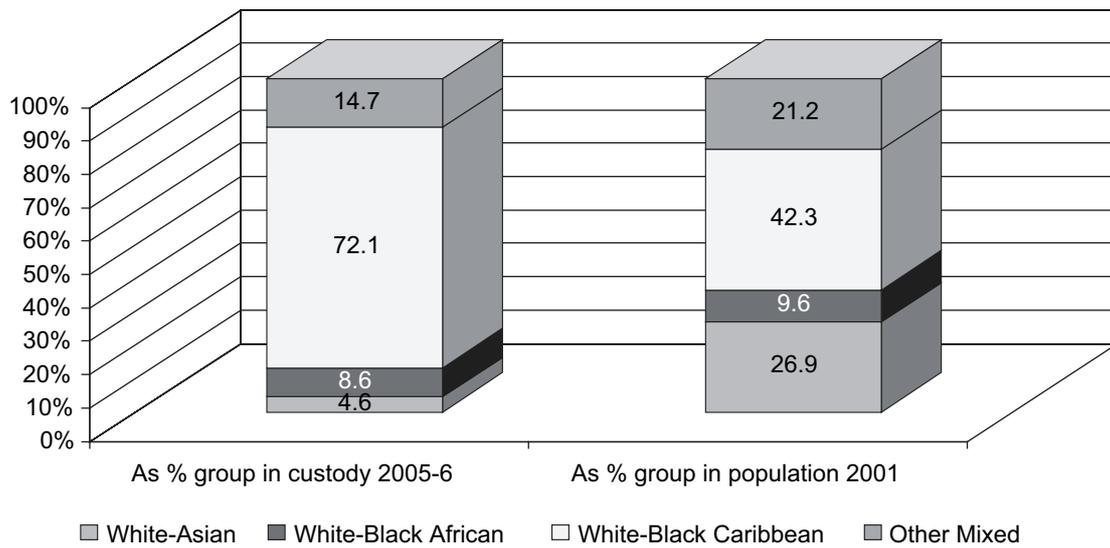
6. ISSUES RAISED

The analyses made possible by the additional information provided by the four forces have clarified a number of issues of particular relevance to the inquiry—not least insofar as their figures included age and BCU-level breakdowns which are often unavailable in the published data. In addition, the Committee may wish to consider four more general issues, the first two of which are related.

Firstly, it is evident that, in principle, police forces themselves have sufficient ethnic data to explore some of the possible reasons for the overrepresentation of young Black people within their own force area. That is, they should be able to use their data to monitor whether there are any prima facie areas for concern for the force—whether in terms of officer decision-making or the impact of force operational practices—and then to pinpoint exactly where within the force these may be occurring. Qualitative approaches will then be needed to follow these up and, as necessary, take any remedial action. In practice, however, drilling down into the statistics in this way soon means looking at numbers which may be too small for reliable inter-ethnic comparisons, even in areas where the total numbers, force-wide are fairly large. This should not preclude any force from adopting this type of approach, though; for where the numbers are small, this would make it possible to compare individual cases on a like-for-like basis.

It is by no means evident, however, that forces have been using their data in this way, despite the fact that they have now been required to keep ethnic statistics on specified items for over ten years. Ironically, many appear routinely to be adding an ethnic marker to other statistics as well; yet if ethnicity has not been recorded in a high proportion of cases, this simply seems a waste of effort. Especially where the 'not known' category is very much larger than the total for minorities, any attempt to analyse the figures could produce seriously misleading results. The issue of missing data is of particular concern with regard to items where forces are actually required by the Home Office to keep ethnic information—though in the case of police searches this may be an unhelpful side effect of the requirement to use self-classification and additionally to record stops.

Secondly, the figures provided by the four forces have illustrated some broad, general patterns (many of which were already known); but they have also highlighted important local differences. These include differences in the composition of the "Black" population and the ways in which this is itself changing over time, as well as differences in the impact of policing practice on local populations which may have specific implications for young Black people. At the same time, they have also highlighted apparent area differences in patterns of offending by young people which are reflected in the local patterns of offending by different ethnic groups.

This adds to the importance of forces taking ownership of exploring their own data in the light of local circumstances and the force's particular policies and practices. At the same time, these grounded understandings of what is happening to different groups of young Black people need to feed upwards to inform guidance on policy and practice from the Home Office, ACPO, HMIC etc. For national, one-size-fits-all approaches may not be relevant to many local situations and it is even arguable that these may further be counter-productive, especially if they appear to take away any local responsibility for exercising quality control over the data in order to analyze and use them. It seems highly likely that in many areas, s95 data are seen simply as figures which have to be collected to meet a Home Office requirement, albeit in a context where the Home Office has set great store on reducing disproportionality as an end in itself without first exploring with any rigour the many factors which contribute to disproportionality and the relative importance of each, including many socio-economic and demographic factors which significantly impact on

the likelihood of different groups coming to the attention of the criminal justice system and over which the police themselves have no influence. Yet, as the Home Office itself has acknowledged to the Committee, this has left police forces without any idea of what the figures should look like; for, even if they themselves were behaving fairly towards all sections of the local population, the police would still come across some groups within that population more than others both as victims of crime and as suspects.

Unsurprisingly in these circumstances, levels of disproportionality have proved intractable over the past decade, despite huge investments in training, tightening of procedures and lots of centralized guidance, especially with regard to stop and search, since these have all been premised on an assumption that disproportionality has largely been driven by conscious or unconscious discrimination on the part of the police. New approaches are needed to understanding the reasons for disproportionality which, as this paper has illustrated, are likely to be complex and may vary by area. Only in this way will it be possible to identify and isolate whether, how and where discrimination is contributing to the overall level of disproportionality and to take any necessary action. And this will require local forces to take the lead.

Thirdly, the Youth Justice Board figures, when juxtaposed with the police data, have highlighted the fact that the published s95 figures give an incomplete picture of what is happening to young people of different ethnic origins as they first enter the criminal justice system. They also suggest the need for improvement in the exchange of information between the police and local YOTs on this age range. Unless both of these issues are addressed, it will inhibit any coherent approach to prevention and diversion in this critical age range.

In addition, while the data available from the Youth Justice Board are very rich, their potential for informing policy and practice with regard to minorities will remain limited unless it is possible additionally to analyse them taking account of relevant variables—in particular age, gender and offence type/seriousness within the broad categories used in the published figures. Some YOTs (as the Committee's visit to Southwark illustrated) have taken this approach within their own local data and, as with the police, all should be encouraged to do so. However, the Board itself needs to have this information and to use it intelligently if it is to develop a coherent approach to understanding the reasons for any ethnic differences within the youth justice system and to monitoring the effectiveness of any interventions to address these.

Consideration also needs to be given to the reasons for and implications of the lower levels of disproportionality in the YJB data compared to the police statistics which are more commonly cited in this context. One possible reason suggested above is that the picture may look different when non-notifiable offences are included. The fact that both Black and Mixed heritage young people have disproportionately worse outcomes once they are in the system may in part be because they are more likely to be subject to disposals for notifiable offences than their White peers (although this could only be established if further breakdowns were available within the main offence categories, as suggested above). However, another factor may be that the YJB figures are more likely to reflect the number of individuals of different ethnic origins within the juvenile justice system at any given time.[18] For an important caveat about the police data which is often overlooked (including in earlier sections of this paper) is that these count incidents not individuals. In practice the same individual may show up in the same set of search and arrest statistics more than once within a 12 month period; and this may tend especially to be the case for individuals who are already "known" to the police. In other contexts it has become a commonplace to assert that most crime is committed by a relatively small group of individuals. So if there are any significant ethnic differences in the numbers of "repeaters", this too could give a misleading impression of the level of "disproportionality".

Importantly, if the search and arrest figures are indeed inflated for some groups by a disproportionate number of repeaters, this would not only raise possible questions about policing practice. It would also imply that discussing these ethnic statistics as if they referred to individuals may have a distorting effect on perceptions of the group as a whole, both within the police service and in the public at large. Over time, especially as the considerable investment in reducing "disproportionality" appears to have had no impact, there is a real danger that the published figures will simply reinforce negative stereotypes of criminality among Black young people in general which, as has repeatedly been referred to in their testimony to the Committee, is understandably a major cause of resentment.

This, in turn, adds weight to the need for better quality ethnic data, as well as for more intelligent approaches to analysing and using it both nationally and locally. In addition to identifying the weaknesses in what currently exists and the scope for improvement, this paper also serves to illustrate its considerable unrealised potential.

Marian FitzGerald
Visiting Professor of Criminology
Kent Crime and Justice Centre, University of Kent

21 March 2007

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3.   Memorandum submitted by the Ascension Trust

MISSION STATEMENT

Street Pastors is an interdenominational response to neighbourhood problems; engaging with people on the streets and in night-time venues to, listen, dialogue and offer practical help and solutions.

VALUES

— The sacredness and sanctity of human life.
— Valuing and honouring the community.
— Taking personal responsibility.
— Being a person of integrity.
— The growth and development of the person to their fullest potential.

AIM

— To develop the project to build capacity and sustainability.
— To provide an outreach volunteer service to prevent crime, defuse volatile situations and divert those involved and/or at risk of criminal activity and anti-social behaviour into training, employment and other meaningful and empowering pursuits.

HISTORY

Ascension Trust began in 1993 by Reverend Les Isaacs who wanted to see individuals working effectively within their local church, community, city and nation. The idea was to provide a means through training, education and nurturing to develop and empower others to contribute positively to the society in which they live and subsequently improve their quality of life.

The organisation has a passion to see people lives healed of the social injustices that deprives and excludes them from participating in mainstream activities and leads to a life of deprivation. We are faced with countless examples of economic, social and spiritual deprivation and extremes in living conditions in Britain highlighting the plight of poverty in our society. Ascension Trust led by Reverend Les Isaacs and managed by trustees from a wide range of professional and business disciplines has a vision to utilise the skills and professional expertise of like-minded Christians and non-Christians to address issues facing our society today in a practical and solution focused way.

Today rather than preaching the heaven and hell message he now mobilises church leaders and members to tackle and face the rising issue of gun crime and violence that is adversely affecting our communities.

The need for the church to implement a strategy to address this issue of street crime was birthed and in 2001 Les Isaacs visited Jamaica to research how the churches there had responded to gun crime, which was by now reaching endemic proportions. Les met with two pastors whose work on the streets of Jamaica befriending gang members, drug Lords and acting as intermediaries for the police inspired him to establish teams voluntary outreach workers from the church who would go into their communities and engage with disaffected young people. In 2002 David Shosanya, trustee for Ascension Trust visited Boston to study the Baker House initiative from which the 10 Point Coalition was drafted. These studies underpinned the development of the British street pastors' model which was then adopted in Jamaica and enabled wider participation from the churches.

In 2002 Ascension Trust launched a "Guns of our Streets Tour" to five London hotspots; Brent, Hackney, Haringey, Lambeth and Southwark, Aston in Birmingham and inner city Moss Side and Longsight in Manchester. The aim of the tour was to:

— Raise community and church awareness of gun crime and the fast growing gun culture.
— Think about and implement practical solutions to stem the tide of gun and violent crimes in the UK.
— Build community and church support, by working together to effect change in socially deprived and high crime areas.
— To enlist the support and consult with young people, parents, the police, local MPs, community and church leaders, Probation and other statutory agencies.

A report was produced after the tour highlighting the findings from the consultations and discussions that took place. As a response to the recommendations made the Street Pastors project was launched in January 2003. The launch coincided with the tragic deaths of teenagers Charlene Ellis and Latisha Shakespeare—caught in crossfire when attending a new years party in Birmingham on January 2nd. Church leaders looked to Ascension Trust for guidance.

THE STREET PASTORS INITIATIVE

Street Pastors is an interdenominational response to neighbourhood problems; engaging with people on the streets and in night-time venues to, listen, dialogue and offer practical help and solutions. A Street Pastor is a concerned member of a local church who goes out on the streets at night to engage, listen and care for people on the margins of society. Their purpose is not to preach heaven and hell, but to provide a solution focused approach to address the issues facing disenfranchised youth. The street pastors outreach sessions operates on Friday and Saturday nights from 10 pm–4 am. They go out in teams under the supervision of a senior Street Pastor and wear a distinctive blue jacket and cap bearing the logo "STREET PASTORS" in reflective lettering. All street pastors have to attend 12 week training programme to ensure they are equipped mentally, spiritually and practically to engage effectively with people on the street and to provide them with advice, guidance and support to access mainstream services.

This work is highly sensitive and integral to it is open dialogue and joint working with the police, community and church leaders to ensure that boundaries are defined and the work being undertaken by the Street Pastors is understood. Collaborative inter-agency ways of working is actively encouraged to address the myriad of issues affecting socially excluded young people of which there are many black children.

The key issues for this group are:

— They are often disaffected young people suffering the breakdown of family.

— Not having either parents or anyone to care for them, often living on their own or in care.

— Many have dropped out of school or excluded.

— Lack training/qualifications.

— Unemployment.

— Poverty.

— Involvement in gangs.

— Getting involved in criminality ie drugs are a lucrative business.

— Criminal records.

— Vulnerable/at risk ie do what people tell them to do.

The gangs play an integral part in affirming their identity and give them a role/status amongst their peers. There are many black children fitting this description and part of the intervention strategy to get them re-engaged in society to access training, education and employment is done by the work of the Street Pastors and Co-ordinators by:

— establishing trust, through rapport and dialogue;

— providing a listening ear;

— being present and available during unsocial hours;

— providing the opportunity to hand in dangerous weapons (in line with police protocol);

— providing information and advice—directory of local agencies and national help lines;

— making referrals into education, training;

— working with other voluntary and statutory agencies;

— being a deterrent to violence and vandalism;

— providing prayer support;

— collecting baseline information on the young people for follow-up; and

— having access to activity and support that will reduce criminal activity and behaviour.

GROWTH AND DEVELOPMENT OF THE STREET PASTORS INITIATIVE

Street pastors is now a successful inter-denominational programme with well over 450 trained volunteer street pastors from a range of church backgrounds, who regularly take to the streets of some of London's boroughs with the highest offending rates, levels of drug abuse, gun and other violent crime and urban deprivation (including Lambeth, Southwark, Lewisham, Brent). There are currently 80 new street pastors in training in London and we have many on the waiting list for the September course.

We are now operating nationally with Street Pastors in inner city areas around the country known for having similar problems (such as Birmingham, Manchester, Leicester, Leeds). We also work in areas not traditionally linked with such extreme social conditions—such as Merton, Bromley and Sutton in London, Southend and Kingston—that find themselves affected by the malevolence of binge drinkers, anti-social behaviour, knife crime and the like. We work closely with local churches, other community leaders, agencies and projects—both statutory and voluntary—to look at collaborative ways of tackling issues affecting

young people and the communities in which they live. A key element of our approach is to build trust and to join up the work on the streets with that provided by other agencies—principally what Les Isaacs calls the "urban trinity", the relationship between the church, police and local authority.

The initiative is developing rapidly across the country and internationally and on average we are getting at about three or four enquiries a week. Below is a list of projects and developments:

International

Antigua and Barbuda

Training

Cambridge; Enfield; Kingston-upon-Thames; Orpington; Wrexham and Haringey.

Poised For

Aberdeen; Bexley; Bedford; Braintree; Barnet; Croydon; Huddersfield; Horsham; Ipswich; Merseyside; Norwich; Portsmouth; Chard, Somerset; South Wales; Weston-Super-Mare and Bridgend.

In Discussion

Bournemouth; Bishop's Stortford; Bristol; Blackburn; Brighton; Cornwall; Chelmsford; Camden; Coventry; Dorset; Epsom; Grinstead; Hounslow; Halifax; Havering; Northern Ireland; Luton; Lincolnshire; Maidstone; Milton Keynes; Nottingham; Rushden; Northampton; Plymouth; Preston; Reading; Staffordshire; Sheffield; Yeovil; Stoke-on-Trent; Southampton; Stowmarket; Suffolk; Southport; Mid-Wales and Yeovil.

Contacted By

Canada; Ghana; Pakistan; Dominica; New Zealand; America and Nigeria.

Reverend Les Isaacs
Director

July 2006

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4. Memorandum submitted by the Association of Chief Police Officers of England, Wales and Northern Ireland (ACPO)

Summary

Figures show that young black people proportionately have more contact with the criminal justice system than white people. The police have been accused of dealing with certain minority ethnic groups disproportionately, particularly from the perspective of Stop and Search. This paper considers a number of issues relating to disproportionality and section 95 data. The paper importantly also considers the social and economic environment impacting on young black people and its links to offending behaviour and the contrasting crime patterns of young black people versus young white people.

1. Background

1.1 It is of significant importance to consider firstly some of the reasons why young black people are disadvantaged before entering the criminal justice system. One could argue that by the time they come to the notice of the police they have already suffered as individuals as a result of wide ranging factors which research suggests leads to offending behaviour.

1.2 Statistics suggest that young black people are more likely to be raised by single parent families, live in poorer housing conditions, lack support from statutory educational and health services with higher levels of exclusion from schooling.

1.3 Residential segregation by race exists within the UK and is believed to be one of the most significant factors in contributing to the overall ill-being of ethnic minorities in Britain. The concentration of black people in the most deprived disadvantaged areas across the UK creates a sense of inferiority which is also reflected within the labour market where young black people are more likely to work in lower status jobs and semi and unskilled employment.

1.4 Under-achievement of black boys in education is a serious concern, replicating the pattern in the prisons where the majority of inmates suffer from poor reading ability.

1.5 Whilst the Home Affairs Committee is seeking to focus on black afro Caribbean young people the range of different backgrounds and cultures included in the term "black" is wide. The experiences, behaviours and offences committed for instance by Somalians, Rwandans, Iraqis differs from those of afro Caribbeans although under the current methods of collecting this data under the 16 + 1 system, these sub-groups will not be identified. The same applies to the term "White Europeans".

1.6 The UK as a consequence of racial inequalities during the past three decades experienced a number of black uprisings including the Brixton, Toxteth, Hansworth and more recently the Oldham and Bradford riots which have significantly impacted on the way we police. As a result, huge investment has been made in understanding black communities and their associated cultures. The police increasingly act as honest brokers within communities. The Stephen Lawrence murder and subsequent inquiry has additionally impacted not only on the methods used in investigation but on the methods used by the police in dealing with black victims of crime.

1.7 The debate on race, equality and investigation is shifting, principally provoked by the current terrorist situation but also by discussion on how far mainstream society should cater for the needs of minorities. Media coverage and the way minorities are portrayed in popular culture can increase hostility and a reluctance for allowances to be made for disadvantage.

2. Police Initiatives

2.1 A vast range of initiatives have been undertaken by police forces to assist officers and staff to understand the cultural differences of black people. The return to community and neighbourhood policing and the introduction of a range of initiatives to defuse community tensions are raising the confidence of black communities in our ability to police, and in encouraging victims of crime to report to the police. The establishment of Independent Advisory Groups to challenge policies and working practices of the police has also been a successful initiative ensuring that the police are accountable for their actions and "alive" to community perceptions and needs. The introduction of the Independent Police Complaints Commission and the use of custody lay visitors is also significant.

2.2 The police have undertaken a significant amount of work in enabling members of the public to report hate crime. "True Vision" which has been adopted by 37 police forces enables individuals to pass on information or intelligence to the police through third parties and encourages individuals to report hate crimes. The self-reporting packs are available at police stations and designated reporting sites within the community. The ACPO Hate Crime Manual is regularly revised to ensure that police officers receive the best possible guidance in dealing with and the recording of hate crime incidents. The number of prosecutions for racially aggravated offences has significantly increased.

2.3 A distinction has to be made between black people as victims and black people as offenders or suspected offenders. While undoubtedly considerable progress has been made in raising the confidence of black victims, little progress has been made in reducing the disproportionate number of black people arrested and convicted. As Trevor Phillips recently said, "A black boy is still more likely to end up in a prison cell than a university lecture theatre."

3. Stop and Search

3.1 There is a concern within the police that the huge focus on stop and search has masked the disproportionality in other parts of the criminal justice process including arrest rates, cautions, custody decisions and DNA retention, not to mention rates of imprisonment. Before exploring the issues around disproportionality there are a number of key assumptions to consider:

— Disproportionality as it is currently reported looks at outcomes of an action or activity for different population groups and compares it against the resident population.

— Whatever the reasons the perceptions and experience of Stop and Search are adversely affecting relationships with certain communities. The focus must be equally on the quality of the interaction as on justifying reasons for stop and search.

— The term disproportionality has become shorthand for discrimination; effectively it has become a proxy indicator for discrimination.

— Resident population based on census data is an unreliable control group against which to compare those who group which might be involved in street encounters with police.

— Disproportionality in Stop and Search is not only confined to ethnicity it also occurs in relation to age, gender and social class.

3.2 There is a wide body of academic research that looks at the issues behind disproportionate outcomes particularly in Stop and Search, including Bowling, Waddington, Fitzgerald, Quinton and Miller. The Home Office through the Police Research series has also produced research documents including:

— Stops and Searches on Crime and Community.

— Upping the PACE.

— The view of the public on Stops and Searches.

— Police Stops, decision making and practice.

— Profiling populations available for Stops and Searches.

— Managing the use and impact of searches.

3.3 One of the observations from the research is helpful to this consideration of disproportionality. It states that "while comparisons between the number of recorded stops and searches and the numbers in the general population remain important in describing the overall experience of different ethnic groups, they do not provide a good basis for assessing ethnic biases in officers' street level decisions to carry out stops and searches."

3.4 Searches generally do not occur evenly across any force area but tend to be targeted on particular sub-areas and highly localised hot spots, linked to our intelligence and briefing. The individuals and groups in these areas will be varied in terms of their age structure and socio-economic characteristics. It is becoming recognised that the reasons for these variations in searches are multiple and include economic and social factors as well as policing practice and individual officer behaviour.

3.5 There is a belief amongst some in the debate around disproportionality and discrimination that more research is needed to explain this issue. However, past experience suggests that such a piece of research is unlikely to answer the question conclusively.

3.6 The most recent data published for what is known as Section 95 data relates to 2004–05 and was published in 2006. The data highlights disproportionate outcomes from victimisation through to sentencing and prison population. The overall summary of Section 95 data states:

> The data reported show that progress continues to be made in relation to the proportion of staff from Black and Miniority Ethnic (BME) groups working in the criminal justice system (CJS). However, other areas remain largely unchanged with BME groups continuing to be disproportionately represented in the CJS.

> When interpreting the data, it is important to note that people from BME groups are often disadvantaged in social and economic terms compared to the White population. This disadvantage relates to factors such as housing, education and employment; factors that are in part predictive of offending behaviour and general involvement in the criminal justice process.

> Data concerning ethnicity and crime needs to be treated with extreme caution because the data may be inaccurate or missing altogether (as many crimes may be unreported or the ethnicity of the perpetrator unknown). However, evidence suggests that the imbalance is not simply the result of people from BME groups committing a disproportionate number of crimes. There is not as yet, sufficiently robust data and evidence from which to reach definite conclusions as to the cause, or causes, of the disproportionate representation of BME groups observed in the data described. What is clear from the data is that disproportionality continues to be a key issue meriting urgent investigation.

3.7 ACPO are actively engaged in the review of Section 95 data, however there are a number of key points to be made:

— 16 + 1 is not a complete picture of our communities. There is considerable pressure from policing to change and expand 16 + 1. This is not a data set that is actually owned by the police, 16 + 1 is part of the census and to move forward requires a number of departments and agencies to move.

— The accuracy of census data is questioned by a number of observers; given the numbers in respect of some communities this could have an impact on the published data.

— The incomplete nature of the data. In relation to Stop and Search it is appreciated amongst practitioners that this data set is one of the most imprecise we deal with, some of this is due to the way the data is collected, individual interactions on the street often officer initiated, and the time lag and accuracy issues in processing the data.

3.8 ACPO must try to sensitively address the issue of disproportionality being used as shorthand for discrimination. It is important to understand that even in proportionate use of a power or outcomes, there can still be discrimination, and by overly focusing on proportionality as a concept, we may be missing discrimination.

3.9 To take these issues forward we need, as a Service to answer the following questions:

— Are officers in the right place—(properly briefed, operating with up to date intelligence, in the right locations at the right time).

— Are they doing things in the right way—(is the use of powers legal, is the conduct and behaviour appropriate, activity checked and audited and training in place).

— Do they have the support of the community (does the community understand and support what is taking place).

3.10 If we can answer all the above questions and the resulting outcome is still disproportionate, then disproportionality is due to factors over which the police have little or no control such as poverty, housing, school exclusions etc.

3.11 Arrests arising from stop and search are only a small proportion of total arrests and therefore there are other factors which direct officers to identify black people as suspects. Most arrests come from calls from the public, information from witnesses and the actions of door staff, CCTV operators, store detectives, security guards and others involved in identifying offending. It is reasonable to assume that decisions made by this group may well be affected by a person's ethnic appearance or stereotyping.

4. Ethnic Monitoring

4.1 Ethnic monitoring is still not complete in key parts of the court process and the failure for instance to monitor ASBOS for ethnicity and the lack of an impact assessment in respect of ASBOs is an example of a lack of understanding of how new laws may disproportionately affect different members of the population.

5. Criminal Activity of Black Young People

5.1 In contrast to white young people it is evident that the crimes committed by young black people differ. Gang culture is increasing within black young people, their reliance on emotional peer support in the absence of parental or community role models is a possible factor in creating the gang culture environment. Involvement in drugs is seen as a means to elevating themselves up the economic ladder securing "respect" in the process. The prevalence of the use of guns and knives as weapons also contrasts with white young people who are more likely to use alcohol fuelled bodily force to assault their victims.

5.2 That said it is evident that many of the issues affecting young black men in the UK are also prevalent in white young working class men who are increasingly subject to segregation, poor educational attainment, low self-esteem and chaotic relationships.

5.3 Community based policing styles in the UK have done much to improve the relationship between young black youth and the police. Greater accountability and openness, the adoption of race equality schemes and the huge part played by the Black Police Association have ensured the mistakes of the past have not been repeated, but levels of offending still appear too high.

5.4 There are a range of innovative approaches being used in areas such as Hackney and South Manchester to deal with the problems of black gang violence. Some of these use lessons from the USA, many involve local faith groups and crucially the young people themselves. These are long-term initiatives which need long-term investment. Short-term crude performance targets can often act as a barrier to these type of approaches. There is an inevitable accusation that resources are being concentrated in "problem" areas but this has to be defended.

6. Recommendations

6.1 ACPO supports the review of S95 data but believes a more dynamic process is required to hold all criminal justice agencies to account for performance. In respect of stop and search the current focus on disproportionality related to residential population needs to be re-examined and greater emphasis given to the quality of the interaction.

6.2 Greater support for community based initiatives involving faith groups and black role models to combat gang culture:

— Increased educational and welfare support for young black people to the age of 21.
— Incentives for young people to find and remain in employment.
— Greater emphasis on prevention and rehabilitation initiatives as opposed to enforcement leading to increased criminalisation of young black people (highlighted by Professor Rob Morgan).
— Increased discretion for police officers to deal with individuals without necessarily sending them down the criminal justice route.

6.3 Continued use of targeted enforcement activity against gang violence and gun crime.

Peter Fahy
Chief Constable, Cheshire Constabulary
ACPO lead on Race and Diversity

February 2007

References and Contributions From:

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David M Engstrom—*The Economic Detriments of ethnic segregation in post-war Britain.*

DfEE Research brief No 186.

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CJS Race unit—*The experiences of young black men as Victims of Crime.*

5.   Memorandum submitted by Shaun Bailey

There are well documented reasons why young black men are overrepresented in the criminal justice system (CJS). They are as follows:

— Institutional racism.

— Public perception around black people and crime.

— The type of crime that young black men are generally involved in (street crime).

My take on the situation is based on three main points, (1) you: the establishment, (2) us: the black community/parents (3) outside influences: society/commercial exploitation.

You: the establishment—their failure to deal with the black community to challenge them as parents. One of the key determining factors of how well a child does is down to the educational level of the parents, both social and academic. You have made us dangerous and exotic due to multiculturalism, so they won't challenge the black community for fear of offending us.

Poor housing is a major issue. We generally live in poor areas physically and mentally. Our children spend more time out of the house due to lack of space in the house. (overcrowding) which leads to more unsupervised time in which the power of the peer group grows. No room to eat together, a very important family activity/no room to study affect educational attainment/no place or chance for the parents to relax leads to stressed parents. Poor housing is depressing and can be very bad for people's health, both physical and mental. These two things rob children of hope. Which leads to a "I don't care" attitude, this is why many young black children are not concerned with the repercussions of being involved with the law.

Poor schools—education is a key factor in the development of the black community. We need more black teachers; we need to do everything we can to raise the educational attainment of black boys in particular setting. Things such as after school activities would be hugely important. In addition, schools need to give a great moral and disciplinary output, to combat the overwhelming power of the peer group and outside influences, such as commercial exploitation and prevailing liberalism in our media around areas such as sexual conduct. Much of the media our children are exposed to is misogynistic, highly violent and acts as an advert for inappropriate behaviour by young people. You the establishment have done very little to challenge the commercial exploitation of our young people. In addition, young black people are always portrayed as singers or sport people and not as bankers, doctors, managing directors and other white collar roles. This robs us of any realistic ambitions. There need to be systems built that keep young black men and their parents engaged in the education system for longer with an emphasis on high academic achievement, not only vocational study.

We need a justice system that puts young people off crime early without criminalising them, as our current system does not act as a deterrent for children either black or white. The current system is toothless until you have been caught up in it for sometime, then it bites your head off. An example of this is how many times young people being monitored by youth offending teams breach their bail conditions. They feel they are getting away with it until they get a custodial sentence. They have no respect for the system until it's too late, this needs to be changed. Parents should also be held accountable for the actions of their children in a more direct way than they are now. We also need a national debate around what is an acceptable level of parenting, as there are great disparities from community to community and class to class. We need a minimum standard set in Britain, if necessary in law.

There is currently no financial incentive to marry. Single parents do better in the tax and benefit system. The help for married/two parent families should be increased because statistics show that children from married/two parent families do better in almost all areas. So we should encourage married families and not feel bad about supporting them financially.

Us: the way in which our children are socialised, currently means that peer pressure/peer group has become more powerful than any authority figure or their families (family structure has been weakened).

As a community we need to strengthen our family base, be inward looking to solve some of our own problems. We need to encourage our family groups to stay together; we need to encourage our young men to take responsibility for their children and their families. We should be steering our young people away from single parenthood and benefit dependency. We need to make achievement seem possible credible and desirable within our communities.

Outside influences—Liberalism in our media eg pornographic and misogynistic material confuse messages to parents and young people eg the reclassification of cannabis, abortions for girls as young as 14 years without their parents' knowledge, has normalised many aspects of teenage behaviour that lead to criminality. Certain sections of the British population are more vulnerable to these things, poorer communities and in particular black communities.

My young people call it "Ghetto Mentality", they'll tell you how they're "on road" and how they have to "go out there", because they need a lot of money. "On road" means that they're out in the world trying to get on—by any means necessary a world in which your normal rules don't apply, taking adult decisions and taking on adults, even through criminal activity. In short there's a fatalism that they will end up in crime,

pregnant or experience violence etc. Although that is a small proportion of our young people, it's growing, it's bigger than in the white community, and big enough to affect the behaviour of the black youngsters in general. Many black boys feel they have to be a "Bad Man" in order to survive.

Black people are looked upon as criminals and therefore it becomes a self fulfilling prophesy, this removes the hope from black children that they can progress through normal avenues. This is one of the ways the "Ghetto Mentality" This is where role models and greater educational attainment are of the utmost importance.

Commercial exploitation—our young people are mercilessly exploited on a commercial level (as are all children/young people) and this has created a want of material things. It's given them the mentality to have everything now, they are living in a fantasy world, where these false under-balanced messages take on an unreal importance. They have an ingrained world view that they are entitled to these things; no one has spoken to them about the hard work involved in getting these things. Much of the music they listen to tells them exactly this, reinforcing this message. It's also extremely violent and this plays into their narrow world view.

Music and magazines trivialise women and normalise risky sexual behaviour contributing directly to the youth pregnancy and sexual health issues as well as our teenage drinking epidemic. This is because young men get to set the sexual agenda for young women, all of these factors play into the ghetto mentality and the "Kidulthood" way of life, which steers our young people from our socially accepted norms and tunnels them into a crime riddled existence.

My final point is this. The black community needs to be congratulated on the progress we have made in the last 50 years; this will encourage our community to keep on with this difficult process.

All these issues and many more I haven't mentioned here, impact on the black community; they also impact on the poorer white communities just as hard. If these things are not addressed soon we have a social nightmare on our hands which could have been avoided.

Shaun Bailey
Youth Worker

August 2006

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6. Memorandum submitted by Barnardo's

EXECUTIVE SUMMARY

We will look here at the reasons for the "apparent" breakdown in the African Caribbean family and the implication this has, on the occurrence of young people in crime statistics. We will see that the picture is unclear, for there are many reasons, many of which overlap. The concept of "break up" and models of family form and functioning, differ from group to group, and is not a fixed or given variable and so what we may perceive as breakdown, may not be that at all. We will also look at adaptive nature of African Caribbean culture, as being in a fluid changing transitional state.

INTRODUCTION

1. This is a joint response from Barnardo's and the BabyFather Alliance who are pleased to have this opportunity to give evidence to the Home Affairs Committee. We have been working together exploring family and parenting issues with the African Caribbean community and feel we have some contribution and insights to offer.

2. Barnardo's works with more than 110,000 children, young people and families each year across the UK, providing over 380 services. The services are located in some of the most disadvantaged neighbourhoods, where child poverty and social exclusion are common features. Approximately 14% of the children and young people are from Black and Minority Ethnic (BME) communities, with 5% with a "Black or Black British" background.

3. The Babyfather Initiative, based at Barnardo's, has as its focus the welfare and support given to the Black child. Its philosophy is reflected in the proverb that "It takes a whole village to raise a child". We have, for the last three years toured the major urban conurbations of Leeds, Manchester, Liverpool, Birmingham, London, and Bristol, organising forums, workshops and other events to discuss with professionals, the African Caribbean community and African Caribbean men/fathers in particular, the role and impact of African Caribbean male parenting.

4. Given the nature and focus of our work, in this evidence we shall look at family breakdown in African Caribbean families, including the role of fathers and the incidence of African Caribbean young people in the criminal justice system, as perpetrators, suspects and victims. The comments made draw on the discussions we have had with fathers, families and professionals, Barnardo's practice experience and research which seems particularly relevant in this context.

MAIN POINTS

The Family Life of Fathers

5. Research, practice and fathers themselves are now highlighting that the concept of family breakdown needs to be examined more critically. This leads to a reassessment of roles, in particular the role of fathers. Much has been written about mothers, children and young people, and how to safeguard their interests and welfare. This focus has often been, objectively, at the expense of understanding and valuing the contribution of fathers beyond that of economic provider. The picture however is far from clear and often conflictual.

Family Breakdown, Fathers and Young People: What We Know

6. From the USA, the Morehouse (1999) study of African American families, we understand the lack of effective father involvement promotes in young people a condition they have called "father hunger". African Caribbean children unable to forge a father child closeness experience a trauma, leaving them vulnerable to peer pressure and external influences. Their research states, "There are boys and young men who without the protection and guidance of fathers struggle each day to figure out what it means to be a man, improvising for themselves expedient and too often violent and self destructive codes of manhood".

7. Critically this study implies, families and children who experience father hunger are more vulnerable to influences, action and behaviour resulting in anti-social behaviour, as perpetrators, suspects and victims.

8. If we consider the number of children being raised in lone parent households where the father is absent and disengaged from the children as an indicator of family breakdown, there are a high number of African Caribbean families experiencing family breakdown. Consequently, there are a significant number of African Caribbean children being raised in this manner, compared with other ethnic groups, (David Owen 2001), with a greater potential of experiencing father hunger.

Social Factors

9. It has been noted (Rebecca O'Neill 2001) that the context in which families exists can exert great pressure on families to such an extent the normative functions of the family become disabled. The result is increased levels of frustration and friction between its members. Within African Caribbean communities there is considerable evidence of multiple deprivation, and many African Caribbean families experience high levels of unemployment, low educational attainment, poor health and poor housing conditions. We note here also the existence of institutional racism confronts many African Caribbean people on a daily basis.

10. The cumulative affect of these pressures, (Raymond T Smith 2001; *Race and the Criminal Justice System 2005*), takes its toll on parents and their capacity to service and maintain family cohesion. Social disadvantage may test the ability of some African Caribbean couples to maintain the integrity of their family, literally to breaking point. The process can force African Caribbean families apart, weakening parental control that leads to children's estrangement from the family. Consequently we see a greater portion of African Caribbean youth at risk of involvement in anti-social behaviour.

11. Typically, the process of family break up puts the father outside the home, following which infrequent patterns of contact can develop that are compounded by unsuitable accommodation, as fathers attempt to re-establish themselves. We see a pattern here of fathers, who relying on family networks, often return to the cramped conditions of their family/mother's home or move in with their new partner. In these conditions African Caribbean fathers develop and maintain close bonds with their children and participate in the raising of their children. This results in guidance as an occasional activity and as "weekend discipline", it is ineffective and may be counterproductive to the father-child bond.

12. Using this model, as many more African Caribbean families can be found in the lower economic rungs of society, many more African Caribbean families are at risk of family break up. This process that places fathers outside the home, directly contributes to leaving many more African Caribbean children, as opposed to other ethnic groups, exposed to father hunger and subsequently at risk of offending, as young boys, especially, externalise their loss and lack of guidance, express their anger and confusion through anti-social behaviour and disengagement from mainstream society.

Father Confidence

13. Whether resident or non resident, engaged or disengaged from the family, we would draw attention, to the stereotype of the Black male's identity within wider society. This image had a negative impact on many African Caribbean fathers. It can lessen the aspiration, self belief and confidence of African Caribbean fathers to function effectively as parents. This can leave young people without positive role models of males including as fathers.

14. "Evidence shows people from BME groups continue to be disproportionately represented in the criminal justice system. For example Black people are just over six times more likely to be stopped and searched, three times more likely to be arrested, seven times more likely to be in prison than White people" yet "Black British people between the ages of 10–25 years are no more or less likely to commit crime than their White counter parts" *(Race and the Criminal Justice System 2005)*.

15. In light of such research and evidence, the fact that young African Caribbean people are overrepresented in crime statistics, suggests that some African Caribbean fathers, are not perhaps as effective in this role as they could, or are allowed to be, indicating African Caribbean fatherhood may be suffering a crisis or rather a collapse of confidence.

Traditional Methods of Control

16. In our discussions with members of the African Caribbean community, many of whom were born here in the UK, they explore their own experiences of childhood, including being raised by parents from the Caribbean, where guidance rested on authority with corporal discipline as a feature.

17. Today, the sons and daughters of "Windrush", reflecting on their childhood, now seek to guide their children using different means. To a greater or lesser degree this cultural revision is a work in progress. In some families there may be a gap: traditional African Caribbean methods of parental control are not acceptable but new methods are not yet always fully formulated and established. This incomplete process can increase the likelihood of family break up as children can become estranged from parents who do not always have effective methods of setting boundaries.

18. Fusing traditions from the Caribbean in a European context will take time and whilst this process continues, young people of African Caribbean descent will be vulnerable to the more destructive elements of youth culture as victims, perpetrators and suspects, and display anti-social behaviour.

Parents, Children and Crime

19. Fathers Direct have found 59% of boys with a convicted parent go on to be convicted themselves. We know that many of the young African Caribbean men in prison are already fathers and that their young children are at risk. In these cases we believe culturally specific parenting course for fathers, such as those that have been offered by the Babyfather Initiative to young men in prison and young offenders institutions, exploring the impact of their actions on their children and helping them develop positive relations with them, will contribute to breaking the cycle.

African Caribbean Young People as Victims of Crime

20. Whilst there is a focus on young African Caribbean people as suspects and perpetrators of crime, evidence suggests they are also the victims of crime. At Barnardos we feel it is important to remember this, and begin to develop services to support young vulnerable African Caribbean people.

21. Though the reasons for this are not yet fully clear, for instance as more crime tends to take place in the inner city where African Caribbean family are concentrated, young African Caribbean people will be the victim of crime (Stella Yarrow 2005). However as we have talked to fathers and parents, they have pointed specifically to the phenomena of Black on Black violence as a feature amongst young people, and explain it partly as a function of self hate and low self esteem, internalised from wider society.

Revealed: The Family Life of African Caribbean Fathers

22. In groundbreaking work from the UK, Beckford (2006), implies the concept of breakdown, as well as, the traditional euro-centric model of family form and functioning is misleading as viewed against the family types he has found in African Caribbean communities in the UK. We find it more helpful to recognise that African Caribbean family structure may be different in some families, but fathers can be engaged or disengaged with the lives of their children, both within and outside the nuclear family.

23. As we have found, from our discussions with African Caribbean fathers themselves, and can see from research evidence (Pine 2003), African Caribbean fathers do indeed contribute to child rearing, able to have significant impact in raising esteem and educational attainment. Tracey Reynolds (2001) also highlights this point noting, specific areas such as guidance, protection and security and economic provision in which African Caribbean fathers are traditionally influential. We believe that it is important to recognise these strengths and build on them in our work with fathers.

CONCLUSION

Summary

24. Social factors: social disadvantage, high unemployment, institutional racism and other factors greatly influence African Caribbean family's ability to cope. Thus whilst it is important we look critically at African Caribbean families, it is important we do not pathologise the Black family in the process.

25. Confidence: African Caribbean fathers are undermined by the wider negative social identity of the Black male.

26. Controls: Traditional methods of control are no longer viable in a European context.

27. Social policy: There is a critical lack of support given to fathers generally and what support is offered eg, advances in paternity leave has little impact on African Caribbean men/fathers who experience difficulty accessing the job market.

28. The concept of break up and the family must be questioned in light of research evidence as this relates to service delivery set against the different models of family

Social Policy

29. The expression from grass roots community groups and fathers for greater involvement has taken government, social policy makers and statutory services by surprise. The Babyfather Initiative has been contacted by such groups and individuals across the country asking for us to work with them.

30. Barnardos BabyFather Initiative has we believe, contributed to this movement by proactively developing culturally appropriate parenting courses, and engaging the African Caribbean community in and around these issues.

We Would Like to See

31. We would like to see efforts by the Government to develop and support culturally specific initiatives aimed at strengthening cohesion and the problem solving techniques in African Caribbean relationships, to strengthen the parenting role.

32. We would like to see a greater link between research such as that by Robert Beckford and J Pine and the development of social policy.

33. As we begin to understand the hidden role of absent but engaged fathers in families, we must begin to reassess service delivery. Specific measures need to be developed aimed at supporting African Caribbean fathers outside the home through, for example, outreach programs, training front line staff and management to understand the family life of African Caribbean fathers, and greater support of voluntary and community groups working with African Caribbean fathers.

34. The role of fathers must be made visible, for whilst in literature parents are mentioned such as in Children and Young People's Plans, Every Child Matters, National Service Framework for Children and Young People, more focus must be made to articulate and define the unique qualities African Caribbean fathers bring to parenting.

35. Secondary measures that support African Caribbean men in their role as fathers are needed, especially in housing. For example changes could be made to the way accommodation is allocated to take account of fathers shared care of their children in different households.

36. Efforts to increase the confidence of African Caribbean men/fathers and familes through celebration of positive role models to counter the negative stereotype of the African Caribbean male, achieved through, for example, the school curriculum, museum exhibits, community days.

September 2006

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7. Memorandum submitted by Ken Barnes, c-a-n-i Consultancy, and The 100 Black Men of London

1. INTRODUCTION

1.1 Ken Barnes has over 15 years experience in the field of mentoring & training and development. As the Principal Consultant of c-a-n-i, he works in a number of schools around London delivering life skills training to young people.

1.2 c-a-n-i in-school programmes focus on developing emotional intelligence. With an emphasis on facilitating learning, we create programmes, products and services that inspire and motivate children to learn, grow and develop.

1.3 Our programmes serve as an excellent compliment to the school curriculum providing the participants with an array of life skills that empower and assist them to navigate their way through life's challenges.

1.4 Ken Barnes is also the President and Founder of the charity The 100 Black Men of London, an organisation of professional men who volunteer their time and money to invest in, empower and educate the youth in their respective communities.

1.5 The organisation's core outputs are mentoring and education programmes aimed at boys and girls aged 10–16 years old.

2. SUMMARY

2.1 The overrepresentation that exists within the prison system can be attributed to a number of factors. This submission intends to focus on the issue of education or subsequent lack of effective education for African Caribbean students.

2.2 I aim to present causal link between education and crime and the propensity of those who are excluded from education to commit crime, as a major contributory factor in the overrepresentation within the prison population.

2.3 I will also state that a major catalyst for young Black boys being incarcerated through the court process is the negative perceptions and low expectation levels officials have of them.

2.4 These two factors (perception & expectations) also play a major part in the underachievement of African-Caribbean students and the failure of the education system to effectively address the issue.

2.5 I will conclude with a brief outline of the economic and social cost of crime to society, by the young people that have been excluded by the education system.

3. EDUCATION AND CRIME

3.1 "The issue of not enough African Caribbean students achieving their full potential within the education system is one that should concern us all whatever our ethnicity, as the negative effects of this underachievement do not discriminate against race or gender." Some of negative effects of this underachievement in education are low aspirations, no sense of purpose, low self esteem and the well documented casual link between education and crime.

3.2 The great rallying cry of New Labour on entering office in 1997 was that they would be "tough on crime and tough on the causes of crime". Lack of adequate provision of educational strategies to raise the achievement levels of African Caribbean pupils is a crime in itself. The government is placing a sticking-plaster over the gaping wound of underachievement with regards to African Caribbean students.

4. EDUCATIONAL MAINTENANCE ALLOWANCES

4.1 New research using a rarely used database points to a clear link between education and lower levels of youth offending. The study is based on the Offenders Index Data (OID), an administrative data source held in the Home Office, which dates back to 1963 and contains information on all individuals' court appearances and convictions for "standard list" offences (such as burglary) in England and Wales.

4.2 Researchers (directed by Dr Leon Feinstein at the Institute of Education, a co-investigator on the project) analyzed the piloted introduction of Educational Maintenance Allowances (EMA) in 1999 to estimate the causal effects of changes in staying on at school rates on youth crime. (The EMA offered youths from low income families a weekly financial payment for up to two years, provided they stayed on in full-time education after compulsory schooling ends at 16).

4.3 By combining OID and EMA data, researchers show that total crime, robbery and violent crime fell in areas where the EMA was introduced relative to those areas that did not participate in the education subsidy programme.

4.4 This research highlights the importance of intervention programmes for young people, and demonstrates the high levels of potential social benefit that may flow from programmes that encourage greater immediate and future investment in education.

5. Education and Crime Theory

5.1 Education is a potentially large influence on an individual's propensity to offend. There are a number of theoretical reasons why greater investment provision of education through preventative and remedial measures may have an effect on crime. Feinstein (2002) reports five potential channels where education can have an effect on individuals' criminal behaviour: income, parenting, pleasure, patience and risk aversion. Education also increases the cost associated with incarceration, since it increases the value of any time foregone (Lochner, 2004).

5.2 Economists have long hypothesized that education may reduce the probability that an individual will engage in activities that generate negative externalities. Crime is one such negative externality with enormous social costs. If education reduces crime, then schooling will have social benefits that are not taken into account by individuals. In this case, the social return to education may exceed the private return. Given the large social costs of crime, even small reductions in crime associated with education could be economically important.

6. Perception and Expectations

6.1 In your press notice for this enquiry it stated that you will be "focusing particularly on public perceptions of criminality among young black people". It then went on to state that, "It is common in the media and elsewhere for a connection to be made between young black people and criminal behaviour. However, the evidence for this connection is contested."

6.2 Even though you state that the evidence is contested, there is a prevailing perception in society that most African Caribbean students are likely to not only fail within the education system but also that they have a propensity to commit crime. This perception is engrained in the reality of many of the judges, officials and educators that come in contact with these boys.

6.3 I believe the question of perception which leads to differential expectations is fundamental to the success or failure of African Caribbean students within the school system. When an individual holds negative perceptions of African Caribbean students invariably leads to lower expectations from them.

6.4 An individual's ability to communicate low expectations has more power to limit a person's achievement than communicating high expectations has to raise their performance.

6.5 Most schools would claim to hold high expectations for all their students. In reality, however, what is professed is not always practised. Although some schools and teachers maintain evenly high expectations for all students, others have "great expectations" for particular sections of the student population but minimal expectations for others.

6.6 The expectations teachers have for their students and the assumptions they make about their potential have a tangible effect on student achievement. Research "clearly establishes that teacher expectations do play a significant role in determining how well and how much students learn" (Jerry Bamburg 1994).

6.7 Students tend to internalize the beliefs teachers have about their ability. Generally, they rise or fall to the level of expectation of their teachers . . . When teachers believe in students, students believe in themselves.

6.8 Conversely, when students are viewed as lacking in ability or motivation and are not expected to make significant progress, they tend to adopt this perception of themselves. Regrettably, too many African Caribbean students discover or perceive that their teachers consider them incapable of handling demanding work. Teachers' expectations for students whether high or low can become a (SFP) self-fulfilling prophecy. That is, students tend to give to teachers as much or as little as teachers expect of them.

6.9 What characteristics influence expectations? SFP research (Good, 1987) shows that teachers form expectations of and assign labels to people based upon such characteristics as body-build, gender, race, ethnicity, given name and/or surname, attractiveness, dialect, and socioeconomic level, among others. Once we label a person, it affects how we act and react toward that person. "With labels, we don't have to get to know the person. We can just assume what the person is like" (Oakes, 1996).

6.10 The self-fulfilling prophecy works two ways. Not only do teachers form expectations of students, but students form expectations of teachers using the same characteristics described above (Hunsberger & Cavanagh, 1988).

6.11 This perception of their teacher's expectations is reinforced to me on a regular basis in my interactions with many of the pupils I come in contact with. Too many of them believe that their teachers do not expect them to do well at school and according to the testimonies of many of the boys this message is often reinforced verbally to them.

6.12 My work within the schools system delivering life skills training often raises this question "why is it that many of the young men in my sessions that have been labelled disruptive, rude and disrespectful display an awareness, maturity and understanding that contradicts the original profile given of them"? These young men seem confident, articulate and ready to learn.

6.13 What creates the disparity between the young Black boy's attitude and behaviour in his lessons and my life skills mentoring sessions? I believe that ability is not the determining factor at play here; in my experience it has more to do with perception and expectation levels. From the moment I come in contact with my students I communicate high levels of expectations to my students, this I believe has had a positive effect on their attitude and overall mindset.

6.14 My empirical findings on perception and expectations concur with a recent study, conducted under the direction of the Mayor's London Development Agency and an advisory board led by MP Diane Abbott, the focus groups reached a wide degree of agreement: "The consensus was that low teacher expectations played a major part in the underachievement of African Caribbean pupils."

6.15 The issue of perception is one that not only affects a teacher's ability to teach a child but also a child's ability to learn from and be taught by a teacher.

6.16 In October 2005 a poll by c-a-n-i of over 400 children aged 12–16 illustrates how a child's perception of their teachers may have an affect on their learning. It showed that even though the overwhelming majority of children considered a role model to be "someone who they admired and respected, someone who impacts your life in a positive way" but they did not consider their teachers to be role models.

6.17 A child cannot learn effectively from someone whom they do not admire or even more importantly respect, as much as a teacher cannot teach effectively a child he/she does not respect.

6.18 Could teacher perceptions and expectations attribute to young Black boys being excluded more than their white counterparts. I believe the answer is an overwhelming "YES".

7. School Exclusions

7.1 Exclusion is at times the easiest option when you consider the drain on resources in terms of human and financial capital a child perceived as being disruptive and unable or unwilling to learn is on an already stretched school.

7.2 Figures from the Office of National Statistics show that in 2003–04 pupils from Black Caribbean, Other Black and Mixed White and Black Caribbean groups were among the most likely to be permanently excluded from schools in England.

7.3 The permanent exclusion rates for pupils from the Other Black, Black Caribbean and Mixed White and Black Caribbean groups were 42 pupils per 10,000, 41 per 10,000 and 37 per 10,000 respectively. These were up to three times the rate for White pupils (14 pupils per 10,000).

7.4 A MORI 2003 Youth Survey, Youth Justice Board conducted a survey of young people in mainstream school and excluded young people and found:

— 60% of excluded young people say they have committed an offence in the last 12 months.

— Common offences committed by excluded offenders are: more likely to hurt someone but not leading to them needing medical attention (62%) and carrying a knife (62%).

— Violent crime has risen among mainstream and excluded young offenders. These offences such as assaulting or threatening others, continue to be more prevalent among excluded young offenders.

7.5 A 2004 report entitled *Fear and Fashion: The use of knives and other weapons by young people* highlighted that:

— Excluded young people appear more likely to experience crime in the local area where they live and are more likely to carry weapons.

— 46% of excluded young people had admitted having carried a weapon compared to just 16% of those in school.

Young people who have been excluded have more of a propensity to commit crime and at times violent crime.

8. Economic and Social Costs of Crime

8.1 The cost of such crimes to society can be high, according to a 2005 Home Office report *The economic and social costs of crime against individuals and households 2003–04:*

— Vehicle theft of vehicles £4.7K per incident.

— Burglaries an average of £2.3K.

— Violence against the person around £19K per incident.

8.2 Overall the report estimates the cost of crime in England and Wales to be £60 billion. The youth court process takes four months on average, from arrest to sentence and the process costs are around £2,500 for each young person sentenced.

8.3 The average cost to house a youth offender is around £30,000 per year. When you take these costs into consideration which excludes the emotional and mental costs incurred by the victims of crime from an excluded young person it can be very costly to society indeed.

8.4 Calculating the social savings from the crime reduction associated with underachievement is crucial in the political motivation to make the correct investment of time, money and resources into the longstanding issue of the underachievement of African Caribbean students.

9. Perception—Perspective—Possibilities

9.1 I truly believe that if the issue of the perception and expectations within the education system is addressed, this action will have a positive ripple effect on the aspirations and academic achievements of African Caribbean students.

9.2 This in turn would potentially have an affect on the number of African Caribbean students entering the criminal justice system. This would be a positive outcome for all concerned, especially when you consider that in a 2004 report by The Racial Justice Gap "Race and the Prison Population Briefing Smart Justice" it states that, "Black and Minority Ethnic groups are overrepresented at all stages of the criminal justice system from stop and search to custody, yet self-report studies show that there is little difference in offending rates between ethnic groups". Could perception and expectations contribute to this overrepresentation?

9.3 I live by the philosophy of the three P's, "Perception, Perspective and Possibilities". As adults we tend to rarely challenge our perceptions of issues, we just take them as a given. This reluctance to see things in a different way from how we have always thought restricts our perspective on the issue, which in turn limits the potential opportunities that can be derived.

9.4 Let's challenge our perceptions, change our perspective and open up a world of new possibilities for African Caribbean students and many of the stakeholders in educational and judicial life.

10. Recommendations

10.1 To counter the many negative reports on why and how African Caribbean students fail in the school system, we recommend that research be carried out and published on the percentage of African Caribbean students that do succeed in school, like the Menelik Collymore, of Archbishop Tenison's School, in Kennington, South London, a three times gold winner of the UK Maths Challenge 2007.

10.11 What are the factors that allow these students to grow and develop to their full potential within the school system?

10.2 We recommend that all NQT's and existing teachers involved with BME students undergo training and development in the areas of communicating with BME groups and perceptions/expectations awareness training.

10.3 To encourage greater long-term investment in education. We recommend a specially designed Role Model Intervention Programme involving a range of successful Black adults.

10.31 The aim of this programme would be to expose and enlighten African Caribbean students starting from Key stage 2, right through to key stage 4 to the benefits and (ROI) return on investment formal education can bring.

August 2006

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8. Memorandum submitted by the Barrow Cadbury Trust

TRANSITION TO ADULTHOOD

1. SUMMARY

1.1 Barrow Cadbury Trust welcomes the inquiry because of the urgent need to address the overrepresentation of African Caribbean men and increasingly Pakistani and Bangladeshi men too, throughout the criminal justice system. Barrow Cadbury Trust believes that the disproportionate numbers are due to three main factors:

(a) Abuse of discretionary powers by the police.

(b) The cumulative disadvantage and its impact on the life chances of young black people.

(c) Failure to address the problems that young people face in their transition to adulthood.

1.2 Barrow Cadbury Trust bases its submission on three principal sources of evidence that include:

(a) *Lost in Transition,* the report from the Commission on Young Adults and the Criminal Justice System (Barrow Cadbury Commission.)

(b) Reports from and focus group meetings with numerous grassroots groups in the inner cities of Birmingham, Cardiff and London.

(c) Commissioned research and associated reports including *Righting the Wrongs of Racism,* the report of the Greenwich Race Equality Review Panel 10 years after the murder of Stephen Lawrence and University of York Report on Cost and Benefit Considerations.

1.3 Among the recommendations of the report from the Barrow Cadbury Commission are the following:

(a) Ensure that the police improve their relationship with young people, exercise greater responsibility in their use of Stops and Stops and Searches and build up trust with their local communities.

(b) Make more effective use of public funding by tackling the risk factors young people face—a focus on desistence would reduce churn in the criminal justice system.

(c) Put in place measures that would begin to unify the two separate justice systems (youth and adult), arbitrarily divided at the age of 18 years—in the meantime, establish T2A Teams (Transition to Adulthood Teams) to provide a more seamless service.

1.4 Further details about the scale of the problem and proposed solutions are set out in this submission.

2. BARROW CADBURY TRUST

2.1 Barrow Cadbury Trust is an independent grant-making foundation that promotes social justice. Established in 1940 by Barrow Cadbury (the eldest son of the industrialist Richard Cadbury), and his wife Geraldine Southall, the Trust prioritises funding for grassroots projects working with the most marginalised and disadvantaged people. Particular emphasis is placed on the needs of Black and Minority Ethnic (BME) communities.

2.2 Barrow Cadbury Trust supports pioneering, even risky, community projects that help provide practical solutions to local problems. Links have been built up with organisations that target 18–21 year olds who are either involved, or at risk of becoming involved in crime, anti-social behaviour or substance misuse. These voluntary sector operators are skilled at working with hard-to-reach young people, and provide them with support, from mentoring schemes to personalised vocational advice. Examples of some of the groups we support are listed at Annex A.

2.3 Barrow Cadbury Trust established its Commission on Young Adults and the Criminal Justice System to develop a new approach to dealing with young people who get into trouble. The full report of the Barrow Cadbury Commission, *Lost in Transition* which was launched by Baroness Scotland on 22 November 2005, is attached at Annex B.[19]

2.4 The key finding of the Commission was the arbitrary nature of the line drawn between youth justice and criminal justice. Truth is, most young people get into some sort of trouble before they enter their early twenties. 42% of first time offenders are young adults. Then, they naturally begin to grow out of it. Settling into a relationship, possibly with children, entering employment and perhaps even finding spiritual enlightenment changes their lives (this has been rather crudely put as finding a girlfriend, a job or god). Young people mature over a transitional phase during the years of 18 and 24.

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[19] Not Printed.

2.5 During this transitional phase, arguably, the more privileged young people tend to be protected against minor misdemeanours, first by their families, then by any higher education institutions they might enter. By contrast, those growing up in multiple deprivation are more reliant on statutory agencies for support and reaching the age of 18 can be like a cliff edge, when state responsibility is suddenly withdrawn. They can find that the leniency previously shown for difficult and challenging behaviour can turn a minor misdemeanour into a criminal record for the rest of their life. Rather than naturally growing out of crime, instead they find that opportunities narrow even further and they become consigned to the criminal justice system.

2.6 Barrow Cadbury commissioned research from the University of York to assess the cost-effectiveness of the current approach to criminal justice. Given that approximately 70% of prisoners go on to re-offend, the research indicates that prison is not the most effective form of treatment for young adults. Furthermore, with up to 49% of those convicted having been in care, the criminal justice system appears to be compensating for previous failures in social services.

3. Young Black People and the Criminal Justice System

3.1 Recently published Home Office statistics (from Home Office (2005), *Section 95: Statistics on Race and the Criminal Justice System,* 2004, London) show that black people are seven times more likely to be in prison than the white majority. Throughout the criminal justice system they are disproportionately targeted. Black people are six times more likely to be stopped and searched. Sentencing also discriminates against black people.

3.2 The Barrow Cadbury Commission indicates that the disproportionate number of young black people in the criminal justice system is due to three main factors that relate to policing, life chances and transition to adulthood. These points are set out below:

Policing as a Gateway into the Criminal Justice System

3.3 The role of policing as a gateway into the criminal justice system is an area that requires attention. At one evening debate with local youth in Birmingham, the community police turned up in full uniform and addressed themselves using their formal titles. Needless to say, this immediately drove away the more marginalised and disaffected sections of the public. While anecdotes must not be mistaken for evidence, there is continued cause for concern about the inability of the police to adapt to their local circumstances. This reflects a misuse, perhaps even abuse of their discretionary powers. Nowhere is this more evident than with the abundance of Stop and Search.

3.4 Focus groups held with young adults in the inner cities of Birmingham, Cardiff and London revealed deep seated resentment of the police:

> "They [the police] like to discriminate against people of colour".

> "I've been stopped in the street . . . and been told that there's been a couple of street crimes in the area and that you look like you fit the bill."

> "My friend got stopped on a road by two white officers just because he's a black boy. They said something about his car, he'd just bought the car, it was brand new and everything. And they were like, we're just checking because there's a car been stolen and there's a black boy driving the car."

3.5 Such perceptions are backed up by the statistics. For example, in the West Midlands (from Home Office (2005), *Section 95: Statistics on Race and the Criminal Justice System,* 2004, London.):

> While accounting for only 1.6% of the total black population, Black Caribbean people account for 14.3% of the total number of police stops and searched. 8 in every 1000 white people and 44 in every 1,000 Black people have been stopped and searched.

3.6 Increasingly, young Pakistanis and Bangladeshis are also being stopped and searched. For example, 27 in every 1,000 Asian people have been stopped and searched in England and Wales, compared to only 8 in every 1,000 white people who have been stopped and searched. Although there are likely to be different reasons for this discrimination than there is towards young Black men, many of the impacts are similar.

3.7 According to the report from the Race Equality Review in Greenwich *Righting the Wrongs of Racism* undertaken 10 years after the murder of Stephen Lawrence, the police feel justified in targeting black people but seem to remain oblivious to the mistrust this creates in the community. Black communities around Britain view Stop and Search as a form of harassment. It undermines confidence in the police, skews the crime figures and has a negative impact on young people themselves. Young adults feel that the frequency of Stop and Searches, and the way in which they are carried out, demonstrate that the police do not respect them. Young people talk about "fishing expeditions" by the police. There are examples of young people being stopped 37 times in a year.

3.8 Discretionary powers held by the police are essential in safeguarding communities, however, they must be exercised with greater responsibility. All communities must feel that they are being equally protected and not just policed.

Life Chances

3.9 The links between growing up in poverty and the routes into crime are clear. Poor living conditions and high unemployment increases the risk of delinquency. Only 60% of working age Black and minority ethnic population are in work compared to 75% of the working age population as a whole. Black Caribbean boys are particularly at risk of being excluded from school. Pakistani and Bangladeshi youth grow up facing three times as much poverty as the average child. Lack of opportunity, poor education and discrimination in the labour market are further compounded once a young person gains a criminal record.

3.10 With one in five prisoners receiving mental health care, particular attention should be paid to black and minority ethnic young adults, who are overrepresented in both the criminal justice system and in mental health care.

3.11 The Barrow Cadbury Commission highlights the risk factors that face young people. These include individual choice, family, peer and community support, schooling, economic pressures and drug and alcohol use. A particular problem for those leaving prison is finding accommodation that facilitates entry into gainful employment rather than continued engagement in criminality. Greater attention is needed in understanding the impact of these risk factors and developing protective factors to mitigate against them.

3.12 *Narrowing the Gap* (the Fabian Society report into Life Chances) talks about accumulating disadvantage. Within deprived communities such as Handsworth/Lozells in Birmingham, young people, many formerly involved in gangs, are themselves taking responsibility to overcome their cumulative disadvantage and improve their prospects. A gradual growth in small enterprises and self employment reveals a strong desire to identify alternative career paths.

Transition to Adulthood

3.13 Barrow Cadbury Trust believes that the extension of the support provided by the Youth Justice Board to young adults would reduce the overrepresentation of black young people.

3.14 Using age as the arbitrary division between youth and adult criminal justice systems is unwise and prevents sensible approaches for dealing with well-understood problems of young adult offenders. Other European systems allow for flexibility in sentencing for young adults in transition.

3.15 In the long term, a unified criminal justice system should be developed which removes the need for two separate systems and which enables interventions to be tailored to the maturity and needs of the individual. In the meantime, there is a need at least, for T2A (Transition to Adulthood) Teams. T2A Teams and the T2A Champion should give special attention to the needs and special circumstances of young black and minority ethnic adults. This should include ongoing scrutiny of programmes and policies to ensure they do not treat young black and minority ethnic adults with disproportionate severity and sustained efforts are made to develop culturally appropriate interventions for distinct groups of young adult offenders.

4. RECOMMENDATIONS

4.1 In relation to the police, the Barrow Cadbury Commission recommends the following actions:

(a) Independent Police Complaints Commission and Home Office Stop and Search Action Team should convene an advisory group of young adults in order to enter an ongoing dialogue about policing of young people, in particular, highlighting the disproportionate impact of policing on black and minority ethnic young adults.

(b) Police should develop local community forums for engaging with young adults to develop more community sensitive discretionary policing practices towards youth and to enable them to influence policing priorities and strategies. The forum should be used to share local "Section 95" statistics on race and the criminal justice system, and to publicise the complaints procedure. The forums should use community mediators.

4.2 The overrepresentation of African Caribbean young men and increasingly Pakistani and Bangladeshi young men in prisons signifies the need for an overhaul of a system that puts criminal justice before social justice. Greater investment is required in increasing desistence. Education and employment practices require improvement, mental health and drug/alcohol treatment should be more readily available outside the criminal justice system and access to housing is important for those leaving prison.

4.3 Fundamentally, the HASC are asked to consider the importance of T2A teams in unifying the two distinct and artificially separated justice systems. Youth justice and adult justice are hard to differentiate for those aged 18–24—any delineation is necessarily arbitrary. Young adults, irrespective of their ethnicity, should be treated according to the maturity of their circumstances and not on artificial age barriers. Young people should be able to rely on a seamless service according to their level of maturity rather than face a cliff edge on the day they happen to turn 18.

4.4 To tackle these issues, Barrow Cadbury Trust is independently pursuing solutions. Activities commissioned so far, include the following:

(a) Identifying local approaches that develop pioneering approaches. It is already clear that young black people want to move away from the guns and gangs culture that have come to dominate their communities. Solutions are surfacing from within the community.

(b) Partnership projects with the Prison Reform Trust and the Centre for Crime and Justice Studies on improving sentencing policy.

(c) Piloting T2A (Transition to Adulthood) Teams in Birmingham and in London.

(d) Promoting the partnership between employers and education providers in improving the prospects of those with criminal records.

4.6 Barrow Cadbury Trust is available to provide further information about any of the points raised here.

June 2006

Annex A

BARROW CADBURY FUNDED GROUPS

Barrow Cadbury has a great deal of experience in working with groups who work with young black and Muslim men in the criminal justice system. Examples of groups that we have worked with include the following:

Young Disciples

Young Disciples has been helping young people in Aston and Handsworth, the areas of Birmingham worst affected by gun crime. Unlike police programmes that focus on tackling the crime rates in the short-term, groups like Young Disciples develop relationships with their target group through an intensive outreach programme. After four years on the street increasing their understanding of the local context and building relationships with local gangs, they can work with even the most troubled young offenders. Once trust is built, they engage on a one-to-one basis, developing conflict resolution skills, helping individuals identify personal goals, and even, where necessary, putting them through anger management courses. They also run activities that will entice their users off the streets—from arts programmes to DJ-ing courses. Importantly, their services are customer-led, available out of office hours, open to all, and provide anonymous services to those with criminal records.

Learning Curve

The project is based in the south side of Birmingham and provides educational, welfare, training, information and advice and guidance to Black and minority ethnic youngsters. Some of its initiatives are tailored for 16–24 year olds engaged in gun crime. Others tackle anti-social behaviour, substance misuses and sexual health. Each programme is delivered using a variety of techniques including one to one support, detached outreach, and drama workshops. Specific initiatives such as "Stop and Search" are aimed at educating young people about their rights if the police stop them. The project measures its impact on the journey of the young person by setting individual goals at the beginning of the programme. A "SMART" analysis is applied to gauge their strengths, weaknesses and the risks they face. This is reviewed every three months to track the "distance travelled."

Aston Youth Forum

Aston Youth Forum is an organisation committed to improving local services and opportunities for personal development for young people in Aston in the West Midlands. Their membership is open to all young people, aged 11 to 25. Their Youth Inclusion programmes offer personal development and activities, with the aim of diverting young people away from boredom, anti-social behaviour, drugs and crime. They also run social activities, such as an after-school drop-in meeting place with internet access and learning opportunities, as well as sports groups and competitions. The Forum works through local networks and partnerships. For example, they have worked in conjunction with Motiv8 Youth, where they have set-up a capacity building programme, offering young people access to a "job shop", and accommodation and benefits advice. Significantly, the group work with the young people to help provide them with a voice in the community.

9.   Supplementary memorandum submitted by the Barrow Cadbury Trust

SUMMARY

This additional submission follows the inquiry's oral hearing of 16 January 2007 and covers five new pieces of evidence:

(1)   Information on the development of T2A pilots by the Barrow Cadbury Trust.

(2)   A review of private sector provision of employment services for young adults in the criminal justice system conducted by the Social Market Foundation for Barrow Cadbury Trust (not printed).

(3)   Additional evidence concerning the evaluation of the impact of projects arising from the Commission on Young Adults and the Criminal Justice System and a subsequent partnership with Revolving Doors Agency.

(4)   Further evidence about intelligent sentencing of young adults.

(5)   Information on the link between ethnicity and deprivation as a key risk factor in criminality.

1. BARROW CADBURY T2A PILOTS

1.1   During 2006 Barrow Cadbury have been developing three T2A pilots. We are currently drafting an implementation handbook and business case model for T2A in the West Midlands in partnership with the Office of Public Management while Nacro are developing a T2A bail support project on our behalf across the Youth Offending Team and Probation in Yorkshire and Humberside aimed at reducing numbers of young adults on remand. A third potential pilot may be implemented in Gateshead. Later in the year Barrow Cadbury will be issuing a call to projects to manage these and other potential pilots. The pilots will be fully evaluated.

2. EMPLOYMENT PROJECTS AS A SOLUTION TO REDUCING REOFFENDING AMONG YOUNG BLACK MEN

2.1   Having a stable and satisfying job is a key way of reducing involvement of young black men in offending. Barrow Cadbury Trust commissioned the Social Market Foundation to review a number of private sector schemes which aim to train or place young ex-offenders, or those trying to be ex-offenders in work, including schemes run by Transco, Toyota, Marks and Spencer, and United Utilities. Schemes fell into two categories: business-driven schemes and social responsibility-led schemes. The report identified features which make programmes successful, whether they are aimed at young adults firmly entrenched in offending and hence further away from the labour market, or aimed at those closest to job-readiness. Success features included: having a champion within the company; having a close partnership with Young Offender Institutions to identify suitable participants; and mentoring from other company employees to support participants. The short report is appended to this additional submission (not printed).

2.2   Barrow Cadbury Trust is currently working with Commissioner and former head of Corporate Social Responsibility at Marks and Spencer, Ed Williams, and Business in the Community (BiTC) to draft a best practice guide for employers considering setting up an employment scheme for young ex-offenders. The project has already established a "leadership group" of employers willing to champion the cause of employing young adult ex-offenders. The project will launch the best practice guide later in the year.

3. EVALUATING IMPACT

3.1   Prior to the oral hearing, the Committee asked Barrow Cadbury Trust to reflect on how to evaluate impact of projects on the ground. The report of the Commission on Young Adults and the Criminal Justice System identified that while the range of social, economic and environmental factors which underpin or lead to offending or desistance is well known, the success or otherwise of the component parts of the criminal justice system, including projects aimed at reducing reoffending is at present measured almost solely by reconviction rates. Yet reconviction rates are as much a measure of the performance of the criminal justice system as reoffending and is rarely suitable as the sole outcome measure particularly for small voluntary and community sector projects. Small numbers progress through these programmes rendering meaningful statistical analysis of reconviction rates obsolete. To continue to measure impact solely on reconviction rates risks giving the impression that nothing works while ignoring potential positive social outcomes.

3.2   Distance travelled methodologies for measuring impact which look at an individual's starting point have been accepted or even promoted by departments other than the Home Office. This is not a case of choosing "soft" versus "hard" outcomes, but instead means having an evaluation methodology which is realistic and sensitive enough to measure all outcomes.

3.3 Barrow Cadbury has been working with Revolving Doors Agency (RDA) to develop measurements of social outcomes for young people who progress through their programme which is also pertinent as an example of good practice for other programmes. RDA are currently piloting these measures and we will look to launch in the coming months.

4. Intelligent Sentencing

4.1 Among the recommendations of the Lost in Transition report was for more intelligent sentencing that takes into account the age and maturity of young adults. Given the current crisis in prison overcrowding this is a particularly salient issue. Ensuring that only those who need to go into custody do so is key to ensuring that resources in the criminal justice system are appropriately focused on those who have committed serious and or persistent offences. Currently the young offender estate contains a large proportion of 18–20 year olds who are on remand or who have committed relatively minor offences who may not need to be in custody.

4.2 England and Wales, along with Estonia and Latvia are the only countries in Europe which have no special rules regarding the sentencing of young adults (other than the sentence of detention to a young offender institute). In September 2003 the Council of Europe passed the Recommendation No. (2003) 20 on "new ways of dealing with juvenile delinquency and the role of the juvenile justice system". This stated that; "Reflecting the extended transitions to adulthood, it should be possible for young adults under the age of 21 to be treated in a way comparable to juveniles and to be subject to the same interventions, when the judge is of the opinion that they are not as mature and responsible for their actions as full adults."

4.3 Barrow Cadbury Trust will be working with the International Centre for Prison Studies and the Prison Reform Trust to assess good sentencing practice from relevant European countries and impact on offending. The report will be available in the coming months.

5. The Link Between Ethnicity and Deprivation as a Key Risk Factor in Offending

5.1 Young African Caribbean men are not genetically predisposed to commit more crime than young white men. A recent report commissioned by Barrow Cadbury Trust from the Centre for Migration, Policy and Society at Oxford University[19] examined the relationship between poverty and the ethnic background of the population living in Birmingham wards and highlighted the potential reasons for high levels of crime among black African Caribbean young men. A strong correlation between poverty and concentration of ethnic minorities is found in Birmingham wards. While the white population as well as the most successful minority groups moved from the inner city to relatively less deprived areas, disadvantaged communities remain "trapped" in the least desirable neighbourhoods. The most deprived wards containing a concentration of ethnic minorities also contain sub-areas where crime is a substantive problem. These are the same areas where the report finds that access to legitimate employment for young black men is most problematic and statistical levels of unemployment among young men the highest. Poverty by itself does not create crime but it certainly creates the conditions in which young black men grow up with few perceived legitimate alternatives.

5.2 Given that most crime committed by young people takes place at the level of the neighbourhood, and given the high level of concentration of ethnic minorities in Birmingham wards, it is not surprising that most crime committed by young black men is committed against other black people.

February 2006

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10.   Memorandum submitted by Ben Bowling[20], Specialist Adviser to the Committee, and Coretta Phillips[21]

Summary

Public perceptions of ethnicity and crime are shaped by many factors and are subject to distortion and stereotype. Research and statistics show that the overwhelming majority of offenders in England and Wales are white. Nonetheless, police statistics and victim surveys show that black people commit a disproportionate share of relatively rare crime (eg robbery and homicide). Research on victimisation, offending and socio-economic data suggests that this is a result of entrenched disadvantage and social

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[19] *Mapping of Race and Poverty in Birmingham* by Alessio Cangiano, ESRC Centre on Migration, Policy and Society, Oxford University.
[20] School of Law, King's College, London.
[21] Department of Social Policy, London School of Economics. This paper draws extensively on Phillips, C and Bowling, B (forthcoming) "Ethnicities, racism, crime and criminal justice" in M. Maguire, *et al* (eds.) *The Oxford Handbook of Criminology* Oxford: OUP (4th ed). (see also 3rd ed 2002).

exclusion. Discrimination in the criminal process has, over time, compounded this to yield much higher rates of criminalisation within black communities. The long-term result is a growing adult black prison population. The paper concludes with recommendations for action.

THE TERMS OF REFERENCE

1. The Committee's terms of reference cover: (i) public perceptions of criminality among young black people;[22] (ii) patterns of criminal behaviour amongst young people from different ethnic groups; and (iii) the causes of young black people's overrepresentation in the criminal justice system. Much of the information required to explain these three areas is unavailable and there is little research specifically on young black people's experiences of crime and the criminal justice system.

2. While black people are overrepresented as suspects, defendants and prisoners in the English criminal justice system, the overwhelming majority of defendants are from other ethnic backgrounds (85% of arrestees are white). The Committee's focus may mask the fact that many problems are common to all ethnic groups. Census groupings may mean little to the young people that they categorise.[23] The inquiry should be sensitive to the complexity of youth identities based on geography, religion and culture as well as skin colour. The committee's focus also risks missing the experiences of those whose background is not easily defined "black". For example, the "mixed" group has been identified as one that faces significant problems in the criminal process.[24]

3. The Committee's deliberation should also consider the context of the lives of young people. Social inequalities among Britain's minority ethnic groups are rooted in a history of discrimination and have been sustained over time.[25] Black communities are concentrated in urban neighbourhoods where social exclusion is greatest. This can be seen in education,[26] employment and income inequality,[27] housing,[28] social services and access to cultural resources.

4. Young black people suffer a comparatively greater risk of criminal victimisation[29] and yet are among the least likely to report their experiences of the police, to access the justice system or victim support.[30] This has wide-ranging implications for providing a safe environment for black young people.

PUBLIC PERCEPTIONS OF CRIMINALITY AMONG BLACK PEOPLE

5. Perceptions of black people as criminally inclined can be traced back to Elizabethan times. Shakespeare's Othello is replete with examples of the view that the "black-skinned should be black hearted",[31] a perception which may have contributed to Elizabeth I expelling black people from Britain in 1596 and again in 1601.[32] The idea of black people as inherently evil, bestial, inferior, unintelligent, ruled by desire and prone to violence has persisted ever since.[33]

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[22] Defined by the Home Affairs Committee as young people whose "cultural background is associated with the ONS Census ethnicity category 'Black or Black British', which comprises 'Caribbean', 'African' and "Any other black background".

[23] Sharp D (2005) *& Protect? Black young people's experiences of policing in the community,* in Wilson, D and Rees, G (eds) (2006) *Justice: a study of young people's experiences of the youth justice system.* n: The Children's Society; Ofutu, J (2006) "Acting strangely": young black people and the youth justice system, in Wilson and Rees, *op cit,* p39.

[24] See paras 27–36 below.

[25] Fryer, P (1985) *Staying Power: The History of Black People in Britain.* London: Pluto, p10–12; Bowling, B (1999) *Violent Racism.* Oxford: Oxford University Press, pp27–57; Bowling, B & Phillips, C (2002) *Racism, crime & justice.* London: Longman, pp1–12, 36–51.

[26] Black pupils on average attain lower grades and are more likely to be permanently excluded http://www.dfes.gov.uk/trends/. Secondary school attainment levels show some ethnic groups doing significantly better than others There is a high-attaining cluster (pupils of Chinese, Indian and Irish origin), a mid-range cluster (White British, Mixed Race, Bangladeshi, Irish Travellers, Pakistani and Black African) and the lowest attaining cluster of pupils of Black Caribbean and Gypsy/Roma origin: Department for Education and Skills (2005), *Ethnicity and Education: The Evidence on Minority Ethnic Pupils. Research Topic Paper Rtpo1–05,* London: Department for Education and Skills. See also Sewell, T (1997) *Black masculinities and schooling: how black boys survive modern schooling.* London; Trentham Books.

[27] Studies of labour markets indicate higher levels of unemployment, and lower earnings for minority ethnic individuals Phillips, C (2005), "Ethnic Inequalities under New Labour: Progress or Entrenchment?" in J Hills and K Stewart (eds), *A More Equal Society? New Labour, Poverty, Inequality and Exclusion,* Bristol: Policy Press.

[28] Housing conditions are poorest for those of Pakistani and Bangladeshi origin, followed by black people of Caribbean and African origins, although communities of Indian origin have formed in suburban areas. See Lakey, J (1997), "Neighbourhoods and Housing" in T Modood, R Berthoud, J Lakey, J Nazroo, P Smith, S Virdee and S Beishon (eds), *Ethnic Minorities in Britain: Diversity and Disadvantage,* London: Policy Studies Institute.

[29] Salisbury, H and Upson, A (2004), *Ethnicity, Victimisation and Worry About Crime: Findings from the 2001–02 and 2002–03 British Crime Surveys.* Findings 237, London: Home Office.

[30] Yarrow, S (2005), *The experiences of young black men as victims of crime.* London: Home Office Criminal Justice System Race Unit and Victims & Confidence Unit.

[31] Zarate, O (2005) Introduction, *Othello.* London: Can of Worms Press. Alexander, C M S and Wells, S (2000) (eds) *Shakespeare and Race,* Cambridge: Cambridge University Press.

[32] Fryer, P (1985) *Staying Power: The History of Black People in Britain.* London: Pluto, p10–12.

[33] Fryer, *op cit,* Gilroy, P (1987) "The Myth of Black Criminality" in P Scraton (ed), *Law, Order and the Authoritarian State.* Milton Keynes: Open University Press.; Bowling, B & Phillips, C (2002) *Racism, crime & justice.* London: Longman, pp77–83.

6. In the 1950s, long before most British people had any contact with black people, surveys of public attitudes demonstrated widespread perceptions of black people as inherently inferior to Europeans and inclined towards crime and deviance.[34] Commentators have noted that this fits a historic pattern of the "criminal classes", the Irish, and then black people as a criminalised "other".[35]

7. The 1995 British Social Attitudes Survey found that 25% of the English population thought "immigrants" increased crime rates[36] rising to 39% in 2003.[37] Researchers attributed this rise partly to an increase in migration but also to media coverage and government statements on immigration issues that were "negative in tone and content".[38] Perception of a link between immigration and crime compounds xenophobic attitudes,[39] which in turn may affect the perception of settled ethnic minorities, regardless of their nationality.

8. Perceptions of black people as predisposed to crime are well documented in criminal justice professions including the police[40] and prison[41] services. Research based on interviews with youth justice practitioners found that perceived differences in offending patterns among young people were based partly on arrest patterns but also on stereotyped assumptions.[42]

PATTERNS OF CRIME

9. The first official attempt to assess the extent of ethnic differences in patterns of crime was the 1972 House of Commons Home Affairs Committee which concluded that

> "coloured immigrants are no more involved in crime than others; nor are they generally more concerned in violence, prostitution and drugs. The West Indian crime rate is much the same as that of the indigenous population. The Asian crime rate is very much lower".[43]

10. Today, 85% of the people arrested in England and Wales are white, 9% are black and 5% are Asian, although this differs by offence type. For example, 6% of people arrested for burglary are black, compared with 28% of people arrested for robbery.[44] Home Office research on robbery and mobile phone theft suggests arrest figures are fairly consistent with victims' descriptions of offenders.[45] There is marked geographical variation;[46] the majority of robbery suspects were black in six out of nine police areas, the exceptions being Stockport, Preston and Blackpool where 99% of the suspected offenders were white.[47]

Self-Report and Victims' Descriptions

11. Self-report surveys—based on what young people will admit to survey interviewers—have found consistently that black and white youth have, in general, an equal likelihood of being involved in crime with Asian youth being much less likely.[48] Surveys of secondary schools in deprived areas found the highest rates of offending among the "mixed" group (61%), with white (55%) and black (50%) pupils having similar rates and those of Asian origin significantly lower (33%).[49]

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[34] Richmond, A H (1955) *The Colour Problem: A Study of Racial Relations.* Harmondsworth: Penguin; Glass, R and Pollins, H (1960) *Newcomers: The West Indians in London,* cited by Fryer, *op cit.*

[35] Pearson, G (1983), *Hooligan: a history of respectable fears,* London: Macmillan.

[36] Dowds, L and Young, K (1996) "National Identity" in Jowell, R *et al* (eds) *British Social Attitudes: the 15th Report.* Aldershot: Ashgate.

[37] McLaren, L and Johnson, M (2004) "Understanding the rising tide of anti-immigrant sentiment" in Park et al, *British social attitudes survey: the 21st report.* London: Sage.

[38] *Ibid.*

[39] Dowds and Young (1996), *op cit.*

[40] Holdaway, S (1983) *Inside the British Police.* Oxford: Blackwell; Graef, R (1989) *Talking Blues: The Police in Their Own Words.* London: Collins Harvill; Reiner, R. (2000) *The Politics of the Police.* Oxford: OUP.; Reiner, R (1991) *Chief Constables.* Oxford: OUP, p205–7.

[41] Genders, E and Player, E (1989), *Race Relations in Prison,* Oxford: Clarendon Press.

[42] Feilzer, M, Hood, R (2004) *Differences or discrimination? Minority Ethnic Young People in the Youth Justice System.* London: Youth Justice Board.

[43] House of Commons (1972) "*Select Committee on Race Relations and Immigration Session 1971–72*" *Police/Immigrant Relations,* 1, 147. London: House of Commons.

[44] Home Office (2005), *op cit.*

[45] Smith, J (2003) *The Nature of Personal Robbery.* Home Office Research Study 254. London: Home Office; Harrington, V and Mayhew, P (2001) *Mobile Phone Theft.* Home Office Research Study 235. London: Home Office.

[46] Harrington and Mayhew found that among people suspected of mobile phone theft in the London borough of Westminster two thirds of were black as were more than half in Birmingham, compared with only in one in ten Stockport. Harrington and Mayhew (2001), *op cit.*

[47] Smith (2003), *op cit.*

[48] Graham, J and Bowling, B (1995), *Young People and Crime,* Home Office Research Study No 145, London: Home Office; Flood-Page, C, Campbell, S, Harrington, V, and Miller, J (2000), *Youth crime: findings from the 1998–99 Youth Lifestyle Survey,* Home Office Research Study No 209, London: Home Office; Sharp, C and Budd, T (2005) *Minority ethnic groups and crime: the findings from the Offending, Crime and Justice Survey 2003.* Home Office Online Report 33/05.

[49] Armstrong, D, Hine, J, Hacking, S, Armaos, R, Jones, R, Klessinger, N, France, A (2005) *Children, risk and crime: the On Track Youth Lifestyles Surveys* Home Office Research Study 278. London: Home Office, p19.

12. The British Crime Survey found that four out of 10 victims could describe the person they knew or believed to be the offender. Where the victim could judge their ethnic origin, 85% described the offenders as white while 15% said that the offender was from a visible minority ethnic group.[50] This pattern varies for different offences; 3% of victims of burglary thought that the offender was black compared with 31% of victims of "mugging".[51]

Homicide and Gun Crime

13. Black people are five times more likely to be murdered than their white counterparts in England and Wales.[52] Where a suspect was identified, the majority of homicides were intra-ethnic; ie the victim was killed by someone from the same ethnic group.[53]

14. Black murder victims are much more likely to have been shot (31%) than white (6%) or Asian (12%) victims.[54] The black community makes up 2% of the population but one third of gun murder victims and suspects in England and Wales.[55] Gun homicide remains relatively rare: over the past decade an average of 25 black people have been victims of gun murder each year (cf 40 white persons and 7 Asians).[56] There is very limited research[57] and journalistic accounts of gun crime within black communities.[58]

Patterns of Crime: Key Points

15. Self-report surveys—broadly accepted as a valid and accurate measure of criminal involvement within the general population—indicate that black and white people have an equal likelihood of being involved in crime.

16. The overwhelming majority of offenders are white (85% of arrestees), but police data, victimisation surveys and witness descriptions indicate that black people are, in proportion to their population, substantially more likely to commit some specific but rare criminal offences.

17. More than one quarter of the people arrested for robbery in England and Wales are black, a figure consistent with victims' descriptions of offenders.

18. Police records indicate that in about one in three gun murders, both victims and suspects are black.[59]

Explaining the Patterns

19. There is little research on which to base a definitive explanation for patterns of crime specifically within the UK black population. There are significant gaps (such as evidence on violence against women in the home)[60] and few comparative studies. Attempts to explain crime within black communities tend to be speculative and based on US theories.[61]

20. The most commonly offered explanation focuses on social and economic inequality and poverty.[62] The social geography of robbery[63] and homicide[64] show these crimes are concentrated in poor communities. Fitzgerald et al found that the young people at greatest risk of involvement in "street crime" were young people living in a household with no adult earners in neighbourhoods where income inequality was greatest.[65]

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[50] Clancy, A, Hough, M, Aust, R, and Kershaw, C (2001), *Crime, Policing and Justice: the Experience of Ethnic Minorities: Findings from the 2000 British Crime Survey,* Home Office Research Study 223, London: Home Office.

[51] *ibid.*

[52] Home Office (2005a), *op cit.*

[53] 92% of white victims, 56% of black victims and 66% of victims of Asian origin. Home Office (2005a), *op cit.*

[54] Home Office (2005a).

[55] Home Office (2005a).

[56] Home Office (2005a: 22).

[57] Bullock, K and Tilley, N (2002) *Shootings, Gangs and Violent Incidents in Manchester: developing a crime reduction strategy.* Crime Reduction Research Series Paper 13. London: Home Office.

[58] McLagan, G (2005) *Guns and Gangs: Inside Black Gun Crime.* London: Allison & Busby; Thompson, T (2004) *Gangs.* London: Hodder & Stroughton.

[59] Home Office (2005a), *op cit.*

[60] Mama, A (1996) *The Hidden Struggle: Statutory & Voluntary Sector Responses to Violence Against Women in the Home.* London: Whiting & Birch.

[61] Although British criminological research has frequently drawn on US theories, the extent to which these can be applied to the British context has not been examined fully.

[62] Bowling & Phillips (2002), *op cit,* 246–8.

[63] FitzGerald, M, Stockdale, D and Hale, C (2003) *Young People and Street Crime.* London: Youth Justice Board. Halsworth, S (2005) *Street Crime.* Collumpton, Devon: Willan.

[64] Dorling, D (2005) "Prime Suspect: Murder in Britain". In *Criminal Obsessions: Why harm matters more than Crime.* London: Crime & Society Foundation.

[65] FitzGerald *et al* (2003), *op cit.*

21. Other dimensions of social exclusion may play a role such as school disaffection, truancy, exclusion, academic failure, survival stress arising from a lack of marketable skills, alcohol and drug abuse, lack of positive role models, family conflict and breakdown, child abuse, experiences of local authority care, homelessness, mental health problems, bereavement and exposure to violence.[66]

22. Research suggests that consumer culture, stimulated by fierce marketing, creates an intense desire for "name brand" consumer goods which leads, in turn, to offending where legitimate routes to obtaining ready cash needed to purchase the objects of desire (and trappings of success) are blocked.[67] The pursuit of excitement[68], status and power are additional attractions of crime.

23. Within socially excluded communities, the criminal economy—especially in illegal drugs—competes with legitimate labour markets.[69] In this context, "systemic violence" including robbery of drug dealers, internecine violence and the use of firearms can become prevalent.[70]

24. The links between social structure, culture, values and behaviour have been explored by researchers in the USA.[71] It is contended that relative deprivation, political powerlessness and the inability to overcome structural constraints to success, cause alienation, rage, frustration, lack of hope and pervasive nihilism.[72] Others contend that masculine cultural adaptations to social exclusion emphasize the display of toughness to protect against disrespect, loss of reputation or violations of autonomy.[73] An informal "code of the street"[74] requires young men to adopt a "cool pose"[75] or a reputation for "badness"[76] in order to survive. In the most extreme circumstances, young people begin to see life as meaningless and themselves as the "living dead".[77]

25. Socio-legal theorists contend that conformity stems from bonds between individual and society underpinned by "procedural justice" and a belief in the legitimacy of the state.[78] From this perspective, the experience of unfairness in policing and the administration of justice contribute to disaffection, the rejection of conventional values and to law breaking.[79]

26. Where disaffection is extreme and confidence in the criminal justice system collapses, young people feel vulnerable to victimisation[80] leading some to carry weapons for personal security. In this context, violence becomes accepted as a means of self-defence and retributive "street justice". This results in reprisals and an escalation of violence.[81]

CRIMINAL JUSTICE PROCESSES AND OUTCOMES

Policing

27. The history of the relationship between police and black communities has been one of "mistrust, resentment and suspicion".[82] The themes of mass stop and search, excessive surveillance, unjustified armed raids, police violence, deaths in custody and a failure to respond effectively to racist violence recur throughout the 1970s and 1980s.[83] The collective experience of the black community is of being "over-policed and under-protected".[84]

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[66] A review of this extensive literature is beyond the scope of this submission.

[67] West, C (1991) *Race Matters.* New York: Vintage Books, pp17–31; Young, J (1999), *The Exclusive Society: Social Exclusion in Crime and Difference in Late Modernity,* London: Sage; Webster, C (2001) "Representing Race and Crime", *Criminal Justice Matters,* No 43, Spring, 16–17. FitzGerald, M, Stockdale, J E and Hale, C (2003), *Young People & Street Crime: Research into Young People's Involvement in Street Crime,* London: Youth Justice Board; Hallsworth, S (2005) *Street Crime.* Collumption, Devon: Willan: 122–41 Gilroy, P (2003), "A New Crime, but the Same Old Culprits, *The Guardian,* Wednesday 8 January 2003.

[68] Wright, R, Brookman, F and Bennett, T (2006) "The foreground dynamics of street robbery in Britain", *British Journal of Criminology,* 46, 1–15.

[69] Ruggiero, V (2000). *Crime and Markets,* Oxford: Oxford University Press.

[70] Bowling, B (1999), "Rise and Fall of New York Murder" *British Jnl of Criminology,* 39, 4, 531–53.

[71] Again, it should be emphasised that the application of theories developed elsewhere may not apply to the British context. They have also been the subject of intense criticism in the USA (eg Wacquant, L (2002), "Scrutinizing the Street: Poverty, Morality, and the Pitfalls of Urban Ethnography", *American Journal of Sociology,* Vol 107, No 6: 1468–1532.

[72] West, C (1991) *op cit;* Anderson, E (1999) *Code of the Street.* New York: W. W. Norton & Co.

[73] Oliver, W (1994) *The Violent Social World of Black Men.* San Francisco: Jossey-Bass.

[74] Anderson (1999) *op cit.*

[75] Majors, R and Mancini Billison, J (1992) *Cool Pose: the Dilemmas of Black Manhood in America.* London: Pocket Books.

[76] Bourgois, P (2002) *In Search of Respect: Selling Crack in El Barrio.* Cambridge: Cambridge University Press. Gray, O (2004) "Badness Honour" in Harriott, T (ed) *Understanding Crime in Jamaica.* Kingston: UWI Press.

[77] Gunst, Laurie (1995), *Born fi' Dead: A Journey Through the Jamaican Posse Underworld.* New York: Henry Holt and Co.

[78] Tyler, T (1990), *Why People Obey the Law,* London: Yale University Press.

[79] *Ibid.*

[80] Fitzgerald *et al* (2003), *op cit.*

[81] Wright *et al* (2006), *op cit.*

[82] Whitfield, J (2004), *Unhappy Dialogue: The Metropolitan Police and black Londoners in post-war Britain.* Collumption, Devon: Willan.

[83] Institute of Race Relations (1987) *Policing Against Black People.* London: IRR; Bowling & Phillips (2002), *Racism, Crime and Justice,* London: Longman.

[84] Reiner, R (2000) *The Politics of the Police.* Oxford: OUP;. Macpherson, W (1999), *The Stephen Lawrence Inquiry,* Report of an Inquiry by Sir William Macpherson of Cluny, advised by Tom Cook, The Right Reverend Dr John Sentamu and Dr Richard Stone, Cm 4262 1, London: The Stationery Office.

28. Of the people searched by the police in the year ending April 2004, 15% were black, 7% Asian and 1% of "other" ethnic origin.[85] Relative to the population as a whole, black people were six times as likely and Asians twice as likely to be stopped and searched in comparison with white people. Black people are more likely to be repeatedly[86] and intrusively searched.[87]

29. Stereotyping plays a role in stop and search targeting. Police officers associate black people with crime and sometimes act on unjustified assumptions rather than reasonable suspicion.[88] Direct racism is compounded by operations targeting the places and times when black youths are "available"; bringing them more frequently into contact with the criminal justice system.[89] Black people are twice as likely as white to enter the criminal justice system following stop and search.[90]

30. Once in police custody,[91] black suspects are more likely to opt for legal advice, to exercise their right to remain silent, and to deny the offence for which they have been arrested.[92] Such decisions can function to their disadvantage. Reprimands and final warnings (for example) can only be given if a suspect admits the offence. This partly explains the lower rates of cautioning among black arrestees.[93]

Prosecution and Sentencing

31. Black defendants are particularly likely to have their cases terminated by the Crown Prosecution Service due to weak evidence or because it is against the public interest to proceed.[94] This suggests that incorrect decisions were made by police officers to charge more frequently in cases involving black offenders in comparison with cases than white offenders.[95]

32. Allowing for geographical variation, young black people are overrepresented and young Asian people underrepresented in the caseloads of Young Offender Teams (YOTs).[96] Some differences in sentencing outcomes between ethnic groups cannot be explained by legal or social factors and are indicative of discrimination.[97] Black offenders are disadvantaged at the pre-sentence stages of the criminal justice process.[98]

33. Interviews with YOT staff reveal a perception that young people from ethnic minorities are not treated fairly in the youth court resulting in longer sentences for black and Asian youth.[99] In order to deliver equal justice, staff argued that young people should be treated appropriately on the basis of need rather than a "colour-blind" approach or assumptions based on stereotypes.[100]

Imprisonment, Probation and Aftercare

34. In September 2005, 19,279 people from minority ethnic groups were in custody in Prison Service establishments, in excess of one quarter of the total prison population. Black people accounted for 15% of the male and 19% of the female prison population.[101] Among 8,546 young offenders held in prison service custody in 2003, 16% were black, 3.5% Asian and 4.3% from "other" ethnic groups. There is a strikingly high incarceration rate for black Caribbeans of 1,704 and black Africans at 1,274 per 100,000.

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[85] Home Office (2005a), *op cit.*

[86] Clancy, A, Hough, M, Aust, R and Kershaw, C, AUST, R, (2001), *Crime, Policing and Justice: the Experience of Ethnic Minorities: Findings from the 2000 British Crime Survey,* Home Office Research Study 223, London: Home Office, pp59–61.

[87] Skogan (1990), The Police and the Public in England and Wales: A British Crime Survey Report, Home Office Research Study No 117, London: HMSO. Newburn, T and Hayman, S (2001), *Policing, Surveillance and Social Control: CCTV and Police Monitoring of Suspects,* Cullompton: Willan.

[88] Bowling and Phillips (2002) *op cit:* 138–48; FitzGerald and Sibbitt (1997) *op cit,* p66; Quinton, P, Bland, N, and Miller, J (2000), *Police Stops, Decision Making and Practice,* Police Research Series Paper No 130, London: Home Office.

[89] FitzGerald and Sibbitt (1997), *op cit;* MVA and Miller, J (2000), *Profiling Populations Available for Stops and Searches,* Police Research Series Paper No 131, London: Home Office; Waddington, T, Stenson, K and Don, D (2004) "In Proportion: Race and Police Stop and Search". *British Journal of Criminology.* 44, 889–914; Bowling and Phillips, (2002), *op cit:* 144–5.

[90] For black people, 11% of arrests result from a "stop and search" (as a percentage of total arrests for notifiable offences) in comparison with 6% for white people. Home Office (2005a) *op cit.*

[91] Black and Asian detainees are more likely to be refused bail, even once offence type and previous convictions have been taken into account.

[92] Phillips, C and Brown, D (1998), *Entry into the Criminal Justice System: a Survey of Police Arrests and Their Outcomes,* Home Office Research Study No 185, London: Home Office. Bucke, T and Brown, D (1997), *In Police Custody: Police Powers and Suspects' Rights Under the Revised PACE Codes of Practice,* Home Office Research Study 174, London: Home Office. Phillips and Brown (1998), *op cit.*

[93] Home Office (2005a) *op cit.*

[94] Phillips and Brown (1998), *op cit;* Her Majesty's Crown Prosecution Service Inspectorate (2002), *Report on the Thematic Review of Casework Having a Minority Ethnic Dimension,* London: HMCPSI. Gus John Partnership (2003), *Race for Justice: A Review of CPS Decision Making for Possible Racial Bias at Each Stage of the Prosecution Process,* London: Gus John Partnership.

[95] *ibid.*

[96] Feilzer, M and Hood, R (2004), *Differences or Discrimination?,* London: Youth Justice Board.

[97] *ibid.*

[98] *ibid.*

[99] *ibid.:* 232.

[100] *Ibid.:* 234–5.

[101] One third of the male and over one half of the female minority ethnic population were foreign nationals. Home Office (2005a) *op cit.*

35. The black prison population increased by 138% between 1993 and 2003 while the white and Asian prison population increased by 48% and 73% respectively. The rising general prison population and a marked increase in the rate of growth of the black prison population,[102] is resulting in a noticeable increase in the proportion of the black population serving a prison sentence.[103]

36. Studies of probation practice found some indications of racial prejudice with some officers assuming that black offenders were less likely to be rehabilitated.[104] However, black and Asian probation clients interviewed in 2004 reported that 86% felt they had been treated fairly by their supervisors, most of whom were white.[105] Black "empowerment" programmes implemented in a small number of probation areas are believed by practitioners to produce higher completion rates and lower re-offending rates.[106]

CONCLUSION: CRIME, JUSTICE AND PUNISHMENT

37. Social and economic exclusion are the principal causes of the overrepresentation of young black people in the criminal justice system. Exclusion, compounded by discrimination in the criminal justice process, has resulted in the disproportionate criminalisation of black people.

38. The outcomes of the punitive approach of the past decade—sharp rises in the numbers of people arrested by the police, going through the courts and into prison—have been magnified in relation to black communities. While overall crime has fallen, robbery, homicide and gun crime stubbornly remain high.

39. The criminal justice system has failed to solve a crisis of community safety, social exclusion and disaffection and has made matters worse. When deterrence fails (as it does routinely), the experience of the criminal process confirms the young person's self-identity as criminal, a process of labelling entrenched by imprisonment. Prison fails to rehabilitate,[107] but instead prisonises.[108] It separates families, precipitates the loss of home, obstructs future employment, nurtures delinquency and drains cultural capital from the community.[109] Stigmatisation is especially acute for young people of African and Caribbean origin because it appears to confirm the widespread perception of black people as potential criminals.

40. An alternative approach to dealing with the problems facing young people in trouble is required. The aim should be to include young people from all groups in society and to improve their life chances. They should be treated with respect for individuality and human dignity. Youth inclusion measures should be relevant, accessible and appropriately tailored to individual needs.

RECOMMENDATIONS FOR ACTION

(i) Require agents of the criminal justice system—eg police, magistrates, judges, prison and probation officers—to act, and be seen to act, fairly and with respect for human dignity and individuality;

(ii) set a specific goal of reducing and then reversing the growth in the black prison population by investing in targeted prevention, social inclusion and diversion from court and custody;

(iii) restrict the police power to stop, search and arrest young people on suspicion of involvement in minor offences;

(iv) develop specialist youth work, mentoring, conflict resolution and social inclusion measures in schools and communities to meet the needs of the most disaffected young people and to reduce their involvement in offending;

(v) develop specialist community mental health services to respond to people exposed to violence;

(vi) fund community and voluntary sector organisations in their efforts to build coalitions against violence and to develop support for young people in trouble;

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[102] Growing 18% in 2002–03 compared with 10% in 1988–99.

[103] See Phillips, C, Bowling, B and Annand, K (2003) *The experiences of crime and criminal justice among minority ethnic groups: a review of the literature.* London; Home Office (unpublished report).

[104] Green, R (1989), "Probation and the Black Offender", *New Community,* 16, 1: 81–9; Denney, D (1992), *Racism and anti racism in probation,* London: Routledge.

[105] Calverly, A, Cole, B, Kaur, G, Lewis, S, Rayn, P, Asadeghi, S, Smith, D A, Vanstone, M and Wardak, A (2004), *Black and Asian Offenders on Probation,* Home Office Research Study 277, London: Home Office. Powis, B and Walmsley, R K (2002) *Programmes for Black and Asian Offenders on Probation: Lessons for Developing Practice.* Home Office Research Study 250. London: Home Office.

[106] Williams, P (2005), "Designing and Delivering Programmes for Minority Ethnic Offenders" in S Lewis, P Raynor, D Smith and A Wardak (eds), *Race and Probation,* Cullompton: Willan; Powis & Walmsley (2002), *op cit.*

[107] Bauman, Z (2000) "Social issues of law and order", *British Journal of Criminology,* 40, 205–21.

[108] Clemmer, D (1940), *The Prison Community.* New York: Holt, Reinhart and Winston. Cited by Baumann (2000), *op cit,* p210.

[109] Wacquant, L (2001) "Deadly symbiosis: when ghetto and prison meet", *Punishment & Society,* Vol 3(1): 95–134.

(vii) initiate a programme of action-research to (a) document the experiences of young black people (in comparison with those from other ethnic groups) going through the criminal process and the factors that protect others who manage to stay out of trouble and (b) evaluate the preventative work undertaken by statutory and voluntary agencies.

October 2006

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11. Memorandum submitted by the BBC

INTRODUCTION

This is the BBC's submission to the Home Affairs Committee inquiry into young black people and the criminal justice system.

REMIT OF THE INQUIRY

The Committee are conducting an inquiry into young black people and the criminal justice system—investigating the causes of young black people's overrepresentation in the criminal justice system and solutions to it. As part of this they are looking into what may lie behind the apparent overrepresentation of young black males in violent crimes, robbery and firearms offences—both as victims and perpetrators. The remit of the next session is to discuss the extent and nature of links between music and criminal behaviour, and the extent to which this is, or should be taken into account when making content decisions.

THE BBC SUBMISSION

— Sets out the public service remit for BBC Radio 1 and its sister station 1Xtra with regard to the range of programming and music output.
— Provides quantitative evidence regarding the broadcasting of rap and other black music genres on BBC Radio 1 and 1Xtra.
— Outlines the BBC's editorial guidelines and standards with regard to programme output.
— Gives relevant details of the public service content and outreach activities of BBC Radio 1 and 1Xtra.

RADIO 1 AND 1XTRA

Summary

This document aims to give background information on the public purpose and editorial processes of BBC Radio 1 and the BBC digital radio station 1Xtra, especially as they relate to contemporary rap music. It includes statistical evidence on the amount of rap music played, audience profile information and details of the public service value and outreach work of both networks. A brief summary of the history and context of rap music is included as an appendix.

1. *Radio 1's public service remit and programming*

The UK has a rich and successful contemporary music culture. For nearly 40 years, the station has played an important role in aiding the strength and innovation of popular music in this country. It aims to offer an exciting, high-quality service for young audiences. It is committed to playing the best new music and delivering a comprehensive range of live studio sessions, concerts and festival broadcasts. The network aims to cover all the significant youth music genres with a wide-ranging playlist and a diverse team of specialist DJs. It also delivers tailored speech output including news, documentaries and advice campaigns with integrated online and interactive services.

Extract from BBC Annual Report 2006:

> "Radio 1 plays a key role in enabling the BBC to reach young audiences and the success of the station is critical to the success of BBC Radio as a whole. We are pleased that the new strategy we approved for Radio 1 in 2003 continues to bear fruit. The station has reversed the annual declines in audiences recorded between 2000 and 2003."

The network has assembled an unmatched line-up of specialist music programmes, unique in popular music radio. They reflect the best new music across a wide range of genres and encourage new talent through sessions and live performance. Radio 1's specialist programmes are presented by DJs who are acknowledged as authentic experts. They are scheduled in the evenings and late at night, and attract audiences who are knowledgeable about specific genres.

Radio 1 has 27 different specialist music shows, accounting for 74 hours of programming each week. Tim Westwood's Saturday night show is dedicated solely to rap and hip-hop; Ras Kwame features UK artists from rap and similar genres; while another three shows feature rap on a regular basis ("Tim Westwood's In New Music We Trust"; "The 1Xtra Take Over with Ace & Vis" and the monthly "In New DJs We Trust" show with Professor Green.)

In total, rap accounts for around 12% of all specialist music on Radio 1 in an average week.

Analysis of daytime programming in 2006 for this document found rap accounted for around 9% of the music played. This compares to 11% r'n'b, 20% dance and 33% rock. It should be stressed however that the rap tracks featured in daytime tend to be more pop-influenced.

2. Radio 1's Audience Profile[110]

— Each week, Radio 1 is listened to by more than 10 million people in the UK.

— 3.5 million listeners are in the 15–24 age range, meaning 44% of the UK's young adults listen to Radio 1 in an average week.

— There are 1.6 million black people in the UK (2% of the population)—245,000 (15%) listen to Radio 1 each week.

— Radio 1 attracts 96,000 black people aged 15–24. The majority are outside London and the large urban centres, which is counter to distribution of the UK black population, but probably reflects the fact that available radio competition for this audience is higher in London and other cities.

— Radio 1's rap programmes reach 976,000 listeners, nearly half of whom are women. 88% of listeners are white, 6% are black.

— Overall Radio 1 is listened to by 22.6% of young black men each week—with 7.5% (13,000) hearing some of the networks' specialist rap programming.

3. 1Xtra's public service remit and programming

In the late 1990's, the BBC recognised a pressing audience issue—the lack of connection with young fans of black music, especially those from ethnic minorities. Black music genres—rap, r'n'b, garage, reggae etc—had become increasingly popular in the UK and around the world, appealing both to specialist niche audiences and to the mainstream. Radio 1, as described above, has a remit to cover the full range of contemporary music genres and therefore could not offer sufficient focus for these audiences. In addition there were relatively few commercial services addressing this audience, apart from pirate stations—which had poor editorial and technical standards. In 2002, 1Xtra was launched as a digital service, on DAB radio, TV and online—with a brief to play the best new music from all the relevant genres, and a specific commitment to support UK black music. It also had a target that 10% of programming would be news, documentaries and social action output. It has achieved its stated launch aims—attracting an audience that is younger than any other BBC radio service and far more likely to be black or Asian. It has also achieved some significant success in supporting young British artists—most notably Mercury Award winner Dizzee Rascal and the young rapper Sway, who won Best Hip-Hop Act at the 2005 MOBO awards.

Extract from BBC Annual Report 2006:

> "1Xtra has continued to build its confidence, ambition and reputation—and to reach audiences the BBC has traditionally found it very hard to attract . . . 1Xtra's audiences are rising: in 2005–06, average 15-minute weekly reach to adults aged 15+ was 0.36 million people or 0.7% (0.31 million/ 0.6% in 2004–05)"

1Xtra has 30 different specialist shows, accounting for 79 hours of programming a week. Five shows are dedicated to rap, a total of 14 hours (18%).

Analysis of daytime programming found 36% of music on average was hip-hop (27% US and 9% UK). This compares to 33% r'n'b and 9% dancehall, with the station also broadcasting significant amounts of other black music genres, including drum and bass and garage.

4. 1Xtra's Audience Profile[111]

— 1Xtra reaches 430,000 people each week—220,000 (51%) of them are aged 15–24.

— 68% of the audience are white, 20% black and 12% Asian.

— 1Xtra's rap output reaches 126,000 listeners—a third of them women.

— Overall 1Xtra is listened to by 17.6% of young black men each week—with just over 8% (14,000) hearing some of the networks specialist rap programming.

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[110] All figures are latest available RAJAR figures for listening amongst adults, 15+, July–September 2006.
[111] All figures are latest available RAJAR figures for listening amongst adults, 15+, July–September, 2006.

5. *The BBC's editorial process*

As with all BBC content, Radio 1 and 1Xtra programmes are subject to the BBC's published Editorial Guidelines.

Under the section on "harm and offence", the guidelines address several issues relevant to rap and other specialist music:

> "The BBC aims to reflect the world as it is, including all aspects of the human experience and the realities of the natural world. In doing so, we balance our right to broadcast and publish innovative and challenging content appropriate to each of our services with our responsibility to protect the vulnerable . . .
>
> We signpost and label challenging material to ensure our audiences have enough information on which to judge whether content is suitable for themselves or their children . . .
>
> We should judge the suitability of content for our audiences, including children, in relation to the expectations of the likely audience at a particular time on a particular day, and in relation to the nature of the services as well as the nature of the content.
>
> — What is the likely composition of the audience, including the likely number and age range of children in the audience, taking into account school time, weekends and holidays?
>
> — Does the talent, slot, genre or service carry pre-existing expectations which may be challenged by the content?
>
> We should normally play edited versions ('broadcast versions') of music which would otherwise feature unsuitable material, including offensive language or violent content, for mainstream daytime audiences. At night and in specialist music programmes, the original 'adult' version may be editorially justified."

All programming on Radio 1 and 1Xtra is compiled and produced to these criteria. On daytime shows aimed at a more mainstream audience, all tracks are checked before selection for strong language and potentially offensive content. If necessary, edits are made. Late at night, on specialist shows aimed at an audience who understand the context and style of the genre, stronger content may be acceptable.

Any proposed playing of tracks with the most offensive language is referred by the production teams to a senior editorial figure at the network, and approval, if given, is in writing. Clear audience warnings are inserted in specialist shows about any strong language or content.

Extensive audience research carried out before the launch of 1Xtra showed that these procedures and polices are broadly approved of by listeners. Most understood the need to protect younger listeners from offensive language or content, and accepted that material would be "censored" at times when they were more likely to be listening. However, the overwhelming view was that such material, if editorially valid and of suitable quality, could be played late at night to fans of the genre. Although no formal watershed exists in radio, the concept of the television watershed was understood by the audience and similar principles were thought appropriate for music radio services.

Research carried out for the BBC's Programme Strategy Review echoed these findings. It concluded:

The Young:

— almost never complain about content on TV or Radio;

— are unlikely to be shocked by sex or violence; and

— have strong feelings of self-responsibility. They don't want anybody else to protect them.

The BBC:

— needs to talk to them straight;

— to be an engaged participant rather than a distant expert; and

— must uphold values of frankness, honesty and authenticity.

There have been no upheld complaints, either by OFCOM or the Broadcasting Complaints Commission, against rap programming on Radio 1 or 1Xtra.

6. *Public service content and outreach activities of Radio 1 and 1Xtra*

Young people face some unique challenges as they grow up, and over many years Radio 1 and 1Xtra have developed and delivered a range of Social Action campaigns and content that give credible information, and tackle relevant audience issues, eg drugs, relationships, sexual health or exam choices.

Although the overwhelming majority of the audiences to Radio 1 and 1Xtra are unlikely to be involved in the criminal justice system, crime and/or the fear of crime is a significant issue for them. Radio 1 and 1Xtra have for many years recognised a responsibility to provide information in this area, such as documentaries and tailored news output that stimulates engagement with the issues. They also regularly support initiatives, or music, which can lead to positive involvement in music and positive social messages.

In the last year 1Xtra in particular supported major campaigns from the Metropolitan Police (Operation Trident) and the Government funded Rhyme4Respect. On editorial merit the soundtrack to Operation Trident's "Stop The Guns" campaign, Roll Deep's "Bad Man", received high rotation on 1Xtra, with its accompanying, hard-hitting video featured on the station's website. The track offers a powerful warning to those who may be seduced by the perceived benefits of crime and violence. Rhyme4Respect was a nationwide lyric competition which offered young writers, rappers and street poets a chance to demonstrate their lyrical skills and encouraged them to think and talk about issues in a positive and credible way.

During 2006's knife amnesty a Radio 1 documentary tackled the issue in a programme called "Knives Out", which examined, among other aspects, the ease of buying potentially deadly weapons. 1Xtra's "Young, Armed and Terrified" heard from many teenagers who have been affected by crime. Listeners to both stations were able to hear from French rappers in Paris following the civil unrest and rioting there, reflecting on the social environment that many say led to the outbreak of violence in France. 1Xtra's "Hip Hop in the Holy Land" heard from Jewish and Arab rappers who use their music and lyrics to express their perspective on the situation.

The news output of both networks aims to encourage young audiences to engage in issues and debate, often literally through text or website interaction. In the run up to the 2005 General Election, for example, 1Xtra ran an online competition for budding MCs to create rhymes on topics such as education, crime and immigration. The best were featured on air and a winner voted for by the audience. Radio 1 put relevant questions from its young audience to the party leaders.

Social action campaigns aim to give impartial and relevant information that encourages positive behaviour. For example, the UK leads all Europe in unwanted pregnancies and in sexually transmitted diseases, so Radio 1 and 1Xtra teamed up with other media organisations in 2006 to undertake the "Bare All Sex Survey"—the biggest ever survey on young people and sex. This led to a series of programmes that included discussions on why some young people reject condoms, advice on what to do if pressurised to have sex and debate on other aspects of sexual health. 1Xtra also took part in the pan-BBC "Read All About It" campaign in April 2006, visiting Stoke Heath Young Offenders Institution in Shropshire to look at how some inmates had been turning their lives around through education.

The work Radio 1 and 1Xtra undertakes in the community, as well as both stations' live events programmes, makes an additional positive contribution. 1Xtra has a commitment to stage at least 50 live events a year around the UK and, like Radio 1, often focuses on areas underserved by musical events. A good example of how high quality music events can transcend divisive social issues is Radio 1's Big Weekend in Derry in 2004 which demonstrated the many benefits to the community, with 10,000 young people from both Catholic and Protestant communities celebrating two days of live music in an atmosphere of extraordinary peaceful excitement. The Deputy Mayor of Derry claimed:

> "It gives them (the young people) a positive attitude to come together and just get loving together".

1Xtra played a similar role in Hackney (NE London) last year with the Urban Classics initiative, creating another unique event, that brought together some of the biggest names in UK black music with the BBC Concert Orchestra. It was a ground-breaking live concert combining grime, hip-hop and classical music, demonstrating how music can build cultural understanding and cross almost any divide.

1Xtra has worked extensively in the community on various projects since its launch—activities have included schools tours, work experience programmes and question and answer sessions. The station arranged for Bob Marley's son Damian to speak to 100 college students from underprivileged areas in the Midlands last year. Amongst his themes were the importance of education, positivity and responsibility. Individual presenters also undertake work in the community on their own accord—Radio 1's Tim Westwood for example has been a patron of the radio station at Feltham Young Offenders Institution for many years.

Music is core to the Radio 1 and 1Xtra offer and music is very important to all young audiences, including those from ethnic minorities for whom genres such as hip hop or grime are a passion. Music is also one of the key currencies of the new digital universe, with new technologies beginning to displace the more traditional ways of accessing it. Commercial television and radio, pirate stations and the BBC's services remain very important, but fast internet connections and MP3 file sharing now means that distribution of music is, to an extent, far more in the hands of the audience. This is why both Radio 1 and 1Xtra have put such an emphasis on its digital provision in recent years. Music making itself has benefited from the digital revolution, expensive studio time has given way to bedroom software, UK hip hop and grime artists have made much use of this in creating their music and social networking sites such as MySpace are a simple launch pad for new material—this new and fast advancing world throws into sharp relief any notion of "top down" control of music making, distribution and listening.

Music is being made in home studios and in the UK a high proportion of the black music genres (hip-hop and grime) emerge from particular areas of the country, by and large deprived inner city areas (particularly London). The music and lyrics reflect life from that perspective and often depict harsh realities; family breakdown, drug use, violence or the contrast between wealth and poverty, as well as the universal themes such as boy/girl relationships. With the support of 1Xtra and Radio 1 high quality artists such as Dizzee Rascal, Ty, Sway or Wiley can break out of these underground music scenes and be successful with mainstream young audiences. The artists' life perspective is understood and the music enjoyed by wider

audiences. The production sounds and styles of so called "street music" influence pop music in general, as street fashions influence the department store. Many who have worked with 1Xtra and Radio 1 such as DJs, live events promoters or youth workers believe passionately that music-making is a powerful and positive opportunity for young people, giving a focus for creativity and possibilities for a career. Furthermore music also gives a powerful platform for many young artists who want to highlight the futility of a life of crime, violence or drug use. There are dozens of "conscious" records made which have been very successful with the audience: including Blak Twang's "GCSE", where GCSE was treated as "Ghetto Children Sex Education", dealing with safe sex; Tor's "Striving", a track from a female MC tackling homelessness and unemployment; Skinnyman's "Council Estate Of Mind", which included commentary on prostitution and joyriding; and So Solid Crew's "Broken Silence", which featured the line: "we're trying to demote the violence, not promote the violence".

There are, on the other hand, tracks that contain material that requires careful consideration, 1Xtra decided against daytime play for two of the biggest grime tracks of 2006: Wiley's "Gangsterz", a track describing his relationship with the many different gangs in his area of London and Jammer's "Murkle Man", which was a hit in underground clubs, but featured aggressive and violent lyrics.

As described earlier in this document the BBC's Editorial Guidelines, under which Radio 1 and 1Xtra operate, ensure programmes act responsibly on a case-by-case basis when considering which tracks to feature, and this means a careful balance between tracks that might be appropriate within specialist programmes and the risk of offence to more casual daytime listeners.

The overall challenge in connecting with young audiences is to make the programmes authentic and non-patronising, whilst exercising careful editorial judgements.

January 2007

Appendix

A Brief History of Rap Music

— Rap music, sometimes referred to as hip-hop, grew out of black and Puerto Rican communities in US cities in the 1970's. Strictly, hip-hop refers to the wider culture which includes break dancing and graffiti-art in addition to rap music, but the terms are now interchangeable.

— In its early years, it was promoted as a positive alternative to gang culture, which encouraged participants to settle disputes through music and dance rather than guns or knives.

— It rapidly became the indigenous "street" black music of urban America.

— One of the key features of the music was the rhythmic spoken story-line that described the life, times and characters of deprived urban America.

— Hip-hop revolutionised contemporary music, introducing sounds, techniques and formats that are now global standards of youth culture.

— In the 1980's hip-hop spread across America and the World. The central figures in the genre built a multi-billion dollar industry—initially around music but also on films and clothing.

— In 2001, rap overtook country music to become the largest single genre in the US, accounting for 13% of music sales. Although sales have since declined—it is still a powerful international force.

— Eminem—a young, white, working class rapper from Detroit—is credited with taking the genre to its widest-ever mainstream audience. His four multi-million selling albums and nine Grammy awards have made him the world's most successful solo artist, and established rap at the core of global youth culture.

Language, Culture and Controversy

— The language of rap is often uncompromising and, depending on perspective, can be seen as poetic and "real", or aggressive and provocative.

— The early 1990's saw the rise of so-called "Gangsta Rap", initially from Los Angeles, with content that was criticised for apparently glorifying violence, gun culture and misogyny. "Gangsta Rap" as a sub-genre has all but disappeared, but much of the lyrical content of rap is still concerned with the sometimes grim realities of urban life.

— It should be stressed that only a limited proportion of rap focuses on story-lines that feature gangs or violence. More common in recent years have been lyrics boasting about the performers' extravagant lifestyle, cars, houses and clothes; although there are clear signs that the audience is tiring of these as subject matter and is looking to more restrained and "conscious" performers such as Kanye West.

— In addition to the music, hip-hop has had a major impact on global youth fashion. Dress styles and conventions which had their roots in US gangs and prisons (baggy, low-slung trousers; bandanas; baseball caps and basketball shoes) are now standard wear for young people around the world—although again mainstream fashion is moving away.

— Critics of rap point to its alleged negative influence on young people, especially young men. They highlight in particular its attitudes towards drugs, violence, women and homosexuality.

— In defence, supporters say that violence, drugs and criminality have long been key themes in other contemporary art forms such as film, novels and other music genres. Rap fans point out that other audiences are credited with the ability to distinguish entertainment from real life, and to separate the graphic content from the actors or performers, a distinction which they feel is not afforded to hip-hop culture.

— In 2005, rap singles accounted for 13.7% of all sales in the UK, rap albums for 5.9%. There is anecdotal evidence that rap sales have declined since then, though definitive figures are not yet available.

% SALES OF HIP HOP/RAP IN THE UK

	2000	*2001*	*2002*	*2003*	*2004*	*2005*
Single Sales	4.8%	8.8%	10.0%	11.1%	14.1%	13.7%
Album Sales	3.9%	4.2%	5.1%	5.5%	6.5%	5.9%

— Most rap records are bought by young white males.

— In comparison, rock singles accounted for 23.5 % of sales.

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12.   Memorandum submitted by the Centre for Crime and Justice Studies

1. INTRODUCTION

1.1 The Centre for Crime and Justice Studies at King's College London is an independent charity that informs and educates about all aspects of crime and criminal justice. We provide information, produce research and carry out policy analysis to encourage and facilitate an understanding of the complex nature of issues concerning crime. We are a membership organisation working with practitioners, policy makers, academics and students, the media and voluntary sector, offering a programme of events, publications and online resources. The Centre also publishes the British Journal of Criminology, one of the world's leading academic criminology journals.

1.2 CCJS believes the Committee is mistaken in restricting its inquiry to solely look at young black people who are categorised by the ONS Census ethnicity category as "Black or Black British". The issues the Committee intends to inquire into are applicable to black and minority ethnic groups in general and not just young black people. For example, latest Home Office figures show that Asian people are twice as likely to be stopped by the police as white people (Home Office, 2006). Research by the Youth Justice Board found that young people of mixed parentage experience disproportionate treatment in terms of higher rates of prosecution and conviction, and they are less likely to receive a pre-court disposal (either a Reprimand or Final Warning) than Black, Asian or White young males (Youth Justice Board 2004). The Committee should widen its inquiry to look at all Black and Minority Ethnic groups.

1.3 The Committee must also recognise that by deciding to focus on young black people it is taking a controversial and contested stance. Offending rates among African Caribbean young people are difficult to measure, and even harder to interpret, because expectations and standards are subject to hotly debated assumptions about the meaning and significance of race and ethnicity. To propose comparisons between groups based simply or mainly on skin colour prompts many questions about the purpose of the Committee's inquiry and its implications (Gilroy 1987; Bowling and Phillips 2002).

1.4 The Committee needs to define what it means by "young". It is not clear from the terms of reference issued by the Committee whether or not the inquiry will look only at children under the age of 18 or if it intends to also look at young adults aged 18 to 21 or older. In order to provide a clear focus to the inquiry the Committee needs to clarify this. It is also important for the Committee to recognise that racial discrimination within the criminal justice system is not age specific. As the Committee concluded in its recent inquiry into the Rehabilitation of Prisoners, BME groups of all ages are overrepresented across the criminal justice system. The Committee should therefore not limit its inquiry to only look at "young people".

1.5 There are a number of factors to be considered in connection with the Committee's inquiry. This submission focuses on areas which CCJS believes should be given particular consideration rather than attempting to provide an exhaustive consideration of all the issues.

2. Young Black People, Crime, Disadvantage and Victimisation

2.1 There is no compelling evidence to suggest that young black people in the UK commit a disproportionate number of crimes simply because of their ethnic background. Instead, the view of the Centre for Crime and Justice Studies is that research evidence shows they are more likely to become caught up in the criminal justice system due to their disadvantaged socioıeconomic status and position within contemporary British society. There is an extensive literature on the social disadvantages experienced by minority ethnic populations that affect children's development and education (Amin et al 1997). It is accepted that black young people face increasing challenges as other groups advance more quickly in their educational achievements. Furthermore, minority groups are clustered in areas of deprivation where facilities are known to be few and services inadequate.

2.2 There has been a disproportionate focus in the media on violent gun crime and so called black "Yardie Gangs" which gives the impression that young black men are responsible for the majority of gun crime and homicides. Where there are differences in violence between white and black communities these have been found to be linked not so much to family failings or to cultures of irresponsibility as to the restricted options available to young men in the poorest communities (Bellair and McNulty 2005; Parker and Johns 2002). Recent research in the UK has confirmed that homicide rates are associated with areas of poverty (Dorling 2005). Conversely, job accessibility reduces the risk of homicide across racial groups in the US (Parker and Johns 2002). This demonstrates clearly the deep rooted socio-economic factors that are the main drivers behind violent crime rather than race and cultural factors.

2.3 The Committee should note that the association between socio-economic disadvantage and crime is well established but that it is by no means straightforward. As CCJS' acting director Richard Garside, argued in a recent pamphlet for the Smith Institute:

> ". . . some poor and disadvantaged people do commit crime because they are poor and disadvantaged. Some of them end up in our prisons and courts as a result. This does not mean that most crime is committed by the poor and disadvantaged. Nor does it mean that disadvantage is the cause of most crime. But some of the grossest victimisations are concentrated among the poorer members of society, and it is reasonable to conclude that the poor will often be perpetrators as well as victims." (Garside, 2006)

2.4 Young black people, given their predominance within socially deprived communities, are therefore more likely to be both victims and perpetrators of crime. The Committee would be advised to consider the relationship between young black people and the criminal justice system more broadly in terms of both victimisation and criminality.

3. Crime Reporting and Police Intervention

3.1 While social factors such as the poverty of minority ethnic groups need to be properly understood, there are factors particular to the criminal justice system that impact on young black people.

3.2 Fears and suspicion of young black people mean that disproportionate action is taken to report, identify and monitor young black individuals who attract attention. Evidence has been cited in relation to public reporting of crime (FitzGerald and Hale 1996) and to police activity. Relations between black people and the police have been long affected by this phenomenon. Experience of being stopped by police is associated with negative views of the police among black youth (FitzGerald et al 2002). The proportions of young people stopped and searched have recently been compared with the available "street population" (Miller et al 2000; Waddington et al 2004) and it is clear that the young—black, Asian and mixed race, as well as white—are the subjects of searches.

3.3 In this connection a broader viewpoint is important. The illegal drug trade is a major constituent of the crime problem as officially perceived, as well as a driver of other forms of crime. The Caribbean is a key route for the importation of illegal drugs; therefore processes and systems of interception are likely to affect people of Caribbean origin and bring them into the criminal justice system disproportionately. In addition the imagery of drug misuse—especially of crack cocaine—is known to affect patterns of enforcement (Beckett et al 2005; Newburn et al 2004).

3.4 The evidence suggests that sections of black youth form a high proportion of the youthful and visible population associated in the police mind with a significant risk of youth crime including drug dealing. The fact that the police operate with these working assumptions is linked to wider fears and prejudices, manifest at all social levels, concerning socially disadvantaged groups.

4. Conclusion and Policy Implications

4.1 A number of processes lead to the disproportionate involvement of young black people in the criminal justice system. Some are structural linked to criminal justice policy and to the social and geographical distribution of African Caribbean young people. Others appear as a result of fear, prejudice and discrimination that are manifested in the reporting of crime and monitoring of suspects.

4.2 However, CCJS believes that the broader social and economic context within which crime, criminality and victimisation unfold is fundamental to understanding the relationship between young black people and the criminal justice system. They are disproportionately involved in certain criminal activities that attract media and government attention due to being disproportionately represented amongst the lower socio economic groups within society. In this context effective policies to tackle poverty and social exclusion are vital. Overall, social policy should play a central part in reducing involvement in crime: for example, educational changes that benefit young black people should be designed to create ethnically integrated services that present assured pathways out of poverty, linked to fair recruitment policies. Equally, justice system changes should seek to reduce mistrust and discrimination by setting clear and accountable standards for intervention and case processing.

April 2006

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13.   Memorandum submitted by the Commission for Racial Equality (CRE)

SUMMARY

— The CRE welcomes the Home Affairs Committee inquiry into young Black people and the criminal justice system and we believe it is timely given the recent research commissioned by the Youth Justice Board which found that ethnic minority youngsters are overrepresented in the youth justice system

— The CRE's submission focuses on:

— the relationship between ethnicity and offending;

— the differential treatment, experiences and outcomes for ethnic minorities in the youth justice system;

— police use of stop and search and its impact on trust and confidence; and

— use of anti-social behaviour orders and lack of ethnic monitoring

INTRODUCTION

1. The Commission for Racial Equality (CRE) was established by the Race Relations Act 1976 to:

— work towards the elimination of racial discrimination;

— promote equality of opportunity and good relations between persons of different racial groups; and

— keep the working of the Act under review.

2. Public bodies have a duty to eliminate discrimination in the way they work and to promote equality of opportunity and good race relations. The Commission is working to help them deliver this duty.

3. The Race Relations 1976 as amended came into force on 2 April 2001 and imposes a general statutory duty on most public authorities—including the police service, probation service, Crown Prosecution Service, courts and prison service—to promote race equality.

4. The CRE's primary goal is to create an integrated society. We have defined an integrated society as being based on three inter-related principles:

— **equality** for all sections of the community—where everyone is treated equally and has a right to fair outcomes;

— **participation** by all sections of the community—where all groups in society should expect to share in decision-making and carry the responsibility of making society work; and

— **interaction** between all sections of the community—where no-one should be trapped within their own community in the people they work with or the friendships they make.

5. Young people are vital to creating an integrated society. The CRE is currently developing a major work programme exploring the experiences of ethnic minority children and young people across all sectors from birth to 25 years old and where they "fall out of the system". A position paper and policy recommendations are currently being finalised and should be published in the summer.

6. The CRE is grateful for the opportunity to make a written submission to the Home Affairs Committee inquiry into young Black people and the criminal justice system. Our submission is divided into two sections: (a) general comments; and (b) comments on specific issues of concern to the CRE.

A. GENERAL COMMENTS

7. The CRE welcomes the Committee's inquiry into young Black people and the criminal justice system. It is particularly timely given that recent research commissioned by the Youth Justice Board (YJB)[112] highlighted in detail, for the first time, how ethnic minority young people had been dealt with at all the different stages of the youth justice process compared with White young people. The overall finding was that ethnic minority youngsters are overrepresented in the system.

8. Whilst the Committee's intention is to focus on "Black or Black British" young people, the CRE strongly believes that this narrow focus may result in vital information about the treatment and experiences of young people from other ethnic minority groups being overlooked.

9. For example, the research commissioned by the YJB indicates that Mixed parentage young people experience significant differences in outcome compared to other groups. There is a higher rate of prosecution and conviction of Mixed parentage young males; greater use of more restrictive community penalties; and a much greater proportion of Mixed parentage females being prosecuted. It also revealed that this group is more likely than any other group to exhibit a variety of social problems. These issues clearly need to be addressed in order to improve the life chances and outcomes for this fast-growing group.

10. In addition, the inquiry's terms of reference does not define "young". Although the youth justice system deals with young people under 18, there are particular issues affecting 19 to 25 year olds in the criminal justice system which the inquiry could usefully address. For example, in its report on young adults and the criminal justice system,[113] the Barrow Cadbury Trust highlights how the demarcation of a young person from an adult at the arbitrary age of 18 often leads to many young people being failed by the system. 10% of young people aged 18 to 24 have been cautioned or arrested by the police yet, although often developmentally young, the legal system treats them—as 18 or over—as an adult.

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B. Specific Comments

Offending

11. High levels of crime, particularly of juvenile offending, have been a matter of concern for many years and recently the focus has shifted to anti-social behaviour. Research has shown that there are various factors that can contribute to offending behaviour such as truancy, school exclusion, poor family relationships and lack of opportunities. The communities in which children live, the schools they attend and the families in which they are raised all have important influences on children's behaviour.

12. In their 2004 Youth Survey, MORI found that 60% of young people excluded from school have offended compared to 26% of young people in mainstream education. Excluded offenders are also far more likely to face serious repercussions as a result of committing an offence than offenders in mainstream education.

13. Given the disproportionate exclusion rates for some ethnic groups, it follows that some ethnic minority young people may be more at risk of becoming involved in crime. The fact that some ethnic minority groups are also at greater risk of becoming homeless, fare less well in the labour market, and are more at risk of poverty and social exclusion often results in those at risk of offending having multiple and complex needs.

14. The latest Home Office statistics[114] show that, in 2004–05, 287,013 offences involving offenders aged 10–17 were dealt with by Youth Offendng Teams (Yots). 6% of defendants classified their ethnicity as Black, 3% as Asian, 2.3% Mixed and 0.6% other. There was an increase in the level of overrepresentation of Black defendants for drugs offences and young Black people were substantially overrepresented for robbery offences, with defendants of Asian and Mixed ethnic background also showing some overrepresentation for the same offence.

15. Whilst the media often makes a link between ethnicity and crime—inferring that ethnic minorities are more likely to commit offences—data on self-reported offending among different ethnic groups suggests the contrary.[115] Whilst White respondents and those of Mixed origin were most likely to report offending behaviour, controlling for the age profile of the different groups, offending rates for those of Mixed ethnic origin did not differ from the national average. The survey also showed that White males aged from 10 to 25 were far more likely to have committed an offence in the last year compared with young males in other ethnic groups. The factors that were predictive of offending included: being male; being aged 17 to 25; having been a victim of violence; using drugs; being frequently drunk; having friends in trouble with the police; and having a low score on certain personality factors.

16. In a study of young people and street crime in London,[116] differences in levels of street crime between boroughs were found to be due to both the level of deprivation and the extent of population change. The most important factor was the proportion of dependent children living in households with no adult earner and this impacted disproportionately on ethnic minority young people. Ethnic minority young people were likely to live in deprived areas where crime is high and personal circumstances put them at greater risk of becoming involved in crime.

17. Bullying also played a significant part in the increase of young people's involvement in street crime. Many young people judged each other on image and being unable to meet particular standards made youngsters vulnerable to bullying. Street crime provided a way of affirming their tough image to others. The issue of absent fathers as well as alienation from mainstream education after moving to secondary school were also contributory factors.

18. Efforts have been made by government to tackle the early signs of offending behaviour through initiatives such as *Positive Futures, Positive Activities for Young people* and *On Track,* by diverting children into more purposeful activities. However, the extent to which these initiatives have been successful for ethnic minority young people is unknown, as evaluations rarely examine this.

19. However, the CRE was particularly concerned by findings from the evaluation of *Positive Futures* that, in one area, there had been a racial division of provision and that some practitioners had displayed stereotypical conceptions of people from ethnic minority groups. These frequently demonised ethnic minority groups as "different" and as a threat to the safety of the "indigenous" population.[117] These findings are very disturbing and show that a great deal of work is needed to determine whether initiatives aimed at diverting young people from offending are indeed having a positive impact on ethnic minority participants.

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Ethnic minorities and the youth justice system

20. In its Annual Review 2003–04, the YJB commented on the "growing body of data suggesting that Black and minority ethnic (BME) young people receive disproportionate sentence outcomes and disposals . . . When compared with the previous year, it suggests that this disproportion is increasing".

21. The YJB commissioned two pieces of work to determine the underlying causes of disproportionality. The first, a study by NACRO, found a lack of ethnic monitoring of service delivery; performance measures that did not touch on diversity and equalities issues; and ethnic minorities being more likely to be prosecuted.

22. In the second, the University of Oxford investigated 17,054 case decisions to assess whether there was evidence of discrimination in the outcomes for ethnic minority young people.[118] Eight Yot areas were chosen—seven with relatively high concentrations of ethnic minority young people and one rural area with a relatively low concentration.

23. Many of the findings were similar to those of NACRO, including:

— large differences between White and ethnic minority young people, male and female, in the youth justice system as a result of the differential inflow of cases;

— considerable variations in the extent of over- or under-representation of particular ethnic groups in relation to the proportions of the populations served by the 8 Yots—"justice by race and geography";

— at various points of the decision making processes, differences in outcome in the treatment of comparable White, Black, Asian and Mixed-parentage young people, as well as between males and females; and

— "holes" in the data collection systems, particularly the high number of cases where no ethnicity information was recorded and problems with the identification of young people of Mixed-parentage.

24. The research also included interviews with Yot managers and practitioners. 75% felt that ethnic minority young people were not treated fairly in the youth court, with 61% stating that this lack of fairness was reflected in differential outcomes for ethnic minority young people.

25. As in the evaluation of *Positive Futures*, the interviews also revealed that stereotypes persisted among Yot practitioners relating to views of different ethnic groups and the offences they committed; what a "good family" should look like; and what constitutes good parenting. In addition, *Asset*—the YJB's assessment tool—was described as being "very standardised, Eurocentric and 'white'".

26. Although research in this area is still extremely limited, the evidence so far suggests that significant improvement is needed in the way in which Yots engage and work with ethnic minority young people. It is hoped that the introduction of the YJB's corporate target for achieving equal treatment by different ethnic groups at a local level will assist this process.

Stop and search

27. Police use of stop and search continues to be a contentious issue which frequently fuels mistrust and lack of confidence in the police amongst ethnic minority young people. The overrepresentation of ethnic minorities in the youth justice system begins with the disproportionate number of young people stopped and searched. In England and Wales in total in 2003–04, young people aged between 10 and 20 accounted for nearly two fifths of all police stops and searches.[119]

28. Stop and search data is not published by ethnicity and age; therefore, it is not possible to know how many of those aged between 10 and 20 years old were from ethnic minority communities. However, for all stops and searches, Black people are six times more likely to be stopped and searched and Asian people two times more likely.[120] The CRE was particularly concerned about the huge increase (302%) in the number of Asians stopped and searched under the Terrorism Act 2000 in 2002–03, sparking fears that police are disproportionately targeting Muslims. Although the numbers of Asians being stopped and searched has decreased slightly over the last two years,[121] there is still considerable concern that racial profiling may be a factor in determining the use of stop and search.

29. A recent study[122] on young people's experiences of policing found that they believed that the police abuse their powers and target young Black people without reasonable suspicion. The over-use of stop and search within ethnic minority communities had an extremely negative impact on their trust and confidence in the police and often resulted in antagonism towards the police.

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[118] Feilzer, M and Hood, R (2004) *Differences or discrimination? Minority ethnic young people in the youth justice system.* London: Youth Justice Board.

[119] Barrow Cadbury Trust (2005) *Lost in Transition: A Report of the Barrow Cadbury Commission on Young Adults and the Criminal Justice System.*

[120] Home Office (2006) *Statistics on Race and the Criminal Justice System—2005.* A Home Office publication under section 95 of the Criminal Justice Act 1991.

[121] It is important to note that post-July 7 stop and search data is not yet available.

[122] Sharp, D (2005) *Serve and Protect? Black young people's experiences of policing in the community.* The Children's Society.

30. Stop and search is a key gateway into the criminal justice system and for those ethnic minority young people living in high crime areas with a heavy police presence, the fact that they are more likely to be subject to stop and search increases their risk of becoming involved in the youth justice system.

Anti-social behaviour orders (ASBOs)

31. A total of 7,356 ASBOs have been issued from April 1999, when they were introduced, to September 2005 with wide variations between different criminal justice areas. Although ASBOs were originally intended to be used mainly for adults, increasingly it has become a measure directed primarily against children.

32. In 2004–05 of the 5557 orders made, 44% were on children and a recent survey of 54 Yots suggested that one in three children were unable to fully comprehend the conditions of their orders because of learning or communication difficulties. In addition, preliminary findings of research being carried out by the British Institute for Brain Injured Children suggests that as many as 1 in 3 of all ASBOs issued to people aged under 17 years were to children with a diagnosed mental disorder or accepted learning difficulty. Many organisations and the Children's Commissioner for England have expressed concern that ASBOs are used too readily for children without proper consideration of alternative interventions.

33. The CRE's principal concern is that there is no ethnic monitoring of the use of ASBOs. There is also no data on breaches of ASBOs by ethnic minority young people and a concern about "up-tariffing", ie where breaches result in custody for groups who might not previously have reached that stage that fast. Evidence suggests that around 10 young people a week are imprisoned this way.

Conclusion

34. Although research and data is limited, the available evidence does show that ethnic minority young people experience differences in outcomes in the youth justice system that are indicative of discriminatory treatment. The causes of this differential treatment remain unknown and the CRE is about to commission research to explore this further. This research will enable government, criminal justice agencies and practitioners to have a better understanding of the underlying causes of differential treatment of ethnic minority young people and assist in developing policies and strategies to tackle this.

35. Involvement in the youth justice system can significantly affect the life chances of ethnic minority young people and much more work is needed to address the causes of their overrepresentation in the system and to ensure that the system is fair and free from discrimination. As the youth justice system is the entry point to the adult criminal justice system, any disproportionality at this level is very likely to continue throughout. Early intervention is vital to improving the life chances of ethnic minority young people.

April 2006

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14. Memorandum submitted by Crime Concern

1. Crime Concern welcomes the opportunity to submit written evidence to the Committee's inquiry. Crime Concern is a social business which works with national and local statutory partners, local organisations and others to create safer communities. We achieve this through the delivery of local crime prevention projects in over 60 localities across England and Wales and through the provision of a specialist consultancy advisory service to local partnerships, public services and business. We are strategically funded through the Home Office.

2. Through our prevention services division, Crime Concern has extensive experience of delivering targeted services in deprived, high crime neighbourhoods in England and Wales for young people at risk of offending. Many of our projects work with young people of black and other ethnic minority (BME) origins.

3. We have drawn on this experience in our evidence and would be happy to provide further details of any of the initiatives referenced.

Executive Summary

4. Crime Concern's experience is that:
   — BME young people are accelerated into the criminal justice system (CJS) by their overrepresentation in risk groups, eg under achievement in education, poverty, mental health, inconsistent parenting etc;
   — these risk factors are well documented and understood;
   — there is increasing evidence about which targeted interventions can successfully address these factors eg youth inclusion projects (YIPs). However, such interventions are under-funded and ineffectively coordinated;

— the risk factors are exacerbated by two other factors:

— stubbornly resistant attitudes amongst some institutions and professionals towards young people from BME groups, such that the young people experience discrimination both before they enter the CJS and once they are in the system; and

— insufficient visibility and presence of a wide range of positive role models to reinforce cultural and behavioural norms.

— communities where there is a high level of social capital and community cohesion can offer a degree of protection and encouragement to at risk BME young people.

5. As much is already known about the causes of the overrepresentation and what can be done to address these, we recommend that more investment should be directed towards these complementary areas, for example:

— targeted early intervention programmes;

— mentoring;

— outreach;

— family/parenting support;

— programmes which encourage BME young people to volunteer; and

— programmes which build social capital and improve community cohesion.

BACKGROUND

6. Through our 60 or so community-based projects, we have over 18 years of supporting BME young people who have been identified as being at risk of offending. Our local projects encourage these young people away from crime and into positive lifestyles, education, employment and training.

7. The number of black young people in our projects varies from locality to locality and reflects the ethnic composition of the community the project is based in.[123] For example, some of our London projects work with a very high percentage of BMEs eg 70% plus, whereas projects in predominantly white neighbourhoods work with very low numbers of BMEs. Please note that these figures do not distinguish between black and other minority ethnicities. It is our experience that the overrepresentation is not limited to black young people.

8. Relevant early intervention programmes of ours include:

— Youth Inclusion Programmes (YIPs).[124]

— Junior YIPs.[125]

— Youth Inclusion and Support Panels.

— Restorative Justice (RJ) projects.

INTRODUCTION

9. The disturbing and unacceptable statistics on the overrepresentation of black young people in the CJS are well documented. Figures obtained by SmartJustice[126] show that:

— Black British people make up 12% of the prison population but only 2% of the population as a whole.

— The British BME prison population grew by 124% from 1992–2002, while overall prison numbers grew by 55%.

10. That BMEs are more likely to be given harsher sentences is well evidenced. What is also recorded, but less discussed, is that BME young people are more likely to be the victims of crime. Figures from the British Crime Survey 2002–03 show that 46% of people of mixed racial origin had been victims of crime compared with 27% of white people.

11. We welcome actions the Government has taken to address this overrepresentation, eg the establishment of the CJS Race Unit in the Home Office and the introduction of YJB and Crown Prosecution Service strategies. However, more action is needed if the unacceptable overrepresentation is to be properly tackled.

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[123] For example, the percentage of young people who come from BME backgrounds are approximately 80%, 75% and 70% respectively in our Tooting, Newham and Islington youth projects. Whereas our youth projects in Merthyr, Chester, and Sefton support no or very few young people from BME origin. We can provide figures for our other projects on request.

[124] We are the largest provider of Youth Justice Board (YJB) YIPs.

[125] We established the first Junior YIP "cluster programme" in England, reducing adverse outcomes among a core group of 8–12 year olds identified as being at high risk.

[126] *The Racial Justice Gap: Race and the Prison Population Briefing,* SmartJustice, 2004.

RISK FACTORS

12. The risk factors for offending behaviour are well known. They include a history of family disruption, poverty, unemployment and low educational attainment. BME young people are disproportionately represented in these risk groups. For example:

— African Caribbean pupils are four to six times more likely to be excluded than white pupils although no more likely to truant than other pupils.[127]

— 70% of all minority ethnic people live in the 88 most deprived local authority districts, compared with 40% of the general population.[128]

— Unemployment is considerably higher among BME communities. The employment rate for ethnic minority groups is 59%, compared with 74.9% for the GB population overall.[129]

— It is also a matter of continuing concern that looked-after-children in general (aged 10 plus) are three times more likely to be cautioned or convicted than children not in care,[130] and BME children are disproportionately represented within the looked-after population.

SUCCESSFUL INTERVENTIONS

13. There is an increasing wealth of evidence about what works at diverting at risk young people from criminal and anti-social behaviour. Parenting programmes, targeted youth crime prevention programmes (eg YIPs) and mentoring programmes have all been seen to have a demonstrably positive impact on behaviour, and the number of local services should be increased substantially. Third sector organisations have been shown to be particularly good at reaching hard-to-reach BME young people. The good practice which is already taking place in pockets (and which is detailed below) should be shared and investment in them increased significantly.

(i) *YIPS*

14. Significant success has been had diverting young people from crime through the YJB funded YIP. The programme, which works with at risk young people aged between 13 and 18, has achieved reductions of up to 65% in the arrest rates for the young people considered to be most at risk of crime in each locality.[131] Interventions include:

— Family link centres based in schools. Activities include language support.

— Skill centres aimed at providing excluded young people with training and qualifications.

— Environmental work, eg clean-up projects.

— Sports, artwork and other forms of constructive and educational recreation.

15. Regrettably, at present, there are less than a hundred of these projects scattered around the country. Even though more will be in place over this year, the scale of need is daunting—we are barely scratching the surface. We ought to be seeing at least a tenfold increase in provision, if not more, within two years.

(ii) *Positive Futures (PF)*

16. PF is a national sports and arts based social inclusion programme, funded by the Home Office.[132] The programme aims to have a positive influence on participants' substance misuse, physical activity and offending behaviour and to provide pathways to education, training and employment.

17. Recent independent evaluation[133] of the programme found that:

— 50% of project partners believe that PF makes a positive difference to drug use.

— 76% and 68% of project partners believe that PF makes a positive difference to ASB and local crime rates respectively.

— 736 young people returned to full-time education and 1,756 were doing better in school.[134]

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[127] Commission for Racial Equality.
[128] Commission for Racial Equality.
[129] *Labour Force Survey,* Department for Work and Pensions, 2004–05.
[130] *Outcome Indicators for Looked After Children,* Department of Health, 2002.
[131] *"Evaluation of the Youth Inclusion Programme",* Morgan Harris Burrows, Youth Justice Board, (July 2003).
[132] It also receives some Football Foundation sponsorship.
[133] Positive Futures impact report, end of season review, March 2006, Home Office.
[134] Between March and September 2005.

(iii) *Mentoring*

18. Programmes which successfully divert BME young people away from crime often include an element of mentoring. These programmes recruit positive adult role models for vulnerable young people who may not have a parent or carer able to fulfil this role. Well-run programmes have succeeded in helping disaffected young people to make positive changes in their lives. For example, Fusion, in Derby, offers black and Asian young people mentoring and support to help boost their opportunities and divert them from re-offending.

19. Independent evaluation of a mentoring scheme run by Crime Concern found that the programme had been especially successful at engaging BME mentors. Early intervention programmes like YIPs can help improve BME young people's opportunities, and providing BME young people with successful role models (who come from worlds other than sports or music) can help improve the young people's aspirations and ambitions.

20. We think there is much scope to look to the business community to provide "business" mentors for young adults leaving custodial settings, perhaps as part of early release / license conditions. However, this would require significant orchestration and investment to achieve critical mass and scale. Leaving it to local probation services, whose priorities are understandably elsewhere at the moment, may lead to a "still-born" initiative.

(iv) *Parental and family support*

21. Ineffective parenting[135] may precipitate or exacerbate nuisance behaviours in children. The Government has recognised this and responded by recently announcing a series of initiatives designed to improve parenting. This support, if sensitively given, should be welcomed. Wherever possible the state should support parents to raise children themselves, rather than assume the responsibility itself. Looked-after-children are notoriously at risk of escalating offending behaviour and are significantly overrepresented later in life throughout the CJS. Parenting programmes can be extremely successful; the YJB Parenting Programme[136] recorded a 50% reduction in the number of offences committed by children of parents on the programme.

22. In fractured families, fathers are especially likely to be absent from children's lives. Research from the US shows that children of prisoners are six times more likely to end up in prison than their peers. We believe there is a major opportunity and need to target sustained help on children and families of those in prison. This could include foster support and/or family mentoring support (the latter engaging whole families).

23. Crime Concern's family support work dates back to the mid 1990s.[137] Practically all Crime Concern's 60 plus community programmes support parents and carers as an integral part of their delivery. Provision ranges from support from dedicated workers, to support commissioned from partner agencies and includes home visits, advocacy, small group sessions, healthy living sessions, smoking cessation, relaxation classes, and delivery of recognised parenting programmes.

REACHING VULNERABLE BME YOUNG PEOPLE

24. Some projects specifically target at risk BME young people. SmartJustice, in a recent report, identified several groups which are steering BME young people (specifically black young people) away from the CJS at an early stage. These are largely voluntary groups set up by members of the black community. They help young black people deal with racism, raise their aspirations and self-esteem, provide positive role models and raise educational standards, training and skills. These schemes include:

(i) *From Boyhood to Manhood Foundation (FBMF)*

25. FBMF was set up in response to parental concerns about the high number of young black boys being excluded from school. FBMF works with schools to reduce exclusions and uses educational, cultural and sporting activities to prevent young people from being drawn into crime or ASB. The programme also provides mentors and support for parents.

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[135] Ineffective parenting can be due to prevalent cross-generational antisocial attitudes, mental health issues, or substance dependency.

[136] *"Positive Parenting; The National Evaluation of the YJB's Parenting Programme",* Deborah Ghate and Marcello Ramella, (September 2002) Youth Justice Board.

[137] In the 1990's, Crime Concern, with the Family Policy Centre and NACRO, published a joint study, *Crime and the Family,* arguing for a national initiative to improve parenting and provide support to stressed families in high crime neighbourhoods.

(ii) *National Black Boys Can Association*

26. The Association was set up by prominent members of the black community concerned at levels of underachievement in school. Through a series of personal development programmes both during and outside school hours, the Association gives young black boys educational support, life skills, and the self-esteem and confidence to succeed.

(iii) *Right Track*

27. Based in Bristol, the project is run by the Children's Society. It grew from a group originally set up to deal with young people's complaints about the over-use of Stop and Search. It works with children at every stage—from school exclusions through to young people in prison—and helps young people to identify the issues which contribute towards their behaviour eg drugs and bullying.

The Power of Cohesive and Strong Communities

28. BME young people who are at risk of getting caught up in the CJS often live in the most fractured and uncohesive communities. Yet, evidence is emerging that a locality's resistance to crime and disorder can be undermined by an absence of social capital. Conversely, evidence suggests that it is this social capital or "social glue" which can have the most powerful impact on crime prevention. Work by academics such as Robert Putnam has shown how neighbourhoods with higher levels of "collective efficacy"[138] suffer significantly lower levels of crime.[139]

29. A recent report[140] by the Joseph Rowntree Foundation concurs, concluding that much of antisocial behaviour is attributable to the breakdown of communities and the creation of an educational underachieving group of young people who have "disengaged themselves from everything".

Role of the Third Sector

30. Voluntary, community, faith and not-for-profit organisations are particularly well placed to help build this community cohesion. They can harness the credibility and relationships they enjoy at a local level in a way that the state[141] can rarely achieve. The work of the third sector is especially valuable in deprived areas where crime is highest but where perceptions of "the state" are often especially poor and where people may be reluctant to take up state services. Below are examples of initiatives where the third sector has worked to tackle some of the issues which propel BME young people into the CJS, while simultaneously improving social capital.

(i) *Tackling poor perceptions between young people and the police in Barnet*

31. The poor perceptions which exist between some young people and some police are two sided. Crime Concern's Barnet Action For Youth project runs a young people/police liaison committee, providing an essential and innovative borough-wide mechanism through which constructive relationships are built between young people and the police. Adopting a youth led approach, the group identifies the issues young people believe are important and actively engages young people and the police in finding solutions to these.

(ii) *Breaking down racial tension in Southampton through football*

32. Crime Concern's Southampton YIP has set up a five-a-side football league to tackle the racial tensions between the city's Somali, white, Bangladeshi and Indian young people. Out-reach work also plays a vital role, helping the project workers identify and defuse potential pressure points. Both the local police and the local community safety team report that tensions have reduced as the young people have got to know and respect each other, and bridges have been built between traditionally hostile communities as well as bonds within these communities.

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[138] Where more neighbours know each other and are more likely to intervene in minor incivilities, where people take personal, family and societal responsibilities seriously, and where norms, values and understandings are shared.

[139] These positive effects are found even having controlled for socio-economic factors and prior levels of crime, suggesting the effect is causal.

[140] *"Anti-social behaviour strategies: Finding a balance",* Andrew Millie, Jessica Jacobson, Eraina McDonald and Mike Hough, JRF, 2005.

[141] Be it national or local government or the police.

RJ AND RESTITUTION SOLUTIONS

33. RJ seeks to address both the concerns of the victim and the community with the need to deliver justice and reintegrate the offender into society. We recommend that the potential of RJ, as a means of resolving conflict involving BME young people without propelling them into the CJS, should be further explored. Used appropriately, RJ promotes self-responsibility in offenders and helps victims feel that offenders have acknowledged the harm of their behaviour.

PREJUDICE AND DISCRIMINATION

34. Statistics suggest that BME young people experience the debilitating effects of racism both before they come into contact with the CJS and once they are in it.[142] Self-report surveys show that there is little difference in offending rates between different ethnic groups.[143] Yet:

— Pre-Sentence Reports[144] written about black people are of a poorer quality than those written about white people. 83% were satisfactory or better for white people compared with 75% for BME groups.[145]

— The arrest rate for black people is around three times that of white people. The arrest rate for Asian people is 12% higher than for white people.[146]

— Young black people are more likely to be refused bail than young white people. 11.6% of black and 11.4% of mixed race 10–17 year olds are remanded in custody compared with 7.6% of white 10–17 year olds.[147]

35. We are aware that various governments over the years have sought to address these problems, especially following the Macpherson Inquiry. However, the pattern of discrimination persists and, along with other risk factors, provides a toxic cocktail for overrepresentation.

CONCLUSION

36. We support Rod Morgan's (Chair of the Youth Justice Board) statement that:

"The overrepresentation of BME groups in the youth justice system has historically caused concern among offenders and those working with them," and welcome his continued commitment to do more "to ensure equal treatment for all those who come into contact with the law."

37. Complementing this must be a drive to ensure that fewer BME young people come into contact with the CJS in the first place, and that accordingly support is increased for the early interventions programmes which have been proven to work.

April 2006

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15. Memorandum submitted by Mr Melvyn Davis, Founder and Director of the Boys2MEN Project

1. Within this written submission I have chosen to focus on my personal experience of working with disaffected and socially excluded black young people over the last 20 years. In particular I will be focusing on the experiences of black boys.

SUMMARY

2. The reasons for the overrepresentation of Black youth within the criminal justice system are numerous and complex. Black youth face discrimination at every level within the criminal justice system from pre-arrest through to sentencing. The statistics, which are well known and readily available, show that, from the point of stop and search, pre-sentencing reports, through to the duration and severity of sentencing, black youth face discrimination.

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[142] Goldson (2002) in his research on children remanded in secure and penal settings has stated that "racism is endemic throughout the youth justice system" and noted that as a result, black children are more likely to be remanded to custody and face the prospect of less favourable treatment and conditions.

[143] *Race and The Criminal Justice System an Overview to the complete statistics 2002–2003,* Institute for Criminal Policy Research, School of Law, King's College London.

[144] The reports written by probation officers to help magistrates and judges with their sentencing.

[145] HMIP Inspectorate Report *Towards Racial Equality,* 2004.

[146] *Race and The Criminal Justice System an Overview to the complete statistics 2002–2003,* Institute for Criminal Policy Research, School of Law, King's College London.

[147] *Race and The Criminal Justice System an Overview to the complete statistics 2002–2003,* Institute for Criminal Policy Research, School of Law, King's College London.

3. What message does this send to our black youth? How can we who work to raise their self-esteem and promote a sense of hope and values, answer their feelings of racism and injustice which I believe is inextricably linked to attitudes of disaffection which provides a rational for criminal behavior within a society that sees them as deviant, dangerous delinquents, "different" and unequal.

4. What processes and conditioning do they go through within British society in order to commit crimes without regard to the consequences or guilt? How can a boy feel justified in committing such a violent crime as murder? The answers to these questions are I believe the key areas that require political consideration and intervention. We must do more to tackle and dismantle once and for all the consequences of institutional racism and discrimination.

5. I would like to make five clear suggestions as to how we might be able to move things forward. I believe that unless specific, targeted and sustained effort is made to: (1) reverse the negative impact that black boys have of themselves; (2) drastically reduce the exclusion of black boys and improve their educational outcomes; (3) provide long-term financial support to black organisations that are able to provide tried and tested interventions; (4) provide professional mentors to work with the most at risk within those communities and (5) ensure that existing funding and statutory agencies are charged with ensuring that they are able to engage with the black community, and in particular black boys.

WRITTEN SUBMISSION

6. The reality for many black youths, particularly black males, is that the journey from social inclusion to exclusion starts long before they enter the criminal justice system.

7. The statistics on black boys underachievement within education tell a very compelling story with overwhelming consequences. Black boys are less likely to receive GCSE qualifications and are more likely to be excluded from school. Even though there has been a drop in some boroughs of formal exclusions, the picture on the ground is that informal or unofficial exclusions are on the increase. Unofficial exclusions which do not show up on fixed or permanent exclusion rates include: parents being called into school to collect their children; sitting outside of the head teachers office; being "encouraged" to find another school; and being placed in an in-school learning support unit.

8. The failure within the educational system to produce significant numbers of black boys who have a standard of education that leads to viable routes into employment is a scandal. The failure of the education system to educate our black boys provides a breeding ground for disaffection that undoubtedly leads many (not all) to seek alternative means of obtaining a good standard of living or gaining respect from their peers.

9. In a vain attempt to take ownership of a process that is largely outside of their control, the black community within the UK has begun to define itself and its culture, in response to the discrimination they face. The consequences of social and racial exclusion are being reclassified as cultural norms. Certain sections of the UK's Black community are accepting as norms behaviours that are criminal, deviant and socially excluding. From the way they dress, walk, behave and the music they create (protesting behaviour) black youth are expressing an unarticulated anger that is in direct response to the way they are perceived, the social barriers and deprivation faced.

10. The impact on many of the black boys I work with is that they "feel" discriminated against. They "feel" that teachers are treating them differently and they "feel" that others get preferential treatment, they "feel" targeted by the police, because they are black. These powerful messages (real or perceived) impact on them emotionally and have the detrimental effect of eroding motivation and lowering aspirations. The further along the educational scale you go from KS1 to KS4, the worse the picture becomes.

11. A 9-year-old black boy once called me a liar when I told him that I had never been excluded from school. In some areas and sections of our community this has become the norm. Our black boys believe the statistics about them, and as consequence are living up to our low expectations. I see KS1 and KS2 black boys creating a negative pathology of black behaviour and identity based on media images and statutory agencies perceptions.

12. Those black boys who are able to achieve despite the barriers that they have had to face often do so because of one or more of these key resilient factors being in place:

   (a) A positive male or father figure in their lives.

   (b) A significant individual that provides unconditional positive regard.

   (c) A strong cultural identity linked to moral and or religious values.

   (d) A good standard of education.

   (e) A sense of equity and citizenship.

13. (This is by no means an exhaustive list but one that highlights what I consider to be the factors most pertinent to the black community.)

14. Black youth are turning to crime because:

15. Certain types of crime are glamorised by rap and grime music and black artists portray crime as a legitimate means of making money. Videos that show black artists being pimps, drug dealers, robbing banks, and committing acts of violence do have an effect on black youth who lack protective factors that can produce a reasonable level of resilience. What other culture portrays themselves within their music in such a manner? Where are the alternative counter messages of black achievement or pathways to success within the UK—in significant numbers—to challenge the perceptions that black people can really succeed within British society?

16. The barriers to social inclusion are inextricably linked to the question of British identity and belonging. Even though born here, too many black youth do not feel a part of British society. They are identified within the media by their ethnic origin; politicians talk of "tolerating" migrants coming to their country; they are asked to adopt a hyphenated identity (Black-British); despite the abolition of slavery, they still face discrimination at virtually all levels of society. Many of the actions (reactions) of government are making the situation worse.

17. There are fewer safeguards within the black family that can act as resilient factors against the allure of crime. Absent or uninvolved fathers, teenage mothers with no support or poor parenting skills, no religious or moral guidance, poor role models and growing up on sink estates surrounded by all the indicators of poverty and deprivation. At the heart of it—the black factor—a lack of a black cultural identity that provides a sense of self-esteem or self-worth that incubates them emotionally from racism and discrimination.

18. Certain types of crime within areas which are populated by black communities such as drug dealing and the desire/need to validate themselves through material possessions provide both a saleable commodity and a complicit community within which buyers, become runners and dealers. Black youth are exposed to peers and family members who "hustle" for a living and receive mixed messages about law and order. The line between law and order is easily blurred and because offenders are revered and feared within those sections of the black community, the man that gains respect (and is glamorised) is the man on the corner who has, rather than the man who is studying to go to university (leaving with £15K worth of debt) and with the real prospect of earning less than the man on the corner.

19. The absence of an involved father or positive male role model further compounds these powerful influences that so easily seduce so many black males into crime. The absent father/male in the formative years of a child's life can often lead to an accelerated childhood. The boy in particular, quickly becomes or perceives himself as the man of the house. He is more inclined to adopt machismo behaviours in order to cope with the harsh and competitive environment he has to exist within, and to protect himself emotionally from the father that is absent and a society that is discriminating towards him on a daily basis.

20. I cannot overestimate how all encompassing this process can become. It takes place on a subconscious level and is daily reinforced. This black machismo male identity not only seeks to protect the individual from painful messages of rejection that he receives from his absent father, school, the media, the music he listens to, people's reactions to him from entering stores to getting on and off a bus; it also seeks to counter in a passive aggressive way, the negative perception of self held by the indigenous population, whilst at the same time creating the emotional detachment needed to commit crime.

21. How important is self validation and self efficacy to black males? I would argue extremely important. Look at the lengths they go to in order to look good. The amount spent on clothes, jewellery and cars. This tells a powerful story of unmet need not greed. Where in society outside of sports and music are black people validated and acclaimed? Where are black men regarded as equals and allowed in on mass, based on ability rather than the policies of inclusion designed to allow in just a few "appropriate" black individuals.

22. Although British society has come a long way in regards to social inclusion, it still has much further to go and this is evidenced by the nationalistic debates around immigration, the racially biased reporting of crimes and the existence and continued rise of the BNP and other far right parties. Black youth are aware of these tensions and despite our reassurances, they know what they "feel" and experience on a daily basis. They see and experience the disparity between what we say and do and therefore they become easily alienated, even seeing themselves as "soldiers" fighting against society and each other. They wear hoodies not to make a fashion statement but because there are cameras above their heads. They are reacting to a society that they have no stake within.

23. The saddest and most damaging aspect of the negative perceptions of black youth and how this impacts upon their behaviour is the self deprecation that takes place which manifests itself in the form of Black on Black crime; the content of rap videos; the disparaging language used towards each other and the disregard for the impact of drug and gun culture on their own communities. How they talk about each other, the violence, aggression and the objectification of women all form part of the loss of identity, values and systematic destruction of the family unit during slavery, the affects of which are still being experienced today. I would go as far as to describe it as a form of self harm and self loathing that manifests itself internally and externally. I believe Black males are more susceptible to the internalisation of racism and as a result fall more easily into the net of crime because they have more social barriers to overcome. They are now not only feared by white society but they are also becoming increasingly alienated from each other, which is why mentoring of black males, by black male mentors, is so important.

24. There is a considerable emotional disconnect that black males are experiencing in order to survive within their communities. They are increasingly becoming disconnected, from their parents, their children, their communities, their values and their subjugated place within society. The disproportionate numbers of black males within the mental health system also leads me to conclude that they are also becoming disconnected from themselves. The numbers are significant enough for politicians to make this a priority.

25. Patterns of negative behaviour are already generational and create social ghettos in which black youths are being born into families within notorious neighbourhoods run by gangs and individuals who are seen to operate above the law. Recently a member of my staff attended a funeral in support of a young man we were working with. It was his father's funeral. His father had died whilst in prison. In attendance was his uncle—chained to his prison guard and his grand-dad—chained to his prison guard. The young man was on our youth offending programme.

Recommendations

26. We need more specialist black mentoring schemes, with male mentors trained to challenge their views of black men, black culture and their personal identities. We need to dismantle the "conveyer belt" within our communities that deprives so many black boys of an education and produces so many disaffected black males who are unable to realise their potential outside of crime.

27. We need more funding and resources within crime "hotspot" areas and targeted support to the siblings of offenders. We know there are strong links between offending, siblings and re-offending rates. Greater effort and resolve is needed to prevent black communities becoming ghettos as a consequence of this powerful social dynamic. Resources are needed in the form of specialist teams going into areas of concern to provide support to schools, families and the young people. This is a socio-psychological war against disaffection that must be fought on all fronts, simultaneously.

28. Produce targets and closer monitoring in schools to stop the formal and informal exclusions of black boys alongside more resources and incentives to schools to raise the attainment of black pupils and work with experienced and successful outside agencies in order to do so.

29. Positive media and political campaigns that stop demonising young people and youth culture which only serves to alienate them further. Political leaders need to be seen to care and stand up for the needs of black communities. Their silence and inaction on issues of race and discrimination is heard and felt and further serves to alienate.

30. We need workers and agencies that are better trained and equipped to work with black boys and who actually understand what is "really going on" and have a clear rational of how they are going to change it. There are too many "hit and miss" programmes that fail to deliver what they promise.

31. We need to stop funding music projects and channel funding towards projects that provide access to learning and employment and challenge the negative images and stereotypes of black males.

32. We need peer-mentoring programmes which offer young offenders a real way out. Programmes in which those who were previously offenders are trained and supported to reach those resistant and persistent offenders, providing them with real avenues of support that would enable them to do all that is necessary to start a new life. This work in the first instance should be voluntary leading to paid employment for those who show willing and aptitude.

33. We need more support to teenage mothers—not from well-intended parenting programmes that do not take account the environment or life experiences, cultures and discrimination faced by their participants. A naughty step or time out will be of a little use to a child who carries a knife to school or whose father fails to turn up to see him at weekends.

34. And finally we need more men working within early year settings who can work with boys to develop them emotionally. Emerging research clearly shows that the absence of males has an impact on boys educational levels and future offending behaviour. Boys need to be able to form masculine identities via social interaction with males who are in touch with their full range of emotions, rather than media images from MTV or Hollywood.

35. Our failures in addressing the psychological affects of discrimination and in providing a reasonable level of education are two of the primary factors that impact on black male criminality. The perception and experience of Black males needs to be better understood. How they see themselves and their position within society needs to be challenged and changed and the significant numbers that fail to get a reasonable standard of education or end up excluded, needs to be arrested. If every child matters, then all children irrespective of race must be given an education that provides them with opportunities to realise their full potential. Sadly this is not yet the case.

December 2006

16.   Memorandum submitted by Mr Roger Drakes aka DJ Dodge

As a club DJ and Producer of music I am in a birds-eye position to comment on the connection between music and crime amongst the younger generation.

What an individual listens to does not make that person want to go out and commit a crime unless that individual is in a vulnerable state of mind in the first place.

The idea of censoring music is one of the oldest ideas that ultimately has been proven to only ever add more exposure to the material and help it get to more ears, and this was before the internet revolution!

Instead of wasting time talking about music why can't we see what's really going on and tackle the real issues?

Family, Education, Mental Health! to name a few. . .

I met a healthy, normal 19 year old kid the other day who lived in Battersea, South London, he could not read or write! . . . And we are still here talking about music.

January 2007

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17.   Memorandum submitted by the Department for Education and Skills (DfES)

HOME AFFAIRS COMMITTEE QUESTIONS FOR DfES

1. *What does the DfES Black Pupils' Achievement Programme involve and how successful has it been to date in reducing exclusions and raising the attainment of black pupils?*

A. The Black Pupils' Achievement Programme has been in operation in its current form since October 2005. It is therefore too early to assess the impact of the Programme on raising attainment and reducing exclusions. The Programme was not, however, designed to reduce exclusions. The Black Pupils' Achievement Programme was developed following the success of the African-Caribbean Achievement Project which was piloted in 30 secondary schools across 20 local authorities in England in 2003. The Project's aim was to work with school leaders to develop a whole-school approach to raising the achievement of African Caribbean pupils. The 30 schools involved in the Project were each given extra resources for leadership on the project, consultant support, training from the National College for School Leadership and a grant of up to £10,000 a year. When the Project was rolled out in 2005 it became known as The Black Pupils' Achievement Programme and its focus remains raising the achievement of all Black groups (Black Caribbean, Black African and Mixed Heritage pupils) by spreading the good practice developed and tested through the pilots. There are now approximately100 schools participating in the Programme across 25 local authorities. The Project was evaluated by an independent consortium of researchers at the University of Bristol, the Institute of Education and Birmingham local authority. The researchers concluded that the Project has been effective in raising awareness of African Caribbean issues in schools, has helped schools to develop fairer and more systematic whole school processes and has provided quality academic and pastoral support to the target group of pupils

2. *How much ethnic data is available at each stage of the education system? Where are the key data gaps?*

A. There is limited data available on pupils aged 0–5. The earliest universal measure of attainment is the Foundation Stage Profile, which usually takes place in the first year of primary school. DfES publishes statistics, based on a sample of this data and disaggregated by ethnicity every year.

3. *Does the DfES have any plans to routinely publish ethnic data at all stages of the education system?*

A. Data relating to school-age pupils, including population, achievement, exclusions, Special Educational Needs and English as an additional language is routinely disaggregated by ethnicity and published on the DfES website. At ages 7 (end of Key Stage 1), 11 (end of Key Stage 2), and 14 (end of Key Stage 3) all pupils in maintained schools in England sit National Curriculum tests in the core subjects. Almost all pupils sit GCSE or equivalent examinations at age 16. Comprehensive data on attainment at each Key Stage and at GCSE is disaggregated by ethnicity and published annually.

After age 16, young people are free to pursue a number of routes for further study. Many study for GCE/VCE A-Levels, the results of which are disaggregated by ethnicity and published with the GCSE results. The diverse nature of the Further Education and Higher Education sectors makes it very difficult to compare attainment of students between courses and institutions. However, statistics on higher Education participation are disaggregated by ethnicity and published annually on the Higher Education Statistics Agency website.

DfES also publishes a number of longitudinal studies such as the Youth Cohort Survey, which contain data by ethnicity.

4. *How is data on the experiences of different ethnic groups used to monitor equality of treatment and inform education policy?*

A. DfES believes that a sophisticated understanding of the data, both quantitative and qualitative, is crucial in the development of effective policy to tackle inequalities. We routinely use data to inform policy. For example, the Aiming High initiative targets support to raise the attainment of a number of groups, based on our analysis of the attainment data.

SHORT TERM AND PERMANENT EXCLUSIONS

Unauthorised absences

The permanent and fixed period exclusions rates for Gypsy/Roma, Traveller of Irish Heritage, Black Caribbean, Mixed White/Black Caribbean and Black Other are significantly above average. The permanent and fixed period exclusions rates for Indian and Chinese pupils were significantly below average.

Based on the evaluation of the Excellence in Cities initiative, White Other and Black Other pupils had the highest rates of unauthorised absence.

Full data on attendance and exclusions are set out on pages 85–91 of the attached paper.[148]

OTHER INDICATORS OF EDUCATIONAL DISAFFECTION?

The extent and causes of educational disaffection, in general and for specific groups, has been widely discussed by academic commentators, and there are many different schools of thought. The DfES's Longitudinal Study of Young People in Education allows an analysis of young people's attitudes towards school by ethnicity. Initial results of this study are set out on pages 77–83 of the attached paper.[149]

5. *What evidence is there for ethnic differences with regard to:*

1. *Educational attainment.*
2. *Educational welfare needs and access to support services.*
3. *Short term and permanent exclusions.*
4. *Unauthorised absences.*
5. *Other indicators of educational disaffection.*
6. *Participation in further/higher education?*

A. The reasons for differences in levels of achievements, and for other inequalities, are extremely complex. Data tells us that the biggest determinant of educational achievement is socio-economic background. However, socio-economic deprivation appears to impact differently on different ethnic groups. For example, a greater proportion Bangladeshi pupils are entitled to free schools meals (a key measure of deprivation) than Black Caribbean pupils, but a lower proportion of Black Caribbean pupils achieve five good passes at GCSE than Bangladeshi pupils.

Other factors that are associated with differences in achievement, such as gender and whether pupils speak English as a first language, also seem to impact differently on different groups. For example, the percentage point gap between girls and boys achieving five good passes at GCSE is generally higher in underachieving ethnic groups (girls do better in all groups).

It would seem, therefore, that there are factors associated with ethnicity that impact on the performance of pupils in different ethnic groups. The academic literature identifies a range of institutional factors, such as lower or higher teacher expectations for some groups, as contributing to differences in achievement. Some commentators also cite cultural differences and attitudes to education as having an impact.

6. *What are the reasons for ethnic differences with regards to the above? To what extent does the DfES see the reasons for differences as specific to individual ethnic groups or related to factors which may cut across all groups?*

A. The DfES believes that, whatever the causes of underachievement, all pupils should have the opportunity to achieve their full potential. We promote effective use of data at a national, local and individual school level to develop a sophisticated and nuanced understanding of the issues, against a background of high expectations for all. Evidence of best practice in schools proves that this approach works.

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[148] Not printed. Available from: publications.teachernet.gov.uk/eOrderingdownload/DFES-0208-2006.pdf
[149] ibid.

7. *How much variation is there by gender in the above data?*

A. There is a gap between all boys and girls at GCSE 5 + A*-C of around 10 percentage points. The size of this gap varies by ethnic group. The largest difference between the attainment of girls and the attainment of boys is for the Black Other and Black Caribbean groups. In these groups there is a 17 and 16 point difference between the percentage of girls achieving 5 + A*-C and the percentage of boys achieving 5 + A*-C. Larger than average gaps are also observed for the Mixed White and Black groups and to a lesser extent the Bangladeshi pupils

8. *What research has been carried out on the impact of educational disaffection, underachievement and school exclusion on involvement of young black people in the criminal justice process? What are the results of this research and how have they fed into policy development?*

A. Numerous studies have identified a link between underachievement at school and exclusion from school and involvement in the criminal justice system. For this and other reasons:

— we have targeted support to raise the attainment of Black pupils through the Black Pupils Achievement Programme; and

— closing the "exclusions gap" between Black pupils and the average is a priority for the DfES; we are undertaking a priority review of the problem and will develop polices to tackle this inequality.

9. *What research and policy initiatives have been undertaken within education locally or nationally relating to young black people?*

A. In October 2003, following a national consultation exercise, "Aiming High: Raising the Achievement of Minority Ethnic Pupils" the Department for Education and Skills launched the first national strategy aimed at raising the attainment of under performing Black and minority ethnic young people.

The strategy has introduced a range of targeted support to address the needs of underperforming Black and minority ethnic pupils. These initiatives include:

— The development of accredited specialist training for teaching staff working with bilingual learners and pupils whose first language is other than English.

— The Black Pupils' Achievement Programme working with 100 schools (approximately) in 25 local authorities to support the teaching and learning of African Caribbean, Black African and Mixed heritage pupils.

— Excellence in Cities (EiC) was launched in 1999 with the aim of improving the attainment of pupils in disadvantaged urban areas through targeted support to meet the needs of all pupils. Given that 60% of pupils from minority ethnic backgrounds attended schools in EiC areas the DfES commissioned an analysis of the impact of EiC on minority ethnic pupils.

— The DfES topic paper "Ethnicity and Education: The Evidence on Minority Ethnic pupils aged 5–16" presents the latest statistics and research on minority ethnic pupils in the education system and covers details on the minority ethnic school population, attainment and progress on minority ethnic pupils (compared to previous years), exclusions and attendance data and ethnic background of teachers. The topic paper also includes research evidence from various strategies aimed at raising the attainment and inclusion of minority ethnic pupils. The current (2006 edition) includes previously unpublished findings from an early analysis of provisional data from wave one of the Department's Longitudinal Study of Young People in Education

10. *How is the DfES cooperating with other key partners eg LEAs, individual schools and Ofsted as well as the police and YOTs on issues affecting young black people in particular?*

A. The Department works very closely with its external partners on a range of issues affecting young Black people in schools. For example we are working with Ofsted and local authorities to support schools in taking forward specific duties under the Race Relations (Amendment) Act. Schools have a general duty to give due regard to the need to eliminate unlawful racial discrimination and promote equality of opportunity.

July 2006

18.   Supplementary memorandum submitted by Dr Marian FitzGerald, Specialist Adviser to the Committee

ABSTRACT

The focus on eliminating discrimination within the criminal justice system has been at the expense of addressing wider factors which may increase the risk of young people from the various "black" groups coming to the attention of the system in the first place. Redressing this balance does not mean choosing between discrimination and socio-economic factors; but measures to tackle discrimination alone will do little to reduce "disproportionality".

However, improvements are needed in the quality, analysis and presentation of ethnic data—not least:

(a)   in order to provide more accurate pointers to how and where any discrimination may be occurring; and

(b)   to avoid publishing crude data which, by failing to control for relevant variables, repeatedly show black people to be overrepresented in crime statistics and may thereby reinforce spurious racist assumptions about a link between ethnicity and criminality.

For policy purposes, the submission proposes that ethnic data should in future be used more routinely to monitor the *outcomes* of generic policies for different ethnic groups; but this is likely to pose particular dilemmas in the context of criminal justice policies.

1.   INTRODUCTION

1.1   Longstanding concerns about the overrepresentation of black people in the criminal justice system (CJS) (see for example Rose et al 1969) were highlighted again by the 1999 report of the Macpherson Inquiry. The main focus of this concern has been discrimination within the CJS and Macpherson focused in particular on police searches in this context.

1.2.   However, discrimination alone is unlikely to explain the level of overrepresentation of black people at *all* stages of the system and in the homicide statistics[150] compared to people classified as white or Asian (Figure 1). So the Committee will need to take account of any relevant factors *in addition* to discrimination, especially where these may have policy implications.

1.3   This submission therefore focuses on a number of factors which are not specific to any ethnic group but which are commonly recognised to increase the risk of young people's involvement in crime. For the larger the number of these risk factors at work in the lives of young black people, the more their interaction will multiply the chances of their coming to the attention of the CJS.

1.4   The submission first unpacks the different components of the "Black" category before looking at the extent to which these are affected by a variety of risk factors. It then provides research-based examples of what happens when these and other non-ethnic variables are controlled for in analysis. And it concludes by outlining some of the analytical and policy issues this raises.

1.5   All the statistics cited are based on analyses of Census data and of the Home Office s95 publications on "race" and the criminal justice system unless otherwise indicated. The figures referred to in brackets are shown in the appendix.

2.   THE "BLACK" GROUP IN CONTEXT

2.1   The largest "black" group in Britain following the main period of post major immigration from Britain's former colonies originated in the West Indies. However, that picture has now changed significantly as a result of two main factors—increased immigration from elsewhere in the world and the extent of unions between black and white people. This means that the make-up of the omnibus "Black" category varies considerably depending on age; and in future the majority of Black people will be of mixed black-white heritage and miscellaneous African origins.

2.2   The regional distribution of these groups is very different from that of the population overall; but it also varies somewhat between them (Figure 3a). The majority of black Africans, "Other" black people and black Caribbeans live in London; but the mixed groups are rather more dispersed with less than a third of people of mixed white/black Caribbean heritage living in the capital.

2.3   Distribution varies again at sub-regional level; and, in particular, the proportion of black people in the population tends to increase with the level of deprivation. In London a comprehensive set of statistics was compiled for each borough and the boroughs were then grouped according to their ODPM deprivation scores. These borough profiles showed that the black population increases with the level of deprivation (Figure 3b), as does the presence of other, poorer minorities; and so does the level of crime (FitzGerald 2003).

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[150] The homicide figures are the only official victimisation data for which ethnicity is recorded.

2.4 Young people in the black and mixed groups are much more likely to live in lone parent households than young people in other groups (Figure 4a); and these are typically headed by a lone mother. Around a quarter of mothers of Caribbean origin are aged under 20 when their first child is born and the majority of these are single (Robson and Berthoud 2003). In the case of young people of mixed ethnic origins, the parent is most often a white mother (Owen 1996).

2.5 Additionally, households in all of the black groups have much higher than average proportions of people living alone (Figure 4b). No gender breakdown is given in the published Census outputs, but from the high proportion of lone parent households headed by women in these groups, it may be inferred that a very high proportion of males in these groups are living alone.

2.6 Department of Health statistics show that the number of black children in care is also higher than average; and this is particularly true of those of mixed heritage (Figure 5a). However, there are important differences in the reasons for this (Figure 5b), with children in the black[151] group more likely to suffer from absent parenting rather than abuse or neglect.

2.7 In terms of education, DfES statistics show that black boys' level of attainment has already dropped off relative to whites by the age of 10 (Key Stage 2) and the trend is steeper once they get to secondary school (Figure 6a). Black girls' attainment also progressively diverges from their White British counterparts—but not to the same degree (Figure 6b). So the gender gap is much larger for black young people by the GCSE stage, with boys of mixed heritage and those of black Caribbean origin faring particularly badly (Figure 6c).

3. The Effect Of Controlling For Non-Ethnic Variables

3.1 A wide range of non-ethnic factors needs therefore to be taken into account when interpreting the reasons for the rate at which different ethnic groups come to the attention of the criminal justice system in the first place. Comparing like with like means recognising that young men in the lower socio-economic groups with fewest qualifications are most "at risk";[152] and analyses of data in terms of entry to the CJS, therefore need to make allowance (at least) for ethnic differences in:

— age structure;
— deprivation (in terms of education, employment, income, neighbourhood etc);
— residence in high crime areas (where the risk of getting involved in crime is higher but so too is the presence of the police); and
— marital status—especially in relation to young men where lifestyle factors associated with being single may *de facto* increase the likelihood of coming to the attention of the police.

3.2 Once in the system, further account needs to be taken at each key decision-making point of any other systematic differences between different groups. An overview of the relevant research (FitzGerald 1993) shows that the main variables which need to be controlled for when analysing outcomes within the system are ethnic differences in:

— offending history;
— type of offence;
— plea;
— the bail/remand decision; and
— election for Crown Court trial in either-way cases.

3.3 Remarkably little empirical work has explored how far these factors contribute to the overrepresentation of black people in the CJS relative to their presence in the population at large (commonly referred to as "disproportionality"). But key examples of what exists are the following.

Differences in patterns of offending

3.4 The study of street crime for the Youth Justice Board (FitzGerald, Stockdale and Hale, 2003) explored the reasons for differences in street crime between London boroughs. Black "overrepresentation" was particularly stark in this context where black people accounted for 60% of suspect descriptions compared to 30% for overall crime in London. When the study modelled the street crime figures against many socio-economic and demographic variables at borough level, though, it found that ethnicity was not significant. Street crime was higher in boroughs with higher than average black populations but the reasons were:

— the general level of deprivation and the proportion of households with dependent children but no earning adult;
— access to people in the same area who were not deprived (and therefore likely to be worth robbing); and

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[151] Unfortunately this source does not further disaggregate the "black" category.

[152] The characteristics of white prisoners, for example, are systematically different from white people in the population at large— and far more similar to those of black prisoners (FitzGerald and Marshall 1996).

— population turnover (implying both a greater degree of anonymity for offenders as well as lower levels of communal control).

"Availability" to the police

3.5 Deprivation means that a much higher proportion of black people live in high crime areas which are not only more intensively policed but where the style of policing also tends to be more adversarial (FitzGerald, Hough et al 2002). However, the public do not only encounter the police in their own neighbourhoods; and many factors will influence the extent of these encounters, including the distances people travel and the frequency with which they are present in public space.

3.6 Comparisons solely with local population figures, therefore, are likely to be misleading—certainly in the context of police searches; and evidence to this effect is growing. Work by the Home Office (MVA and Miller) and independent studies by academics for individual police forces (Waddington et al 2004) show that the population on the streets where searches are most likely to occur is systematically different from that of the local resident population. Comparisons with the relevant "street population" instead of the local Census figures significantly reduce ethnic differences in searches and they may disappear entirely.

Differences in outcome within the system

3.7 A relatively early study of juvenile cautioning showed that significant ethnic differences disappeared when allowance was made for black juveniles' greater likelihood of denying the offence so they were not eligible for a caution (Westwood 1991). By far the most sophisticated study of outcomes within the CJS, though, remains Hood's 1992 study of custodial sentencing at selected Crown Court centres in the West Midlands[153] where 56.6% of black men received a custodial sentence compared to 48.4% of white men.

3.8 Once a wide range of other factors were taken into account, this difference of 8.2 percentage points reduced to 2.5 percentage points. Importantly, no differences were found at the Crown Court centre from which most of the cases were drawn; so the inference must be that:

(a) most individual defendants were treated equally by the Crown Court but

(b) in the case of the small minority of individuals who were sent to custody unfairly, this was as a result of decisions made by particular sentencers in particular centres rather than reflecting generic bias across the whole of the system.

4. Some Implications

Data issues

4.1 The data currently available on ethnic minorities and the CJS use crude categories. A full breakdown by the standard Census codes is only available for the prison statistics, with the further important facility of being able to separate out foreign prisoners from British nationals (see 4.3). Also, the published outputs for different agencies increasingly use a slightly different set of categories, with some including a "mixed" group which does not directly map on to the data provided by the police in particular. Nor (as section 1 illustrates) are other relevant data routinely published using the full Census codes.

4.2 Significant gaps also remain in our knowledge at the centre of the criminal justice process with regard to the CPS and the courts; and even where figures are kept, they are limited particularly in regard to young people. In 2004–05 the number of young people supervised by the Youth Offending Teams whose ethnicity was not recorded (9,540) was actually larger than the figure for any minority other than the black group (17,216), making any inter-ethnic comparisons with regard to young people unreliable (YJB 2006). Age breakdowns are not routinely available in other statistics, though; and special studies are usually required in order to link ethnicity with other relevant variables for the purposes of exploring the reasons for any "disproportionality".[154]

4.3 The comparisons which are currently made between the crude headline figures for different ethnic groups are unhelpful and potentially dangerous for several reasons; and comparisons based on "per thousand population" are especially misleading—not least because of:

— the known undercount in the Census of young men in inner city areas;

— the disproportionate number of young men from particular minorities within this; and

— the unknown extent to which those who come to the attention of the police may not, in any case, normally (or legally) be resident in Britain.

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[153] This involved entering details from the individual files on a sample of over 3,000. The subsequent study of the juvenile justice system (Feilzer and Hood 2004) relied instead on Youth Offending Team data bases where much potentially relevant information was missing.

[154] It is worth noting that taking this approach may actually highlight potential causes for concern among groups who were not "overrepresented" according to the headline figures.

Also, trend data which consistently show one particular group to be "overrepresented" in recorded crime despite significant efforts over many years to reduce "disproportionality" may unintentionally have the effect of reinforcing prejudices. That is, the figures may lend themselves to "statistical racism" since they may be used to support the view that the group in question is inherently more criminal than others.

Policy implications (general)

4.4 Unless we can compare like with like both in terms of the numbers entering the system in the first place and of decisions at subsequent decision-making points, it is impossible to know the extent of any discrimination, still less where and how it is occurring. If, instead, discrimination is simply inferred from crude headline figures, the responses to it are likely to be misconceived; so they are likely to be ineffective and could even prove counter-productive. Meanwhile, ongoing neglect of the wider factors at work will perpetuate the problems faced by successive generations of young black people. These are problems they share with people in most other ethnic groups; and, although black groups may be disproportionately affected by them, they only account for a minority of those affected.

4.5 For the most part, therefore, the appropriate policy response will be generic rather than specifically targeted at black people. For example, policies with regard to teenage pregnancy, approaches to neighbourhood renewal, efforts to tackle the underachievement of poor boys, ensuring single working mothers have access to good affordable child care etc cannot be restricted to any particular minority. The role of ethnic statistics, though, lies in monitoring:

(a) whether the profile of those who participate in specific programmes or receive particular benefits accurately reflects the level of need; and

(b) whether the outcomes of any generic programmes are equal for all groups.

4.6 This approach is needed (but relatively uncontroversial) in policy areas such as health, education and local government services. However, it may prove more challenging with regard to criminal justice policies.

Implications for criminal justice policy

4.7 Since criminal justice policies will disproportionately affect groups who are at greatest risk of crime in the first place, they will demonstrably have a greater impact on the more disadvantaged minorities, including the "black" groups. This has specific implications throughout the CJS—as illustrated by police searches and trends in sentencing.

4.8 Two reasons why searches have traditionally been such a flashpoint in police-community relations are the fact that they take place in public and that the majority do not result in an arrest—so a large proportion of those who are subject to this potentially adversarial experience will be innocent members of the public going about their lawful business. The majority of searches on all groups are under s1 and the arrest rate has fluctuated between 13 and 15%. However, there have been significant increases over recent years in searches under s60 of the 1994 and searches under s44 of the Terrorism Act 2000 and these have a more disproportionate impact on minorities than s1 searches (Figure 7). Arrest rates under each in the financial year 2004–05 were very low, at 3% and 1% respectively.

4.9 Even if there were no discrimination in searches, therefore, as long as some groups have a higher risk of being the legitimate target of searches, disproportionate numbers of innocent people in those groups will be searched. The fact that this has been the experience of black people for decades has resulted in a deep-seated sense of grievance; for black people with no criminal involvement are right in assuming that they are more likely to be searched when they are going about their lawful business than they would if they were white. Yet the police might genuinely claim that searches are now more "intelligence-led" than ever and that the ethnic profile of s1 searches simply reflects that of the suspect descriptions the police receive.

4.10 Huge investments in training, in revising codes of practice etc since Macpherson which have been predicated on assumptions of discrimination have done nothing to resolve this impasse. Rather, "disproportionality" has increased. Where black people comprised 11% of all s1 searches in 1997–98, by 2004–05 the figure was 14%. For these reasons, it will be important for the Committee to avoid getting bogged down in the endless debate about the reasons for "disproportionality" in searches but address the central tension between increasing the numbers of searches (whether by accident or design) and the disproportionately adverse impact this will inevitably have on particular minorities.

4.11 Similar dilemmas arise with regard to the significant increases in the use of custodial sentences in recent years, since, inevitably, these have not fallen evenly across all groups either. Between 1997 and 2004, the number of white British male prisoners rose by 5%; but for their black counterparts the figure was 21% (rising to 42% in the case of British Pakistanis).

5. CONCLUSIONS

5.1 Measures to tackle actual or potential discrimination within the criminal justice system are essential; but they need to be based more firmly on evidence about exactly how and where any such bias may occur. Of themselves, though, such measures may make very little difference to overall levels of "disproportionality". Meanwhile, persisting in publishing crude figures which make no allowance for differences between groups and which show little or no change in "disproportionality" will not only continue to undermine police-community relations, they may unwittingly also reinforce negative racial stereotypes.

5.2 Other measures will additionally be needed in order to break the cycle which for several generations has increased the risk of young black people of Caribbean origin coming into the CJS in disproportionate numbers. To varying degrees, these are now affecting other black groups, including a rapidly increasing number of young people of "mixed" ethnic origin. The same factors may also affect young people from other, disadvantaged minorities as well as very much larger numbers within the undifferentiated "white" majority; and this adds further to the urgency of strengthening a wide range of economic and social policies which will address the causes of youth crime in general. The effectiveness with which these policies are implemented should be monitored in terms of whether they can be shown "disproportionately" to be benefiting the groups in greatest need.

5.3 At the same time, it will be essential not only to monitor the impact of criminal justice policies at both the national and the local level *post hoc*. Any new initiatives or policy developments should routinely be subject to the race impact assessment process required by the 2000 Race Relations (Amendment) Act.

Marian FitzGerald
Visiting Professor of Criminology
Kent Crime and Justice Centre, University of Kent

June 2006

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APPENDIX

Figure 1

DIFFERENT GROUPS AS A % OF ALL AT DIFFERENT STAGES IN THE CJS AND AS VICTIMS OF HOMICIDE
2004–05

1a. White people
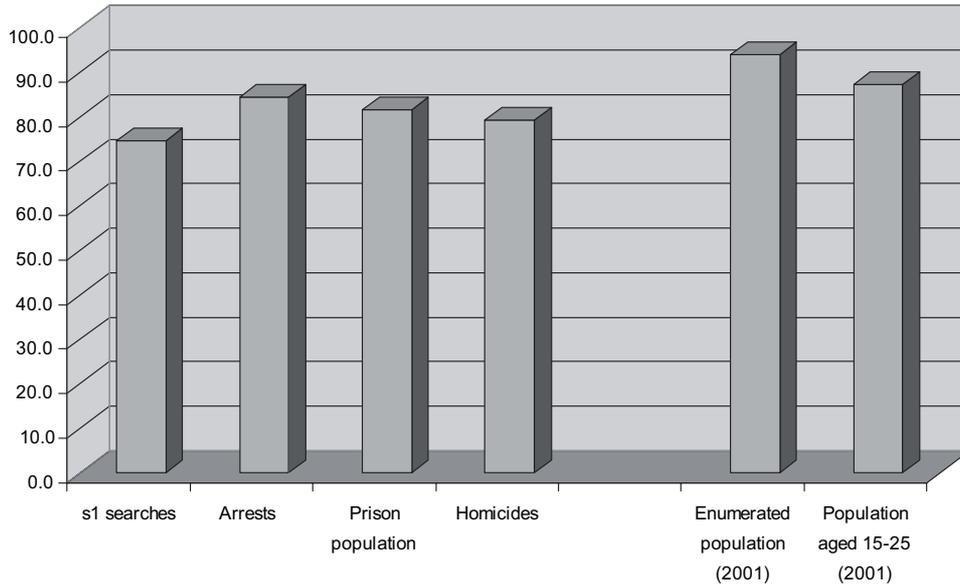
1b. Asians
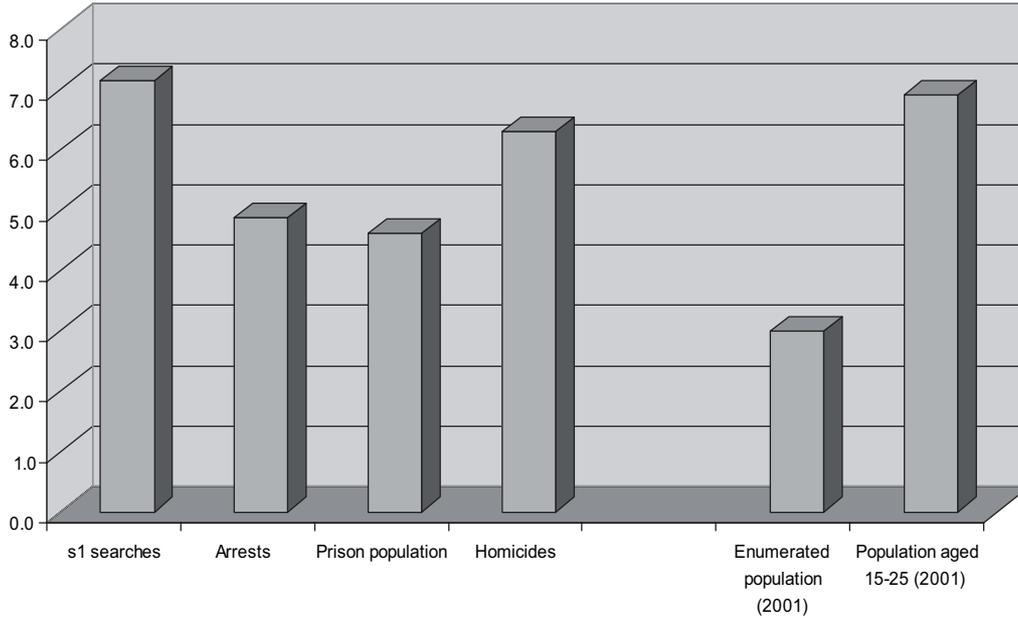
1c. Black people
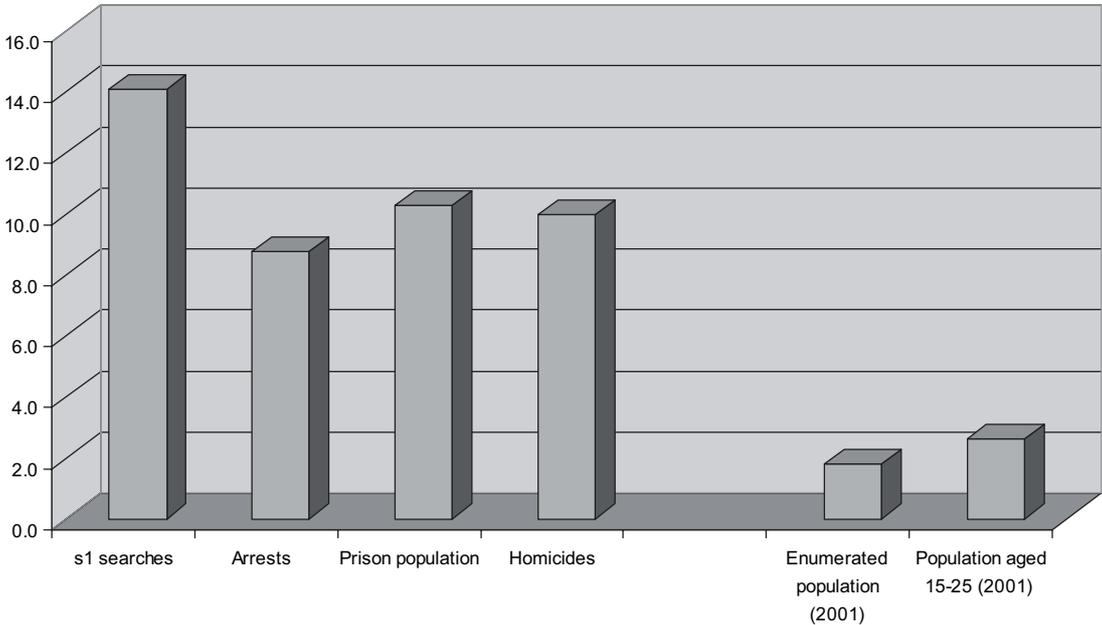
Figure 2

DIFFERENT "BLACK" GROUPS AS A PROPORTION OF THE TOTAL POPULATION, BY AGE (2001)

Figure 3a

REGIONAL DISTRIBUTION OF MAIN BLACK GROUPS
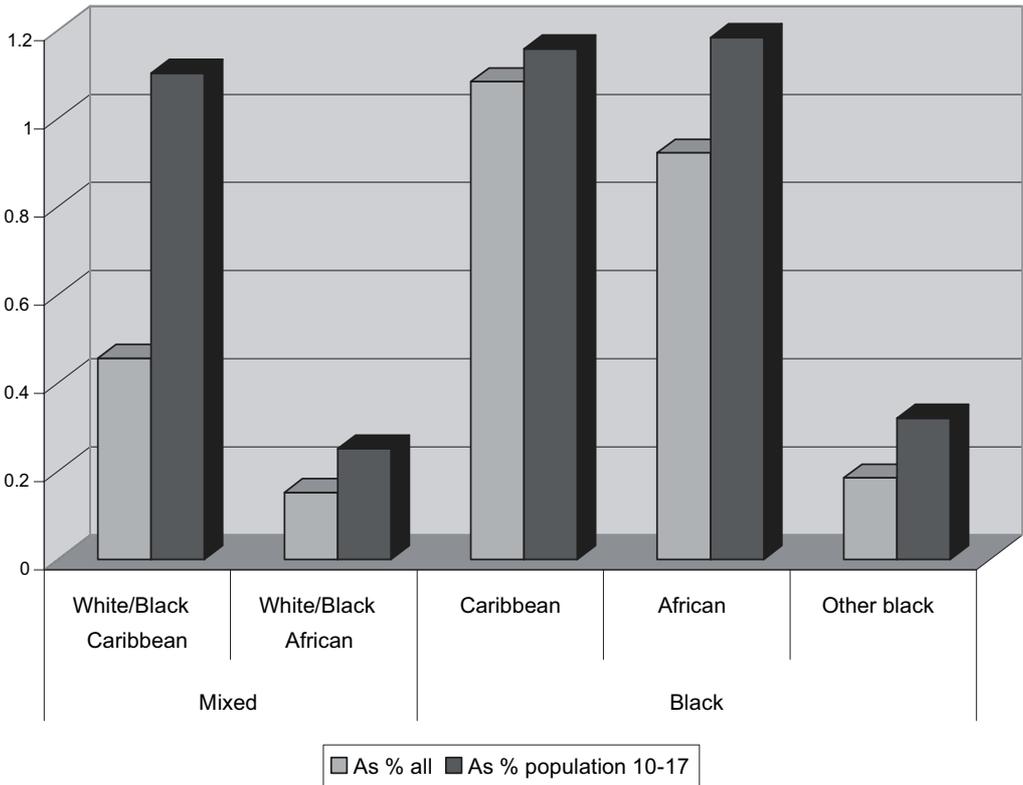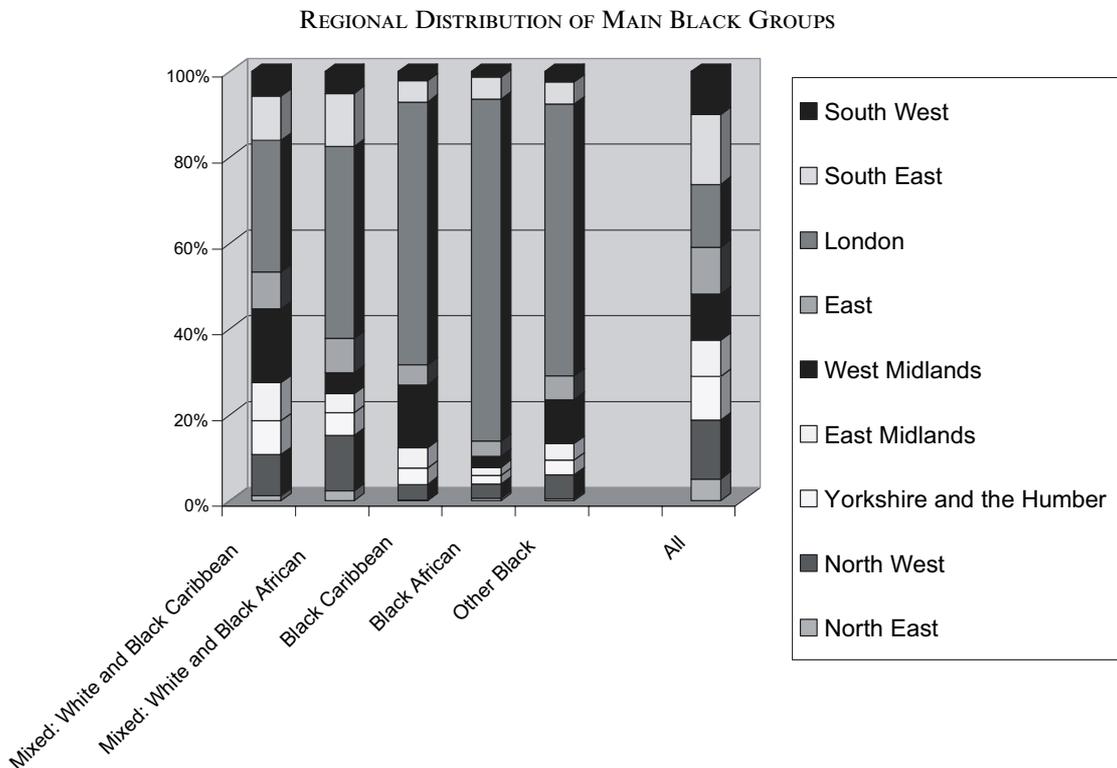
Figure 3b

DISTRIBUTION OF MAIN BLACK GROUPS IN LONDON BOROUGHS 2001 BY LEVEL OF BOROUGH DEPRIVATION

Figure 4a

FAMILIES WITH DEPENDENT CHILDREN BY TYPE AND ETHNIC GROUP
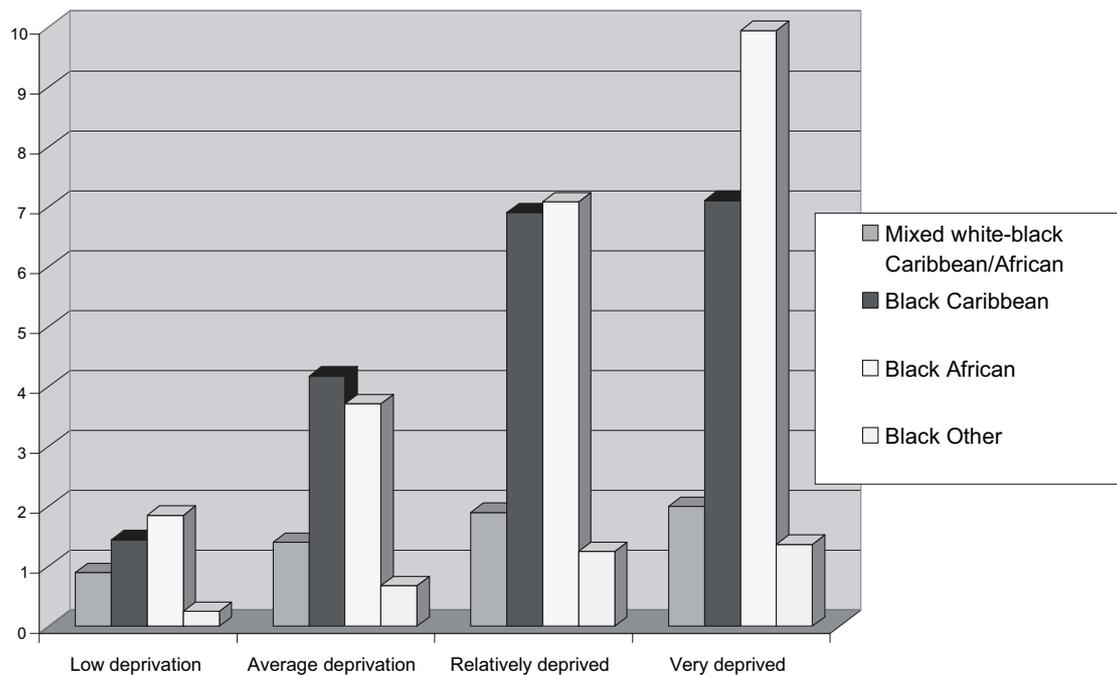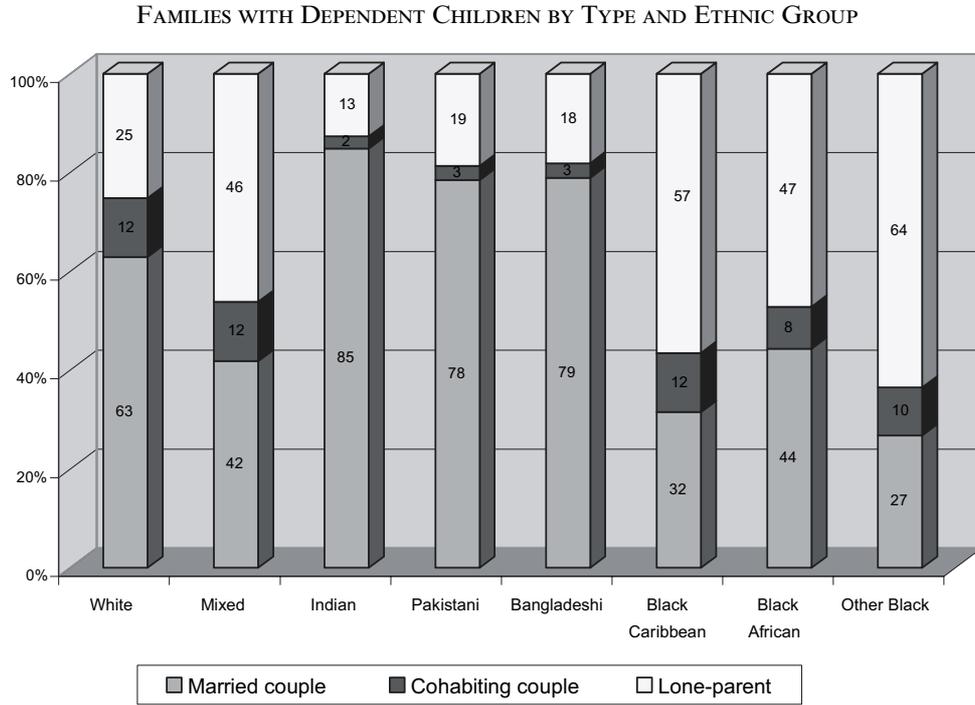
Figure 4b

SINGLE PERSON HOUSEHOLDS IN SELECTED ETHNIC GROUPS (AS % ALL HOUSEHOLDS EXCEPT SINGLE PENSIONERS)
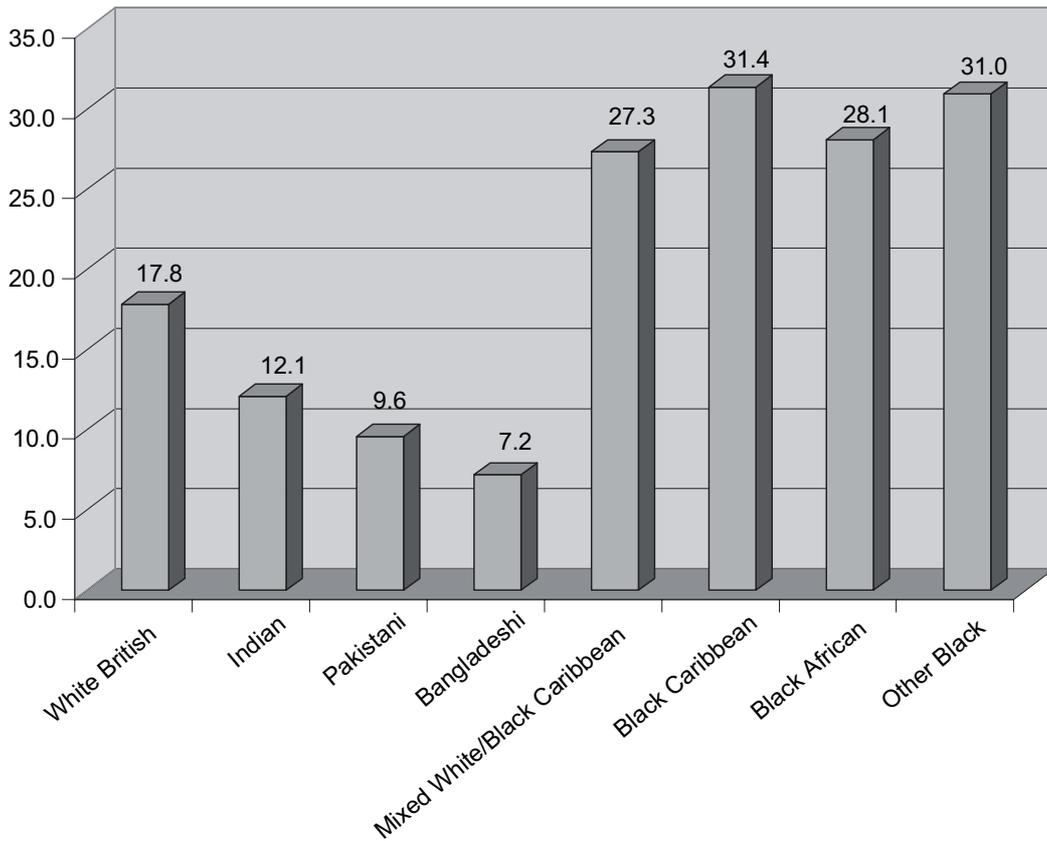
Figure 5a

SELECTED MINORITIES AS A PROPORTION OF CHILDREN IN CARE COMPARED TO THEIR PRESENCE IN THE
POPULATION AGED 0 TO 17
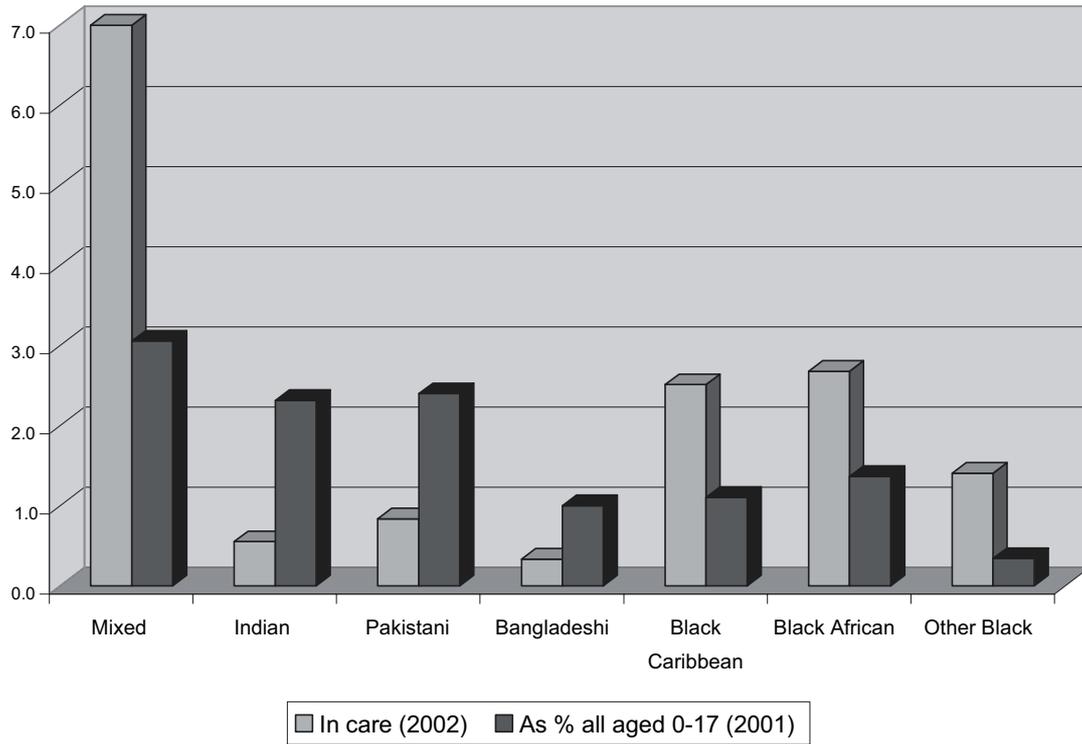
Sources: and 2001 Census

Figure 5b

REASONS FOR CHILDREN BEING IN CARE BY ETHNIC GROUP (2002)
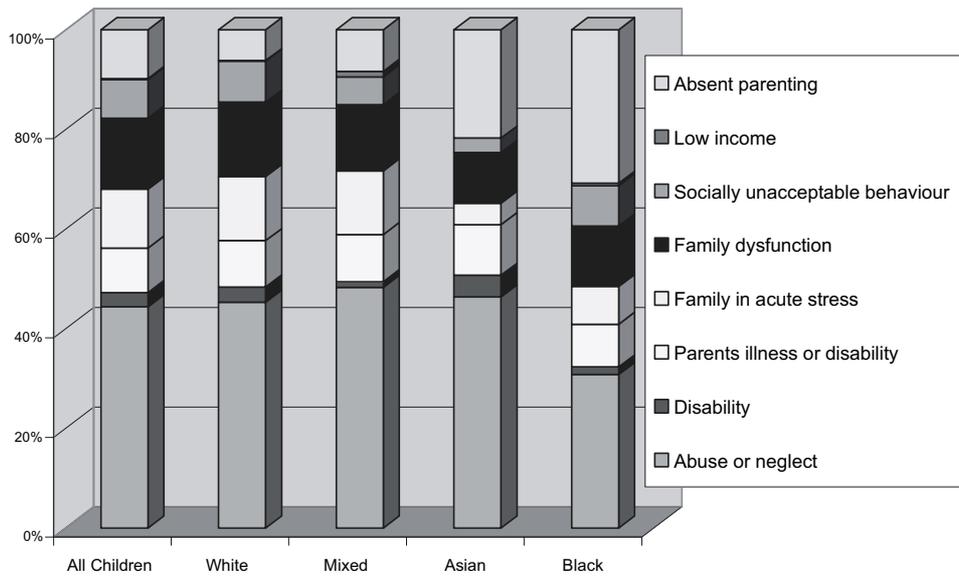
Figure 6

EDUCATIONAL ATTAINMENT AGED 7 TO 16 BY ETHNIC GROUP 2003[155]

6a Boys
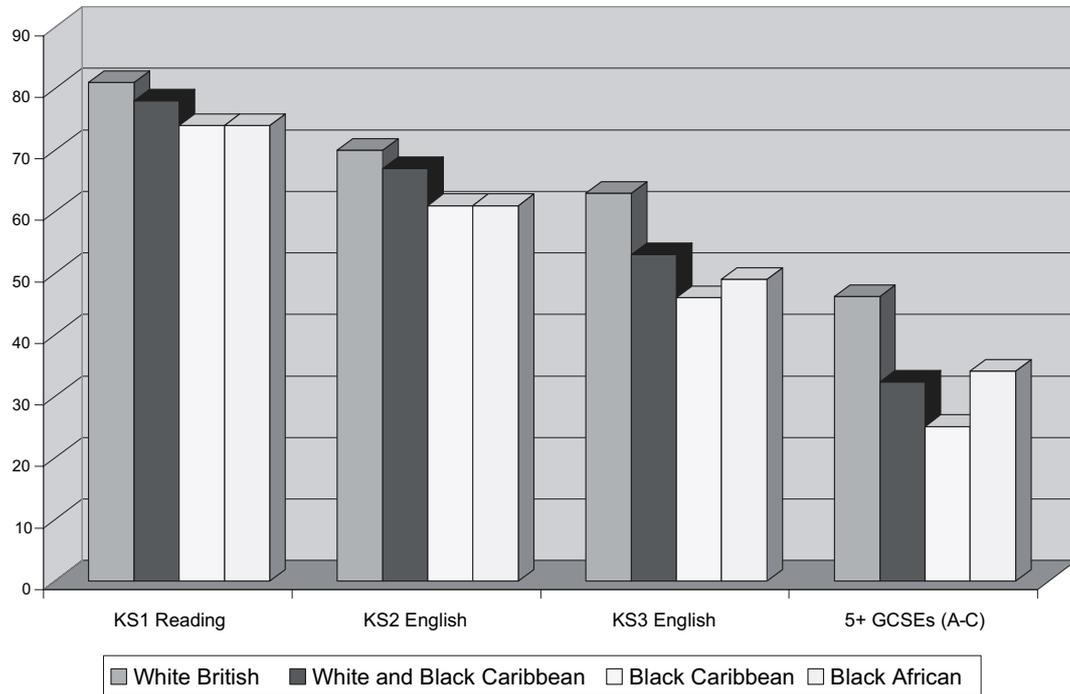
6b Girls
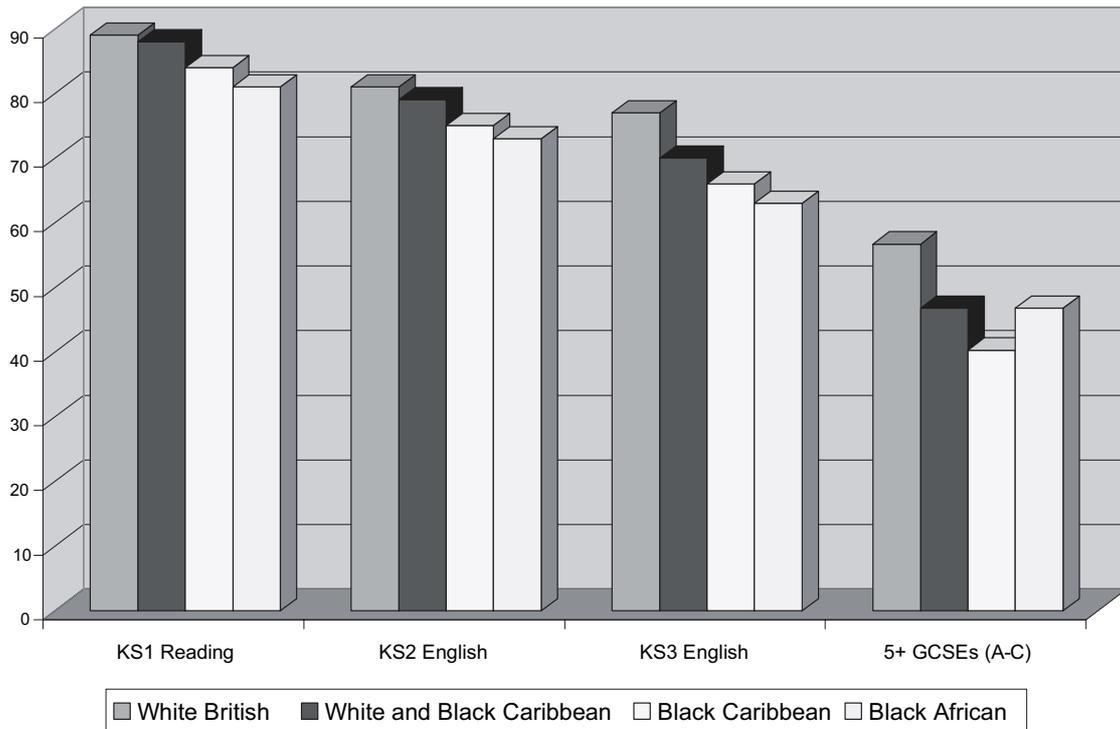
[155] 2003 figures have been used here rather than those for 2004 since the published tables for the latter do not include results at Key Stage 3. The overall pattern of ethnic and gender differences at KS1 and 2 and for GCSEs, however, is the same as for 2003.

6c. Gender differences in attainment at GCSE level 2003
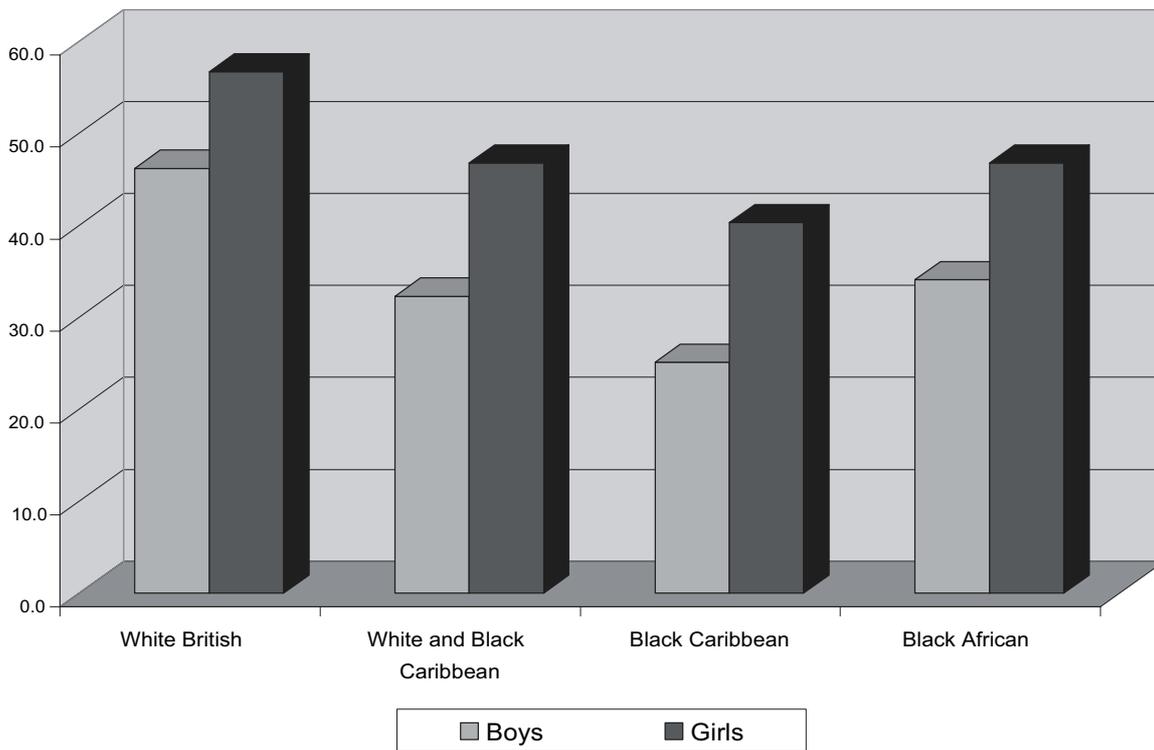
Figure 7

EXPERIENCE OF SEARCHES UNDER VARIOUS POWERS
2004-5
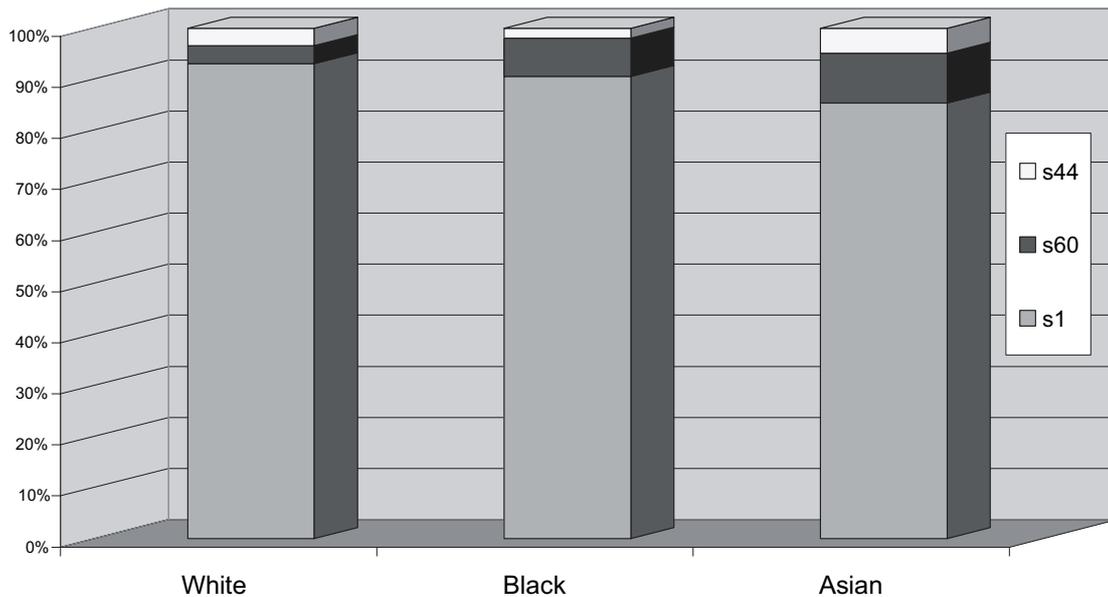
19. Memorandum submitted by Flipside

Flipside is the operating name of Lambeth Crime Prevention Trust which is a registered charity that works with young people mainly in the London Borough of Lambeth.

This evidence is submitted on behalf of four of the young black people who are currently working on one of our projects based in the Coldharbour Ward. This ward is a significant crime hotspot and is recognised as having a very high level of social deprivation.

They looked at the following areas: Youths, Peer Pressure, Upbringing, Attitude, Police, Role Models and Way Forward.

YOUTHS

One of the problems is that young males have nothing to do so they hang around together, then by default form into crews/gangs.

The need to have a community centre/drop-in centre where they can "chill" with supervision. The group identify an "age thing" (16–17 years) which is to be on the road doing "their own thing". As they get older these young people realise they can't do this forever so they find work somewhere like Sainsbury's or they turn to thieving (stealing).

Another problem that they identified was the wearing of hoods by young people, known in the media as "hoodies". The perception they feel young people have is that wearing a hood means that one will be automatically stopped by the police.

PEER PRESSURE

They all agreed that if a young person is not mentally strong s/he will be influenced by others. If s/he can't handle being on the road because s/he is not designed for life on the road s/he will get caught. (By being designed for life on the road they meant a young person who has from an early age been involved in an anti-social/ criminal way of life). They acknowledged that the weaker/ younger ones will be targeted and bullied and that some of them will be drawn into trouble. They also acknowledged that a young person needs to have the skill not to be involved in an anti-social/criminal way of life but have the ability "to roll" (to be accepted) with those on the street.

UPBRINGING

The group identified positive upbringing as being very important. All of them had strict parents which they felt had not done them any harm and all have good relationships with their mothers. They identified that working class parents work long hours resulting in children being left at home alone. The parents often have problems because they cannot come home and discipline their child/children immediately for misbehaving, are unaware of it, or are too tired to do anything about it. They felt very strongly that children must not control the parents. They pointed out that a young person's parents/teachers are very influential on him/her. One of the group said that once she found that one of her teachers believed in her ability, she believed in herself.

ATTITUDE

The group felt that the young people and the police/criminal justice system suffer from a lack of knowledge about each other, this leads to misunderstanding. Some of the group felt that neither side wants to understand each other, which means that they both have a distorted perception of each other. In the system some of the group felt that young black people are treated different to their white counterparts. They also felt that racism is as apparent as it was during the Brixton riots, black people are still being treated the same. However, they noted that at social events sometimes black people kick off and contribute to a negative image of young black people.

POLICE

Generally it was felt that the police hassle the wrong people. A young black person needs to know how to handle the police, how to talk to them without swearing at them. He/she needs to know his/her rights.

In Brixton the group felt that the police are not dealing with the drug dealers in the centre where older dealers are selling drugs blatantly on the streets.

They felt that police use more pressure on young people than on gunmen who are driving around and Yardies dealing on the streets.

Finally they felt that if you make a complaint (properly) against a police officer that it gets nowhere as they (the police) all support each other.

ROLE MODELS

Role models are important but they don't have to be famous people. One of the group identified her mum as her role model. Another identified Jay-Z but only for his MCing, the group felt that sometimes stars are unrealistic role models. A community member could be a role model.

WAY FORWARD

Setting personal goals was seen as being very important and then working towards them.

They acknowledged that working can be difficult if you are a teenage mum over 18 years because child care is expensive and it is very hard to get out of the benefits trap.

They identified that people physically have to do something to stand up to the guns/gangs—it is not enough to talk all the time as the streets are been taken over, people need to stand up against them. They noted that many white people march for black youngsters killed by guns. They felt by nature black people are not good at protesting/marching. They also realised that people are not involved on the estates because they are scared to be involved because of retaliation.

They felt that ensuring the following would help alleviate some of the levels of misunderstanding on both sides:

(i) That young black people should know their rights so that they can handle the police better thus helping their relationship with the police.

(ii) That there should be mandatory awareness training for all practitioners in the criminal justice system which covers cultural and social deprivation issues for young black people.

March 2007

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20. Memorandum submitted by the From Boyhood to Manhood Foundation (FBMF)

INTRODUCTION

Project aims

FBMF is an independent school having received Ofsted independent school status in September 2004. It was founded in 1996, in response to requests from parents and the community to provide support for black boys of African and Afro-Caribbean descent who were in danger of, or were already educationally and socially excluded. FBMF provides a service for black boys aged 12–16 years and young men 17–21 in its "Lifestyle Management and Self-Development Programs".

Lead organisation(s)

From Boyhood to Manhood Foundation.

Client group

The client age group is typically 11–17 years, with the peer mentor scheme targeting 17–21 year olds. Around 150 young people pass through the school each year.

Program delivery

The FBMF Lifestyle Management program provides basic education in math, english and science, as well as, anger and lifestyle management, community service and extra curricular activities. Students are referred by schools, Pupil Referral Units (PRU's), Youth Offending Team's (YOT), social services, criminal justice system, parents and self-referrals.

Funding: FBMF is project funded by the Government Office For London, the Greater London Assembly, Southwark Council, Connexions, Community Safety and Peckham Programmes. Its major income is from its services provision to schools.

1. *The main issues you deal with in your work with young people*

2. Finding sufficient funding to cater our services. We run a full time service which provides full time education, counselling, therapy, mentoring, parenting and positive activities.

3. Affording adequate accommodation in order to cater for the educational and training of an increasing number of black males who are 16 +. We find if they don't receive adequate support when they leave school,

or drop out of further education, many young black males drift into crime or turn to street hustling. It is our experience that with the right support, young men can break out of this cycle of personal and social destruction.

4. *The extent to which you believe there are particular problems affecting young black people, and the reasons for this*

5. Black Boy: Mis-diagnosed with Special Educational Needs (SEN)

According to a growing chorus of parents, educators and activists whom FBMF work with, far too many confront a stifling kind of bias that destroys their interest in school. This prejudice can have hurtful consequences: cultural insensitivity, lowered expectations, unduly harsh discipline, and the systematic shunting of black boys into remedial or special education classes.

6. School ignoring their limitation to deal with issues of black males

Our experience that many schools do not seek the help of outside black organisations when they are dealing with black male issues. In most cases, many schools believe that the issues black males face in school, are no different from other students. The consequences with this stance, is that the school ends up excluding more black males from the classroom and putting them in special educational units. Moreover, schools only seek help, when the young person is in danger of exclusion, involvement in crime, or truancy.

7. *The types of interventions, which you have found to be most helpful*

8. Complementary parenting

Trying to provide a secure and nurturing environment, so as to facilitate a successful transition from boyhood to manhood.

9. Positive Virtues

Fostering a sense of academic responsibility and the promotion of the values and virtues of education and honest work.

10. Parenting

Supporting parents as the young person's first moral teachers, and encouraging parents to support FBMF in its efforts to foster good social and community values.

11. Collaborative work with Statuaries and Voluntary

Engaging in collaborative work with other agencies to facilitate a more comprehensive approach in dealing with black youth disaffection, anti-social behaviour, gun, violent and youth crimes.

12. Constructive Activities

Providing educational and constructive activities during the school day for long-term school "refusers", and hard to reach 16 + .

13. School Partnerships

Working with schools in order to prevent exclusions and disruptive behaviour.

14. Mental Health Intervention

Providing a safe and caring space where young black males can receive counselling and therapy in order:
— To have a feeling of belonging.
— Clarify life's dilemmas, which are impacting on the transition from boyhood to manhood.
— Non-judgmental support in order to help with issues impacting on SELF and Identity.
— Free from labelling, stigmatizing and a sense of not being heard.

August 2006

21. Supplementary memorandum from The From Boyhood to Manhood Foundation

In answer to what can be done I suggest the following:

1. A project like The From Boyhood To Manhood Foundation, (FBMF), or its equivalent of which there are few, that is Ofsted registered, to be skilled up in best practice to deliver services and education for this target group.

2. That black voluntary and community groups that have a history of delivering quality services, and that produce real change in communities, or whose work provide support systems for other agencies, should be funded well, and over a minimum period of five years subject to independent monitoring and evaluation.

3. That independent people who work effectively in the community to combat black youth crime be supported to be able to attend meetings, seminars and conferences so that they can understand and utilise policy. And that they have access to some administrative support when required.

4. A large portion of the Recovered Assets Funds, properties and appropriate vehicles should be allocated to Black groups mentioned in 1, 2 to enable them to develop and adjust to the changing needs of the community more effectively, to capacity build them and to core fund them.

5. That agencies and groups work with excluded young people, the police, and ex-offenders where appropriate, to produce preventative projects and programmes and employment to these young people.

6. That refugee status teachers and other professionals be given some kind of exemption to be able to work with young people from their own countries within programmes, or in partnerships, and that they are paid.

7. That public service adverts and short programmes are created and presented to the public that presents acceptable modes of behaviour and good conduct (citizenship for young people).

8. That this, or another committee should be asking these question each year until the problem is managed.

9. Prisons and detention centres encouraged and tooled up to provide moral and ethical education, and to teach the Calling The Shots Curriculum to under 25 year olds.

10. The promotion of positive British home grown music, cinema and other art forms.

11. More combative and team sport in school, so they learn to cope with defeat and success graciously.

12. Fully staffed safe houses/centres for young people in conflict with parents.

13. More new language choices, taught alongside the usual European ones, that are relevant to the communities that the schools serve, ie Peckham = Yoruba.

14. More twinning of cities and exchanges.

15. More information given in school about the political/citizenship process to help young people understand how the country is governed at both local and national levels. This can be done through the arts, Youth Forums, Mayors Office, etc.

16. More culturally-specific counselling and therapy. Current provision eg, CAHMS is falling short of its outcomes in relation to Every Child Matters.

Ms Decima Francis

November 2006

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22. Memorandum submitted by Generating Genius

A NEW STRATEGIC APPROACH TO TACKLING THE HIGH LEVELS OF BLACK MALES IN OUR PENAL SYSTEM

Generating genius is a charity set up in 2005 to give bright students from disadvantaged backgrounds a real opportunity to access science education at university level. It was set up by Educationalist Dr Tony Sewell who saw the potential of using the resources and knowledge based in university science departments to support young secondary school children.

This project aims to encourage higher standards of educational achievement amongst black and minority ethnic groups, in particular 11–14 year old African Caribbean boys, by improving pupils' motivation and self-esteem through the study and learning of science, technology, engineering and medicine.

Generating Genius is a rolling programme. It recruits, every year, boys into a residential summer school and e-mentoring programme. It will eventually recruit girls but has initially responded to the need to respond to the underachievement of boys from disadvantaged backgrounds.

This is a science academy which takes 12 year old children and trains them over five years in the arts, discipline and knowledge of research science.

THE VISION

— Our vision is to encourage and develop talented boys from a disadvantaged background to aspire to professions in medicine and scientific research.

— We want to work in partnership with a number of established university science, engineering and medical departments.

— We want to produce a learning model based on a "science academy" that will nurture young scientific minds.

— We want to impact the wider school environment by producing leaders who will influence their peers by becoming role models.

We see this as a model for any serious approach in tackling the problems of black youth. Previous approaches have centred on the "social exclusion" model that has pumped millions in terms of resources into initiatives such as the Ethnic Minority achievement Grant and a host of small short-term crime prevention models.

One of the reasons why there has been a limited impact in these initiatives on crime levels amongst black youth is that we have failed to do three things:

1. Intervene when these boys are young.

2. Develop their innate genius.

3. Have longitudinal programmes not short-term fixes.

This is a radical approach, which seeks to find diamonds in the rough. What many of these boys need is a mental engagement at a high level. This will mean serious investment in a programme like ours, to have a serious impact may well cost around six million pounds, but it is far cheaper than what is spent on keeping these boys in the criminal justice system.

The African Caribbean community needs to have what I call "a momentum of success" where boys from seriously poor backgrounds are given a chance to shine. There are vested interests in social exclusion programmes, mainly because they are job creation schemes. If the Home Office are serious about tackling African Caribbean male disaffection, then back schemes like ours which works with boys from 12 to the university door (and we don't mean the university of crime).

September 2006

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23. Memorandum submitted by Dr Jeune Guishard-Pine

DADDY CAN YOU SPARE ME SOME TIME? FATHERING; FAMILY BREAKDOWN AND DELINQUENCY IN BLACK YOUTH: ARE THEY LINKED?

When I was asked to submit a briefing, I immediately recognised that the challenge for me would be how to safely translate the findings of my research (which was for an audience with an interest in educating black children) for an audience with their eyes on anti-social and criminal behaviour. My research was a series of four studies. Using questionnaires and rating scales I asked over 600 children from "white", "South Asian" and "African/Caribbean" backgrounds to provide information on how they experienced fathering behaviour. I also asked a group of fathers themselves how they behaved toward their children. I examined four constructs as follows: father availability (residence, time spent together); father involvement (ratings scale describing how often the father engaged in a range of caregiving activities); father-child relationship (rating of "closeness"); and fathering "style" (the range or concentration of activities that the father carried out with his children), and their influence on the child's reading and numeracy skills; their self-esteem and their cognitive skills. As well as examining findings for the whole sample, separate analyses were carried out for each "racial" group.

I summarise below what a perusal of available literature revealed that has some relevance to the findings of my research, specifically on black fathering.

1. Earliest research revealed that there was a link between the lack of involvement of a father in the child's upbringing and property and personal crimes. However, the overall findings of robust research into the significance of family variables in predicting current or later delinquency are seriously limited, and more research is needed. The findings from studies to examine the relationship between father absence and offending behaviour have been equivocal. Reviews suggest that a combination of variables rather than a single factor such as the physical presence/absence of a father in the child's home is a more useful way to approach an understanding of the relationship between family life and criminal behaviour. For example, studies have shown that the socio-economic status of lone mother families as evidenced by the deterioration in the financial and social status of a family, increased maternal stress and reduced the mother's ability to be emotionally and mentally present for her children, and therefore the link between absent fathers and adverse psychological outcomes is not direct. However, it is fair to say that generally, boys are more affected by family breakdown than girls. This was supported by my research, and may partially explain the relatively higher level of anti-social and criminal behaviour amongst black boys rather than girls.

2. Conversely, there is research evidence to show that processes at a transactional level within many schools influence the development of anti-social behaviour—more specifically, factors such as the cocktail of difficult, or troublesome boys; or the low expectations and high turnover of teaching staff. My research showed that even though their ratings of individual children in their classes did not evidence this, teachers continued to hold beliefs that children from lone parent families were more prone to problems of conduct.

3. The strongest relationship between family variables and criminal behaviour is the parents' modelling of criminal behaviour. National statistics reveals that both men and women of African/Caribbean descent are overrepresented in British prisons and it may be that this finding is relevant for delinquent black youth. In one of my studies, children with non-resident fathers rated them as being more involved in their care than their comparators with resident fathers. It may be that children with absent fathers idealise their father, and this has been shown in a number of studies. However, there may be alternative explanations for this phenomenon. It may have occurred because fathers who were physically present were less involved in active caregiving, preferring to leave this role to the mother. Or it may be that a devoted non-resident father has to engage in a wider range of parenting tasks in the limited time that he has available to his children, and the mother is not available to share those tasks with when the children are in his care.

4. Exposure to spousal conflict, hostility and frequent confrontations and arguments in their early childhood was also found to be part of the profile of delinquent youth. There was a strong association between rejection by both parents (rather than one) and delinquency. My research showed that the black children with the best outcomes had two parents who were most active in supporting their children's development regardless of the residence or marital status of the father.

5. Early research indicated that delinquent behaviour was also more prevalent in children whose parents were less explicit in showing them affection, and that this outcome was more pronounced for delinquents whose father restricted his availability to, and withheld affection from the child. My research suggests that black boys felt that their fathers were less committed to supporting their emotional development than girls.

I have appended an article, annotated from my thesis, to this briefing paper for background information, (not printed).

Dr Jeune Guishard-Pine
Consultant Psychologist and Clinical Head for the Luton Child and Adolescent Service to Children Requiring Intensive Psychological Therapies (SCRIPT)

September 2006

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24.   Memorandum submitted by the Department of Health (DH)

BACKGROUND

The Home Affairs Committee is holding an inquiry into the relationship between young black people and the criminal justice system, focusing particularly on public perceptions of criminality among young black people and the reasons for their overrepresentation in the system.

For the purposes of this inquiry, the Committee will focus on young people whose cultural background is associated with the ONS Census ethnicity category "Black or Black British", which comprises "Caribbean", "African" and "Any other black background".

The Committee has asked the Department of Health to answer the six questions listed below.

QUESTIONS FOR THE DEPARTMENT OF HEALTH

As some of the questions relate to social policy for children, this response has been compiled jointly with the Department for Education and Skills who have responsibility for this area.

1. *How much ethnic data is available on young people in contact with health and social services?*

The Department of Health actively promotes the collection of ethnic data for patients and service users in contact with health and social services. Although ethnic monitoring is common across social services, performance on ethnic data collection is more variable in the NHS, where there are sensitivities both for staff asking for information and for patients giving it. The Department is committed to raising the quality of ethnicity data of those who use NHS services and published revised guidance on ethnicity monitoring of NHS patients and social care users in July 2005.

Within the NHS the only mandatory ethnic group collection is for in-patients, which is currently recorded in Hospital Episode Statistics. It is good practice, although not mandatory, to collect ethnic data in primary care settings. GP practices are now incentivised to collect ethnic group data on new patients through the Quality and Outcomes Framework, and the new GP registration forms that are shortly to be introduced will for the first time include a question on ethnic group and should lead to comprehensive and complete data on the ethnic group of patients.

DH will shortly be launching the "Pacesetters Programme" working with up to five Strategic Health Authorities on delivering equality and diversity improvements in the NHS, including improving and using ethnicity data collections within the service.

Social care data is available in Table 10 in the Statistical Volume for Children in Need in 2005. This table is at **Annex A** to this response. Note that these figures provide information on all children who were in touch with social services during a survey week during February 2005, and that the Children Looked After figures include children in respite care.

Research by Bristol University in 1999 found a greater degree of unmet need for disabled children in families from minority ethnic communities. Separate research by the University of Lancaster in 2002 found this to be particularly true of families of South Asian origin. These pieces of research fed into the development of the National Service Framework for Children, Young People and Maternity Services (The Children's NSF).

The Children's NSF, which we published in 2004, contains eleven standards against which we will judge the performance of NHS providers increasingly over the 10 years to 2014. The research mentioned above relates to standard 8, which deals with disability, but standard 1 (which deals with health promotion) and standard 4 (which deals with transition to adult services) are also important.

All 11 standards of the NSF recognise that Black and Minority Ethnic (BME) communities are less likely to access health care and health promotion programmes. The NSF introduced a Child Health Promotion Programme aimed at improving the health of all children.

The NSF calls for PCTs to have strategies in place to ensure that all children are registered with GPs and to ensure access to health promotion programmes for children from sections of the community less likely to access them.

The National Children's Bureau will begin a project, with funding from the Department of Health under the section 64 scheme, in September 2006 aimed at improving access to health services for children from BME communities.

2. *How is this data being used to monitor equality of treatment (including access to services) and inform policy with particular reference to young black people?*

DfES monitor and publish the data nationally to ensure that local authorities are able to take it into account in developing policies and services locally.

The DH guidance on ethnicity monitoring of NHS patients and social care users applies to community health and hospital-based settings and social care, and sets out how data should be collected and used to monitor equality of access and treatment and inform policy. It confirms the use of ONS codes for ethnic group as the NHS standard and includes a range of good practice examples, including sensible and proportionate processes and forms.

3. *What evidence is there for ethnic differences with regard to:*

Child protection issues?

Of children on child protection registers at 31 March 2005, 81% were White, 7% were Mixed, 5% were Black, 4% were Asian, 1% were Other Ethnic Groups, and 1% were Unborn. This suggests that a disproportionate number of Mixed and Black children are on child protection registers, compared with the proportion of the overall population made up of these groups.

The Government guidance on child protection is very clear that, in order to make informed professional judgements about a child's needs and parents' capacity to respond to those needs, professionals should be sensitive to differing family patterns and lifestyles and to child rearing patterns that vary across different racial, ethnic and cultural groups. It also makes clear that children from all cultures are subject to abuse and neglect; that all children have a right to grow up safe from harm; and that child abuse cannot be condoned for religious or cultural reasons. (*Working Together to Safeguard Children: A guide to inter-agency working to safeguard and promote the welfare of children.* HM Government, 2006.)

Children supervised by social services or in care?

Of all children who were in touch with social services during a survey week during February 2005: 74% were White, 6% were Mixed, 4% were Asian, 7% were Black, 2% were other Ethnic Groups and 7% did not state their ethnicity. See Annex A.

Fostering and adoption

Figures on the number of Children Looked After by ethnic group are available in Table H in the Statistical Volume for Children Looked After in 2005. See attached **Annex B**.

Information is available about the ethnicity of children adopted from care but because numbers are small it has been necessary simply to compare white children with all other ethnic identities. 17% of looked after children who were adopted in 2005 were from ethnic groups other than white, an increase from 13% in 2003. This compares with about 21% of all children looked after. (Lines from the Children Act Report).

The Government's White Paper: *Adoption: A New Approach (2000)* reported that:

— Black children wait on average five months longer for placement than white children.

— Mixed-race children wait on average eight weeks longer for placement than white children.

Mental health problems?

The Department of Health set out its vision for the development of comprehensive Child and Adolescent Mental Health Services (CAMHS) in Standard 9 of the National Service Framework for Children, Young People and Maternity Services (September 2004). This recognised that the mental health needs of minority groups were not always being addressed. The document set out a number of measures to improve the position which included:

— local CAMHS needs assessments should specifically take account of the mental health needs of BME children and adolescents;

— all staff working within CAMHS are sensitive to the needs of children and young people from different BME groups;

— training is available for staff to work effectively with families from specific BME groups within their community;

— services aim to recruit and train professionals from the ethnic minorities for whom services are being provided, and review the provision and training of interpreters to ensure that best practice is achieved; and

— Primary Care Trusts and Local Authorities ensure that local directories of services for minority groups are available.

The existence of a CAMHS needs assessment, and its inclusion of BME requirements, is one of the elements taken into account by the Healthcare Commission in its assessment of PCTs' performance in improving CAMHS locally.

Data from the CAMHS mapping found that 3% of cases dealt with by the CAMHS workforce in 2004 were from Black and Black British communities. See www.camhsmapping.org.uk/2004/atlas/CHAPTER4.pdf for more details.

Additionally, the ONS survey *Mental Health of children and young people in GB 2004* looked at the prevalence of mental health disorders amongst children aged 5–16 years. The only major difference found between ethnic groups in this survey was that children of Indian origin had an overall prevalence rate of 2.6% compared to between 7–10% for other ethnic groups. However the ONS team were keen to stress that due to the numbers of different ethnic groups within their sample they didn't want to draw any major conclusions from this. (table 4.6 p 41). www.statistics.gov.uk

The Mental Health Act Commission report suggests that young black men are overrepresented on adult in-patient units (ie are more likely to be on an adult unit rather than a young people's unit than their white counterparts). In contrast we know from local data collected by services that some ethnic groups are underrepresented in terms of use of CAMHS which focus on early intervention.

Young people admitted to secure hospitals?

In January 2005, DH published Delivering Race Equality (DRE) in Mental Health. As part of this five-year action plan for tackling inequalities and discrimination in mental health care, the first annual Count Me In Census was taken in March 2005 in order to better monitor the mental health service experience of BME service users. The Count Me In: Mental Health and Ethnicity Census, published in December 2005 will set a baseline for monitoring progress. The 2005 census was conducted jointly by the Healthcare Commission, the Mental Health Act Commission and the National Institute for Mental Health (England).

We know from research and the Count Me In census that rates of admission and detention are significantly higher for some BME groups. They are more likely to arrive in care through the criminal justice system, and that once in hospital some BME patients are more likely than white British people to be subject to measures like seclusion or restraint. This fuels the "circle of fear" that deters many BME patients from seeking early treatment for their illness.

The following information is taken directly from the Count Me in (December 2005) publication

Age

The proportion of young people was higher among inpatients from BME groups when compared with the White British, White Irish and Other White groups. This finding is also representative of the general population, where members of BME groups are younger overall. One per cent of all inpatients were younger than 17 years and 31% were aged 65 and older. Information on age was missing or invalid for 1.6% of inpatients (see table 1 for percentage age and gender distribution by ethnicity).

Table 1

PERCENTAGE AGE AND GENDER DISTRIBUTION BY ETHNICITY

| Ethnic category code | Age categories | | | | Males | Females |
Census categories	0–17	18–24	25–49	50+	(%)	(%)
British	2.2	7.0	37.7	53.1	52.4	47.6
Irish	0.8	3.9	33.4	61.8	53.0	47.0
Other White	1.4	6.8	40.6	51.2	51.8	48.2
White and Black Caribbean	5.1	17.3	70.2	7.5	69.3	30.7
White and Black African	2.8	29.6	57.7	9.9	65.7	34.3
White and Asian	4.8	17.3	68.3	9.6	64.4	35.6
Other Mixed	7.8	18.1	65.7	8.4	66.3	33.7
Indian	2.1	9.3	58.5	30.2	60.4	39.6
Pakistani	4.0	14.2	63.4	18.5	72.2	27.8
Bangladeshi	4.6	21.7	61.8	11.8	71.2	28.8
Other Asian	3.8	9.5	63.1	23.6	64.5	35.5
Caribbean	1.2	10.4	63.1	25.4	69.3	30.7
African	3.1	19.8	68.3	8.9	68.4	31.6
Other Black	1.9	13.6	76.8	7.6	74.6	25.4
Chinese	1.2	6.2	66.7	25.9	48.8	51.2
Other ethnic group	2.8	12.1	60.7	24.3	68.5	31.5

Further findings from the Census are given in Annex C.

Drug and alcohol use?

There is information on drug and alcohol use by ethnic group in Pages 213–15 of the 2004 School Survey, which is available on the DH website at the following address.
http://www.dh.gov.uk/assetRoot/04/12/34/32/04123432.pdf

The National Treatment Agency for Substance Misuse has, as part of the Home Office Response to the Select Committee provided on the degree of ethnic variation in ratios of drug treatment places to drug mis-users; and the extent to which drug treatment services vary in their effectiveness depending on the ethnicity of the user.

Alcohol Needs Assessment Research Project (ANARP) (DH Nov 2005): Summary Report: states "In relation to ethnicity, BME groups have a considerably lower prevalence of hazardous/harmful alcohol use, but a similar prevalence of alcohol dependence compared with the white population.

Statements out of the full report include:

Psychiatric Morbidity Survey: Alcohol use disorder profile.

The prevalence of hazardous/harmful drinking in England among those aged 16–64 years is 22.6% (95% CI = 21.6–23.7). The estimated number of persons aged 16–64 years drinking at this level is 7,106,908 (6,792,443–7,452,820). The male-female ratio is 2.26:1. The White-BME ratio was 1.7:1.

General Household Survey: Alcohol use disorder profile

Hazardous drinking

According to the GHS, the prevalence of hazardous drinking in England among those aged 16–64 years is 18.6% (95% CI = 17.8–19.4). The prevalence among men is 22.2% (95% CI = 21.0–23.4) and 7.4% among women (95% CI = 6.6–-8.2)

There is an inverse relationship between age and prevalence of hazardous drinking. There was a consistent decline in age-specific rates as age increased. The White-BME ratio was 3.5:1."

Harmful drinking

The prevalence of harmful drinking in England among those aged 16–64 years is 5.3% (95% CI = 4.9–5.8). The prevalence among men is 7.4% (95% CI = 6.6–8.2) and 3.4% among women (95% CI = 2.9–4.0)

Those aged 16–24 years are at the highest risk of harmful drinking. The White-BME ratio was 6.8:1.

Binge drinking

The inclusion of binge drinking in this report is based on the widely reported association between alcohol use and alcohol-related community harm and criminal behaviour. The prevalence rate of binge drinking in England is 20.3% (95% CI = 19.5–21.1). From this, it can be estimated that approximately 6.4 million persons (lower limit- upper limit: 6.1 million—6.6 million) aged between 16 and 64 years have engaged in binge drinking in the last year. Approximately 26% (24.3%–26.7%) of men have consumed more than 8 units of alcohol on one or more days per week in the last year. About 15% (14.4%–16.4%) of women have consumed more than 6 units of alcohol on one or more days per week in the last year. The male-female ratio is 1.7:1. This ratio is lower than that for hazardous/harmful drinking and alcohol dependence.

The inverse relationship between binge drinking prevalence and age is similar to that observed for hazardous/harmful drinking and alcohol dependence. The White-BME ratio for binge drinking (4.5:1) was similar to that for alcohol dependence.

From Psychiatric Morbidity Survey:	*WHITE*	*BME*
Hazardous/Harmful drinkers (AUDIT 8–15)	23.3%	14.0%
Dependent drinkers (AUDIT 16–40)	03.6%	03.4%
From the General Household Survey		
Hazardous drinkers (22–49 units/week)	19.6%	5.6%
Harmful drinkers (50 + units/week)	05.4%	0.8%
Binge drinkers (8 + units/day)	21.5%	4.8%

Teenage pregnancy?

There is evidence that suggests young people from some ethnic groups are much more or less likely to experience teenage pregnancy than others—even after taking account of the effects of deprivation. For example, teenage pregnancy rates vary dramatically between London boroughs with a similar level of deprivation, but a different ethnic composition. In some instances, a borough's rate is double that of a similarly deprived borough with a different ethnic make-up.

Establishing the precise impact of ethnicity is difficult because: ethnicity is not recorded at birth registration; BME groups are overrepresented in deprived areas where high rates would be expected; and sexual behaviour, knowledge and attitudes may vary considerably within BME groups. Nevertheless, the available evidence does indicate that girls and young women from some ethnic groups are more likely to become pregnant under-18.

Data on mothers giving birth under age 19, identified from the 2001 Census, show rates of teenage motherhood are significantly higher among mothers of "Black Caribbean", "Mixed White and Black Caribbean" and "Other Black" ethnicity. "White British" mothers are also overrepresented among teenage mothers, while all Asian ethnic groups are underrepresented.

Girls and young women of Black and Black British ethnicity are also overrepresented among abortions under-18. In 2004, Black[156] ethnic groups accounted for 9% of all abortions under-18, and in London, which has high rates of repeat abortion, 43% of all under 18 abortions following a previous pregnancy were for young women from Black ethnic groups.

Variation between ethnic groups in sexual activity and contraceptive use suggest the higher rates of teenage pregnancy among some ethnic groups are at least partly attributable to differences in behaviours and attitudes, and not simply a result of deprivation. A survey of adolescents in East London[157] showed the proportion having first sex under 16 was far higher among Black Caribbean men (56%), compared with 30% for Black African, 28% for White and 11% for Indian and Pakistani men. For women, around 30% of both White and Black Caribbean groups had sex under 16, compared with 12% for Black African, and less than 3% for Indian and Pakistani women. Survey data also demonstrate variations in contraceptive use by ethnicity. Among 16–18 year olds surveyed in London,[158] non-use of contraception at first intercourse was most frequently reported among Black African males (32%), Asian females (25%), Black African females (24%) and Black Caribbean males (23%).

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[156] Data quality and small numbers do not permit a more detailed disaggregation of "Black" ethnicity.

[157] Research with East London Adolescents Community Health Survey (RELACHS), 2004, UCL, City University and Queen Mary, University of London.

[158] Testa A and Coleman L (2006), *Sexual Health Knowledge, Attitudes and Behaviours among Black and Minority Ethnic Youth in London.* Trust.

Differences in sexual behaviour and risk of teenage pregnancy between ethnic groups demonstrate the need for local teenage pregnancy strategies to develop culturally sensitive approaches to reducing teenage pregnancy rates—especially in areas with large BME populations. These need to recognise, and address, differences in: norms around discussing sensitive issues within families; gender issues; religion; and accessing mainstream services.

4. *What, if any, health or social services policies exist focusing particularly on young black people?*

Fostering and black and ethnic minority children:

Matching children and carers

We know how vitally important it is for children in foster care to be found the right people to look after them. They need carers who make them feel comfortable and supported and who help them to develop a positive self-identity and pride in their backgrounds. Matching children where possible with carers who share their culture and ethnicity is an important part of this.

Local Authorities are required by law to give proper consideration to a child's racial, religious, cultural and linguistic background when making any decisions regarding the care of that child. (Section 22 of the Children Act 1989)

Sometimes it may be necessary to place a child with carers who do not share his or her ethnicity or culture. In this case our National Minimum Standards for Fostering Services (2002) require that the responsible authority provides the foster family with additional training, support and information to enable the child to receive the best possible care and to develop a positive understanding of his or her heritage.

Recruitment of carers from black and minority ethnic backgrounds

Local authorities have a duty to consider the ethnicity of children in need in their area when recruiting foster carers. (Schedule 2 Part 1, section 11, Children Act 1989). We do not have the data currently to identify whether there are shortages of carers from particular ethnic groups, although we have taken steps to introduce new data gathering (see below). We know that there is a general shortage of foster carers nationally (Fostering Network estimate 8,000 in England) which inevitably can make it more difficult to find the right carers for a child.

Action we are taking

Recruitment of foster carers from all backgrounds is a Government priority so that the best possible carers for each individual child can be found. We have funded a number of initiatives to support local recruitment:

— a two year grant to the Fostering Network to identify and disseminate innovation in foster care recruitment. They have recently produced a report about this work which provides advice and case studies regarding the effective recruitment of foster carers from minority ethnic groups;

— a Fostering Publicity Pack designed to help local authorities to run targeted local campaigns to recruit new foster carers for looked after children; and

— a three year grant to the Fostering Network to support Foster Care Fortnight, which has a particular focus on recruitment.

We are also improving the support available to foster carers to improve recruitment and retention, for example we are due to announce the first national minimum allowance for foster carers in July and have funded Fosterline, a new free phone advice line for foster carers.

We commissioned the design of a survey to enable us to gather data from local authorities on the foster carer population, which will provide national data regarding their ethnicity. This has now been taken forward by CSCI who are due to begin gathering data shortly.

Adoption and black and minority ethnic children

Action being taken

The Adoption and Children Act 2002 was implemented on 30 December 2005. The Act implements proposals in the White Paper, and underpins the Government's drive to improve the performance of the adoption service and promote greater use of adoption.

The Act requires adoption agencies placing a child for adoption to give due consideration to the child's religious persuasion, racial origin and cultural and linguistic background.

The Act contains provisions that mark a fundamental change in adoption law, including:

— Putting the needs of the child at the centre of the adoption process by aligning adoption law with the Children Act 1989 to make the child's welfare the paramount consideration in all decisions to do with adoption.

— Encouraging more people to adopt looked after children by helping to ensure that the support they need is available.

— Allows unmarried couples to apply to adopt jointly, thereby widening the pool of potential adoptive parents. It will be for adoption agencies, and ultimately the courts, to decide whether an individual couple is suitable to adopt.

— Introducing a new Special Guardianship order to provide permanence for children who cannot return to their birth families, but for whom adoption is not the most suitable option.

The Government has set targets to increase the numbers of children who are adopted from care; to ensure that those children spend less time waiting to be adopted; to achieve this without compromising on the quality of adoptive placements; and to ensure that adoption is considered as a placement option for all children unable to live with their birth family and pursued effectively when it is judged to be the most appropriate option.

Government guidance to adoption agencies is clear that, while a child's ethnic origin, culture, language and religion are significant factors to be taken into account when adoption agencies are considering the most appropriate placement for a child, it is unacceptable for a child to be denied adoptive parents solely on the grounds that the child and adopters do not share the same racial or cultural background.

Placement with a family of similar ethnic origin and religion is very often most likely to meet the child's needs as fully as possible, safeguarding his welfare most effectively and preparing him for life as a member of a multi-racial society. These are, however, only some among a number of other significant factors and should not of themselves be regarded as the decisive ones.

National Suicide Prevention Strategy

The National Suicide Prevention Strategy for England, published in September 2002, particularly aims to reduce suicide amongst young men, and to promote mental well-being in the wider population, including young people and people from BME communities.

In taking forward this strategy, we have funded the three mental health promotion pilots, in Camden, Bedfordshire and Manchester, specifically to identify and act on the barriers which prevent young men from using services and seeking help in times of need. A full evaluation of that work can be found on the National Institute for Mental Health in England website at www.nimhe.csip.org.uk. In Camden, the project team also attempted to engage a wider range of young men by building partnerships with organisations working with gay young men and men from BME communities. This work highlights some of the ways that men's mental well-being can be improved. It provides us with evidence of effectiveness of the measures that were adopted and highlights key lessons and policy implications. Our task now is to build on this knowledge and experience to help practitioners and other partners develop effective approaches to engaging with men.

5. *How, and to what extent, are DH and social service cooperating with other key partners eg education agencies, police and YOTs on issues affecting young black people?*

NHS planning guidance emphasises the importance of partnerships with other key partners and Local Delivery Plans include the requirement to work through Local Strategic Partnerships, Crime and Disorder Reduction Partnerships and Local Area Agreements (LAAs).

Local Area Agreements (LAAs) are an important new planning process which brings health inequalities and health outcomes to the forefront of local community planning. LAAs are agreements, covering the area of one or more local authorities, which focus on a collection of goals across a range of services and which can relate to either national or local priorities. The local authority liaises with a range of bodies with an interest in joined-up delivery to set these priorities. In particular, the policy aims to promote a high level of engagement of Local Strategic Partnerships. Funding for achieving these priorities comes from the respective bodies. Once agreement is reached, the LAA is sent to ministers in central departments for sign-off. Of the most recent 66 LAAs that have been agreed over 90% had outcomes relating to the public health agenda such as reducing smoking and outcomes relating to increasing wellbeing and choice for older people.

The Children Act 2004 requires local authorities to set up partnership arrangements to promote cooperation to improve the well-being of children and young people and to assess, plan and commission services that deliver better outcomes for children and young people. This duty, which commenced on 1 April 2006, should result in children's trust arrangements being established to improve outcomes for all children, young people and their families through more integrated services, integrated strategies and processes, including where appropriate the pooling of budgets, coordinated staff development and capacity building, and more integrated governance arrangements. All local authorities must have children's trust arrangements in place by 2008 and most already do.

The Children Act 2004 specifies the bodies under the duty to cooperate with the local authority and which are relevant partners in the children's trust arrangements: police; probation board; youth offending team; SHA and PCT; Connexions; and Learning and Skills Council.

From April 2006, the local authority must record in a single Children and Young People's Plan (CYPP) how services should be provided locally according to need. The Government expects the children's trust partners to conduct a local needs analysis to inform development of the CYPP: almost all authorities published their CYPP by 1 April. That local needs analysis should include the needs of young black people which in turn should be met through integrated services part of children's trust arrangements.

The Young People's Development Programme (YPDP) is an example of a DH and DfES funded initiative which requires strong partnership working with a wide range of key agencies such as the youth sector, social services, schools and youth offending teams. YPDP consists of 27 demonstration projects in some of the country's most deprived areas. It is testing the effectiveness of a distinctive approach to tackling risk-taking behaviour, particularly related to teenage pregnancy, substance misuse and educational attainment through a holistic programme for "at risk" 13–15 year olds.

Approximately 25% of young people attending the YPDP project are from ethnic minority communities. A number of the projects have a particularly strong focus on young black people either as a closed group or as part of a mixed group.

The Mandiani project in Lewisham, for example, is working with young black men aged 13–15 to develop their self-esteem, achievement and sense of place in their community. Work in schools has increased significantly and young people at risk of exclusion or failing to prosper are provided with motivational support. This work is tailored to the experience and cultural views of the target group.

YPDP is being evaluated and will identify and spread good practice so that this innovative model becomes part of mainstream activity.

6. *What mechanisms does the Department of Health have in place to use ethnic data to monitor the impact of its overall policies on different ethnic groups and the likely impact of any new policies, in the light of the requirement under the 2000 Race Relations (Amendment Act) for Race Impact Assessments?*

The Department of Health recognises and accepts its duties under race relations legislation and has made a commitment in its 2005–08 Race Equality Scheme to undertake race equality impact assessments for new and existing policies. Race Equality issues are also considered as a matter of course for all policy developments subject to the Regulatory Impact Assessment.

DH has strengthened its arrangements for supporting and accounting for, progress on race equality within the Department's mainstream programmes and delivery plans through mechanisms set out in the DH Race Equality Scheme, updated and published for 31 May 2005. Key priority programmes on tackling health inequalities, improving mental health services, reducing coronary heart disease and developing the evidence base all make use of ethnic data to monitor the impact of policy on different ethnic groups.

DH has established a project to strengthen current internal arrangements equality impact assessment of emergent policies. Several policy teams are currently engaged with this piece of work, which is supported by an advisory panel comprising departmental officials and external experts.

July 2006

FROM THE STATISTICAL VOLUME FOR CHILDREN IN NEED IN 2005

Table 10

ETHNIC DISTRIBUTION OF CHILDREN SERVED, BY AGE, BASED ON A
SAMPLE WEEK IN FEBRUARY 2005

England

	White Number	%	Mixed Number	%	Asian Number	%	Black Number	%	Other Number	%	Not Stated Number	%	Total Number	%
Under 1	8,700	5	990	8	520	6	810	5	270	6	3,100	17	14,400	6
Between 1 and 2	7,600	4	910	7	460	5	700	4	200	4	910	5	10,800	5
Between 2 and 3	8,700	5	940	7	570	6	850	5	280	6	910	5	12,300	5
Between 3 and 4	7,900	5	790	6	580	6	760	5	210	4	860	5	11,100	5
Between 4 and 5	7,500	4	660	5	400	4	580	4	180	4	770	4	10,100	4
Between 5 and 6	7,200	4	540	4	430	5	560	4	160	3	700	4	9,500	4
Between 6 and 7	7,700	4	610	5	400	4	550	3	150	3	680	4	10,000	4
Between 7 and 8	8,000	5	610	5	440	5	580	4	150	3	670	4	10,500	4
Between 8 and 9	8,400	5	570	4	380	4	570	4	150	3	1,100	6	11,200	5
Between 9 and 10	8,500	5	610	5	400	4	590	4	150	3	700	4	10,900	5
Between 10 and 11	9,100	5	610	5	410	5	590	4	160	3	730	4	11,600	5
Between 11 and 12	9,400	5	650	5	390	4	580	4	160	3	790	4	12,000	5
Between 12 and 13	10,000	6	640	5	400	4	580	4	180	4	920	5	12,700	5
Between 13 and 14	11,000	6	710	5	460	5	730	5	200	4	930	5	14,000	6
Between 14 and 15	12,400	7	770	6	520	6	880	6	260	5	1,200	6	16,000	7
Between 15 and 16	12,700	7	760	6	600	7	1,100	7	350	7	1,300	7	16,800	7
Between 16 and 17	10,900	6	730	5	630	7	1,300	8	460	10	930	5	14,900	6
Between 17 and 18	8,900	5	550	4	550	6	1,600	10	620	13	820	4	13,000	6
18 and over	8,400	5	580	4	520	6	2,000	12	530	11	750	4	12,800	5
Total	172,900	100	13,200	100	9,000	100	15,900	100	4,800	100	18,800	100	234,700	100

Table H

CHILDREN LOOKED AFTER AT 31 MARCH BY ETHNIC ORIGIN, 2002–05[1, 2]

numbers and percentages

England

	numbers				percentages			
	2002[3]	2003[3]	2004[4]	2005[4]	2002[3]	2003[3]	2004[4]	2005[4]
All Children[1]	**59,700**	**60,800**	**61,100**	**60,900**	*100*	*100*	*100*	*100*
White	49,100	49,500	48,800	48,100	82	81	80	79
Mixed	4,700	5,000	5,000	5,000	8	8	8	8
Asian or Asian British	1,200	1,300	1,500	1,800	2	2	2	3
Black or Black British	4,000	4,200	4,900	4,900	7	7	8	8
Other ethnic groups	800	870	990	1,100	1	1	2	2

1. Figures exclude children looked after under an agreed series of short term placements.
2. Historical data may differ from older publications. This is mainly due to the implementation of amendments and corrections sent by some local authorities after the publication date of previous materials.
3. Figures are taken from the CLA100 return.
4. Figures are taken from the SSDA903 return.

COUNT ME IN 2005 CENSUS OF MENTAL HEALTH INPATIENTS AND ETHNICITY

RATES OF ADMISSION

The census showed that rates of admission to hospital for mental illness were higher for some BME groups, when compared with the total population.

Rates of admission of men from the White British, Chinese and Indian groups were lower than average. Rates were higher for men from all other ethnic groups, including the White Irish and Other White group. They were particularly high for men from Black and White/Black Mixed groups, with rates at three or more

times higher than average. White and Black Caribbean, Caribbean, African, Other Black and Other Ethnic groups are over 3 times more likely to be admitted (*see figure 6 for standardised rates of admission by ethnic group*).

Figure 6
Standardised rates of admission by ethnic group (England and Wales=100)
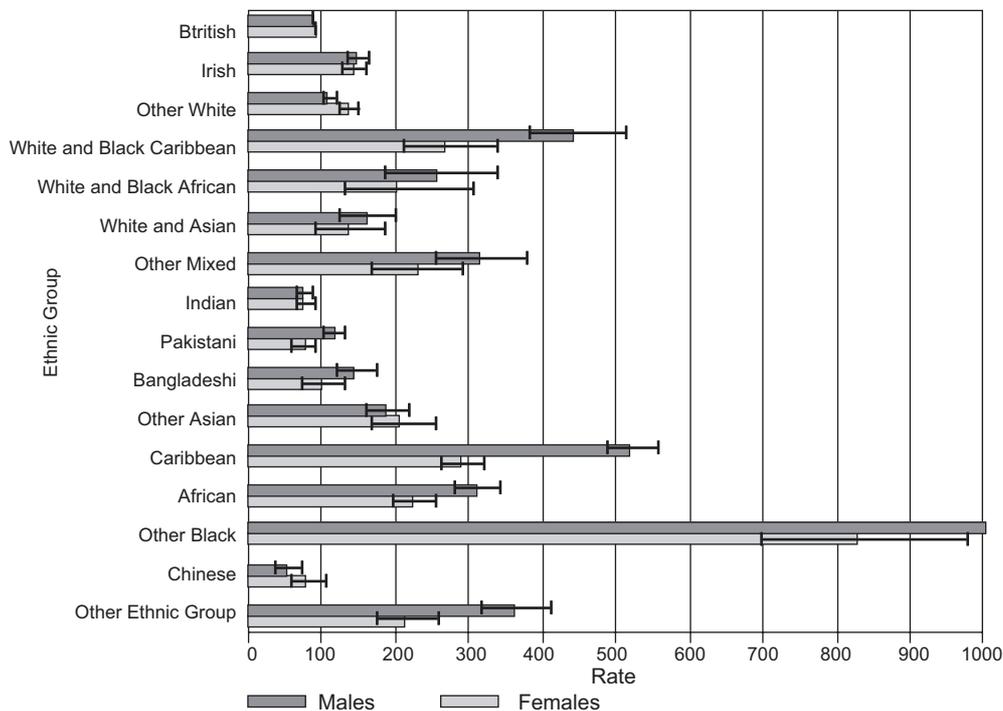
ROUTES OF REFERRAL

The census showed that the way in which an inpatient was referred to mental health services differed between ethnic groups. For inpatients from the Black Caribbean, Black African and Other Black groups, the rate of referral by GP was well below average (40% to 70% lower), whilst referrals by the police were lower than average in the White British group and almost double in the Black Caribbean and Black African groups. Similarly, referrals by the court were lower than average in the White British group and almost double in the Black Caribbean group.

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25.   Memorandum submitted by the Home Office

SUMMARY

The introduction sets out our approach to the written evidence and explains the work of the CJS Race Unit and Office for Criminal Justice Reform (OCJR). We highlight some of the key experiences that young Black people have of the CJS and discuss the difficulties around identifying and understanding all the different factors that lead to their disproportionate representation in the CJS and affect their confidence in it. We discuss how CJS agencies are working together to create a fair CJS and look at issues around data collection.

Having looked at the experiences of young Black people we demonstrate how the CJS is tackling disproportionate representation of young Black people in the system, through Government targets, commitments and specific policy initiatives. We highlight the positive changes made over time to improve equality and fairness in the CJS. We also touch on the demographic and socio-economic factors outside the CJS which can contribute to the disproportionate representation of young Black people in the system eg health, education and employment. The submission makes it clear that it is too simplistic to characterise the disproportionate representation of Black and Minority Ethnic (BME) groups as simply "overrepresentation" as a result of discrimination. Rather it needs to be understood as a complex dynamic of historic discrimination and over-policing, coupled with relative social and economic disadvantage, and related offending.

We include data to illustrate young Black people's experience of the CJS.

Taking into account the complexity of issues surrounding young Black people and the CJS, we end with a conclusion which reiterates the Government's commitment to providing a fair CJS.

INTRODUCTION

1. We want to build a society where there are equal opportunities for all. An essential part of that is a criminal justice system (CJS) which promotes equality; doesn't discriminate against anyone because of their race; has a workforce that is representative of the population at all levels and is effective in rooting out and tackling racism and racist crime. Young Black people currently have a different experience of the CJS. For example, they are more likely to be stopped and searched on the streets. We cannot say we have a transparent and fair CJS for all until we can demonstrate that all Black and Minority Ethnic (BME) communities, including young Black communities, experience no unjustified discrimination.

2. We have made enormous progress in recent years:
   — We have strengthened the legal framework against discrimination.
   — There have been significant decreases in the proportions of BME people who think that they would be treated worse by each of the police, the prison service, the courts and the Crown Prosecution Service.[159]
   — We have improved diversity training and toughened up our recruitment processes to make sure racists can't get into the police. This has resulted in a reduction in racist cultures across the police.
   — The CJS is much more representative of the communities it serves.
   — We have taken action to understand and address the disproportionate representation of people from Black and other minority ethnic communities at key stages of the criminal justice process—in particular the use of Stop and Search where we now have a robust process in place to reduce disproportionality and increase BME community confidence in the use of the power.
   — We have made significant progress in how we investigate and prosecute hate crime.
   — We have increased engagement and consultation with local communities.
   — We have created a new Independent Police Complaints Commission.

3. But we are not complacent and have a lot to do:
   — People from BME communities, including young Black people continue to have a different experience of the criminal justice process—we need to do more to address this.
   — There is still a gap between the confidence of people from BME communities and white people that they will be treated fairly by the CJS.
   — Despite progress and with exceptions, there is more to be done to improve the recruitment, retention and progression of people from BME communities.
   — There are still gaps in the information that is collected about ethnicity in the CJS.

4. We recognise that we can only make real improvements to the services we provide to all communities by working collaboratively and constructively across all the agencies that make up the CJS and beyond. We work within the framework provided by Improving Opportunity, Strengthening Society (IOSS)—the first ever cross departmental strategy to increase community cohesion and race equality. It brings together practical measures across Government to improve opportunities for all in Britain—helping to ensure that a person's race or ethnicity is not a barrier to their success. A key point highlighted in the IOSS and being actively addressed across the CJS is the PSA 2 target of "reassuring the public, reducing the fear of crime and anti-social behaviour and building confidence in the CJS without compromising fairness" and within that a specific element to address BME perceptions of unfairness by the five CJS agencies.

5. In structuring the submission, we look to provide an overview of the initiatives that we have in place and that we are developing to improve how our services are delivered to BME communities, including young Black people. We look at our successes and explore where we still need to do more. We include a brief consideration of socio-economic factors outside the CJS that impact on young Black people's interaction with the CJS.

WORKING TOGETHER TO CREATE A FAIR AND JOINED-UP CJS

6. Reflecting our commitment to a joined up CJS, this submission encompasses the work being undertaken by the Home Office (including the views of the National Offender Management Service (NOMS)), the Crown Prosecution Service (CPS) and the Department for Constitutional Affairs (DCA) and has been drawn together by the CJS Race Unit in the Office for Criminal Justice Reform (OCJR).

7. The OCJR is the cross-departmental organisation that supports all criminal justice agencies in working together to provide an improved service to the public. It supports the CJS in England and Wales through the major reform process in which it is involved, with the aim of bringing more offenders to justice and improving services to victims and the public. Forty-two Local Criminal Justice Boards (LCJBs) lead local action, and the Home Office, DCA and Law Officers' Departments lead the reform process jointly at

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[159] Murphy, R, Wedlock, E & King, J (2005) *Early findings from the 2005 Home Office Citizenship Survey.*

national level, through the National Criminal Justice Board. The CJS Race Unit leads on cross CJS-wide work on Race. It has a central role in monitoring the delivery of the PSA target for BME equal treatment in the CJS.

8. The work that is undertaken through the OCJR obviously overlaps and complements that being taken forward by the Youth Justice Board (YJB). Preventing offending by children and young people has been a key priority for the Government and the YJB began work in September 1998 to provide a clearer national framework for local action. Youth Offending Teams provide the local structures to tackle youth offending and they now have action plans in place to achieve equal treatment at local level for comparable offences by different ethnic groups. This will involve the delivery of targeted activity that is aimed at reducing local differences. This approach provides a challenge to the continuing disproportionate representation of young Black men in the CJS. Reflecting their status as a Non-Departmental Public Body, the YJB is responding separately to the inquiry and will set these initiatives out in more detail. However, due to common core messages this response does make some references to the youth justice system.

DATA

9. In approaching this submission, we have interpreted "young" as including men and women under the age of 25. Ethnic monitoring in CJS agencies relies on a variety of recording methods and classifications. Since 1 April 2003, a standard system of recording has been introduced into all agencies, based on self-classification into one of 16 categories used in the 2001 census. Classification is based around five main groups: White, Mixed, Black, Asian and Other. The change to self classification has been challenging and there are gaps in the data we capture—we are not able to disaggregate all CJS data by age. Throughout this response we have highlighted where information is relevant to young people only and specified gender where appropriate.

10. The majority of the data used in this submission is published under Section 95 of the Criminal Justice Act 1991. The data we have used relates to the period 2003–04. The most recent 2004–05 race statistics collected under Section 95 have been withdrawn from the public domain as some of the data published was incorrect. The Home Office has apologised for this and is working to resolve these problems. But this does emphasise the importance of ensuring we have accurate and complete data to drive change and that the data we collect on race and ethnicity needs to be improved. Indeed, the CJS Race Unit was set up with the objective of improving the value of BME criminal justice statistics. To that end, OCJR has conducted a Root and Branch Review of race data in the CJS.

11. It recognised that there are gaps in the data and a lack of clarity on how this data should be owned and used to drive up performance locally. For example, in magistrates' courts, monitoring of ethnic appearance of those appearing in courts during 2003–04 was only possible in one-fifth of cases. However, some important BME data is much more complete. For example, in the key areas of: stop and search, prison receptions, arrests and cautions. There is commitment across the CJS to improving and using Section 95 data. It is universally recognised by practitioners that the publication of national data on race and the CJS is useful and desirable and could potentially be a powerful tool in improving performance on BME issues. Working collaboratively with CJS agencies, OCJR is currently drawing up plans to improve data collection over the next 2–3 years.

THE EXPERIENCE OF YOUNG BLACK PEOPLE AND THE CJS

12. The data tells us that Black people have a different experience of the CJS compared with White people. Evidence shows people from BME groups continue to be disproportionately represented in the CJS. For example:

— Black people are just over six times more likely to be stopped and searched by the police than White people, though this may reflect the fact that three-quarters of such searches are in London;[160]

— Black people are three times more likely to be arrested than White people;[161]

— Excluding foreign nationals, Black people are five times more likely to be in prison than White people;[162]

— In 2003–04 relative to the population as a whole, Black people were over three times more likely to be arrested than white people;

— Combining data from all police force areas a greater proportion of White defendants (78%) were found guilty in the Crown Court in 2003 than Black (73%).

13. It is too simple to conclude that disproportionate representation indicates higher levels of criminality or discrimination. The Offending, Crime and Justice Survey showed that levels of self-reported offending in the last year were generally higher in White respondents compared with Black respondents. Looking at men

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[160] Barclay, G, Munley, A & Munton, T (2005) *Race and the Criminal Justice System: An overview to the complete statistics 2003–04*. London: Criminal Justice System Race Unit

[161] As above

[162] Prison Service (2005) *Offender Management Caseload Statistics quarterly brief —April to June 2005*: RDS website

between the ages of 10 and 25, White respondents were more likely to have offended in the last year than Black respondents (28% compared to 15%), and they were also more likely to be classed as serious or frequent offenders.

14. The survey also found differences in self-reported contact with the CJS across ethnic groups. Whilst some of these differences could be accounted for by differences in self-reported offending levels, not all could. Taking into account previous offending behaviour, Black people who have offended in their lifetime were more likely to have had contact with the CJS than White people who had offended in their lifetime.[163]

15. BME youth have higher levels of representation in the Youth Justice System and self report higher levels of offending. Black young people make up 3% of the youth population, but commit 10% of recorded drug offences and 26% of robberies.[164] The findings of the Mori Youth Survey[165] suggest that, among young people in mainstream schools, a higher proportion of Black pupils have committed an offence in comparison to their White or Asian peers. These statistics differ from previous data discussed above. These discrepancies may be attributable to differences in sampling, for example the number of persons interviewed, how they were selected and how representative the sample is of the population from which the respondents are drawn.

16. A review of the evidence on the involvement of different ethnic groups in crime concluded that there was no clear picture on offending patterns because of methodological and conceptual difficulties.[166]

17. It is also difficult to analyse changes over time. Recording and reporting methods have changed and some data is incomplete, so it is not possible to make anything but general observations. Moreover focusing on the experience of young Black people makes analysis even more prone to error. However, we can say, that the levels of disproportionate representation of young Black people in the CJS have changed little overtime, even when changes in population and recording practices are taken into account. For example, young Black people are disproportionately represented compared with White people for robbery offences. These patterns are similar to those evident since 2001. In 1997–98 Black people were, on average, five times more likely to be stopped and searched than White people. In 2004–05 the rate was six times.

18. Due to the complexity of the relationship between race, ethnicity and crime and the lack of reliable data, we are unable to say with confidence whether people are being treated differently by the system because of their ethnic group or why disproportionality occurs. There are factors external to the CJS that impact disproportionately on BME communities and contribute to shaping their interaction with the CJS. This would include the fact that BME communities face significant socio-economic disadvantage and their experiences of crime and criminal justice are inextricably linked to that. For example, historic disadvantages experienced in education, housing and health are all factors that are in part predictive of offending behaviour and general involvement in the criminal justice process. Differences in the extent and nature of disadvantage are linked to historically structured experiences after migration and in the subsequent three or four decades. Direct, indirect and institutionalised discrimination have also contributed to these unequal outcomes.

19. Some BME groups are comparatively young. Within the broad category of Black, some groups, specifically Black African and those classified as Black other have relatively young age profiles when compared with White groups.[167] Disproportionality may also be affected by this younger age profile.[168] Whilst this submission concentrates on the experience of Black people and the CJS (where possible disaggregated by age), it is worth highlighting that many of the issues that affect young Black people will also impact on young Asian people. For example, in 2003–04 young Asian people were 1.9 times more likely to be stopped and searched than White people.

20. Young Black people's interaction with the CJS as offenders is only part of the picture. Young Black people also have contact with services as victims and as potential and actual employees. It is clear that as victims they have a different, and often poor, experience. This allied to contact that they may have through Stop and Search, will be a major driver of trust and confidence in the CJS and willingness to seek employment in services or to volunteer.

Confidence in the CJS

21. The Government has set a strategic goal of delivering a CJS in which the public has confidence in its effectiveness and ability to serve all communities fairly. In order to embed that principle the Government has adopted a PSA target "Reassure the public, reducing the fear of crime and anti-social behaviour, and building confidence in the Criminal Justice System (CJS) without compromising fairness." The PSA2(e) target specifically aims to reduce the percentage of people from BME communities who believe they will be treated worse by one or more CJS agency compared to the baseline year of 2001. All CJS agencies are currently involved in developing a national delivery plan to meet this target. They continually scrutinise their policies and standards, performance, staff development and training to ensure excellent service delivery to

[163] Sharp, C & Budd, T (2005) *Minority ethnic groups and crime: findings form the Offending, Crime and Justice Survey 2003.* Home Office Online Report 33/05

[164] Youth Justice Board (2005) *Annual Statistics 2003–04.* London: Youth Justice Board

[165] MORI (2005) *Youth Survey 2004.* London: Youth Justice Board for England and Wales.

[166] Bowling, B & Phillips, C (2002) *Racism, Crime and Justice.* Harlow: Longman.

[167] Census, April 2001. ONS www.statistics.gov.uk

[168] FitzGerald, M cited in Bowling, B & Phillips (2002) *Racism, Crime and Justice.* Harlow: Longman.

BME people. Achieving this target is dependant on LCJB action and activity and consequently a "Fairness and Equality in the CJS toolkit" has been issued to all LCJBs. This toolkit assists LCJBs in developing priorities and actions at local level to deliver justice fairly and effectively and to meet the needs of the BME communities.

22. There have been significant decreases over the period in the proportions of people from BME groups who feel that they would be treated worse by each of the police, the prison service, the courts and the CPS. The organisation considered to be discriminatory on grounds of race by the largest proportion of people from BME groups is the police (24%), followed by the prison service (17%). Encouragingly, the proportions thinking that the police and prison service are discriminatory have decreased significantly since 2001. The proportions for the courts and the CPS have also fallen over the period. However, we cannot be complacent. Our target has not yet been met and work is progressing to ensure that BME people are confident that they will be treated fairly by the CJS. The picture is also less positive if we separate out the specific views of young Black men. Forty-four percent of Black males aged 16–24 believed they would be treated worse than people of other races by the police, against 27% of BME males and only 5% of White males.[169]

23. Recent Home Office studies have found that Black and mixed race 16–24 year olds have lower levels of trust in the police and the courts compared to older people.[170] Young Black people's confidence in the CJS is low and evidence as to what influences their confidence levels is limited. However, from the evidence available the key factors include:

— The nature and quality of personal experience of the CJS, in particular the police, as contact is associated with perceptions of discrimination. This particular emphasis on the police reflects greater contact with police in comparison to other CJS agencies and that subsequently people are more likely to hold some view about them.

— Perception and attention of media.

— Creating a dialogue by the provision of information, by and on the CJS to develop community engagement. It is known that the provision of information and increased knowledge of the CJS improves perception of satisfaction and competence. We therefore assume that it should also have an effect on perceptions of fairness, particularly when linked with greater engagement.

— Employment levels in the CJS agencies to be representative of the BME population as a measure to increase confidence.

24. Whilst the relationship between the CJS and BME groups is complex, the Government is determined that the CJS must be rigorous in ensuring that any disproportionality is not the result of discriminatory practices. Our policy thrust focuses on how we can improve service delivery to all BME groups, but we recognise that there are issues that are likely to impact most on young BME people including young Black people. The following section sets out the range of work we have underway to address these drivers, both in the context of the CJS and the wider demographic and socio-economic factors.

NARROWING THE GAPS—IMPROVING SERVICES WE PROVIDE TO YOUNG BLACK PEOPLE.

25. We are making progress. We have strengthened the legal framework against race discrimination. It is 40 years since our first Race Relations legislation. The Race Relations Act 1976 made direct and indirect racial discrimination unlawful. The Race Relations (Amendment) Act 2000 was the most far reaching reform of race law in Britain for 30 years. The UK now has the most comprehensive anti-discrimination legislation in Europe. But more than creating the framework we have undertaken a number of concrete measures which are having a positive impact on young Black people's experience of the CJS.

26. Our community engagement work is helping to ensure that young Black voices are being heard when we develop policy. Work being undertaken on Stop and Search is providing the police with practical measures to ensure that unfair disproportionality is rooted out. We recognise that the journey to develop fair services to all is not over. We cannot ensure equal treatment overnight, but we can, and do work to ensure that we are narrowing differences in how the CJS is experienced by all communities.

STOP AND SEARCH ACTION TEAM (SSAT)

27. Black people have a higher relative risk of being stopped and searched than White people in England and Wales. Studies have shown that the disproportionate Stops & Searches of Black people can be influenced by age, for example, where the Black population in an area is younger than the White population.[171] The latest PACE monitoring information (Dec 2005) shows that Stop and Search powers were predominately used on those under the age of 25.[172] However this factor cannot explain the national

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[169] Murphy, R, Wedlock, E & King, J (2005) *Early findings from the 2005 Home Office Citizenship Survey.* Research Development and Statistics Directorate, Home Office. This report is an online report only.

[170] Pennant, R (2005) *Diversity, Trust and Community Participation in England.* Research, Development and Statistics Directorate Paper 253. London: Home Office.

[171] FitzGerald, M cited in Bowling, B & Phillips, C (2002) *Racism, Crime and Justice.* Harlow: Longman

[172] Ayres, M & Murray, L (2005) Arrests for recorded Crime (Notifiable Offences) and the operation of certain police powers under PACE. RDS—Office for Criminal Justice Reform.

levels of disproportionate representation. The Stephen Lawrence Inquiry Report highlighted the problem of disproportionality, and indicated that discrimination was a major factor. Research has pointed to: racial stereotyping by the police[173] and the stopping of Black people on more speculative grounds compared to White people.[174]

28. More recent work has shown that officers' suspicions are aroused by a range of factors including appearance (eg clothing, being out of place), behaviour ("suspicious activity"), time and place (which affected expectations about what was normal behaviour) and information and intelligence (eg suspect descriptions).[175] These suspicions can result from wider generalisations, which have the potential to alienate the public and develop into negative stereotypes.

29. In 2004 the then Home Secretary stated that the disproportionate use of the power was too high, that it had to fall and so established the Stop and Search Action Team (SSAT) who were tasked to "ensure that Stop and Search as a police power is used fairly and effectively as possible in the prevention and detection of crime. Specifically to reduce disproportionality and increase BME community confidence in the use of the power". The team was also required to implement Recommendation 61 of the Macpherson Report which required the recording of stops in addition to searches.

30. The SSAT works through a Delivery board chaired by Doreen Lawrence which comprises all the key statutory agencies, and a Community panel chaired by Lord Victor Adebowale and formed of representatives from a broad range of community groups.

31. The work of the team has included the introduction of the recording of all stops; the production of a manual for forces which identifies the key reasons for disproportionality and an action plan to remove inappropriate disproportionality; draft Practice Guidelines (minimum standards) on the use of Stop and Search; publication of a community manual on the use of the power; launch of an information campaign, including a dedicated web-site and multi-lingual phone lines aimed at young people in eight areas on the rights of individuals and the beginnings of a research programme which looks at how police use intelligence to target stop and search.

32. The success of this work will be measured through the following by monitoring structures:

— British Crime Survey—to measure community confidence in the use of the power.

— Police Performance Assessment Framework—to measure arrest rates broken down by ethnicity. Quality assurance work around the consistency of this data will commence in 2006–07.

— S95 Race and the CJS Statistics—to measure the level of disproportionality.

— HM Inspector of Constabulary—force inspections and thematic inspections on race.

33. Alongside this work a new tool has been developed—the Practice Orientated Package, which helps to determine the causes of disproportionality. This is an innovative method for analysing the components of stop and search in order to understand where the weak links are, before suggesting solutions. This work has included a strong element of community involvement, which has been critical to identifying key conclusions around the use of the power. An important element of the community engagement has been meeting with young people in a variety of settings—ex-offenders as well as groups of young people from minority communities. Where possible the SSAT accessed these young people through events they had organised (youth clubs etc) and a number of the attendees were invited to participate in seminars with local Chief Officers to describe the impact of stop and search on them.

IMPROVING INTERACTION BETWEEN THE POLICE, THE WIDER CJS AND YOUNG PEOPLE

34. A principal aim of the Government's Police Reform Programme is to provide a citizen-focused service that responds to the needs of individuals and communities and inspires confidence in the police. For many people the police service will be their first and most frequent point of contact with the CJS. Neighbourhood policing puts communities own priorities and concerns at the top of the agenda. Neighbourhood Policing teams will invest time in getting to know the communities they serve, and enabling all sections of the community—including young Black people—to build productive relationships with local teams and air their issues and concerns, resulting in dialogue about how these concerns might be addressed. This approach will help the police to better understand the issues which particularly concern young Black members of any community and will provide a framework and the necessary training to enable these issues to be delivered together. Success in this area will, in part, be analysed by the Police Performance and Assessment Framework (PPAF) which contains measures of customer satisfaction, comparing the satisfaction of white and BME respondents. Reflecting the CJS' joined up approach, all other parts of the CJS have and are also developing strategies for effectively engaging with all communities.

[173] Smith, D J & Gray, J (1985) *Police and the Public.* London: Gower
[174] Norris, C *et al* 1992 *Black and Blue: An analysis of the influence of race on being stopped by police.* British Journal of Sociology Vol 43 no 2.
[175] Quinton, P Bland, N & Miller, J (2000) *The impact of stops and searches on crime and the community.* London: Research, Development and Statistics Directorate.

35. Furthermore, race and diversity learning and development are a key element of citizen-focused policing. The Police Race and Diversity Learning and Development Programme is a major programme aimed at improving police performance in race and diversity. Forces must work to gain the trust of all sections of the community and the programme will contribute to gaining trust and confidence among diverse communities. The programme strategy makes individuals responsible for their performance in race and diversity, for improving and assessing individual, team and force performance in race and diversity—and for making a clear link between the two. Training in race and diversity will no longer be seen as separate from all other police training and development.

36. Inside Justice Week is a national campaign to demystify the CJS and open it up to the public through a themed week of events, media opportunities and public engagement. This year it will run from 18–25 November and is run locally by the 42 LCJBs. The key audiences will be young people (from 7–14 years), older people (55–75) and BME communities. This will provide additional emphasis for LCJBs to build relationships between young Black people and CJS agencies.

Race Hate Crime

37. In the summer of 2001, the CPS commissioned the Gus John Partnership to review the CPS' institutional practices to ensure they were not contributing in any respect either to the denial of justice or to a lack of public confidence in the system of prosecution, particularly for members of the BME groups.

38. Whilst the report did not provide a significant conclusion on race or gender bias, it did indicate a number of trends and tendencies that have a negative impact on the experiences of African Caribbean people who came into contact with the CPS. In particular, concerns about the way in which such offences were not always recorded early on and how the racial aspect would sometimes be neglected or dropped as part of a "plea bargaining" process.

39. In response to the report findings the CPS has developed a racist and religious crimes prosecution policy, framed with community partners, and commended by the National Audit Office in their study on equality and diversity in Whitehall. They have made reducing unsuccessful outcomes in racist crime cases one of their top 15 measures and to obtain this target they have trained over 1,600 prosecutors in the handling of racist and religious crimes and have lead specialists in place in each CPS area.

40. A joint ACPO and Home Office Hate Crime Manual *Hate Crime: Delivering a quality service*, which includes information on how to handle race hate crime was revised and re-published in May 2005.

41. A recent Hate Crimes Monitoring Project has been established to improve the electronic recording of hate crimes, including victim and defendant details to enable all data to be recorded electronically. It will also improve the public reporting of hate crime, within one standardised report. It is planned that this project will allow hate crime data to be disaggregated by age, ethnicity and disability.

42. The data suggests that the Government's approach is having some success. The BCS (self-reported crime) estimates that there has been a significant reduction in racially motivated incidents since the mid 1990s, while reported incidents are rising. That suggests the encouragement of all agencies and community groups for better reporting by victims and better recording by the police have been successful.

Remand

43. In 2003, there was a 1% rise in the proportion of Black youths (10–17 years of age) remanded (10.1%). Youth Offending Teams (YOTs) were notified of Remand decisions on 128,875 offences in 2004–05. The main findings were that:

— The setting of unconditional bail did indicate disproportionality by ethnic group (46% of offences involving Black people under the age of 18 and 57% for young White people of the same age group).

— 8.1% of Black people under 18 were remanded in custody, compared to 5.1% for Asian and 4.4% for White people of the same age group.

44. There is no detailed ethnicity data available on remand decisions for people over 18 though various small scale studies have suggested that Black offenders are more likely to be remanded in custody.[176] To address these issues, OCJR have established a Bail and Remand Policy Group which includes a Senior District Judge and representatives from NOMS, DCA, CPS and ACPO. The group is specifically tasked to examine the disproportionate race impact of bail decisions.

[176] FitzGerald, M (1993) *Ethnic minorities in the criminal justice system.* Home Office Research and Statistics Department. Research Study No 20. London: HMSO

The Courts/Sentencing

45. The DCA is involved in the "Justice and Schools" project which seeks to raise pupils' awareness and knowledge of the courts process in England and Wales. The project targets young BME people in promoting careers in the CJS.

46. The Magistrates Courts "Mock Trials" Competition is run by the Citizenship Foundation in partnership with the Magistrates' Association and sponsored by the DCA. The aim of this project is to raise the profile of the magistracy amongst young people through court scenario role play. The competition is open to all state funded secondary schools and aimed at students aged 12–14 years. Last year over 400 schools and approximately 4,500 students took part. This initiative does not target young Black people specifically but does welcome involvement from all surrounding communities.

47. The DCA is committed to increasing diversity in the judiciary through the "Increasing diversity in the judiciary" programme which seeks to determine what steps are needed to widen the pool from which applicants for judicial appointments are drawn.

48. The sentencing decision is probably the most complex of all those that are made in the criminal process. Sentences have to take account the nature of the offence, the plea, the offender's previous criminal history and mitigating or aggravating circumstances relating to the offence and the offender. In these circumstances it is difficult to separate differences due to ethnicity from other factors. As set out in the NOMS Five Year Strategy,[177] the Government will continue to work with judges, magistrates and other agencies of the CJS to improve the quality of recording of ethnic monitoring data. We will then ensure all those involved use that data to take action to ensure that BME offenders (including young Black people) are being treated fairly.

Diversity And The National Offender Management Service/Prisons And Probation

49. When offenders are in custody the behaviour of staff has an overwhelming impact on their lives. On 30 June 2005, there were 76,190 people in prison, prison establishments and excluding foreign nationals, the proportion of Black prisoners relative to the population was five times higher than for White people.[178]

50. HM Inspectorate of Prisons recently published a thematic report on Prisons—*Parallel Worlds,* which separated out the experience of and responses from young prisoners and those from different minority ethnic groups. Overall findings were that BME prisoners as a whole reported significantly poorer outcomes across all areas of prison life. It pointed to the need for more effective training and leadership, better monitoring and better handling of complaints. There were particular concerns about perceptions of safety among young Asian prisoners and perceptions of a lack of respect from prison staff among young Black prisoners. The report also found that young BME prisoners are more likely than White prisoners to participate in and value education.

51. A judicial inquiry into the death of Zahid Mubarak (who was of course a young prisoner) is due to report in June 2006. The Prison Service in response to the Inspection report has made progress with many of its recommendations. The Prison Service is currently implementing Phase 2 of the CRE/Prison Service Action Plan.

52. A fundamental challenge in running prisons is to ensure that order is maintained so that prisons provide a safe and controlled environment for both prisoners and staff. HMPS has developed a number of intervention strategies across several disciplines including race relations, security, training and monitoring. These include:

— further development of the role of the Race Relations Liaison Officer and Race Relations Management Team;

— more focused training on awareness, beliefs, values, decision making;

— further guidance to establishments on legislative obligations and conducting impact assessments;

— a Violence Reduction Strategy, which provides guidance to establishments on addressing racism and racially motivated violence. The violence reduction toolkit addresses this issue specifically. Cell-sharing risk assessment is an additional tool to assist in the early identification of racist or violent behaviour, and

— development of a robust performance monitoring and management framework for race issues in the prison estate.

53. Offenders in the community rely on the professionalism of staff working in the Probation Service and other organisations to give them the best possible chance of going straight. The Government recently published its Five Year Strategy for Protecting the Public and Reducing Re-offending which set out the new process of offender management which we are putting in place to link what we do in custody with what we do in the community. This will allow it to be tailored to the needs of each offender (including young people) as an individual based on a rigorous and objective assessment.

[177] Home Office (2006) *A Five Year Strategy for Protecting the Public and Reducing Re-offending.*
[178] Prison Service (2005) *Offender Management Caseload Statistics quarterly brief—April to June 2005*: RDS website.

Victims

54. The British Crime Survey (BCS) is the main source of information on victimisation, however, data is not analysed by age, because the sample size is too small. The BCS shows that White and Black people face similar levels of risks. However in the case of homicides, which are amongst the least frequent crimes in England and Wales there are wide disparities in risks for different ethnic groups. Police recorded crime data shows that Black people are five times more likely to be a victim of a homicide and Black victims are predominantly young men with a third being the victim of firearms.[179]

55. There is little statistical information of young Black men's experience of crime. Qualitative research[180] has been undertaken to look at the experiences of young Black men as victims of crime to help inform initiatives and raise levels of confidence. This work showed that:

— Young Black men had infrequent contact with formal agencies that could help victims of crime, and services need to be made more accessible to them.

— As with other victims, the views and attitudes of young Black men varied and services must be responsive to the needs of individuals.

— Support from family and friends was highly valued.

— Lack of confidence in the police and CJS was an important reason for not reporting the crime to the police.

— Young Black men who had reported a crime to the police held fairly positive views on initial contact with the police, but were more dissatisfied with follow-ups.

— Word of mouth is a powerful influence on beliefs about the police and therefore improving the experience of young Black victims who report crime is essential. LCJBs have prioritised improvements to victim services.

56. As part of the National Victims and Witness Strategy individual agencies have been tasked with identifying gaps in delivery against the Victims Code of Practice and Victims and Witnesses Delivery Plan and developing a strategy to address these gaps. The "Fairness and Equality in the CJS Toolkit" emphasises that in delivering the basic minimum standards which victims and witnesses should be able to expect from the CJS, practitioners need to understand how best to provide these to all communities.

57. The CPS is working towards supporting victims through its "No Witness, No Justice" programme. This is a joint initiative between the CPS, ACPO, OCJR and OPSR and is a new model of victim and witness care that is built around their needs, rather than the needs of the CJS. The programme has a particular focus on victims and witnesses of racist crime and the needs of victims and witnesses. Training has been provided on the particular needs of victims from BME communities, including young Black people.

Homicide

58. In the three-year period ending 2003–04, the police recorded 2,605 homicides (murder, manslaughter and infanticide). Thirty-one percent of Black homicide victims were shot compared with 6% of White people.[181] Some of the concerns of Black communities about violent crime will be related to the disproportionate representation of young Black men and victims of homicide and in particular shootings.

59. The Home Office's Connected Fund was established in May 2004 as a simple, non-bureaucratic fund to provide grants to small voluntary groups working on gun crime, knife and gangs issues. This has proved very successful, supporting over two hundred community groups across the country in the four rounds held. A large proportion of these projects are delivered by BME community groups in areas where tackling gun and knife crime are a priority.

Creating a More Representative Workforce

60. Although the workforce in the CJS has become more diverse, the negative experience and perception that young Black people have of the CJS is likely to affect their view of the organisations as employers. A workforce that reflects the society it serves can be an important driver of confidence. All CJS organisations are committed to improving the representativeness of their services and ensuring that staff from BME communities are fairly treated. Real progress has been made, and over recent years there has been a marked improvement in the representation of BME people in all grades across the CJS. Challenging targets have been set for agencies to reach full representation in relation to the proportion of their staff that belong to BME groups, by 2009.

[179] Barclay, G, Munley, A & Munton, T (2005) *Race and the Criminal Justice System: An overview to the complete statistics 2003–04.* London: Criminal Justice System Race Unit.

[180] Yarrow, S (2005) *The Experience of Young Black Men as Victims of Crime.* London: Office for Criminal Justice Reform.

[181] Barclay, G, Munley, A & Munton, T (2005) *Race and the Criminal Justice System: An overview to the complete statistics 2003–04.* London: Criminal Justice System Race Unit.

THE INFLUENCE OF SOCIO-ECONOMIC FACTORS

61. Not all the reasons for young Black people's disproportionate representation within the CJS rest with the system itself. We also need to consider demographic and socio-economic factors that indicate that young Black men are more likely to experience a number of risk factors which can act as drivers of social exclusion and a reduced likelihood of making a positive contribution in society. For example, 80% of Black African and Black Caribbean communities live in Neighbourhood Renewal Fund areas.[182] Deprived areas often have the worst outcomes where health, education, employment, crime and housing are concerned. The service delivery problems and poor outcomes afflicting deprived areas and neighbourhoods often hit hardest on BME communities. It has been argued that Black Caribbean and Black African groups who are concentrated in these areas tend to be trapped as a consequence of historic patterns of discrimination in housing, limited opportunities and poor transport.[183, 184]

62. The historical experience of BME groups themselves is also likely to be an important determinant of their interaction and attitude to the CJS. For example, the relationships today between Black youths in inner cities and the police are inevitably toned by several historical factors such as:

— The overt discrimination to which previous generations were exposed.[185]
— The resultant tensions and mutual suspicion between police and Black people.[186]
— The limited social and economic opportunities open to these previous generations.[187]
— The consequent processes of social exclusions that affected later generations.[188]

63. A recently published report by the Institute of Public Policy Research highlighted that the poor and unemployed were twice as likely to become victims of violent crime. The report also outlined that people living in the most deprived neighbourhoods are more than twice as likely to be mugged and more than twice as likely to be "very worried" about being physically attacked as those people living in the least deprived neighbourhoods.[189] These are factors that will impact on the life experiences of young Black people. That is why our work on the CJS should be seen in the context of the framework provided by "Improving Opportunity, Strengthening Society (IOSS), the first ever cross departmental strategy to increases community cohesion and race equality.

EDUCATIONAL ATTAINMENT

64. Disproportionate numbers of Black and young people of dual White (mixed)—Black Caribbean heritage are failing to achieve five or more GCSEs at A*-C.[190] Evidence suggests that five GCSEs or NVQ level 2 is the minimum requirement for entry into skilled employment in today's labour market.[191]

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[182] ORRION—www.renewal.net/toolkits.asp (ODPM-NRU online resource) retrieved 28 March 2006
[183] Mason, D (2000) *Race and Ethnicity in Modern Britain.* Second Edition. Oxford: Oxford University Press.
[184] Prime Ministers Strategy Unit (2003), *Ethnic Minorities and the Labour Market.* London: Cabinet Unit.
[185] Fryer, P (1984). *Staying Power: The History of Black People in Britain.* London, Pluto Press.
[186] Keith, M (1993). *Race, Riots and Policing: Lore and Disorder in a Multi-Racist Society.* London: UCL Press.
[187] Nazroo, J Y (1997) *The Health of Britain's Ethnic Minorities: fourth national survey of ethnic minorities.* London: Policy Studies Institutes.
[188] Madood, T *et al* (1997) *Ethnic Minorities in Britain: diversity and disadvantage—fourth national survey of ethnic minorities.* London: Policy Studies Institutes.
[189] Dixon, M, Reed, H, Rogers, B & Stone, Lucy (2006) *Crime Share: the unequal impact of crime.* London: IPPR.
[190] DFES (2004) LEA Achievements at Key Stage 1 and 2, GCSE and Equivalent, Post-16 and Value Added Measures in 2004 by ethnicity and gender: www.dfes.gov.uk/rsgateway/DB/SFR/s000564/index.shtml
[191] HM Treasury (2004) *Supporting young people to achieve: towards a new deal for skills.* HMSO

Figure 1.1

PROPORTION OF YOUNG PEOPLE ACHIEVING 5 OR MORE A*-C GCSEs BROKEN DOWN BY ETHNICITY.
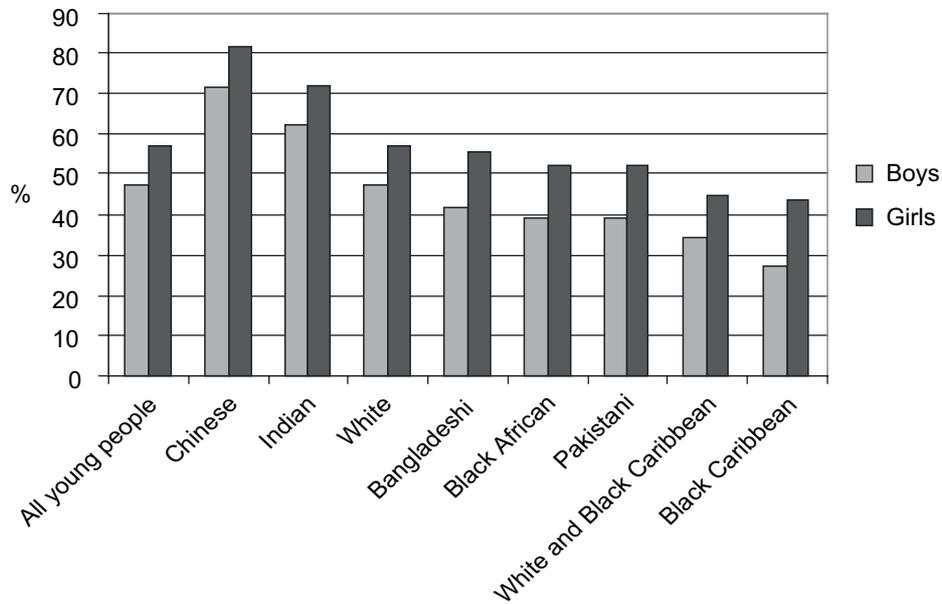
65. Recently published Department for Education and Skills (DfES) GCSE figures, show an increase in Black boys' attainment, however still only a third of Black Caribbean boys gain 5 or more good GCSEs, fewer if English and Maths are included.

66. Black and mixed race young people are less likely to be in education, training or employment at 16. By the age of 21, such young people are more likely to be: unqualified, untrained, unemployed, earning less if employed, a parent and suffering from depression.[192]

SCHOOL EXCLUSIONS

67. Boys of Black and Mixed White/Black Caribbean heritage are overrepresented among permanently excluded and fixed-term excluded pupils. In 2003–04 29 in every 10,000 Black pupils were permanently excluded from school, which was around twice that for White pupils.[193]

Figure 1.2

PERMANENT EXCLUSIONS 2002–03 AS A PROPORTION OF THE SCHOOL POPULATION
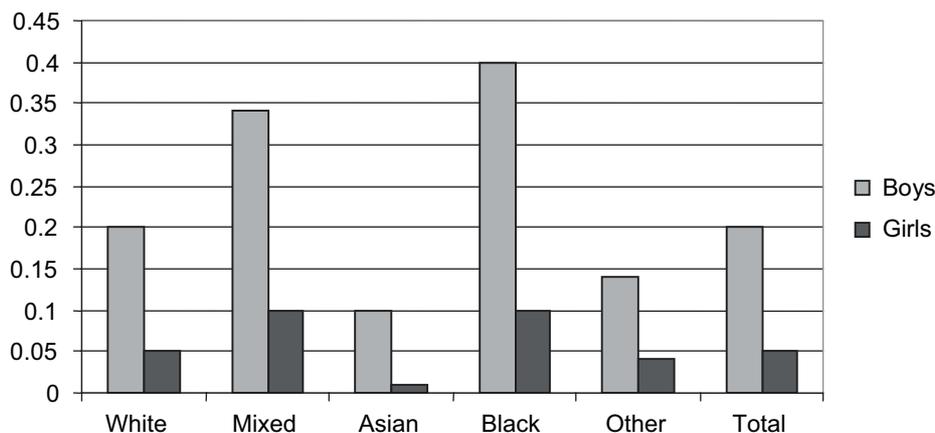
THE IMPACT OF DRUG USE

68. Drug misuse has a common link to criminal activity. Findings from the 2001–02 BCS show no statistically significant differences in the extent of drug use amongst White, Black and Asian people. But amongst 16–24 year olds, levels of drug use were lower for Black people than for those from a White or

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[192] MORI (2005) *Youth Survey 2004.* London: Youth Justice Board for England and Wales.

[193] DFES (2005) Permanent and Fixed Period Exclusions from Schools and Exclusion Appeals in England 2003–04. www.dfes.gov.uk/rsgateway/DB/SFR/s000582/index.shtml

Mixed background. Ten percent of White people in this age range had used a Class "A" drug in the last year, compared to 8% Mixed and 2% of Black people.[194] Although this shows no disproportionate representation of Black people in drug misuse in the general population, the pattern of drug misuse amongst the crime-committing population will be quite different.

69. Certain communities are underrepresented in drug treatment interventions. Drug treatment strategy in the community and in custody has tended to develop to support opiate-misusers and as this type of drug use is more common amongst White people, the system unintentionally discriminates against people from BME communities; particularly with young Black people, who are reported by drug treatment staff to be predominantly cocaine and cannabis-misusers, the Drug Interventions Programme focuses primarily on Class A drug treatment (heroin and cocaine). Limited community support for non-Class "A" drug misusers and under development of services for cocaine users may lead to higher levels of offending (and re-offending).

70. To help address this imbalance in drug treatment services, the University of Central Lancashire was commissioned by NOMS to research the experiences of BME drug misusers in custody. The report is not yet finalised, but will form the basis for a Diversity Toolkit for BME drug misusers which is due for completion in late autumn. NOMS is also working in partnership with Conference on Crack and Cocaine (COCA) to produce a cocaine treatment package.

TACKLING DEMOGRAPHIC AND SOCIO-ECONOMIC DISADVANTAGE

71. Some young Black people face a vicious circle of poverty, deprivation, and social exclusion, different experiences of health, housing, income and employment. Clearly some of the factors that impact on the disproportionate representation of young Black people in the CJS rest with these wider socio-economic factors. Tackling these complexities requires Government to work in a concerted manner. All Government departments have a duty under the Race Relations (Amendment) Act to embed race equality in their policies and practices through Race Impact Assessments. Detailed below are a few examples of how race equality is being embedded in policy and services to tackle the cycle of discrimination and deprivation young Black people face. The emphasis of this work is around education which is seen as key to breaking the cycle:

— The Home Office has recently launched an experts group called REACH, chaired by Clive Lewis (founder of the Men's Room Trust) which seeks to enable young Black men to reach their full potential. This is part of a new approach to getting the best advice on race equality and cohesion issues.

— Through the Connecting Communities grant programme the Home Office has funded VOIS (Voicing Our Issues and Struggles), which runs a number of projects in North London to give young Black people a voice in local affairs. This includes the Black Male Forum which provides personal development programmes for young black men.

— Funding has been given to Theos Hodos Ltd (National Black Boys Can Association) which aims to raise the academic and social aspirations of Black Boys aged 9-16 and to break the cycle of underachievement, unemployment, crime and imprisonment.

— DfES is committed to reducing the disproportionate rates of BME exclusions from school. An important part of their action plan to achieve this is the Black Pupils' Achievement Programme. Launched in October 2005 the aim of the programme is to work with Local Authorities and schools to focus on raising the attainment level of all Black pupils and supporting schools to develop leadership capacity to lead a whole school approach to raising the achievements of Black pupils.

— A number of Local Strategic Partnerships in the most deprived neighbourhoods in England and Wales have identified poor educational attainment of Black pupils as an area they want to tackle as part of their improvement plans.

CONCLUSION

72. The issues surrounding young Black people and CJS are complex. The Government is determined to continue to understand and address the causes of the disproportionate representation of different groups at each stage of the criminal justice process; the gap in confidence between Black and other ethnic minority groups and White people and the wider socio-economic factors that lead to this. This evidence has sought to set out the range of activity we are undertaking to secure our objective of a CJS which treats all communities fairly.

April 2006

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[194] Aust, R & Smith, N (2003) *Ethnicity and drug use: key findings from the 2001–02 British Crime Survey.* Findings 209. London: Home Office.

26. First supplementary memorandum submitted by the Home Office

HOME AFFAIRS COMMITTEE QUESTIONS FOR THE HOME OFFICE

1. *Where are the major gaps in information currently collected about ethnicity in the criminal justice system (CJS)?*

There are gaps in the data but we should acknowledge the areas where there are robust statistics, particularly at the beginning and end of the criminal justice process. We have detailed statistics about Black and Minority Ethnic (BME) people's interaction with the police, for example stop and search and arrest. Similarly the National Offender Management Service (NOMS) collects and uses detailed ethnicity data. The major gaps relate to the comprehensiveness of the data supplied eg court data on remand and sentencing decisions by ethnicity. Similar gaps in ethnicity data exist in relation to victims, bail status, type of sanction (charge, caution, no further action), and overall the opportunity to track offenders by ethnicity through the CJS.

2. *What are the main findings of the Root and Branch Review of race data in CJS conducted by the Office for Criminal Justice Reform (OCJR), and what action is being taken as a result of this review?*

The main findings of the Root and Branch Review are due to be published shortly. It will contain an action plan to improve race data collected across the CJS. OCJR is committed to ensuring that data is of a quality that makes it a tool to understand BME peoples' experience of the CJS, underpin service delivery and to drive performance both locally and nationally.

3. *To what extent does the Home Office aspire to systematically collect data for different ethnic groups at each stage of the criminal justice process, and by offence? How much progress has been made towards this goal?*

A key aspiration is to collect data that demonstrates that the CJS treats people from all backgrounds fairly. This work supports all CJS departments and agencies. The aim of our programme is to improve the race and criminal justice statistics and to ensure data on different ethnic groups' experiences is systematically collected at each stage of the criminal justice process and that this information is used to manage performance. This will feature as part of the implementation of the Root and Branch Review.

4. *What changes to the policy and practice of data collection and monitoring are likely to result from OCJR's work on improving data collection over the next two to three years?*

We are aiming to clarify data collection requirements and quality standards. This will be an important first step in improving the comprehensiveness, consistency and robustness of the information collected on race and criminal justice. We anticipate that these improvements will foster better ownership and use of the data by Local Criminal Justice Boards (LCJBs) and that criminal justice agencies will be better able to monitor and drive performance locally and nationally in relation to race issues.

5. *Why was monitoring of ethnic appearance of those appearing in courts during 2003–04 only possible in one fifth of cases? What action is being taken to address this information gap?*

The gap in the data is due to problems in the flow of information between CJS agencies. Her Majesty's Court Service (HMCS) is investigating the cause of these problems and possible solutions. This is also an issue for the implementation of the Root and Branch Review.

6. *Why is there no detailed ethnicity data on remand decisions for people over 18, and what plans are in place to collect statistics in this area?*

As explained above (Q5) there are problems in the flow of data between CJS agencies. Where the information is available it is processed. However, this data is statistically incomplete and could lead to inaccurate conclusions if used. The work HMCS are undertaking will help with this, as will the work of the Bail and Remand Policy Group and the implementation of the Root and Branch Review.

7. *How confident is the Home Office in the accuracy of rates "per thousand population" as a measure of disproportionality?*

Subject to the availability and/or comprehensiveness of data for the topic under investigation, the use of the census per thousand population is an accepted basis of comparison ie the standard adopted by the Office for National Statistics (ONS). It reflects the actual experiences of different ethnic groups, and the effect of police practices on them. What this means, for example, is that Black people have a higher relative risk of being searched compared to White people in England and Wales irrespective of the reasons for the disparity.

However, it is recognised that views vary about the adequacy of residential population information compared to available population information. Taking stop and search as an example, studies have shown that not all searches are recorded by the police, and have questioned the extent to which the resident population accurately reflects the profile of people "available" on the street. Studies that have looked at the influence of the public's use of space on disproportionality have suggested that the ethnic profile of those people in the public spaces where searches are used, is different to the ethnic profile of the resident population.[195]

There are some considerations that need to be taken into account when assessing the validity of measures based on "available" populations:

— They tend to be based on small, local areas due to cost and methodological reasons.

— The "available" population cannot be a single, fixed measure because, by definition, the demographic make-up of the available population is likely varied in different areas and over time.

— While it may be possible to use a measure of the available population to assess whether officer decision-making on the street is ethnically biased, they do not help answer questions about why some geographic areas are targeted by the police. This is the focus of ongoing Home Office research.

Home Office research concluded that measures based on the residential population (ie rates per thousand population) remain important. As previously mentioned, they reflect the actual experiences of different ethnic groups, and the effect of police practices on them.

8. *To what extent is the HO considering methods of identifying possible discrimination other than comparisons per thousand population—for example by analysing the reasons for any ethnic differences in rates of attrition following entry into the criminal justice system?*

There is a difference between measuring how much discrimination may exist and understanding the reasons for it. Comparisons per thousand help us to identify difference, but do not enable us to understand the reasons for it. However, the British Crime Survey (BCS) can be used to assess prevalence rather than incidence of stop and search. Current policing research examines the effectiveness of stops and searches by assessing the extent to which they are targeted against crime and incident hotspots. The demographic profile of the resident population in targeted areas will also be measured.

9. *What is the Home Office's view as to why levels of disproportionate representation of Black young people in the CJS have changed little over time?*

The factors contributing towards Black young people's disproportionate representation in the CJS are complex; experiences of crime and criminal behaviour are inextricably linked with inequality and disadvantage and Black young people face socio-economic disadvantage in comparison with their White counterparts. This was recognised in the framework provided by the Improving Opportunity, Strengthening Society Strategy (IOSS) within which the CJS works. Therefore, addressing the root causes of disproportionality in the CJS is a long term process and goes beyond simply improving practice within the system—although that is important.

10. *To what extent has the BME prison population grown at a faster rate than the prison population as a whole? What reasons are there for any differential growth?*

Between June 1994 and February 2003, the British national Minority Ethnic population in prison establishments increased from 5,510 to 10,645—up 93%; in comparison White British nationals increased from 39,241 to 51,697—up 32%. The comparable figures for the foreign national population are increases of 166% and 63% respectively.[196]

The increase in the population mainly reflects an increase in the numbers received into prison under an immediate custodial sentence—immediate custodial sentenced receptions of Minority Ethnic British nationals increased by 98% between 1994 and 2002 compared to 42% for White British nationals.[197] Increases may also reflect differences in sentence length given, and release and recall rates.***

These figures are based on the 1991 Census ethnicity categories. Figures for 2005 are available but not on a comparable basis—the 2001 ethnicity categories were introduced in 2003. Because of the introduction of the Mixed category particularly, comparisons should not be made with the 1991 ethnicity categories.

However, there has been no detailed research which looks specifically at the causes behind the growth in the Minority Ethnic prison population.

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[195] Waddington *et al* 2004; Hallsworth and Mcguire 2004; MVA and Miller 2000; and Bonniface 2000.
[196] Table 8.4, Offender Management Caseload Statistics 2004, RDS NOMS.
[197] Table 7.5, Offender Management Caseload Statistics 2004, RDS NOMS.

11. *Has the Home Office produced any projections of the growth in the BME prison population? If so, what are the findings of these projections?*

We do not calculate or publish projections of the BME prison population. The main use for the prison population projections is to plan the future high-level requirements for prison places. The Estate Planning and Development Unit (EPDU) of NOMS use the projections to develop detailed plans for the prison estate. BME prisoners are treated as part of the total prison population. There are no plans to calculate such a projection.

Our published projections split the total prison population into seven categories: male remand, female remand, male sentenced, female sentenced, non-criminal, total male and total female.

The latest total prison population projections were published in July 2005.[198]

The next projections will be published in July 2006 and will cover the years 2006–13.

12. *What work has been done, and is being done, to unravel the causes of disproportionate representation of BME groups in the CJS?*

Untangling the effects of demography, life experience and social exclusion on BME people's experience of the CJS is complicated. RDS NOMS are currently conducting work which will help identify the prevalence of risk factors and needs amongst offenders. We are undertaking four cohort studies, each examining different groups of offenders or different stages of the Criminal Justice System, which will cover custody and alternatives to custody (community sentences). The prison, community sentence and juvenile offender cohort studies will provide information on the characteristics of offenders who typically receive interventions, what combinations of interventions they receive, and which types of offenders might benefit most from particular types of intervention. The studies will include booster samples of offenders from BME groups where this is necessary to achieve appropriate sample sizes to provide data on BME offenders on an aggregate basis.

The first part of the fourth cohort study, the court survey, aims to understand how the courts reach sentencing decisions through examining a range of offences from a nationally representative sample of courts. Subject to the quantity and quality of ethnicity data held in court files, (see answer to Q5), the survey will provide data for BME offenders on an aggregate basis to compare how courts deal with BME offenders.

13. *How does the Practice Oriented Package work? What indications are available of its success to date in determining the causes of disproportionality in Stop and Search?*

The "Practice Oriented Package" (POP) is a method for analysing the components of stop and search in order to understand the drivers for disproportionality in individual forces. The package recognises that there may be justified, as well as unjustified reasons for the disproportionate use of stop and search.

The work has been completed in six forces by a central team who have also trained staff in four further forces to complete the work themselves.

The work follows a six-stage process that culminates in the production of a template that outlines the causes of disproportionality and, where appropriate, the remedial action required. The six-stage process is as follows:

1. Collation and detailed analyses of Stop and Search data broken down into various fields. For example time, day, location, reason for stop, powers used, age, gender, ethnicity, driver or pedestrian and outcome.

2. Community seminars which focus on assessing the impact of the use of the power

3. Meeting with the chief officer(s) of each force to discuss the proposed seminars and subsequent work "on the ground" to secure his/her permission to do the work in their force.

4. Policy seminars held with chief officers and senior staff in force to find out whether there is a policy drive for the use of the tactic within that force.

5. Practitioner seminars with constables, sergeants and inspectors. The aim with these seminars was to discuss with operational officers the factors that informed their decision to use the powers. In addition, to discover the link, if any, between espoused policy governing the use of stop and search and the decision-making process by operational officers.

6. Over a one month period work on a Basic Command Unit looking closely at factors that could affect the effectiveness of stop and search, such as the analyses and use of intelligence and quality of briefing given to officers.

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[198] HO Statistical Bulletin 10/05: Updated and revised prison population projections 2005–11.

Each of the templates devised were part of a confidential report to the relevant Chief Constable and used to populate a generic template which appeared in the Home Office Stop and Search Manual.

Disproportionality was seen to fall in two of the forces who subsequently used the template. Other forces used the findings to assist them in informing local residents as to the causes of disproportionality.

14. *To what extent has the Stop and Search Action Team (SSAT) achieved its objectives?*

The outcomes for success identified were:

— Increased BME confidence in the use of stop and search.
— A reduction in the headline disproportionality figures of 6:1 Black and 3:1 Asian stop and searches compared with white (2002–03).[199]
— Increased officer confidence in the use of stop and search.
— Improved understanding of the concept of disproportionality in the use of stop and search.
— Improved understanding of effectiveness in the use of stop and search.

The success measures that will be used are:

— BCS for BME community confidence. From 2005–06 wider confidence measures in how fairly stop and search is used has been added. The results will not be available until late 2006.
— Section 95 statistics are used to measure disproportionality. This year's figures are not currently available however, last year's figures showed no rise in disproportionality against the Black population and a modest decrease in the rate of disproportionality against the Asian population.
— Police Performance Assessment Framework is being used to assess the percentage of Stops and Searches which lead to an arrest broken down by ethnicity. The first tranche of reports have been produced.

It has always been recognised that significant progress in these areas will take a long period however there have been significant short term progress on the following areas:

— Assisting forces with implementation of Recommendation 61 by feeding back issues from forces to SSAT.
— Input to Police Performance Assessment Framework (PPAF) measures on stop and search. The data from this was published on 27 October 2005.[200]
— Development of the Stop and Search manual—this was published on 31 March 2005 and disseminated to forces thereafter. The manual included a "stops" definitions table detailing typical stop or stop and search circumstances.
— NCPE Practice advice on stop and search defining standards for the use of the power.
— Work with Her Majesty's Inspectorate of Constabulary (HMIC) to inform their recent race thematic inspections of forces.
— A series of well-attended stop and search regional seminars in Spring and Autumn 2005.

15. *What were the results of SSAT liaison with young people to assess the impact of stop and search? What, if any, action was taken as a result?*

Community consultation events fed directly into the POP process (see above). Findings varied dramatically around the country and there was no generic response. The findings from these sessions informed the individual force templates and fed directly into the Stop and Search manual.

During the course of work on Stop and Search, approximately 1,500 young people were engaged with during the course of four consultation exercises:

— To determine the impact of Stop and Search on their lives.
— To determine the impact of Recommendation 61.
— To determine the effectiveness of the Stop and Search Manual.
— To determine their reaction to the proposal to record faith on Stop and Search forms.

The consultation targeted pre-existing groups (youth clubs, faith groups etc) of young people aged 16 to 25.

For the first two pieces of consultation we used young people involved in the "Team" programme run by the Prince's Trust. This gave us groups of unemployed young people with a racial mix that reflected the local community with 24% within 12 months of a custodial sentence, 14% care leavers and 40% educational underachievers.

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[199] Heardon and Hough, 2004.
[200] http://www.met.police.uk/news/reports/hmic/baseline—assessment—2005—grades.pdf

For the final two pieces of consultation we used young people predominantly from BME communities. We targeted organisations such as the Somali Centre in Toxteth and Ek Awaaj youth group in Leicester.

Key findings from the work included:

— All Black male participants had experienced a Stop and Search compared to 30% of White male participants and 80% of Black female participants.

— Experience of Stop and Search varied widely between areas.

— Young people did not know their rights with regard to Stop and Search.

— Some forces failed to provide a written record.

— The greatest cause for concern for young people was when they did not know why they had been stopped and searched.

— There was widespread support for the need for the tactic but strong criticism in some areas as to how it was deployed.

— Young and inexperienced officers were often blamed for creating tensions during the encounter.

— Recommendation 61 (the recording of stops) during initial trials was not popular with young people.

— The Home Office Stop and Search Manual was neither accessible nor of value to young people.

— Young people were resistant to the concept of recording an individual's faith during a Stop and Search encounter.

Key actions arising either directly or in part from these findings included:

— An emphasis on the manner in which Stop and Search encounters should be conducted in all subsequent guidance.

— The development of the Practice Orientated Package to try to understand regional variances and how they impact on community confidence.

— Notes of guidance from ACPO reminding forces of the need to inform suspects the powers being used to affect the Stop and Search and the specific reasons for the stop.

— The development of a publicity campaign to inform young people of their rights.

— The development of a training programme and guidance notes on Recommendation 61 to ensure that front line staff understood the reason why stops were being monitored.

— Trialing the use of Palm Pilots to electronically record Stops and Searches which automatically generate Stop and Search forms during specific encounters such as PNC checks.

— The development of a Stop and Search Community Manual and a Stop and Search web site with advice on how to make complaints.

— The piloting of alternative methods of monitoring the impact of Stop and Search on faith communities that do not involve requesting individuals to disclose their faith during the encounter.

16. *What, if any, assessment has been made of the effectiveness of the IPCC in increasing Black young people's confidence and trust in the police service? What did this show?*

The IPCC has a statutory duty under the Police Reform Act 2002 to increase public confidence in the police complaints system, and, in doing so, to contribute to increasing confidence in policing as a whole. This is a key part of the IPCC's Guardianship function.

In order to establish an early benchmark in relation to confidence, the IPCC conducted a large-scale survey of public confidence in the police complaints system during its first year of operation, in 2004;[201] this survey will be re-run over time so that changes can be monitored against this baseline.

The survey found that general willingness to make a complaint was high (77% of people definitely or probably would complain) and did not differ greatly by ethnicity, but young people were less willing to complain (73% of 15 to 34 year olds definitely or probably would complain).

When asked about their views on making a complaint, Black people were more likely than White people to state that:

— they did not think they would be taken seriously (Black 38%; White 30%);

— complaining would take up too much of their time (Black 33%; White 21%);

— they were concerned about subsequent police harassment or other consequences (Black 28%; White 18%).

Young people were more likely to think that they would not be taken seriously (15 to 34: 39%; overall 31%) and that complaining would not make a difference (15 to 34: 39%; overall 36%).

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[201] Dockling and Burke, 2006.

Black people and young people were significantly less likely to have heard of the IPCC (Black: 38%; 15 to 34: 39%; overall 62%) and less likely to be confident that the IPCC would deal with complaints impartially (Black: 54%; 15 to 34: 61%; overall 67%).

The full report is available on the IPCC's website at http://www.ipcc.gov.uk/confidence_survey.pdf

The IPCC has commissioned MORI to undertake qualitative work with those groups that were either less willing to complain or more sceptical of the complaints system, including young Black people. This work has been completed and will be published later this year.

The research found that perceptions of, and attitudes towards, the police heavily influenced participants' perceptions of the complaints procedures in general and the likelihood of making a complaint. The MORI research considered shared characteristics of the participants and identified broad groupings in terms of their attitudes towards the police. A group identified as "highly disengaged", consisting primarily of Black and Asian young people, predominantly young men, and Gypsies and Travellers, tended to have the lowest expectations of police behaviour and were the least willing to complain as they had regular negative police contact, either themselves or through family and friends, and accepted such as a regular part of their lives.

In addition, the IPCC consults the British Crime Survey statistics breaking down confidence in the police service by ethnicity to assess changes, although it is not possible to draw specific causal links between statistical changes and the IPCC.

The research made several recommendations for the IPCC which the organisation is currently considering; other work in relation to increasing confidence in the complaints system includes:

— Working with the Children's Legal Centre on their Nuffield Foundation funded research project in relation to children and young people aged 16 years and under and their access to the police complaints system.

— A local pilot project on raising awareness of the police complaints system with young Asian men in Dewsbury. From this project the IPCC will draw out lessons around effective means of increasing awareness of the police complaints system.

— A lead commissioner for policy issues in relation to the impact and use of police stop and search powers, who is leading a group of IPCC practitioners in examining issues from stop and search complaints.

The IPCC views its responsibility to ensure that police complaints system arrangements are efficient and effective and demonstrate independence, as well as its powers to "call in" for consideration complaints or allegations of misconduct as important contributory factors to increasing public confidence. All the IPCC's activities including referrals, involvement in investigations, appeals and casework generally contribute to its Guardianship function.

The IPCC's Statutory Guidance for the police service in England and Wales which took effect from December 2005, encourages the police service to build particular communities confidence in the complaints system. The Guidance advises that where people have experienced or have a shared perception—whether well-founded or not—that the police are unfair, such as BME communities, gay and lesbian communities and people with disabilities, greater effort maybe required.

17. *To what extent does social exclusion have a disproportionate impact on bail/remand decisions for Black young people? What, if any, measures are being taken to combat this?*

A number of research studies have suggested that BME defendants, in particular Black defendants, are more likely to be remanded in custody by the police and the courts (eg John, 2003; Feilzer and Hood, 2004). A recent National Audit Office (NAO) report[202] also found that African-Caribbean men are more likely to be remanded in custody. It appears that this discrepancy cannot, or cannot entirely, be explained by characteristics of the offender or offence.

The research projects did not identify the specific causes of disproportionality. However, issues such as having stable accommodation are pertinent to a decision on bail. In partnership with Nacro, SOVA and Foundation Housing (voluntary sector agencies), NOMS has secured Invest To Save Budget funding to deliver an effective bail support and accommodation service to defendants in key courts in Yorkshire and Humberside. BME defendants will be prioritised within this scheme and the intention is to engage mentors with particular competence to work effectively with BME defendants to help them comply with bail conditions, thus giving courts confidence in the bail arrangements.

NOMS is attempting to address disproportionate use of remand for BME defendants. It is established policy that BME defendants are given priority for bail information where bail information schemes are operated in prisons, or by probation services in courts. This was most recently re-iterated in guidance issued to probation in March 2005 and to prisons in October 2005. Bail information schemes provide factual and verified data to the courts on the defendant's circumstances that is relevant to the bail v remand decision, including accommodation and community ties.

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[202] National Audit Office, 2004.

18. *What is the remit of the OCJR's Bail and Remand Policy Group? What has it achieved to date?*

The Bail and Remand Policy Group (BRPG) has been established to oversee bail and remand policy aims (other than failure to attend which is dealt with elsewhere) and will seek to develop and implement solutions in consultation and conjunction with CJS agencies. One of the aims of the group is to address equality and welfare issues in bail/remand decision-making, including issues of disproportionate race impact.

The group has met twice and considered a range of issues including tagging as a condition of bail, bail information schemes, mental health issues and race disproportionality issues.

19. *What measures have been taken to ensure that pre-sentence reports are even-handed in relation to offenders from different ethnic groups?*

The National Probation Service have taken steps to ensure that pre-sentence reports (PSRs) are monitored by ethnicity, and that the quality of PSRs for BME offenders are high. In 2003, the NPS was set a target of ensuring that 95% of PSRs written on BME offenders had clear recommendations. The NPS achieved 94% towards the target in 2003–04, narrowly missing the target, although 35 out of the 42 probation areas met or exceeded it. In 2004–05 this rose to 97%.

20. *Does NOMS have a strategy for counteracting perceptions among Black prisoners of a lack of respect from prison staff as highlighted in HM Inspectorate of Prisons thematic report on prisons, "Parallel Worlds"? If so, what are the key elements of this strategy?*

The Prison Service is committed to addressing the negative perceptions of BME prisoners, and particularly any perception that there is a lack of respect for black prisoners from prison staff. The most significant single measure to address negative perceptions is the completion of Race Equality Impact Assessments (REIAs).

The Prison Service is meeting the requirements of the Race Relations (Amendment) Act 2000 (RR(A)A) by assessing and consulting on the impact of all of its policies, processes and functions through the completion of REIAs. Each establishment undertakes its own REIAs and they focus on a number of priority areas identified as having the most significant impact on prisoners' day-to-day lives. These are being tackled in two tranches:

(i) Canteen, catering, good order and discipline, use of force, adjudications, complaints, and incentives and earned privileges (completed by 31 March 2006).

(ii) Racist incident reporting, allocation to work, and access to religion. (scheduled for completion by 25 September 2006).

All establishments completed the first tranche of REIAs by 31 March 2006. The results of these REIAa will be published in the annual review of the Prison Service Race Equality Scheme. The REIAs are also being made available to prisoners, for example in prison libraries.

The impact assessment process involves consultation with prisoners, and particularly BME prisoners, and, where available, suitable representatives from the voluntary and community sector. As well as identifying adverse impact on BME prisoners and developing plans to address it, this consultation assists in establishments in raising levels of confidence and improving the perceptions of BME prisoners.

The revised Prison Service Order 2800 on Race Equality for Prisoners will be issued in July 2006 for implementation on 25 September 2006 and will set out future plans for the development of the impact assessment process.

Coupled with this work is the development of new Race Equality Key Performance Targets (KPTs), which aim to help the Prison Service to measure and better manage race equality for prisoners, staff and visitors. The KPTs were implemented in April 2006 to provide a number of measures that strike a balance between processes (eg audit measures) and outcomes (eg ethnic monitoring data). Importantly, qualitative measures are also included and will gauge prisoner and visitors perceptions through the use of prisoner and visitor surveys. Prisoners' perceptions are part of the measuring quality of prison life (MQPL) which takes place every two years.

The KPTs consist of an overall assessment made up of several measures that are combined, with relative weightings, to provide an overall score or assessment. There is strength in combining different measures in this way. Individually, they all have limitations and weaknesses in measuring, but collectively, they provide breadth, checks and balances.

The Operational KPT measure has been designed to report on the way in which race equality is managed between staff, prisoners and visitors. It contains the following elements, which have an associated weighting reflecting their contribution to an overall score.

— Race Relations Audit—20%.

— Racist Incident Report Management—25%.

— Ethnic Monitoring Data —20%.

— Prisoner Survey—20%.

— Visitor Survey—15%.

Together these measures will provide greater opportunities to monitor prisoners' access to facilities and services and to gauge adverse impact. In the longer term work is ongoing, through the National Offender Management Information Service (NOMIS) user group, to ensure ethnic monitoring requirements are fully incorporated within the NOMIS IT user specification. This will provide the Service with an opportunity to comprehensively extend its monitoring of the provision of services and facilities to prisoners.

Another way of tackling the negative perceptions of BME prisoners is through prisoner representation on the Race Relations Management Team (RRMT) in each establishment. The RRMT must ensure that it has an appropriate level of representation of diverse prisoner and external groups. Sufficient time must be allocated to those prisoners who act as prisoners' representatives to consult other prisoner groups in the establishment, so that important issues are not missed. This not only helps RRMTs to take account of the needs, circumstances and experiences of those affected by the establishment's functions, policies and practices from a user perspective, it also provides them with an additional measuring tool to help identify actual or potential inequalities.

Prisoner RRMT representative training forms part of the overall review of training. A new training strategy has been developed and has been piloted in a number of establishments. In others prisoner RRMT representatives have been trained alongside staff members of the RRMT.

21. *How effective are "offender behaviour programmes" delivered (a) in prisons and (b) on probation in reducing re-offending among Black young people?*

There is considerable evidence, originating mainly from North America, to support the effectiveness of offending behaviour programmes in reducing re-offending. However, UK research into the effectiveness of programmes in prisons and probation has produced mixed results.[203] There is a paucity of research into the effectiveness of prison and probation programmes in reducing re-offending among young black people specifically. However, several pieces of research have explored issues around BME offenders and programmes in the past few years (these are summarised below). Current research will expand our knowledge in this area (please see response to Q12 in this document).

PRISON PROGRAMMES

One small-scale study suggested positive findings for the effectiveness of the prison service sex offender treatment programme for BME offenders. However, these results are limited.

— A small scale evaluation of the impact of the Prison Service Sex Offender Treatment Programme on minority ethnic offenders was conducted.[204] The researchers concluded that on the majority of psychometric measures treatment was equally effective across both groups of participants. However, in this sample, Black offenders had higher initial levels of denial of offence premeditation and offence repetition; and whilst there was no premeditation difference post-treatment, the denial of repetition remained statistically significantly higher than White offenders. The results should be considered in the context of the fairly limited sample size and methodological limitations used of the study.

PROBATION PROGRAMMES

Three studies have explored issues around probation programmes and BME offenders. There are some positive findings but no clear evidence of effectiveness.

— A qualitative study[205] looked at evaluations of a small number of locally developed probation programmes for Black and Asian offenders. The results of these were encouraging but could not be seen as conclusive due to methodological difficulties, small sample sizes and limited long-term reconviction data.

— In 2001 the National Probation Directorate commissioned research into the criminogenic needs of BME offenders. This involved interviews with a representative sample of 483 offenders under probation supervision, of which 49% were or had been on an order which included a requirement to attend a probation-led programme.[206] On the whole, the accounts given of supervision and programmes were mostly positive, in line with findings of other studies of white or mainly white groups of probationers. Those who had completed a programme were statistically significantly more likely to give a positive response on their experience of probation than those who had yet to start. Of those who responded (98%), the majority (67%) agreed that probation had changed the

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[203] Harper & Chitty, 2005.

[204] Webster *et al* (2004).

[205] Powis and Walmsley, 2002.

[206] Calverley *et al* 2004.

way that they thought about or approached problems. 22% said they were less impulsive or more likely to consider the consequence of their actions. 16% said they were trying to refrain from anti-social or criminal behaviour and 7% said they were trying to address their substance misuse problems.

— The National Probation Service developed programmes in 2003 specifically for minority ethnic offenders in the form of additional modules for general offending behaviour programmes, adapted Drink Impaired drivers programme and groups run with exclusively minority ethnic membership. Research[207] on these programmes found that they were not sufficiently implemented to be ready for outcome studies.

22. *What mechanisms are in place to ensure that offender behaviour programmes are accessible and appropriate to the specific needs of Black offenders?*

Between 2002 and 2005 the National Probation Directorate (NPD) undertook jointly with the Prison Service a diversity review of accredited general offending behaviour programmes to ensure that all materials for these programmes were accessible to all groups of offenders including those from BME groups. The programme materials and exercises were examined by a working group which included staff from minority ethnic groups who were experienced programme facilitators and specialist diversity advisors. The objective was to ensure that no elements of programmes inadvertently disadvantaged or excluded BME offenders.

A number of programme manuals have been reviewed by external consultants (eg the Sex Offender Treatment Programme manuals have been reviewed by an independent Muslim consultant) to ensure suitability for men from particular ethnic groups.

More recently developed programmes have been able to incorporate the growing learning about diversity and responsivity into the development of the programme content, training and implementation arrangements.

The Correctional Services Accreditation Panel, who independently scrutinise all offending behaviour programmes for accreditation specifically consider each programme in terms of its relevance and accessibility to BME groups.

The reports from the diversity review suggested that a key issue was facilitators' confidence in their abilities to deliver programmes in a responsive manner to BME offenders. This has led to changes being made to the training for general offending behaviour programmes with more emphasis being placed on diversity in treatment management and in the assessment of competence required before facilitators become fully accredited.

A multi-programme, multi-disciplinary, multi-ethnic steering group is currently overseeing the development of a training package in cross cultural communication skills within offending behaviour programmes, which is being developed for offending behaviour programme facilitators. This training package will be piloted later in 2006.

A Diversity Impact Assessment strategy is underway, with DIAs to be completed on all HMPS offending behaviour programmes over the next two years.

NPD policy outlines in the Accredited programmes National Management Manual that offenders from BME groups should where possible not be placed in groups where all the other members are white. In some cases this proves difficult where probation areas have a low density of BME probationers and delaying starting a programme would mean that the offender would not be able to complete treatment within their period of supervision. In these cases the offender may be offered two options:

1. Taking part in a programme as a singleton BME offender, with additional support form his/her case manager; this would only happen if the offender is willing to do this.

2. Undertaking the 1-2-1 programme, which provides the same quality of input as a general offender programme but on an individual basis. The 1-2-1 programme can also be used where an offender has insufficient spoken English to take part in a group programme, either by using a facilitator who speaks the same language or working through an interpreter.

HMPS similarly provide guidance on issues relating to participation of offenders from BME groups where all other group members would be White.

Participation in offending behaviour programmes is monitored and reviewed. In NPS, rates of referral, attendance and completion of offender behaviour programmes are monitored by using the Intermediate Accredited Programmes software (IAPs), which provides management information to National Probation Service (NPS) areas and performance data to NPD. This data can be broken down to the local level and by ethnicity. Probation areas can analyse the data to check for disparities in programme attrition rates of offenders from different ethnic backgrounds and age groups. Current data indicates in general that young offenders are more likely not to complete programmes, but that there is no difference in completion rates of White offenders and those from BME backgrounds.

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207 Stephens *et al*, 2004; Harper & Chitty, 2005.

Similarly HMPS monitors rates of attendance and completion via the offending behaviour programmes core database. Quarterly summaries of this information are then reviewed by the OBPU Section heads and programme leads.

NPD Interventions Unit have commissioned a number of special projects (pathfinders) in relation to BME offenders and offending behaviour programmes. These include:

— Running programmes for BME groups exclusively, led by BME facilitators.
— Combining Offending behaviour programmes with self-development sessions for BME offenders.
— Providing mentors for BME offenders attending programmes.

A process evaluation of the pathfinder programmes has been undertaken and the results will be published shortly. Recommendations and good practice guidance arising from the pathfinders will be issued to probation areas.

NPD have also commissioned a research project through RDS into the views of Black and Asian male offenders on probation.[208] One aspect of this study was to examine the perceptions of Black and Asian offenders who attended programmes. General findings indicated that offenders were positive about their probation experience and have a similar range of needs as white offenders (although their needs were on average less). A key finding from this study, the largest ever undertaken in the UK, contradicted the assumption that Black and Asian probationers would generally prefer to undertake programmes in groups of offenders from the same ethnic background was not shared by the offenders themselves. They generally preferred mixed and multiracial service models. The largest group of offenders identified were of mixed heritage and many of this group did not identify themselves as black or white.

A recent study into meeting the drug treatment needs of BME prisoners, conducted by the University of Central Lancashire (UCLAN), will help inform the overall approach in addressing those needs.

23. *What does the Home Office perceive to be the biggest obstacles towards achievement of PSA2(e) target to reduce the percentage of people from BME communities who believe they will be treated worse by one or more CJS agency compared to the baseline year of 2001?*

PSA2e is essentially a perception based target, therefore a major obstacle to achieving it, is understanding what drives people's perception of how they will be treated by CJS organisations. The evidence we do have shows that to change perceptions people's actual and vicarious experience of the system has to improve. However, there will always be a time lag between improvements in services and people's perception. Allied to this obstacle is the challenging nature of the target, which discounts any person who believes they will be treated worse by any one of the five CJS agencies.

Although four of the five agencies have achieved statistically significant decreases in the number of people who feel they will they will be treated worse, this has not been reflected in achieving a significant decrease in the aggregate target. The reason for this is that there is not necessarily a clear direct relationship between the individual organisations and the composite aggregate measure. It is not safe to assume that if the individual organisations decrease that the composite measure will decrease by the same amount. If BME people feel they would be discriminated against by more than one organisation, an individual organisation's rate may improve. However, if this improvement simply meant BME people tended to feel they would be discriminated against by fewer organisations, but continued to feel discriminated against by one or more, then the overall measure would not improve.

A further obstacle is that HOCS data is currently only collected very two years and nor can it be broken down to Local Criminal Justice Board (LCJB) level. This means that it is not possible to set local targets and LCJBs do not have robust data to measure how the changes they make to ensure services are delivered fairly are impacting on the target.

24. *How successful have the "Fairness and Equality in the CJS" toolkit for Local Criminal Justice Boards (LCJBs) and the CPS "No Witness, No Justice" Programme proved?*

(a) The Fairness and Equality in the CJS toolkit for LCJBs, supports the key criteria that LCJBs need to concentrate on to enable them to deliver the PSA2(e) target. Recent CJS Race Unit seminars have used the Toolkit to stimulate debate and local action for LCJBs.

The initial feedback from LCJBs on the Toolkit has been favourable. The Toolkit has provided LCJB's with the necessary framework within which to enable them to have a measured and focused approach regarding race issues. Critically, it has enabled them to see that race issues are not just about Community Engagement and that a variety of methods are necessary for LCJBs to undertake

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[208] Lewis S, Raynor P, Smith D, and Wardak A (2006) *Race and Probation.* Pub Wiley.

in order to address issues of fairness and disproportionality. For Boards such as West Yorkshire, it has been the vehicle within which to underpin their business planning process thereby informing their delivery plan, for others it has enabled them to have the first real understanding of the key issues which need to be addressed at the local level. For the CJS Race Unit, the Toolkit has also been an effective method for engaging with LCJB's and has resulted in an increase of requests for support at the local level.

(b) The "No Witness, No Justice" (NWNJ) victim and witness care programme is a joint CPS and Police initiative. Following a successful pilot study, and an award of Government funding to support national implementation, 165 Witness Care Units have been established across England and Wales.

The Units, staffed by trained specialists from the police and the CPS, provide a single point of contact for victims and witnesses from point of charge until the conclusion of the case. Dedicated Witness Care Officers ensure that the individual needs of victims and witnesses are identified and met so that they have all the support and information they need to enable them to attend court and to give evidence.

In preparing to establish local Witness Care Units, community consultation exercises have taken place so that the area understands the needs of the communities that they serve, and the range of local support services which may be available to support victims and witnesses through the criminal justice process. This has enabled Local Contact Directories to be developed so that Witness Care Officers can easily identify appropriate support and they can tailor their response to provide a service which meets the individual needs of victims and witnesses.

Witness Care Units have been provided with specific guidance on consulting with BME communities and in an attempt to improve community engagement approaches and to offer better support to victims and witnesses the CPS has also funded three pilots which will inform best practice advice to local areas for future consultation exercises.

It is this tailored approach to the delivery of services to victims and witnesses that provides a more effective response to ensure fairness and equality of treatment. Examples of the tailor made service may include making practical arrangements such as a pre-trial familiarisation visit to the court, childcare, transport, special measures to ensure that the witness can give their best evidence (eg a video link or screen to ensure that the witness is not intimidated by the defendant at court) ensuring that religious faith requirements are catered for, eg availability of appropriate religious books for oath taking and availability of appropriate prayer facilities, providing immediate interpreter support for verbal communications leading to the court hearing, and an interpreter at court, or ensuring accessibility of court accommodation if the witness is disabled.

In addition the victim or witness may require support from a specialist agency, and Witness Care Officers can put them in touch with an appropriate organisation eg Victim Support, Voice UK (learning disabled), Help the Aged (support for the elderly) Black Londoners forum, Black Racial Attacks Independent Network (BME).

The NWNJ Project Team is currently conducting a programme of post implementation visits to each area to assess performance of Witness Care Units against the Minimum Requirements of NWNJ. Early results are encouraging showing that areas have made significant improvements in the delivery of local services to victims and witnesses, resulting in an increase in witness attendance at court. However, it is early days in the development of Witness Care Units and the NWNJ Project Team still consider that there is a lot of work to be done to achieve optimum standards of performance.

We believe that the introduction of the NWNJ initiative is just the start of a journey which will see a transformation in the quality of service provided to victims and witnesses. We are confident that the tailor-made approach has already resulted in substantial improvements to victim and witness care. However, we recognise that the challenge is to raise awareness of the change and build confidence in all sections of society to ensure equal and fair access to the CJS.

25. *Are there any figures available to indicate the degree of ethnic variation in ratios of drug treatment places to drug mis-users? If so, what do these figures show?*

Data collected by the National Treatment Agency (NTA) shows that young drug mis-users entering treatment in the community are predominantly White (89%), compared to 11% from BME groups. These percentages do roughly correspond to what we would expect to see in the drug treatment population, nationally and in each region ie either a similar ratio of BME to White mis-users, or, a slight overrepresentation of BME drug users in drug treatment compared to local population demographics.

In terms of offender drug treatment, the CARAT service (Counselling, Assessment, Referral, Advice and Throughcare) was established in 1999 as a gateway and lower level drug treatment service in every prison establishment across England and Wales. CARAT services are a major element of the Prison Service Drug Treatment Strategy. Prisoners can be assessed by a CARAT team, given advice about drug misuse and referred to appropriate drug services. Ethnicity data relating to custodial drug treatment currently derives from an evaluation of CARATs records and has been collected since April 2002.

The CARAT service is intentionally flexible to help ensure delivery to drug-misusing offenders irrespective of minority ethnic background, age or gender.

In 2004–05 where ethnicity was known, 86% of prisoners assessed by CARATs were white. This compares with 82% of all sentenced receptions into prison in 2002 (the most recent comparable data). The research report concluded these findings may suggest that non-white prisoners could be less likely to access CARAT services; however, given the closeness of the percentages, some bias may be introduced by missing data—but the findings suggest that non-white prisoners may be less likely to access CARAT services. This would be consistent with differential needs, as levels of drug-misuse are significantly lower for non-white prisoners, for example, a survey[209] showed that 74% of white prisoners used drugs in the year before custody, compared to 67% black and 50% South Asian prisoners.

PERCENTAGE OF CARAT CLIENTS IN DIFFERENT ETHNIC GROUPS

	2003–04	*2004–05*	*Both years*
White	86	86	86
Black	7	6	7
Asian	3	3	3
Mixed	3	4	3
Other	1	1	1
Number of cases	34,075	46,915	80,990

Note: Excludes 3,139 cases (4%) where ethnicity was not known.

26. *To what extent do drug treatment measures vary in their effectiveness depending on the ethnicity of the user?*

The NTA uses three main indicators of drug treatment effectiveness. These are:

— Waiting times to enter treatment;

— Retention in treatment for three months (evidence indicates that those with serious heroin and cocaine/crack problems require a minimum three months structured drug treatment); and

— initial treatment completion ie whether a client completes their drug treatment.

In 2005–06 the mean waiting time for drug treatment for clients under 25 was 2.8 weeks for white clients and 2.6 weeks for BME clients. This slight difference is not significant. When the data is analysed to look at BME clients referred from criminal justice routes (proxy for young offenders) the average wait was 2.45 weeks, compared to 2.4 for white young offenders (this difference is not significant). It is important to note that young BME offenders access drug treatment faster than non offenders of any ethnicity.

Evidence indicates that a minimum retention in treatment for those with serious heroin and/or crack cocaine problems should be 3 months, as major health benefits accrue after this point. For other types of drug misuse such as dependent cannabis use and less severe cocaine and crack use evidence suggests that shorter drug treatment programmes are effective.

Data on retention rates for 2005–06 for those under 25 who are young offenders shows that young offenders have slightly less retention when compared to non offenders of the same age. Differences are retention at Triage (assessment) 1 to 2% less for offenders and retention for three months or more, 2 to 4% less for non offenders.

Treatment completion data for 2005–06 shows that BME young offender clients are slightly less likely to complete a treatment episode that white young offender clients, with 39% of white clients compared to 34% of BME clients.

Although custodial drug treatment is flexible, to enable all drug-users to engage, a study[210] into the substance-misuse treatment needs of ethnic minority prisoners indicated that drug treatment services were not attracting BME men and that that was, at least in part, due to a lack of BME practitioners and a perceived lack of cultural understanding from White staff.

To help identify minority ethnic prisoners' access to—and barriers to—drug treatment services in custody, the specialist Centre for Ethnicity and Health at the University of Central Lancashire (UCLAN) was commissioned to conduct an assessment (its final report is expected to be delivered in late June 2006). The main barriers identified include issues surrounding:

— stigma;

— confidentiality;

— staffing;

— diversity training;

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[209] Criminality Survey; 2000; Liriano and Ramsay.
[210] Home Office Development & Practice Report 8, June 2003.

— dual role of prison officer drug workers;

— privacy and poor practice; and

— accessing after-care support.

Building on this study, NOMS is now developing a diversity toolkit to help improve minority ethnic drug-users' access to drug treatment services. Work is also already underway to broaden the range of drug treatment workers available to engage with offenders—for example, the Modern Apprenticeship Scheme running in London prisons has seen seven minority ethnic apprentices taken on in recognition that minority ethnic drug-users are less likely than white counterparts to misuse opiates, more is being done to address crack-misuse—with a crack-specific. Some CARAT staff have already been trained to deal with crack-specific problems, as well as wider stimulants.

The NTA Effectiveness Strategy underlines as a critical success factor the need to create a positive relationship between drug worker and client. The UCLAN researchers concluded that key to improving effectiveness of drug treatment for the BME population was to address issues of access, staffing mix and a perceived lack of cultural understanding of White staff. There was some evidence to suggest that for reasons of stigma and to an extent empathy with other drug mis-users that certain elements of the BME population were much less attracted to group work. This presents a considerable dilemma since drug treatment to a large extent in prisons is built on the principle of group work rather than one-to-one counselling. Considerable emphasis is placed on developing peer support within drug treatment groups. And group work is more efficient in deploying finite treatment resources.

NB: These are provisional figures derived from monthly reporting of data to the National Drug Treatment Monitoring System. The Official Statistics relating to these issues will not be available until September 2006.

27. *To what extent does the Home Office believe experiences of young Black people as victims, witnesses and perpetrators in the criminal justice system are unique? How far do young Black peoples' experiences mirror those of other ethnic groups?*

There is evidence to suggest Black young people may have different experiences of the Criminal Justice System compared to other ethnic groups. In terms of suspects and defendants, the most recent statistics we have on race and criminal justice (2003–04) indicates there is disproportionality in Black people's experiences of each stage of the criminal justice process. Whilst these data indicate there may be differences in Black young people's experience of the CJS as victims, suspects and defendants we need more comprehensive information on BME groups' experiences across the CJS before we can make any definitive assessments regarding the extent to which their experience is unique and predicated on their ethnicity rather than other factors such as age or gender.

28. *Is there any research underway or in planning to assess the impact of neighbourhood policing teams and of the Race and Diversity Learning and Development Programme in improving interaction between the police, the wider CJS and young people? If so, what are the key findings of this research?*

An evaluation of the implementation and impact of neighbourhood policing (NP) is being undertaken by RDS. Part of this will include public outcome surveys in five Basic Command Units (BCUs) and five matched control areas. These surveys will measure, among other things, community engagement activity. More specifically, it is planned that in-depth case-study work will be carried out in two of the BCUs with a percentage of residents from BME communities substantially higher than the national average. This will explore whether the programme has similar effects for BME and White communities and how the forces involved have attempted to engage with all sections of BME communities. Findings from this work should be available in Autumn 2007.

RDS has also recently evaluated three community engagement demonstration projects in three police authority areas. In a project in Cheshire, youth engagement was a priority. An outreach approach, using methods that were relevant to young people, and that they were able to understand, was successful. The final report from this project will be available at www.communityengagement.police.uk by the end of July.

One of the functions of the Trust and Confidence Project Group which is chaired by an independent community member (Doreen Lawrence) is to scrutinise the impact of policing policy on the community satisfaction in the Police Service and advise the Home Secretary on how to achieve improvements in trust and confidence between BME communities and the police.

The Police Race and Diversity Learning and Development Programme is an ambitious programme designed to reach every member of the extended police family. Its aim is to improve the overall understanding and appreciation of diversity issues as a whole, which in turn should improve relationships between the police service and young black people. It has been given an appropriate timescale for implementation (2004–09). All police forces have recently been required to provide an update to the Home Office on their implementation of the programme to date. These returns are due by 30 June 2006. The information collated from these returns, combined with the HMIC's assessment of force performance in race and diversity issues will be used to form the first annual report on the PRDLDP (expected to be published in November 2006).

29. *What research has been undertaken to explain crime and victimisation within BME communities—especially in relation to gun and knife crime? What measures have been developed in response to this?*

The Communities that Care "Safer London Youth Survey" which was published in 2005, provided information on young people's attitudes and behaviours in relation to crime and weapons use, based on information provided by 11,400 young people (aged 11 to 15) in six London Boroughs. Although encompassing the diversity of young people in those Boroughs, some of the data is broken down by ethnicity, as follows:

— 8% of White British, 6% of Black Caribbean, 4% Black African and 4% South Asian young people said they had carried a gun in the previous 12 months.

— 12% of White British, 12% Black Caribbean, 6% Black African and 6% South Asian young people said that they had carried a knife in the previous 12 months.

The Survey also reported that White British and Black Caribbean respondents were "significantly more likely" to call their group of friends a "gang". White British and Black Caribbean respondents were also more likely to be in a "gang" which had a turf or territory of its own and to be in a gang with 10 or more members. Black Caribbean respondents were significantly more likely than other groups to say they were in a gang that had a name.

The findings demonstrate that weapons and gangs issues affect a range of ethnic groups and our programme of work does not, therefore, focus on any one community. The full report can be read at: http://www.communitiesthatcare.org.uk/news.html#201

The programme of work being taken forward by the Home Office aims to tackle gun and knife crime across all communities, and includes:

— Legislation—through the Violent Crime Reduction Bill, new measures have been introduced to tighten legislation by creating a new offence of using someone to mind a weapon; raising the age at which someone can be sold a knife from 16 to 18; and providing new powers for head teachers to search pupils for knives; banning the sale, manufacture and importation of realistic imitation weapons.

— A nationwide knife amnesty was launched on 24 May and runs until 30 June, highlighting to all young people the risks of carrying a knife and giving people an opportunity to surrender unwanted knives.

— Following the knife amnesty, the Home Office is supporting forces in a programme of tough enforcement, together with educational projects to highlight to young people the risks of carrying knives.

— Provision of financial support for local projects through the Connected Fund.

— Liaison with other Government departments, voluntary and statutory agencies to look at the wider issues, such as social deprivation, neighbourhood renewal, educational underachievement, and health issues which may impact upon young people's involvement in gun and knife crime.

— A programme of community engagement includes events such as the Connected conference (the first of which was held in January 2004 and the second on 24 May 2006), and the high-level round-table meetings on guns, knives and gangs, which involve representatives of community organisations, senior police officers, statutory and voluntary organisations and policy officials. The most recent of these meetings was held on 7 March 2006.

30. *What research has been undertaken to explain the comparatively high rate of homicide within the black population? What policy measures have been developed to reduce this?*

We consider all homicides to be extremely serious, regardless of the ethnicity of the victim. Our approach is that many homicide offences are the result of an escalation of less serious forms of violent crime, for example domestic violence or street violence, and we therefore have a wide range of policies in place to tackle these types of violent crime. For example the Violent Crime Reduction Bill, which is currently before Parliament, contains measures to tackle guns, knives and alcohol-related violence. The Tackling Violent Crime Programme (TVCP) is focused on a small number of local areas with high levels of more serious violence. The early indications we have are that the first two tranches of the TVCP have made a difference in reducing the most serious categories of violent crime more rapidly than across the country as a whole, even though these are the areas with the greatest problems. A review of domestic violence homicide was published on 14 June.

31. *To what extent have ethnic minority communities been involved in developing and shaping research on patterns of crime and crime prevention initiatives?*

BME groups are not usually involved in the design of crime and crime prevention research, however a number of pieces of Home Office research have been specifically focused on understanding the views and perspectives of people from BME groups and using this information to inform policy development and service delivery. For example, OCJR's research into Black young men as victims of crime, the Home Office

Citizenship Survey, British Crime Survey and Neighbourhood Policing evaluation all aim to examine the perspectives and experiences of BME groups in relation to crime and CJS-related issues to provide information for policymakers and practitioners.

32. *What types of projects have been funded by the Home Office's Connected fund to support voluntary groups working on gun crime, knife and gangs issue?*

The Home Office's Connected Fund has supported over 200 projects to date in England and Wales. Types of projects include: mentoring schemes, after-school diversionary activities such as sport and music, educational and training packages, anti-gun crime and anti-knife crime events and support for victims and witnesses.

33. *What is the size of the Home Office's Connected fund in total and what scale of support has been offered to individual groups?*

There have been four successful rounds of the Connected fund, each with a total fund size of £250,000. £1 million has been allocated to groups and organisations to date and a fifth round will be launched in the next few weeks. For the first round, the maximum grant was £10,000; for subsequent rounds, this was reduced to £5,000.

34. *What criteria does the Home Office use when allocating funding from the Connected fund?*

There are strict criteria upon application to the Connected Fund. Large or statutory organisations such as the police or schools are not funded. A grant of £5,000 is the maximum bid per project. The criteria are as follows:

Project must meet at least one of the following criteria:
— Work with young people in, or at risk of becoming involved in gun and knife crime or gangs.
— Support victims of gun and knife crime and their families, for example providing advice and support services, or supporting witnesses during trials.
— Invest in and support the involvement of local people in decision-making processes that impact on law enforcement agencies in tackling gun and knife crime and gangs, and improving trust in the community.
— Particularly prioritising young people (16–25) and underrepresented groups.

The following criteria must also be met (You are eligible if):
— The group is a small, locally managed voluntary organisation.
— The project will cost less than £10,000 in total to carry out.
— Applicants will be able to spend the grant by the end of the next financial year.

35. *How is the impact of projects funded by the Home Office's Connected fund being evaluated?*

Evaluation and monitoring forms are sent out to all individual projects six months after the grants are awarded. The information is being collated and analysed as part of the Connected funding process. This is a non-bureaucratic process that looks at what the projects initially set out to achieve, whether those aims have been achieved and the numbers of people involved who have been supported by the project. A number of projects have also been visited by the team, some of which are featured on our website as case studies.

36. *What indications are there on the success of groups funded by the Connected fund?*

Feedback from previous grantees of the fund, has been positive, with a particular positive impact on work with young people. In certain areas, there are now more established support networks available to victims of gun and knife violence, or to young people on the fringes of gang activity as result of the Fund.

37. *What measures are in place to assess the impact of legislation and policy on Black young people in comparison with other ethnic groups?*

The Race Relations (Amendment) Act requires all public authorities to set out in their race equality scheme their arrangements for monitoring any adverse impact their policies have on promoting race equality. Adverse impact is defined as a significant difference in patterns of representation or outcomes between racial groups, with the difference amounting to a detriment for one or more racial groups. Monitoring makes it possible to check whether policies, operations and organisational culture are

discriminating against any racial group. Without ethnic monitoring data, there is no way of knowing whether discrimination might be taking place or whether policies to prevent or tackle it are working. Monitoring can also make it possible to find out why and how discrimination takes place.

CJS agencies have race equality schemes in place and there is commitment to ensuring that Race Equality Impact Assessments are taking place and these are being done.

38. *How far does the Home Office believe the BCS provides reliable evidence of the extent of victimisation of Black young people, given the apparent contradiction between its finding that "White and Black people face similar levels of risk" and fact that Black people are five times more likely to be victims of homicide?*

Homicides are amongst the less frequent crimes in England and Wales, and are not covered by the BCS, which cover volume crime and people's experience of such crime. There is therefore no contradiction. The BCS is regarded internationally as the model for victim surveys.

39. *Does the Home Office have any plans for extending ethnic monitoring to victims of crime in order better to contextualise figures for minorities as suspects and offenders?*

We will consider this as part of the implementation of the Root and Branch Review how this may be expanded. However, the CPS currently produces performance data annually on domestic violence, homophobic crime and racist and religious crime prosecutions (collectively known as "Hate Crime"). Each data set has a different source and different reporting timescales and they also vary in terms of detail and quality of underpinning data. The CPS Hate Crimes Monitoring Project, was established to improve the electronic recording of hate crimes, including victim and defendant details to enable all data to be recorded electronically and to enable the CPS to report publicly on hate crimes data annually within one standardised report.

The CPS has undertaken a holistic consultation process, both internally within the CPS and externally with Other Government Departments (OGDs) and community and interest groups to ensure that a comprehensive list of data priorities can be considered to inform the project.

40. *To what extent does the higher acquittal rate for BME defendants of all ages suggest that the CPS are not consistently filtering out weaker cases presented by the police? What steps are being taken to remedy this?*

The CPS Inspectorate (HMCPSI) looked at the issue of "overcharging" of ethnic minority defendants in two thematic reviews of cases with a minority ethnic dimension in 2002 and 2004. Both reviews were conducted before the full implementation of Statutory Charging. In 2004, HMCPSI noted that the CPS significantly corrected for any overcharging by the police in cases involving ethnic BME defendants (61.8% with respect to a sample of 123 cases).

Both thematic reviews can be found on the HMCPSI website: http://www.hmcpsi.gov.uk/reports/thematic.shtml

The CPS undertook an equality and diversity impact assessment to examine the impact of statutory charging and discover if charging decisions vary with the gender and the ethnicity of the suspect.

The impact assessment was based on data for the six months from September 2004 for 42 CPS areas and was drawn from COMPASS, the CPS computerised case management system and included area, gender, ethnicity, month and result of the charging process. This amounted to 225,000 cases finalised nationally in the six months from September 2004.

The main results on ethnicity indicated:

— There were no significant differences across different ethnic groups in the proportion of cases finalised by a charge. Cases with Black suspects were finalised by charge in slightly more cases (48.9%), as were cases with Mixed suspects (47.8%). Cases with White, Asian or Other suspects were similar.

— There were some differences by ethnicity in cases finalised by No Further Action (NFA) on evidential grounds. 25.4% of cases nationally with White suspects were so finalised: cases with Black, Mixed or Other suspects were less likely to have their cases finalised NFA on evidential grounds (all significantly lower than White at around 19% to 20%.) There were some other differences within the 16 + 1 categories: eg cases with Other White, Mixed White/Black African or Mixed Other suspects were much less likely to have their cases finalised NFA evidential (all below 18%).

The data set drawn from the COMPASS system did not include other variables, such as type of offence, age of suspect, any disability of the suspect, or sentence given. The CPS will build on this with a further impact assessment of the ethnic and gender distribution of charging decisions and will expand this to include analysis of offence category in 2006–07.

Statutory Charging which has been in operation across the whole of England and Wales since 3 April 2006, applies a consistent approach of case assessment, which prevents weak cases entering the system and reduces the risk of possible overcharging by the police by way of a pre-charge consultation with CPS. In addition the introduction of the Proactive Prosecutor Training Programme which is being disseminated to all duty prosecutors is designed to further improve standards by the application of a thorough, accurate and consistent case assessment in all cases.

41. *Why does the DCA believe guilty pleas are more commonly entered by white than BME defendants? What impact does this have on criminal justice outcomes for equitable administration of justice?*

It is unclear why BME defendants enter fewer guilty pleas, however the DCA does not believe this will impact on criminal justice outcomes for the equitable administration of justice. A report[211] carried out by the University of Oxford Centre for Criminological Research in association with the University of Birmingham School of Law published in 2003, investigated the extent to which ethnic minority defendants in Crown and magistrates' courts perceived their treatment to have been unfair. It also investigated if any unfairness was attributed to racial bias, and how this affected their confidence in the criminal courts.

The study revealed that about one third of defendants in the Crown Court and about a quarter in the magistrates' courts believed that they had been unfairly treated when in court: but no major differences were found between the proportions of white, black African/Caribbean, or South Asian defendants in this respect. There was a finding among black defendants that the authority and legitimacy of the courts, and confidence in them, would be strengthened if more personnel from the ethnic minority population were seen to be playing a more significant role in the administration of criminal justice. In this respect DCA has introduced programmes to increase the diversity of both the judiciary and magistracy.

42. *What impact will the removal of the right of defendants to elect for jury trial have on defendants from different ethnic groups? What, if any, measures are in place to mitigate any negative effects?*

There is no proposal to remove the right to elect jury trial. The CJA 2003 contains provision for non-jury trial in cases of jury tampering (which is shortly to be implemented), and in some serious and complex fraud cases (on which the Government proposes further primary legislation). There is no evidence that these provisions—which are expected to apply in very few cases—would impact differently on different ethnic groups.

July 2006

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[211] Hood, R, Shute S, Seemungal F (March 2003)—*Ethnic Minorities in the Criminal Courts Perceptions of Fairness and Equality of Treatment.* UK.

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27.   Second supplementary memorandum submitted by the Home Office

HOME AFFAIRS SELECT COMMITTEE REQUEST FOR RESEARCH AND PUBLICATION DETAILS

CRIMINAL JUSTICE SYSTEM RACE UNIT RESPONSE

Our response to your request is in tabular format, with publications listed alphabetically. We have categorised each publication in line with your four criteria using the key set out below in the far right column, and have also listed the appropriate reference to the original evidence and supplementary questions, where applicable.

A. The nature and extent of the overrepresentation of young black people in the criminal justice system as victims, suspects and perpetrators.

B. Causes of young black people's overrepresentation.

C. Solutions to overrepresentation, including the success of existing initiatives and possible policy options for the future.

D. The policy and practice of data collection and monitoring of ethnic minorities' involvement with the criminal justice system.

* Relevant materials that are not major commissioned research, intelligence assessments or background strategy papers relating to young Black people in the CJS.

Title and Date	*Catergory Reference*
1. Aust, R & Smith, N (2003) *Ethnicity and drug use: key findings from the 2001–02 British Crime Survey.* Findings 209. London: Home Office.	C

This report examines the prevalence of illicit drug use across different ethnic groups.

Summary

The report includes estimates for lifetime, last year and last month consumption and examines differences by age and gender subgroups. This analysis has been conducted to provide information to policy makers and practitioners when considering the provision of drug prevention activities and drug treatment services across different parts of the community.

	Title and Date	Catergory Reference

2. Calverley, A, Cole, B, Kaur, G, Lewis, S, Raynor, P,
    Sadeghi, S, Smith, D, Vanstone, M and Wardak, A
    (2004) *Black and Asian offenders on probation,* Research
    Study 277. London: Home Office.

C

This survey aimed to examine the criminogenic needs of Black and Asian Offenders, explore their views of probation supervision and to inform decisions about appropriate interventions.

Summary

This study involved interviews with 483 offenders under supervision by the Probation Service and identified by probation records as Black or Asian. The study reports on the data collected about their "criminogenic needs"; their experiences of supervision on community rehabilitation orders and programmes; their contact with other parts of the criminal justice system; and their wider experiences of life as Black and Asian people in Britain.

3. CJS RU (2006) Criminal Justice Race Unit's Business
    Plan 2006–07—unpublished

C

This business plan sets out how the CJS RU plans to deliver and monitor its objectives within the wider context of the PSA 2 Target during this financial year.

Summary

The business plan sets out the activities undertaken by the CJS Race Unit, which includes the provision of support to, and challenges, the CJS agencies and Local Criminal Justice Boards (LCJBS), works on a number of special projects to ensure delivery of target and benefits from trilateral staff experience. The CJSRU focus' its delivery through four key themes:
— Improving personal experience/Tackling unjustified disproportionality.
— Communication.
— Employment.
— Research.

4. CJS RU (2005) *Fairness and Equality in the CJS: Toolkit*
    to help Local Criminal Justice Boards increase the
    confidence of the Black and Minority Ethnic (BME)
    communities they serve. London: CJS RU

C, D

The Toolkit was developed to support Local Criminal Justice Boards increase the confidence of the Black and Minority Ethnic (BME) communities they serve.

Summary

The report sets out a range of activities that LCJBs can use to deliver greater BME confidence. The report details six areas of focus:
— Community knowledge and engagement.
— Delivering fair service.
— Employment.
— Data and performance management.
— Communications.
— Governance.

5. CJS RU (2006) Lord Chancellor's Strategy Paper on
    Race and the Criminal Justice System—unpublished:

C

The Lord Chancellor requested a strategy to establish a simpler, clearer and committed approach to increasing BME confidence in the criminal justice system.

Summary

This paper outlines the CJS RU approach to establishing a simpler, clearer and committed methodology of improving BME confidence through a greater emphasis of ensuring equality in service delivery. By focusing on outcome measures and working on joint initiatives with other Government Departments the CJS RU hope to identify unjust disproportionality within the CJS and identify wider socio-economic factors that disproportionately bring BME individuals into contact with the CJS.

6. CJS RU (2006) *PSA2(e) Race Strategy and Delivery*
    Plan: Closing the Confidence Gap—unpublished.

C

To set out the range of activity both to address the drivers of perception and to ensure that any unjustified disproportionality in the system is identified and eradicated.

Title and Date	Catergory Reference

Summary

The delivery plan provides research on drivers of perceptions, what is needed to increase BME confidence in the CJS and outlines national and local delivery programmes of work to meet the PSA2(e) target.

7.   Feilzer, M & Hood, R (2004) *Differences or* **A, C**
     Discrimination—Minority Ethnic Young People in the
     Youth Justice System. London: Youth Justice Board

This research aimed to get as clear a picture as possible of how minority ethnic young people are dealt with at all stages of the youth justice process, compared with white young people.

Summary

This research examined 17,054 case decisions over 15 months, in 2001–02, in order to find out whether differences in outcome related to ethnicity or gender were justifiable in terms of case or other legitimate factors, or if there was evidence of discrimination. A comparison of the treatment of males and females is included and the conclusion highlights concerns raised by the study.

8.   FitzGerald, M (1993) *Ethnic minorities in the criminal* **A, B, C**
     justice system. Home Office Research and Statistics
     Department. Research Study No 20. London: HMSO

To assemble key findings from existing research on ethnic minorities and the British Criminal Justice System and to provide some indication of the strengths and weaknesses of the studies.

Summary

This report provides an overview of the findings to date, including references to the overrepresentation of Afrro-Caribbean in British Prisons and reviews critically and in more detail the findings of research studies at each end of the criminal justice process.

9.   HM Crown Prosecution Service Inspectorate (2002) **C**
     Thematic Review of Casework Having a Minority Ethnic
     Dimension. London: HMCPSI

The purpose of the review was to analyse and assess the quality of the handling by the CPS of casework with a minority ethnic dimension. That might arise because of the racially aggravated nature of the offence(s); by being a witness or a juror; or because one or more of the defendants comes from a minority ethnic group. The review sought to provide the DPP and the Law Officers with an assessment of the quality of decision making in, and the handling of, such cases.

Summary

This review has looked at the policies and practices of the CPS in the context of many hundreds of cases involving members of minority ethnic communities in a range of capacities. It has compared the decision-making with a control sample of other cases and considered how effective the CPS is in understanding and responding to the particular issues which are crucial to securing and maintaining the confidence of minority ethnic groups.

10. HM Crown Prosecution Service Inspectorate (2004) *A* **C**
     Follow-Up of CPS Casework With a Minority Ethnic
     Dimension. London: HMCPSI

The CPS undertook to produce an action plan in response to their original report with a challenging timetable for implementation. HMCPSI agreed with the Commission for Racial Equality that it would monitor the impact of its recommendations and scrutinise service delivery during the second cycle of area inspections. HMCPSI also indicated that it expected to undertake a follow-up thematic review at an appropriate juncture.

Summary

In order to assess the quality of decision-making and whether progress has been made, the HMCPSI have compared their findings in respect of cases arising from racist incidents in eight selected areas with similar data gathered during the original review. The review summarises the review team's overall assessment of progress and conclusion and considers the way ahead for the Crown Prosecution Service.

11. HM Prison Services (2006) *HM Prison Service's Strategy* **C***
     and Resource Guide for the Resettlement of Women
     Prisoners. London: HM Prison Service

Each Regional Offender Manager has been developing a resettlement strategy. The development of a regional and local approach however, may make it more difficult to ensure that the needs of women prisoners are properly taken into account and met. It is particularly important therefore, that regional

	Catergory
Title and Date	*Reference*

strategies address the needs of women. The Prison Service hope this strategy goes some way to assisting this process.

Summary

The report provides information on needs of BME women within the prison system and their resettlement needs.

12.   HM Prison Service (2006) *The Prison Service Associate*   *
       Race Equality Scheme Annual Report 2005–06.

This document sets out the progress the Prison Service has made during the first year of the Race Equality Scheme.

Summary

The report updates the list of policies, functions and activities that the Service considers relevant to race equality and discusses key developments on the overall management of race quality.

13.   Home Office (2006) A Five Year Strategy for Protecting   **C***
       the Public and Reducing Re-offending

The Strategy explores how NOMS can protect the public and punish offenders.

Summary

This strategy sets out how the National Offender Management Service (NOMS) will reshape the system to make sure that time in the criminal justice system is as effective as it can be in turning lives around and stopping people offending again, rather than serving as a brief interlude in a criminal career. It explains how NOMS will protect the public and punish offenders, but at the same time tackle the linked factors that make them more likely to commit crime again.

14.   Home Office (2006) *Rebalancing the criminal justice*   **C***
       system in favour of the law-abiding majority. London:
       Home Office

The Rebalancing the Criminal Justice System report was commission to ensure that the CJS is effective in addresses the challenges of the new century.

Summary

This review reports on the Government's plans to further rebalance the criminal justice system in favour of the victim and the law abiding majority. It sets out an ambitious but practical programme of change that will cut crime, reduce re-offending and improve protection of the public.

15.   Home Office (2006) *Statistics on Race and the Criminal*   **A, D**
       Justice System—2005. RDS Online

This is the most recent report in an annual statistical report series. It is an online publication. The report is published under section 95 of the Criminal Justice Act 1991, which requires the Secretary of State to publish information to avoid discrimination on the grounds of race, sex or any other improper grounds. The Home Office has published documents in this series since 1992.

Summary

The report contains figures on the nature and extent of disproportionately of BME groups' in the CJS as a whole—however, there is a chapter in the report that focuses on Youth Offending. Statistics on offences, pre-court decisions and sentences are included in this chapter. There is some age breakdown in other chapters of the report (eg arrests).

16.   Home Office (2006) *Improving Opportunity, Strengthening*   **B, C**
       Society: One year on—A progress report on the
       Government's strategy for race equality and community
       cohesion. London: Home Office

This report provides an insight into the work and activities undertaken across government over the last year to increase race equality and community cohesion

Summary

This report outlines the progress towards achieving equality in the key public services; education, the labour market, housing, health and the criminal justice system. It also sets out progress in building community cohesion.

Title and Date	*Catergory Reference*

17.   Home Office (2005) *Improving Opportunity, Strengthening Society.* London: Home Office   **B, C**

The strategy has two closely linked aims to achieve equality between different races; and develop a better sense of community cohesion by helping people from different backgrounds to have a stronger sense of "togetherness".

Summary

The Improving Opportunity, Strengthening Society strategy sets out the Government's commitment to create strong, cohesive communities in which every individual, whatever their racial or ethnic origin, is able to fulfil his or her potential through the enjoyment of equal opportunities, rights and responsibilities.

18.   Home Office (2003) *The Substance Misuse Treatment of Minority Prisoner Groups: Women, Young Offenders and Ethnic Minorities.* London: Home Office Research. Home Office Development & Practice Report 8.   **C**

The Prison Service commissioned a study to assess the treatment needs of women, young offenders and prisoners from ethnic minority groups and to make recommendations about how current services might be improved. This practice report summarises the key findings of the study.

Summary

The report outlines findings on each of the three groups women, male young offenders and men from ethnic minority groups. Each section is structured in the same way: observations about substance use and mental health are followed by a summary of the researchers' conclusions and recommendations about each group's treatment needs and the services currently available.

19.   Hood, R, Shute S, Seemungal F (March 2003)—*Ethnic Minorities in the Criminal Courts Perceptions of Fairness and Equality of Treatment.* UK: Lord Chancellor's Department, Research Series No 2/03.   **B, D**

This research investigated the extent to which ethnic minority defendants and witnesses in Crown and magistrates' courts perceived their treatment to have been unfair, whether any unfairness was attributed to racial bias, and how this affected their confidence in the criminal courts.

Summary

This report—carried out by the University of Oxford Centre for Criminological Research in association with the University of Birmingham School of Law—is based on an investigation of the extent to which ethnic minority defendants (as well as some witnesses) in both Crown and magistrates' courts perceived their treatment to have been unfair, whether they believed any unfairness was a result of ethnic bias, and how this affected their confidence in the criminal courts. The views and perceptions of court staff, judges, magistrates and lawyers were also taken into account.

20.   Lewis, C (2006) *Equality and Diversity Impact Assessment of CPS Statutory charging: England and Wales: Sept 2004—Feb 2005.* London: CPS   **C, D**

As part of the CPS' response to the Race Equality Duty, the CPS undertook an ethnicity and gender impact assessment during 2004–05. Its main purpose is to assess the impact of statutory charging and discover if charging decisions vary with the gender and the ethnicity of the suspect.

Summary

The assessment involved analysing 225,000 (approximately) charging decisions made by prosecutors in the six months from September 2004 using CMS records to determine any disproportionality in charging decisions. Chris Lewis from the Institute of Criminal Studies at the University of Portsmouth undertook the review. The impact assessment involved two phases; a national analysis and national report, and area level analysis and area assessments. Overall the results were very encouraging. The final report, published in June 2006 made a number of recommendations including a follow up assessment to be conducted approximately one year after the first.

21.   CJS RU (2006) The Minimum data set consultation summary report (2006)—unpublished   **D**

OCJR is currently implementing a major programme of work to improve the statistics collected on race and the criminal justice system. At the outset of the programme OCJR held an extensive 12-week consultation to ensure stakeholders had the opportunity to input into our plans.

		Catergory
	Title and Date	*Reference*

Summary

This paper summarises the findings from the consultation.

22. Jansson, K (2006) *Black and Minority Ethnic groups'*   **A**
      experiences and perceptions of crime, racially motivated
      crime and the police: findings from the 2004–05 British
      Crime Survey. Home Office Online Report 25/06.

The focus of the report is to examine Black and Minority Ethnic (BME) groups' experiences of crime and racially motivated crimes and to compare these with the White population.

Summary

The report examines levels of victimisation, including racially motivated crimes, and the nature of racially motivated crimes. Information about the respondents' attitudes towards and contact with the police are also included in this report. This report updates previous findings from the BCS 2000 (Clancy et al., 2001), and BCS 2001–02 and 2002–03 (Salisbury and Upson, 2004).

23. John, G (2003) *Race for Justice. A Review of CPS*   **A, B, C**
      Decision Making for Possible Racial Bias at Each Stage of
      the Prosecution Process. London: CPS

The report which was commissioned by the Crown Prosecution Service and carried out by Gus John Partnership (GJP) and examines almost 13,000 Crown Prosecution Service files to establish if race or gender discrimination occurs in the prosecution process.

Summary

The report is neither conclusive nor statistically significant about race or gender bias, it does indicate a number of trends and tendencies that can have a negative impact on the experience of African Caribbean and Asian people who come into contact with The CPS. The file sample was taken from cases finalised at court between September 2000 and August 2001.

24. Magill, C & Reza, B (2006) *Home Office Race and the*   **A, D**
      Criminal Justice System: An Overview to the complete
      statistics 2004–05. London: Home Office RDS

Since 1992 the Home Office has published statistical information to meet the requirement under Section 95 of the 1991 Criminal Justice Act. The aim of this publication is to help those involved on the administration of justice to avoid discrimination on the grounds of race and provides figures from 2004–05.

Summary

The report provides an overview of key findings from the detailed publication *Statistics on Race and the Criminal Justice System—2005*. The report updates the summary of 2003–04 statistics published in February 2005 and looks specifically at what has changed and what has stayed the same.

25. Barclay, G, Munley, A & Munton, T (2005) *Race and the*   **A, D**
      Criminal Justice System: An overview to the complete
      statistics 2003/04. London: Criminal Justice System Race
      Unit.

Since 1992 the Home Office has published statistical information to meet the requirement under Section 95 of the 1991 Criminal Justice Act. The aim of this publication is to help those involved on the administration of justice to avoid discrimination on the grounds of race and provides figures for 2003–04.

Summary

The report provides an overview of key findings from the detailed publication *Statistics on Race and the Criminal Justice System—2004*. The report updates the summary of 2002–03 statistics published in June 2004 and looks specifically at what has changed and what has stayed the same.

26. Heardon, I and Hough, M (2004) *Race and the Criminal*   **A, D**
      Justice System: An Overview to the complete statistics
      2002–03. London: Home Office.

Since 1992 the Home Office has published statistical information to meet the requirement under Section 95 of the 1991 Criminal Justice Act. The aim of this publication is to help those involved on the administration of justice to avoid discrimination on the grounds of race and provides figures for 2002–2003.

	Catergory
Title and Date	*Reference*

Summary

The report provides an overview of key findings from the detailed publication *Statistics on Race and the Criminal Justice System—2003*. The report summaries what is known about BME groups' experiences of, and attitudes towards, crime and justice in England and Wales. It aims to shed light on the complex issues of why the experiences of different ethnic groups of the CJS vary and whether this is due to discrimination.

27. MORI (2005) *BME communities' expectations of fair*   **A, B, C**
    treatment by the Criminal Justice System. London: CJS
    RU

The key objective of this research was to ascertain the expectations that different BME people have regarding their treatment within the CJS and whether they expect their treatment to differ from that given to people from other ethnic groups. Factors that underpin (and drive) these perceptions and levels of confidence in the fairness of the system are also explored.

Summary

The report outlines a range of issues highlighted as important to understanding perceptions of treatment within the CJS. Factors that underpin (and drive) these perceptions and levels of confidence in the fairness of the system are also explored.

28. MORI (2005) *Youth Survey 2004.* London: Youth Justice   **A, B***
    Board for England and Wales.

The aim of the research was to examine young people's experience of crime, both as offenders and victims.

Summary

This is the annual survey of young people, both in and out of school that explores the prevalence of offending among young people, gauges any links between truancy and offending, investigates alcohol and drug taking behaviour, assesses young people's ethics and fears and measures the proportion who have been victims of crime.

29. Murphy, R, Wedlock, E & King, J (2005) *Early findings*   **C, D**
    from the 2005 Home Office Citizenship Survey. Research
    Development and Statistics Directorate, Home Office.
    This report is an online report only.

The Citizenship Survey is a biennial survey, designed to contribute to the evidence base for the Home Office's and Department for Communities and Local Government (DCLG) community policy area. The survey is currently in its third year. It was also run in 2001 and 2003. The survey is a major policy tool, informing both the development of policy and its implementation; and provides information for Home Office and the DCLG performance measurement.

Summary

The survey provides information around four modules, which include:
— *Neighbourhood*: information on whether people know, socialise with and trust their neighbours; how people feel about their neighbourhood; collective efficacy and social capital. This feeds into the Home Office's Active Community Unit and Community Cohesion Unit. New questions in 2005 cover fear of crime, taken from the British Crime Survey (information on the BCS).
— *Active communities*: information on civic participation, informal and formal volunteering, including frequency, intensity, duration and barriers. This is central to the work of the Active Community Unit and Public Service Agreement 8 (link to Treasury website). It also includes information on charitable giving.
— *Racial prejudice and discrimination*: information on perceptions of racial prejudice in Britain and perceptions of discrimination by public and private sector organisations. This provides core information for the Race Equality Unit. New questions in 2005 cover religious prejudice and discrimination, which provides information for the Faith Communities Unit and OCJR.
— *Good citizen*: information on perceptions of rights and responsibilities and whether people feel they can influence decisions and trust institutions. This feeds into the Home Office's Civil Renewal Unit.

30. MVA and Miller, J (2000) *Profiling Populations Available*   **A, B**
    for Stops and Searches. Police Research Series, Paper 131.
    London: Home Office.

This report is one of six, which presents the findings from a programme of work on stops and searches carried out by the Home Office's Policing and Reducing Crime Unit (Research, Development and Statistics Directorate).

	Catergory
Title and Date	*Reference*

Summary

The report presents the findings of research exploring populations available to be stopped and searched in five police force areas. "Available" is taken here as describing people who use public places when and where stops and searches take place. In doing so, the research responds to concerns that comparisons between the ethnic breakdown of stops and searches and the ethnic breakdown of local resident populations are a misleading indicator of ethnic biases in stop and search activity.

31. Pennant, R (2005) *Diversity, Trust and Community*   **A, B**
    Participation in England. Research, Development and
    Statistics Directorate Paper 253. London: Home Office

The report explores levels of trust and community participation using data from the 2003 Home Office Citizenship Survey.

Summary

This research used multivariate analysis to explore whether levels of diversity in an area were linked to community participation and trust.

32. Philips, C & Bowling, B (2003) *The experiences of crime*   **A, B, C, D**
    and criminal justice among ethnic minority ethnic groups: a
    review of the literature. Unpublished

The main aim of the research is to examine the question of why people from minority ethnic backgrounds have markedly different experiences of crime and criminal justice in comparison with their white counterparts.

Summary

The study reviews the literature on the experiences of crime and criminal justice among white and minority ethnic communities. Using research and statistics—in particular those collected under s95 of the 1991 Criminal Justice Act—as a starting point, the study examines patterns of victimisation and offending, experiences of policing, pre-trial processes, prosecution, sentencing, prison and probation.

33. Pudney, S (2002) *The Road to Ruin? Sequences of*   **A, B***
    initiation into drug use and offending by young people in
    Britain. Research, Development and Statistics Directorate
    Paper 253. London: Home Office.

The study looks at the occurrence and timing of young people's first use of various types of illicit drug and their first experience of various types of offending, including truancy. Its aim is to investigate the gateway effect—the hypothesis that use of soft drugs leads to a higher future risk of hard drug use and crime.

Summary

The data seem broadly consistent with some variants of the gateway theory, in the sense that the age of onset for most soft drugs is less than the age of onset for most hard drugs. There is much less evidence of a gateway effect for drugs into crime. The average age of onset for truancy and crime are 13.8 and 14.5 years respectively, compared with 16.2 for drugs generally and 19.9 years for hard drugs. Thus crime tends to precede drug use rather than vice versa. These links are investigated at the individual level, allowing for the influence of gender, ethnicity, family background, location, age and the prevalence of drug "culture" in society at large.

34. Powis, B and Walmsley, R K (2002) *Programmes for*   **C**
    Black and Asian offenders on probation: Lessons for
    developing practice. London: Home Office. Home Office
    Research Study 250.

An analysis of the criminogenic needs of black and Asian offenders, the probation provision currently available and effective approaches to reducing their reoffending.

Summary

The study found little separate or specialist group-work provision for Black and Asian offenders in probation services. Many programmes that had been set up were no longer being delivered. Staff involved in developing or delivering programmes targeting Black and Asian offenders felt there was a need for separate, specialist provision and that such programmes were effective in reducing reoffending amongst this offender group. Because there is so little research in this area to date, it is not possible to provide empirical evidence to either support or refute this belief.

35. Quinton, P, Bland, N & Miller, J (2000) *The impact of*   **C**
    stops and searches on crime and the community. London:
    Research, Development and Statistics Directorate.

Title and Date	Catergory Reference

This report examines searches both as a crime-fighting tool and in terms of its broader impact on the community.

Summary

The report considered:
- — What role do stops and searches have in policing?
- — Are searches effective at tackling crime problems?
- — Under what circumstances are they most effective?
- — How do they impact on public perceptions of the police?
- — How can negative impacts be minimised?
- — What, therefore, are the implications for good practice in relation to stops and searches?

36.   Race for Justice Taskforce (2006) *Report of the Race for Justice Taskforce.* London: Attorney General's Office   **A, C**

The report of the Race for Justice Taskforce was commissioned by the Attorney General to look into how the criminal justice system deals with racist and religious crime.

Summary

The Taskforce members were drawn from across the criminal justice agencies, including the judiciary, the courts, the police, prosecutors and the criminal justice inspectorates and the report identifies a number of recommendations to establish a holistic approach across the CJS to ensure that all Racist and religious hate crime cases are correctly identified, appropriately handled, thoroughly investigated and effectively prosecuted.

37.   CJS RU (2006) Race for Justice Hate Crime Action Plan—unpublished   **A, C**

An action plan was developed by the CJS Race Unit in consultation with stakeholders to take forward the Race for Justice Taskforce recommendations.

Summary

The key strands of the actions plan are:
- — Defining the measurable outcomes to be achieved for the recommendations.
- — Defining national minimum standards for each CJS agency.
- — Developing new training programmes and adapting existing training programmes with common modules for all agencies.
- — Inspection on progress against the action plan by relevant Inspectorates.
- — Improved systems to monitor the ethnicity of victims and perpetrators and track cases through the system.

38.   Sharp, C & Budd, T (2005) *Minority ethnic groups and crime: findings form the Offending, Crime and Justice Survey 2003.* Home Office Online Report 33/05   **A, B, D**

This report presents the findings from the 2003 Offending, Crime and Justice Survey (OCJS) on the experiences of respondents from different ethnic groups. It examines levels of self-reported offending, anti-social and other problem behaviours and drug use among different ethnic groups, and explores the extent to which different groups report contact with the criminal justice system.

Summary

The analysis shows that while some differences in levels of contact with the CJS are accounted for by differences in self-reported offending levels, not all are. For example, Black respondents were found to have similar levels of contact with the criminal justice system compared to respondents from White and Mixed groups, despite being significantly less likely than White or Mixed groups to say they had offended.

39.   St James-Roberts I, Greenlaw, G, Simon, A & Hurry J (2005) *National Evaluation of Youth Justice Board Mentoring Schemes 2001 to 2004.* London: YJB   **C**

Between 2001 and 2004, the Youth Justice Board for England and Wales (YJB) supported 80 community mentoring projects in England and Wales. The projects set out to provide mentoring for young people who had offended or were at risk of doing so.

Title and Date	*Catergory Reference*

Summary

This report evaluates the projects' effectiveness and value for money in achieving their aims.

40. Stephens, K, Coombs, J and Debidin, M (2004) *Black and Asian offenders pathfinder: implementation report. London:* Home Office Development and Practice Report 24.   **C**

To determine effectiveness and implementation issues for a range of interventions to support Black and Asian offenders through offending behaviour programmes, including providing motivational preparatory group work, delivering programmes to Black and Asian only groups, providing mentoring support and adapting programme materials for responsivity.

Summary

This report presents key qualitative findings from the first year of the research, followed by discussion and recommendations for the future. Illustrative examples of good practice accompany the findings.

41. Stop and Search Action Team (2006) *Practice Orientated Package.* London: Home Office   **D**

The package was primarily designed to determine the reasons for the disproportionate use of Stops and Searches conducted under PACE (ie it was not designed to determine the reasons for the disproportionate use of Stop and Search conducted under Section 60 or Section 44).

Summary

The "Practice Oriented Package" (POP) is a method for analysing the components of stop and search in order to understand the drivers for disproportionality in individual forces. The package recognises that there may be justified as well as unjustified reasons for the disproportionate use of stop and search. The work follows a six-stage process that culminates in the production of a template that outlines the causes of disproportionality and, where appropriate, the remedial action required.

42. Stop and Search Action Team (2005) *Stop and Search Manual.* London: Home Office   **C**

This manual has been produced by the Stop and Search Action Team (SSAT). The manual is designed to offer practical guidance and sound advice for police and police authorities.

Summary

This manual is intended to be a comprehensive guide to the practice of stop and search. Its Recommendations cover responsibilities in the areas of policy, operations, supervision/monitoring, community and training.

43. Youth Justice Board (2005) *Annual Statistics 2003–04.* London: Youth Justice Board   **A***

This is an annual publication which reviews the performance of the Youth Justice System and the YJB for this period.

Summary

The report provides information on aims, objectives, strategies and performance against these targets between 2003–04.

44. Youth Justice Board (2004) *Race audit and action-planning toolkit for Youth Offending Teams:* London: YJB   **D**

Tools for Youth Offending Teams to develop their race action plans—"Race audit and action planning toolkit for Youth Offending Teams"

Summary

All Youth Offending Teams (Yots) should have an action plan in place to ensure that any difference between the ethnic composition of offenders in all pre-court and post-court disposals and the ethnic composition of the local community is reduced year on year. This toolkit will support YOTs to produce a race action plan.

45. Youth Justice Board (2001) *Guidance for Youth Offending Teams on achieving equality.* London: YJB   **C**

This guide which seeks to ensure that equal opportunities goals are embedded in the transformation of youth justice services.

Title and Date	Catergory Reference

Summary

This publication provides practical suggestions for establishing a common framework to promote fairness for everyone interacting with the youth justice system. It places a responsibility on each institution involved in the administration of justice to demonstrate consistency and fairness, and to keep its policies and procedures under regular review.

December 2006

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28. Third supplementary memorandum submitted by the Home Office

HOME AFFAIRS SELECT COMMITTEE FURTHER REQUEST FOR
RESEARCH AND PUBLICATION DETAILS
CRIMINAL JUSTICE SYSTEM RACE AND CONFIDENCE UNIT RESPONSE

Our response to your further request is in tabular format, with publications listed alphabetically. We have categorised each publication in line with your four original criteria in the right hand column, using the key set out below. This table differs from the previous return in that none of the information listed has previously been provided. The column showing the reference to the original response to the Committee has therefore been omitted.

A. The nature and extent of the overrepresentation of young black people in the criminal justice system as victims, suspects and perpetrators.

B. Causes of young black people's overrepresentation.

C. Solutions to overrepresentation, including the success of existing initiatives and possible policy options for the future.

D. The policy and practice of data collection and monitoring of ethnic minorities' involvement with the criminal justice system.

* Relevant materials but not specifically relating to young Black people in the CJS.

Title and Date	Catergory Reference

1. CJS RU (2006) *The Criminal Justice System Race Unit's Review of Bail—* unpublished **C***

To understand the key drivers behind apparent disproportionality in bail decisions

Summary

The short study revealed that despite there being evidence of disproportionality in some aspects of the process there was no evidence of discriminatory practice. The investigation did reveal an inequality of service in certain specific areas such as the provision of interpreters

2. CJS RU (2006) *Government Response to the Root and Branch Review of S95 Statistics on Race and the CJS* **D***

The Root and Branch Review provides an opportunity to move towards a strategic approach in the collection and use of ethnicity data in the CJS. This Government response sets out how the Government will develop this strategic approach, taking account of the Review's recommendations. This document also provides responses to all recommendations made.

3. CJS RU (2006) *Contracting the Minimum Dataset: Invitation to Tender (ItT) Document* **D***

Following a consultation process on the proposals to implement a minimum dataset for ethnicity data, the contract for this work is now out to tender.

The ItT specifies that the successful contractor produces:
— The *minimum dataset*: mapping out the minimum data that needs to be collected to performance manage the criminal justice system locally and nationally in relation to race issues.
— *Supporting guidance* on data collection for local practitioners responsible for collecting and using the data.
— *Recommendations* for taking forward the implementation of the dataset identifying potential key issues and solutions.

	Catergory
Title and Date	*Reference*

4. Hales G, Lewis C, Silverstone D (2006) *Gun crime: the market in and use of illegal* **A*, B***
    firearms. Home Office Research Study 298. London: Home Office Research
    Development and Statistics Directorate

This research seeks to address gaps with reference to the contexts within which firearms are used illegally. It also attempts to identify appropriate interventions and deterrence strategies.
Summary

Gun crime affects all ethnic groups and while some insight has been provided by this research it has by no means been conclusive. The report highlights the need for the relationship between race, ethnicity and culture to be fully explored.

The report did find that illegal firearms have become increasingly accessible to younger offenders who appear more likely to use those firearms recklessly.

5. HM Crown Prosecution Service Inspectorate (HMCPSI) *Framework for Area* **D***
    Effectiveness Inspections—Standards and Criteria (Inspectorate Handbook) (2006)
    London

A guidance document which sets out the standards and criteria for the Inspectorate in assessing local CPS performance

Summary

The Framework gives detailed information on each area of assessment. Each standard is broken down into its constituent parts—criteria—which will enable a detailed assessment to be made. Each criterion contains a set of subsidiary questions designed to assist areas in compiling their self assessment and to ensure a consistent approach to evidence gathering by inspectors. The framework includes criteria or questions relating to race and other diversity issues where appropriate.

6. Home Office, APA, ACPO, Centrex (2004) *A Strategy for Improving Performance* **C***
    in Race and Diversity 2004–09. Home Office

The strategy and the programme that supports its delivery are fully supported by the tripartite partners: the Association of Chief Police Officers (ACPO), Home Office and the Association of Police Authorities (APA). This tripartite commitment was re-emphasised at the joint ACPO and APA Race and Diversity Champions' seminar on 14 June 2005.

Summary

The PRDLDP has introduced a completely fresh approach to equality and diversity training in the context of policing. The overarching aim of the programme is to improve performance in diversity issues by: developing knowledge and understanding, providing skills, challenging attitudes and changing behaviour. The strategy emphasises the six primary strands of diversity ie race, gender, sexual orientation, disability, age and religion and belief while stressing that this is about how the police in fact treat *all* people. The programme emphasises individual and organisational learning and development *in context*, requiring formal assessment of competence for every member of the police service (including police community support officers, special constables and police staff) against relevant national standards. In summary, this programme presents a much more sophisticated and far reaching approach to diversity awareness and cultural change than the "community and race relations training" for police that pre-dated this strategy.

7. Home Office Police Standards Unit (PSU) and the ACPO Strategic Criminal Use **C***
    of Firearms Group (2005) *Gun Crime Preventative Manual*

Summary

This booklet (with accompanying CD) contains guidance to police forces on dealing with gun violence, including situational firearms crime and preventative techniques including community involvement.

8. Kitchen S, Michaelson J, Wood N (2006), *2005 Citizenship Survey, Race and Faith* **C*, D***
    Topic Report, Department for Communities and Local Government.

This entry updates entry 30 on our response of December. The Citizenship Survey is a biennial survey, designed to contribute to the evidence base for the Home Office's and Department for Communities and Local Government (DCLG) community policy area. The survey is currently in its third year. It was also run in 2001 and 2003. The survey is a major policy tool, informing both the development of policy and its implementation; and provides information for Home Office and the DCLG performance measurement.

	Catergory
Title and Date	*Reference*

Summary

The survey provides information around four modules, which include:
— *Neighbourhood*: information on whether people know, socialise with and trust their neighbours; how people feel about their neighbourhood; collective efficacy and social capital. This feeds into the Home Office's Active Community Unit and Community Cohesion Unit. New questions in 2005 cover fear of crime, taken from the British Crime Survey (information on the BCS).
— *Active communities*: information on civic participation, informal and formal volunteering, including frequency, intensity, duration and barriers. This is central to the work of the Active Community Unit and Public Service Agreement 8 (link to Treasury website). It also includes information on charitable giving.
— *Racial prejudice and discrimination*: information on perceptions of racial prejudice in Britain and perceptions of discrimination by public and private sector organisations. This provides core information for the Race Equality Unit. New questions in 2005 cover religious prejudice and discrimination, which provides information for the Faith Communities Unit and OCJR.
— *Good citizen*: information on perceptions of rights and responsibilities and whether people feel they can influence decisions and trust institutions. This feeds into the Home Office's Civil Renewal Unit.

9.   Lewis C, Ellis T *Root and Branch Review of Race and the CJS Statistics: Final*   **D***
      Report. (2005) Institute of CJS Studies, University of Portsmouth

The University of Portsmouth was asked to conduct the Root and Branch Review in April 2004, with considerable emphasis on discovering user needs from as wide a group as possible. Interviews undertaken with various groups gave both a national perspective and a local one. User needs in five local areas were researched: South Wales, Devon & Cornwall, Leicestershire & Rutland, West Midlands and London.

Summary

The report makes a large number of recommendations for the development of the collection, analysis, use and publication of race and CJS statistics in England and Wales and sets these in the context of developments over the next few years. Alternatives for gradual implementation were suggested where implementation of certain recommendations would incur significant resource.

The report concludes that although a considerable amount of ethnicity data is available, user needs for BME data are not being consistently satisfied.

10.   National Association for the Care and Resettlement of Offenders (NACRO)—   **A*, B*, C***
       Consultation with racial minority groups to identify work priorities for the CJS
       RU—unpublished

The aim of the project was to collect qualitative data via a national consultation exercise with Black and Minority Ethnic (BME) community groups to help identify priority projects for the CJS Race Unit; through a set of consultation groups.

Summary

Recommendations made were divided into three strands and were as follows:
— *Communication and Consultation*—cultural awareness training; better information available on the CJS; communication in different languages available; younger groups showed a slight resistance to consultation exercises and preferred the idea of "independent community representatives".
— *Monitoring*—more robust figures, particularly in stops and searches, and openness about the figures.
— *Recruitment of BME Practitioners*—need for a "racially diverse front line agency"; better age and ethnicity diversity reflected in the magistracy.

11.   Smith J (2003), *The Nature of Personal Robbery* Home Office Research Study 254.   **A*, B***
       London: Home Office Research Development and Statistics Directorate

This report examines the nature of robbery in England and Wales, based on an examination of over 2,000 crime reports and witness statements across seven police force areas. The report focuses specifically on personal robbery, which accounts for the bulk of recorded robbery and almost all of the increase in recent years.

Summary

The report suggests that visible ethnic minorities appear to be overrepresented as offenders in some Basic Command Units (BCUs) but not in others, but a range of contributory factors such as local population estimates and daily population movement, make this inconclusive.

These findings on ethnicity cannot be extrapolated to give any overall picture of the ethnicity of victims and suspects in robbery, however, they do emphasise the importance of local population differences in explaining the common characteristics of those identified in police crime reports. The report also makes clear the importance of considering wider socio-economic and demographic factors that will mediate the levels of risk between different ethnic groups.

	Catergory
Title and Date	*Reference*

12.   Specification for Research—Invitation to Tender for A Study of Sentencing and its   **A*, B***
      outcomes—unpublished

An Invitation to Tender (ItT) document set out by the Home Office Research Development and Statistics Directorate and the Sentencing Guidelines Council, to look at sentencing and its outcomes in depth. The ItT asks bidders to pay particular attention to analysis of post sentencing outcomes in terms of ethnicity and gender (though they may be limited on the basis of a smaller sample size).

Summary

The study has three principal aims, which are:
— To inform the development of sentencing guidelines for individual offence types, by increasing understanding of current sentencing practice and analysing factors significantly associated with sentencing, including offence and offender characteristics and geographical variations in outcomes.
— To provide baseline data on recent practice in sentencing and its outcomes so as to enable a later replication of the study (this will be the subject of a separate project) to assess the relative impact of the new Criminal Justice Act 2003 reforms to the sentencing framework.
— To examine the relative effectiveness (and cost-effectiveness) of different sentences by comparing actual sentence content with key outcomes (reconviction and compliance).

13.   Surveying Prisoner Crime Reduction (SPCR) Invitation to Tender—unpublished   **A*, B***

The Research Development and Statistics unit in NOMS have produced an Invitation to Tender document to commission research into prisoner experience.

Summary

SPCR aims to assess prisoners' problems and needs on reception, how these are addressed during and after custody and the combined effect of any interventions on offending and other outcomes. The study will examine how far prisoners receive any significant interventions during prison or on release, and what kinds of prisoners appear to benefit. The effects of prisoners' presenting characteristics, criminal history, motivation and attitudes will be taken into account.

The study will seek to answer the following key research questions:
— What are the characteristics and presenting problems of prisoners starting a new sentence?
— How do prisoners perceive their problems and needs?
— What interventions do prisoners receive during custody?
— What associations are there between interventions and outcomes?
— How important are prisoners' attitudes, perceptions and motivation?
— Is aftercare provided to/taken up by prisoners?
— Is provision of interventions and/or aftercare for prisoners cost effective?

14.   University of Central Lancashire (UCLan) Research Report: *Issues surrounding*   **C***
      the delivery of prison drug services in England and Wales, with a focus on black and
      *minority ethnic prisoners'/*Diversity Toolkit—unpublished

Summary

The University of Central Lancashire (UCLan) was commissioned in March 2003 to undertake research into Black and Minority Ethnic (BME) prisoners' access to drug services in custody; the research also looked at barriers preventing BME offenders engaging with these services; recommendations for improvements were included.

Although not yet finalised, the report's recommendations have already informed the development of a Diversity Toolkit for drug-misusers from diverse groups—including BME and young users. The Toolkit will include consideration of:
— access to services,
— types of treatment offered,
— balance of workforce,
— ethnic monitoring, and
— impact assessments etc.

15.   Vennard J, University of Bristol; Davis G, University of Bristol; Baldwin J,   *****
      University of Birmingham; Pearce J, University of Bristol (2004). *Ethnic minority*
      magistrates' experience of the role and of the court environment. DCA Research
      Series 3/04

This study was commissioned under Phase II of the DCA's Courts and Diversity Research Programme and offers a detailed exploration of the experience of magistrates from ethnic minority backgrounds. Taking a qualitative approach, the research seeks to explore:
— the prevalence of the racist experiences amongst ethnic minority magistrates and attempts by the magistracy to tackle any reported problems;

	Catergory
Title and Date	*Reference*

— the impact of perceived discrimination and racism upon magistrates' satisfaction with the role;
— and career progression on the bench of ethnic minority magistrates compared with that of their white colleagues.

Summary

This report summarises research on magistrates' experiences with some indication of BME experiences as providers of justice. Key research messages from the DCA's courts and Diversity Research Programme (which focused on BME experiences/perceptions of the Courts) suggest that people from BME communities are overall more likely than White people to believe that the courts discriminate based on ethnicity, but this report shows demonstrates that they personally experience very low levels of discrimination when they actually interact with courts and tribunals (either as users or representatives of the court system).

16. Yaser M, Davies K, Collins C *What we learnt from engaging with Black and* **C***
    Minority Ethnic Communities. London. Home Office and Police Crime Standards
    Directorate.

This report sets out the lessons learnt from the Drug Interventions Programme (DIP) Black and Minority Ethnic (BME) Community Engagement Programme (CEP). The aim of the report is to share with people working in DIP services and more widely the learning gained through the programme, enabling them to put the principles of community engagement effectively into practice, in order to benefit BME offenders, providers and local communities.

Summary

The research projects made a number of recommendations relating to local DIP services. Many of these are now being taken forward and implemented in partnership with local communities, building on the relationships formed during the CEP.

Many of the recommendations made by individual projects were specific to the needs of the local area and particular populations. However, there are a number of key general messages that can be identified from the recommendations as to how DIP services can better cater for the needs of people from Black and minority ethnic communities. These were as follows:
— DIP services should undertake work to improve local communities' awareness of and access to DIP services.
— Communities need to be consulted and involved in the commissioning, planning and delivery of DIP services
— DIP services need to strive to ensure that their workforce better reflects the make up of local communities, including ex-users with the appropriate competencies; and is provided with training on how to demonstrate sensitivity to the cultural and faith needs of people from Black and minority ethnic communities.

In prisons the capacity and ability of services such as CARAT teams to engage with Black and minority ethnic prisoners need to be increased, in order to focus on issues relating to throughcare and aftercare needs of those in DIP. Internal procedures also need to be examined to enable easier access into prisons by ex-offenders involved in treatment initiatives and self-help groups.

January 2007

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29.   Fourth supplementary memorandum submitted by the Home Office

RESPONSE TO THE COMMITTEE'S REQUEST FOR ANY FURTHER DATA ON ETHNICITY OF PERPETRATORS AND VICTIMS OF GUN CRIME

Information in relation to the ethnicity of victims of crime is already published in *Black and Minority ethnic groups' experiences and perceptions of crime, racially motivated crime and the police: Findings from the 2004–05 British Crime Survey* (Jansson 2006). Information about the ethnicity of victims of homicide is also published in the annual Section 95 statistics. During the evidence session on 13 March Baroness Scotland provided the Committee with information on the ethnicity of victims of gun crime where there was either fatal or slight injury. This information was published recently as part of the response to a written Parliamentary Question.

In light of the discussion during the evidence session and the Committee's further request by email, officials have checked again to see if there is any further relevant data on the ethnicity of perpetrators that could be provided following Baroness Scotland's evidence, in which she stated that we do not have data which tells us that the perpetrators of firearms offences are more likely to be black.

Information about the ethnicity of suspects for gun homicides (a small subset of gun crime) is collected by police forces but not routinely published by the Home Office. In response to the Committee's request officials are undertaking a specific exercise to collate and check this administrative data and expect to have some information by Friday 13 April 2007. Please note the numbers for gun homicides are too small to provide a reliable measure of the ethnicity of perpetrators of gun crime as a whole. Officials have also looked at the court proceedings database to see if there is further reliable information on the ethnicity of those proceeded against for firearms offences. This information is incomplete with regard to ethnicity and, as it reflects only those proceeded against, would not provide robust data on the ethnicity of perpetrators of firearms offences.

We will provide the information on the ethnicity of suspects in gun homicides as soon as it becomes available but there is therefore no further information we are able to provide to the Committee at this time.

April 2007

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30.   Memorandum submitted by Professor Gus John

Preamble

On Thursday 27 April, I am launching a book, *Taking A Stand*, which deals with issues of education, race, social action and civil unrest in the period spanning 1980–2005, issues which are germane to the objectives of this inquiry. My preoccupation with that project has not enabled me to provide a thoroughly researched series of observations at this stage in the inquiry's work. Nevertheless, I offer this for what it is worth.

Some Procedural and Conceptual Dilemmas

The matters the Committee wishes to focus upon are complex and must be approached with extreme care. For one thing, it is important to be clear as to the specific groups that cluster within the ONS Census ethnicity category "Black or Black British". Public perceptions of criminality among young people of Caribbean extraction are different from perceptions of criminality among West African or Somali young people. Within the generic "African" group there are further variations. Popular perceptions of criminality among young Nigerians differ from that among Ghanaians or young people from Zimbabwe.

It is important in this regard to consider patterns of migration and settlement and the profile that certain "black" groups came to have or to be given in the society since the early 1950s. Authors such as John Lambert and Camilla Filkin (*Crime, Police and Race Relations* 1970), Augustine John (*Race in the Inner City* 1970) and Humphry & John (*Because They're Black* 1971 & *Police Power and Black People* 1972) were among early writers pointing to the process of "racialising crime" and criminalising young black (African Caribbean) people indiscriminately that was a major source of concern to black communities. The racialisation of crime mirrored the racialisation of immigration and of other processes and practices within the society. In time, that process became more and more widespread and invasive, extending to the racialisation of school exclusion, youth unemployment, etc.

The importance of this approach lies in the fact that too often there is a failure in these discussions to have regard to context. They also fail to take into account that certain categories of people experience their oppression as a group, whether they be asylum seekers, Asian women or the children of "first generation" West Indian immigrants. That context is shaped first and foremost by the state and its apparatuses, particularly the police and the criminal justice system. But it is a context determined in time, also, by the excluded and marginalised groups themselves. That context is equally important to our understanding of different patterns of crime among the same category of people over time. It also helps to explain the attitude towards crime that future generations of young people develop because of the lifestyle and life choices of those around them and which they regard as "cultural" and functional.

Lambert, John, etc, wrote in the early 1970s based on work done at the end of the 1960s. By 1978, in a seminal study that is still critical to the work of an inquiry such as yours, Stuart Hall *et al,* (*Policing the Crisis—Mugging, the State and Law and Order*) were able to point to the way the police, the judiciary and the media had racialised "mugging" and street robberies and in the process had profiled black youths (British born of African Caribbean descent) as a potential threat to safety on the streets and to law and order more generally.

It is worth exploring here, also, how a culture of racism in the society, manifesting in job discrimination, negative attitudes to young black people and low expectations of them, their unjust treatment by the justice system, especially when colluding with police malpractice, has spawned a culture of resistance to the values that the society projects as consensual: the work ethic, respect for persons and for property, obeying the law, etc. There is a tendency in public policy circles and among social analysts to examine young people's involvement in crime or on the periphery of crime purely from a socio-economic perspective. Educational attainment, employability, availability of jobs and income are typically the variables employed in such analysis. A concern that a number of parents and social commentators have, for example, is why is it that

despite the Gordon Brown "revolution" and the fact that the country has enjoyed almost a decade of low inflation and low unemployment, youth offending amongst black young people and the incidence of gun related crimes have shown no marked decrease.

This is a question that needs to be addressed.

Without any attempt at a considered response, I would argue that part of the "culture" within our communities to which I referred above is the fact that in addition to the well known indicators of social exclusion that impact upon black young people (low educational attainment, school exclusion, low income, single parent families, repeated offending, etc), social exclusion of an active kind is being perpetuated. Active social exclusion could be defined as:

". . . the form of exclusion that comes about when young people lay claim to particular identities and make choices about lifestyles which compound their disadvantage and their existence on the margins of the society". (Tom Wiley, National Youth Agency)

Young people's persistent involvement in certain practices within the "alternative economy" even in a period of low unemployment, the lifestyles that accompany that, the consequences of those practices for their parenting, for their offspring, and for their communities are all manifestations of that active social exclusion. Interestingly, there is growing evidence of this phenomenon precisely at a time when workers from the former Eastern Europe are inserting themselves into the economy and taking jobs which are equally open to those young black people.

Their involvement in the "alternative economy", however, continues to support the mainstream economy and the activities of other young (and older) black people within it. Their patronage of mini-cab firms, barber shops, hairdressers, food outlets, fashion outlets, hair products, private gyms, music and entertainment outlets, etc, within the black community is huge, let alone their engagement with the mainstream economy.

The concerns of the Youth Justice Board and other agencies, and the findings of the Cabinet Office's study on *Ethnic minorities and the labour market* (2004), point to what I have described as ". . . the inexorable growth of a British born, British schooled, black underclass, operating on the margins of society".

Certain structural arrangements serve to exacerbate the growth of this marginalised sector of the population, school exclusion being among the most serious:

"The 13,000 young people excluded from school each year might as well be given a date by which to join the prison service some time later on down the line".

Martin Narey —Director General of the Prison Service (2001)

"Of 400 young people in a Young Offender Institution (YOI), 200 had been excluded from school".

Martin Narey

Two-thirds of the population of YOIs had left or been put out of school at age 13 or under.

Home Office Research

Showing evidence of the link between school exclusion and social exclusion, Lord Warner of Brockley, then Chair of the Youth Justice Board observed:

"80% of young offenders of school age are out of school, either through exclusion or refusal to attend; . . . mainstream schooling is not willing and not able to deal with children with challenging behaviour".

The fact that black school students (African Caribbean boys in particular) are still six times more likely to be excluded than their white counterparts is a further source of concern, given the link between school exclusion and youth offending.

Social exclusion, passive or active, and the resistance/rebellion that has come to characterise the "culture" that obtains within sections of black communities is leading increasingly to forms of a-moral existence for a section of the young black population. The Committee will hopefully hear evidence, empirical and anecdotal as to just how large that section is.

That existence is characterised by "life on the edge", by life threatening violence and a general cheapening of life, by conduct which suggests that there are no moral boundaries or checks and balances on the actions of individuals.

In 2003, for example, Commander Alan Brown— Head of Operation Trident (against "black on black" gun crime) reported as follows:

21 black on black killings in London and 67 other attempted murders during 2001.

16 murders involving black gangs fighting for control of London's crack cocaine market. (77% increase in figures for 2000)

74 attempted murders by black gunmen in 2002.

"There were clear attempts to kill, and it is only because of poor marksmanship or poor ammunition that these people were not killed. It seems to be a matter of luck whether you suffer an injury or you die".

The spectrum of youth offending is clearly very wide and types of offending differ as between young men and young women and within those groups also. Some young men engage in thefts from the person and do not indulge in any form of smoking. Others smoke cannabis and do not engage in any other form of offending. Some young women engage in credit card fraud and burglaries, others only in shoplifting. At the extreme end of the spectrum, young men engage in drive-by shootings and other gun related murders.

Whatever similarities there may be between the criminal behaviour of young black people and young people of other ethnic groups, it is important to have regard to the respective percentages of the group in question within the population locally and nationally. Similarly, it is critical to have regard to the internal dynamics of the group in question and the profile that the wider group of which it is a part have had in the society and in the criminal justice system over time. As far as black young people are concerned, for example, perceptions of them as underachievers espousing "alternative" lifestyles, prone to school exclusion and as being in conflict with the police are crucial in determining the way they are treated by the public, public agencies and the criminal justice system.

MODELS OF INTERVENTION

With specific reference to guns and gangs in African Caribbean communities, we in GJP have been developing and delivering modular programmes for conflict resolution and peace building. The broad principles on which this work is based are explored in some detail in *Taking A Stand*. This work is being done with young people on the periphery of gangs and/or those wanting to leave gangs. The two, inter-related modules we have developed so far are entitled:

> Working With Young People in Conflict—a programme of self-development and strategies for avoiding conflict, and

> Interactive Sessions for Self Development: young people understanding conflict and developing personal strategies for avoiding and resolving it.

There are in Manchester and elsewhere various multi-agency approaches to combating gun crime and gang activity among young black people. My observation is that too often there is an over-emphasis on a "quick fix" at the expense of the careful work I believe to be necessary with individual young people, with groups of young people, peers and parents. Indeed, I have a concern about the level of understanding agencies bring to a situation which needs considerable thought, discussion and intervention within the dynamics of the black family and community from inside of our experience, and from an African perspective.

I say that because the problem is essentially a product of the dynamics of race, class and identity within this society itself. So, while it manifests as a law and order, crime and disorder, youth offending problem, it is essentially an expression of pathology and evidence of the implosion at the very core of the black community itself. Yet, we buy into multi-agency approaches and address the issue from a crime and disorder perspective before we as black people give ourselves the space to do the painful work we must do on ourselves, by ourselves, in order to own the problem and draw upon one another's strengths in arresting it at its roots. It seems to me that many multi-agency approaches leap-frog over that critical part of the process, the stage most likely to guarantee sustainability.

I believe that it is necessary to create space, safe and secure space, and time . . . for our young people and their parents to work with black individuals not linked to these agencies and who have the skills and competences to assist them in making effective use of that space. Such community healing (which is, after all, what it must be) requires time and it also requires sensitivity on the part of agencies such as the police, youth offending teams, etc. We have seen the progress that has been painstakingly made with young people who are hell bent on self destruction jeopardised totally because of some overzealous and inflexible reaction on the part of the authorities or because of the absence of assessment of risk to the individual breaking ranks with his "posse".

Restorative justice as one approach, despite its limitations, must be given a chance to work in these situations where inter-family and inter-group conflicts escalate and revenge killings are planned and executed.

Our work suggests that in addition to the work of the statutory agencies such as the Youth Offending Teams, Crime and Disorder Reduction Partnerships and the rest, there is a need within communities for:

— Local support cells for young people and parents, not connected to such agencies.

— Peer strategies for learning development and conflict resolution.

— Local mediation councils.

— Local and national initiatives for celebrating success in combating young people's involvement in gangs and in crime.

— Local and national campaigns against school exclusions.

— Local and national campaigns against firearms and against the murders in our communities. . .

In conclusion, these are but some "broad brush" observations which I hope will assist the Committee in focusing upon some key areas and maybe inviting specific evidence in relation to them. I shall make available to the Committee a copy of *Taking A Stand* and other such background material I consider of use to you (not printed).

Professor Gus John
Visiting Professor of Education, University of Strathclyde, and Chief Executive of the
Gus John Partnership Limited.

April 2006

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31.   Memorandum submitted by Kids Company

Kids Company is a charity offering support to exceptionally vulnerable children and young people. We have been working at street level with thousands of young black people in the last ten years. Our client group are described as some of the most challenging, yet we receive in excess of 95% self-referrals from children who have heard about us on the street.

In all the years that I have worked with young people, I can count on the fingers of one hand the number who have "chosen" to be criminals. The majority of the young people who turn to us resort to crime as a survival mechanism. I have noticed several factors which contribute to this anti-social solution. These could be summarised as follows:

(a) The absence of a competent carer in the child's life, who can navigate the path to services and advocate on behalf of the child. This results in the child often being denied necessary services and early intervention. If the young person presents with complex needs, an impoverished local authority is more likely to "lose" them from their services and there is no one to return the child back into the system. Poor early intervention leads to a loss of a sense of citizenship in the child. Society was never there when they needed it, so they perceive themselves as owing society nothing.

(b) Young people presenting with specific learning difficulties, ie dyslexia, are not helped quickly or robustly within their primary schools, so by the time they reach secondary, they feel de-skilled, ashamed and therefore remove themselves from education or are excluded.

(c) Use of street drugs, especially cannabis from an early age, is having a negative impact on young people's motivation, but also their mental health. In a state of withdrawal they are often very aggressive and can get into trouble more easily. Yet there are barely any drug rehab programmes for young black people, as most of the programmes are filled up with adult middle-class addicts, who are articulate enough to make use of group therapy. Young black people often do not do well in rehabilitation centres and get excluded from them.

(d) A general lack of respect for the police results in young people believing that they must distribute justice themselves within their own communities. The burden often falls on young males to defend their mothers, younger siblings and sisters or partners. Adolescent boys take on this role, because fathers are not present.

(e) Violence becomes a currency of survival in neighbourhoods where there is a prevalence of violence. If a young person is not violent, they risk being victimised. Youth offending programmes are not robust enough in picking up and dealing with the most prolific and violent offenders. Consequently these individuals become powerful perverse leaders, whose level of violence commands violence in defence.

(f) Benefit levels are too low, leaving young people jobless and impoverished. They often cannot access jobs.

(g) A combination of poverty, ruptured early attachments to maternal carers, absence of fathers and excessive exposure to violence results in many young people being traumatised due to chronic neglect and abuse. The combination of poor attachments and relentless fear creates a poor neuro-physiological status in the young person. This neuro-chemical sensitivity results in the young person being hyper-aroused, excessively alert and prone to being triggered into violence and fury. The lack of self-soothing capacities results in the young person being unable to calm down, control their behaviours or anticipate consequences. This is not about a moral flaw in young people. It is about a psychosocial vulnerability to reacting violently brought about by poor care. Young people suffering from mental health distress are not offered appropriate help. Care leavers and those living in hostels on their own become lonely and depressed.

CONCLUSION

Poor attachment and family abuse create psychosocial vulnerabilities in young people, who then find the appropriate cultural and social tools for violence. The use of these tools is not based on thoughtful choice. It is an act of desperation. The young person is always the individual who is penalised for what in effect is a systemic flaw. Poor care by adults, both biological and corporate parents propels the young person into criminal activity as a means of survival.

Camila Batmanghelidjh
Director

April 2006

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32. Memorandum submitted by Superintendent Leroy Logan MBE

1. INTRODUCTION

1.1 Firstly, I would like to thank the HAC for the invitation to submit written and oral evidence on such a critical issue. I know that some members of the current HAC will be familiar with my unique perspective, approach and delivery of youth capacity building and self empowerment programmes, and I am appreciative of the awards received and the Commendation from the Metropolitan Police Commissioner for my work. More importantly, I have been working with other change agents to divert young people from anti-social behaviour and criminal activity, and we have achieved some encouraging results through a holistic partnership approach with a relevant and real message that young people can relate to and apply to their daily lives.

1.2 As a black man of Jamaican heritage born and bred in London over 50 years ago, I am able to use my shared and common experience to give young people opportunities to reassess their beliefs, values and views that shape the attitudes of their families, communities and environment; which in turn shapes their perceptions of the different opinion formers and figures of authority. I am also calling on my experience of over 20 years of operational policing in the London area as a uniformed officer, a third of which has been in the borough of Hackney, and the learning captured from the numerous partnerships I have forged with statutory and voluntary agencies; as well as numerous communities and individuals.

1.3 I must emphasise that not all of my personal perspectives in this paper reflects MPS policy. Therefore, I ask that you seek my advice beforehand, should any points require clarification in order that we prevent quotes being taken out of perspective, which may have a detrimental effect on the reputation of the MPS. Any data presented is put forward with the best of intention that it was accurate at the time of publishing this document.

1.4 I am adopting the HAC's definition of black in accordance with the Youth Justice Board categorisation for England and Wales.

2. BACKGROUND

2.1 I do not think I would be doing this subject justice if I did not bring in the historical perspective of how black communities were established in the 1950s and their emergence through significant historical events over the past 50 years. I am also bound to consider whether every opportunity was taken to prevent deep set suspicions and sometimes hatred for statutory agencies, in particular those within the criminal justice system (CJS).

2.2 It is a well-documented and historic fact the first settlers in post war Britain from the Caribbean were not embraced in the same way they were invited to assist in the war effort during the 1940s. These pioneers were forced into ghettos because of racial prejudices and restrictive access to accommodation, resulting in them being stacked in deprived areas where schools were substandard, employment opportunities were minimal and long term prospects to hold together the family unit were restricted. It was at this early stage that black people started to perceive that they were *over policed as potential suspects and under protected as potential victims*. It was also a significant point of policing multicultural Britain where there was a consistent manifestation of prejudice with power (police legal authority) leading to racism, in particular through the misuse of the "Sus" law (Section 4 & 6 of the Vagrancy Act 1824). The law caused much discontent and was abolished following riots in Saint Pauls, Bristol, in 1980 and in Brixton, London and Toxteth, Liverpool in 1981, because its abuse was believed to be a contributory factor to these events.

2.3 Also there was a strong perception that policing was the tool of political intent as a means of restricting racial development and, ultimately, discouraging integration and cohesion. For example, politicians actively discouraged police applications from black candidates because they were not suited to the profession; a form of colour bar captured in parliamentary Hansard reports in the early 1960s. Despite this political/institutional opposition the first Caribbean officer, Norwell Roberts, joined the MPS in 1967. Norwell endured disgraceful acts of overt racism from his colleagues who generated the chill factor of the so called "canteen culture". What signal did that send to the wider black public about police legitimacy? It obviously reinforced their suspicions of police attitudes towards black people, ie if they could treat a black

colleague with such contempt, what treatment could people from the black community expect? Therefore other cases, proved in the courts or tribunals, of inequalities in the police service across the country under the media spotlight have continually reinforced black people's suspicions.

2.4 Subsequently through the formation of the Metropolitan Black Police Association (MBPA) in 1994, the MPS finally acknowledged publicly the inextricable link between community perceptions and internal staff culture; because if you treat your diverse personnel right the organisation is better equipped to serve and meet the needs of the diverse communities of London. Thus enhancing community trust and confidence as well as informing police service delivery. As a founder member of the MBPA I know it was down to the persuasive powers and the strong business case of the Executive, put to a more accountable organisation. The MBPA has gone onto developing an award winning youth leadership programme, with a particular focus on young black people to counteract the growing perceptions they have of the CJS, which they believe is made up of institutionally racist organisations.

2.5 I know from personal experience as a young man in the 1960s and 70s, I was in fear of the police focusing their efforts at known areas were young black people would gather, such as record stores and barber shops; a cultural transference from the Caribbean. I also experienced members of my family returning to Jamaica because they felt they were being criminalised by structural inequalities eg the disproportionate use of the "Sus" Law, because they were disproportionately being charged and convicted in the courts which automatically put them at a disadvantage in the development of themselves, their families and the wider community in which they live.

2.6 I learned very quickly from my parents and my peers that groups of black youth in public places, innocent or not, gave police there own reasonable grounds to suspect that some form of criminality was or about to take place, and give cause to be searched and/or arrested, whether a crime was committed or not. Even in private functions, in particular house parties, black people perceived police were targeting them because of the nature of the music and their consistent suspicion of black people, perpetuated by an ignorance of the Caribbean culture. Those who were the victims of such police tactics and remained in London held bitter resentments, which they invariably put behind them in most cases but it still influenced the perceptions of future generations.

2.7 Attempts were made by the early pioneers to communicate the cultural differences to the statutory bodies through consultation groups, with the intention of informing a more sensitive style of policing through greater cultural awareness and mutual understanding to bridge the cultural divide. These pioneers also had a more conciliatory approach through their respect for authority and their enduring admiration for Britain as the mother of the commonwealth, by constantly asking for the voice of reason within the growing unrest amongst the less tolerant younger generation of black British, to maintain dialogue and not to overreact to the perceived heavy handed style of policing.

2.8 Unfortunately, the die had already been cast and there was an outpouring of frustration and anger through unrest on the streets of London, leading to the Notting Hill and Brixton riots. As well as peaceful protests for acts of alleged racism connected with deaths in police custody. This legacy was passed from generation to generation, contaminating the minds of many, especially in communities where culture is shaped by circumstances and experience. These circumstances were most commonly based around areas of need and neglect, owing to the community immune system almost entirely broken or weakened by drugs, guns and gangs.

3. EMERGING ISSUES

3.1 These socio-political and economic issues are nothing new and a certain amount of it has been captured in the Scarman and Lawrence inquiry reports published in 1981 and 1999 respectively. The recommendations in both of these reports went some way to addressing black community concerns and wider society attitudes towards minorities. The Police and Criminal Evidence (PACE) and the Race Relation (Amendment) Acts (RR(A)A) of 1984 and 2000 respectively, were the legislative developments from these inquiries to increase police accountability and transparency. The latter had a wider remit beyond the police service to include other statutory bodies, in particular other CJS agencies.

3.2 I was one of the three MBPA members who gave written and oral evidence to the Lawrence inquiry, which was regarded as one the most enlightening submissions. The police service was subsequently classed as an institutionally racist organisation by the published report. Institutional racism (IR) is not the monopoly of the police service and has manifested in other CJS agencies, in addition to other public and private organisations; which begs the question "How did the MPS, other organisations and society as a whole get into this position and could it have been prevented?" Lord Scarman's report stated: "This nation will ignore at it's peril the serious, social and economic problems of inner city areas, the evidence leaves no doubt in my mind that racial disadvantage is a fact of current British life, and that urgent action is needed if it is not to become an endemic ineradicable disease threatening the very survival of our society. Over twenty-five years later can we safely say that these issues have been approached with the urgency it deserves, and are we suffering from complacency and denial?"

3.3 I know the police service, through the Commission for Racial Equality (CRE) has acknowledged the task ahead and has a greater understanding of what needs to done in addressing the challenges posed for an IR organisation. Through Race Equality Schemes (RES), the subsequent action plans and Equality Impact Assessments (EIA) have made dramatic improvements that have pointed the police service in the right direction and, in some ways, moved parts of the organisation to lead public organisations in this area of work. Consequently, the police service in now an organisation better positioned to serve the needs of an ever growing diverse community.

3.4 Policing legitimacy has been enhanced by the introduction of the Independent Police Complaints Commission that has ensured greater transparency and accountability in the investigation of complaints against police, through their supervision and/or management of internal investigations and their findings published for public scrutiny, especially the complainants.

3.5 Obviously, there is still a great deal to be done to make the CJS fit for purpose and to sustain an effective level of performance. However, until this position is achieved there will be key issues that will demand in depth and consistent attention eg the overrepresentation of black people in the CJS; which has a direct influence on the relationship between young black people and the CJS. The fact that a HAC is looking at this issue is recognition that there is a gap in performance that needs to be addressed, resulting in a lack of trust in the CJS. Indeed, despite the ongoing danger, some young people believe that their quick fix street justice is now increasingly more relevant.

3.6 I know of countless examples of young black people who preferred to make no comments and pleaded not guilty until the very last opportunity at court, which eliminated them from other forms of judicial disposals and reprimands beforehand, only because they lack trust in the CJS. Therefore if you compound this with the influence of IR within the CJS it is no surprise that published data (under Section 95 of the Criminal Justice Act 1991) shows a continuous trend of disproportionalities; such that black youngsters are more likely to be kept in police custody or on remand and given custodial sentences, and less likely to be cautioned or bailed than their white and Asian counterparts. That is why in some boroughs there are more black youth going to prison than going to university, and black females and males making up 25% and 16% respectively of the national prison population even though black people make up about 5% of the national population.

3.7 There are other influences that propagate the virus of discontent in the CJS, born from the ubiquitous images of areas of need and neglect that are a permanent fixture in British popular culture in film and TV; in a certain amount of urban music and videos, where the gangster life is glorified and mimicked by young people, mainly by young black men. The news regularly covers the violent outrages in these deprived areas, even though it is the tip of the iceberg, reports of unrest and violent outbursts, makes for popular newspaper copy and appears to breed apathy, a lack of self respect and a perverted mutual respect between those perpetrating such behaviour. Hence violence is the new currency for respect within a minority of youth groups with the potential to severely intimidate the silent majority, leading to different forms of affiliations that can manifest into "Post Code Violence" and other gang related activity (NB Appendix A Anti-Gang Activity paper). These young people can have such extreme manifestations of blind loyalty they see any stranger as a threat, in addition to statutory agencies such as the police and other members of the CJS.

3.8 The existence of systematic racial discrimination in Britain's education system is the latest in a long line of studies and investigations which point to the less favourable treatment and experiences of black children in comparison to their white counterparts. And the strategies introduced to eradicate racism in our schools has had little effect, which allows the unsupported and more impressionable ones to fall into the hands of the dysfunctional/criminal role models who use this as a means of manipulating young people into crime and anti-social behaviour by perpetuating *the labelling phenomenon*; that means young black people being deceived into believing they are disruptive and un-teachable in school and criminals on the street, and so the young person believes the only way out is a life of crime and/or anti-social behaviour.

3.9 The leaked findings of Peter Wanless 2006 report, entitled *Getting It. Getting it Right*, states "The exclusions gap is caused by largely unwitting, but systematic racial discrimination in the application of disciplinary and exclusions policies." The same report goes on to state that "a compelling case can be made for the existence of 'institutional racism' in schools." This addresses to some extent why African Caribbean pupils, in particular boys, are three times more likely than white pupils to be permanently excluded from school and the increased chances—four times—of getting into crime as a result.

3.10 Pressure must be put on the DfES to hold local education departments, schools and head teachers to account, in a similar way to the Home Office's response when the police service was seen to be institutionally racist despite the existence of challenging targets being set. The current Home Secretary has subsequently declared the Home Office "not fit for purpose" , and it is now clear that agencies within its control will need to be held to greater levels of accountability. I would like to see the same level of leadership taken by the Secretary of State for the DfES with a roots and branch consideration of all; local education departments, school heads and staff, in respect of their delivery on race equality.

3.11 Black supplementary schools have been in existence for many decades, relying heavily on voluntary workers, donations and fee paying parents. Invariably they are under-resourced and unrecognised for the impact they have for their role in enhancing achievement increasing retention of students and reducing exclusions. They ensure primary and secondary education is more culturally stimulating for the students

through the shared and common experience with their black teachers, because they recognise that if they are not continuously stimulated intellectually the students may resort to basic instincts of violence and other forms of disruptive behaviour; also they have more cultural role models in terms of the volunteers that assist the teachers. These schools are crying out to be fully resourced by central government, and so the DfES should be prioritising the establishment of a national strategy to co-ordinate Supplementary Schools of different cultures and backgrounds with mainstream education. Additional funds and consistent resources must now be invested in the African and Caribbean Supplementary Schools to reverse the current trends detailed above in order that we fulfill the academic, social, moral and self-empowering potential in young black people.

3.12 The most authentic and reliable data for gang related activity within the black community of London is captured through the Operation Trident command unit. In 2006 65% of gun victims across London were dealt with by Trident, which shows gun homicides are disproportionately concentrated within black communities when considering only 13% of Londoners are black. Associated with this is a lack of co-operation with police, as highlighted by the 2006 CJS report on *The experiences of young black men as victims of crime* where it states improving the experience of black victims is essential in order to improve both the police and the wider CJS.

3.13 Over 70% of black communities live in the top 10 most deprived boroughs in London that invariably show a lack of community cohesion; fractured families with a significant number of absent fathers. Knowing that life chances are greatly influenced by parental circumstances it is not surprising that outcomes include; a lack of self motivation, under achievement at school, lack of job prospects and a lack of hard work ethics; leading to a disproportionate number of young black people resorting to crime in response to both financial and social needs. The result, increased prison sentences and high reoffending rates. In essence, a vicious and prophetic cycle of events which presents black society with the fruits of poverty and inherited disadvantages that can be traced back to early Caribbean settlers, mirroring the American experience of African American young people self-destructing in the urban areas of despondency and destitution.

4. RECOMMENDATIONS

4.1 After looking at the socio-political issues which challenge our society today, I believe the main themes can be sub-divided into (i) area of concern, (ii) causes, (iii) symptoms and signs and (iv) solutions.

4.2 The fundamental, if not historic concerns, are issues of poor education, low economic investment and inferior housing, all of which persist as root causes of inequality for the vast majority of our target group, ie young black people.

4.3 The table below proposes a list of interventions supported by a critical mass of change agents with a shared and common experience working with the target group. The aim of these recommendations is to combine leadership and political will with a view to producing a cadre of relevant practitioners; ie *dealers in hope* for the black community working locally to engender a good work ethic; pride in the local community; building stronger families with each member striving for significance; and moving against a sad acceptance of crime and anti-social behaviour in their environment without making attempts to prevent or solve it, hand-in-hand with statutory and voluntary agencies (Appendix B).

5. CLOSING REMARKS

5.1 I know I have taken a significant part of this paper to look at the historical issues to assist in recognising the legacy of resentment fuelled by ignorance and fear, and how it influences current perceptions. In response to these challenges, there needs to be a dynamic and significant range of innovative investment aimed at delivering solutions which regenerate the people themselves in numerous ways and not just the buildings they are surrounded by. Both central and local government need to play their role in supporting those culturally sensitive, successful and accredited programmes of capacity building and self empowerment.

5.2 As a black man born and brought up in London by working class parents of Jamaican heritage, I believe the time has now arrived for the black community to collectively be afforded and assume a greater leadership role by working with increased resources, towards addressing some of the fundamental issues that have traditionally blighted our families and communities. By putting aside past resentments, adopting a more solution focused approach and working more regularly with statutory and voluntary agencies, sustainable and consistent change will come.

5.3 I hope the recommendations from the HAC has the ability to hold the statutory agencies to account to fully implement their RES and related action plans and necessary equality impact assessments, to ensure their outputs and outcomes are fit for purpose to all sections of society with the backing of the CRE/CEHR over the coming years. The position we find ourselves in, especially the deteriorating relationship between young black people and the CJS, has developed over decades. I have no doubt that it will take a sustained and co-ordinate effort over a reasonable period of time to reverse the current trend. However, if we get a grip of things now and maintain coherent, holistic and shared strategies which are supported via sustainable funding, I am confident that we can make that journey together.

5.4 Finally, a word of caution, we cannot buy our way out of these problems. In 1981 Lord Scarman recommended: "There needs to be governmental policy that attacks racial disadvantage that inevitably means that ethnic minorities will enjoy a time of positive discrimination in their favour, but it is a price worth paying". I do not believe this finding has yet been fully implemented, and, even though it may be twenty five years overdue, there is no time like the present to take these recommendations forward.

5.5 These closing remarks are especially pertinent at this time and in this year, ie Britain's commemorative bi-centenary of the abolition of the Slave Trade Act [25th March 1807].

Superintendent Leroy Logan
Deputy Borough Commander
Hackney Police
February 2007

APPENDIX A

ANTI-GANG ACTIVITY IN HACKNEY

SUMMARY

This paper is an attempt to explain the reasons behind the relentless gang related activity in Hackney, despite a plethora of excellent initiatives driven by statutory and voluntary agencies, including those from a faith and non-faith perspective. In addition to updating the reader of recent developments in anti-gang activities, to ensure greater co-ordination and cohesion, in an attempt to making Hackney one of the safest boroughs in London.

1. INTRODUCTION

As we focus on regenerating property in urban renewal, there needs to be a similar focus and emphasis in regenerating individuals, families and communities; especially where they are subject to inherited disadvantages compounded by resentments and fears, leading to thug life and gangster glamour. Productive ever-present parenting is an essential part of the solution, to pass on the rights of passage as a means of navigating future generations through the traps of life, by way of wise and consistent stewardship.

I think it is clear to most people, involved in community cohesion, that we are at a very critical time in terms of turning around a large number of areas of need and neglect, where a lot of our young people have been a victim of inherited disadvantages. I know from the Hackney point of view, we are investing in these areas of need and neglect, but there is a requirement to focus more on investing in people than just property.

Unfortunately a lot of this decay has developed over decades and it is going to take a great deal of time and effort to turn it around, creating more positive and productive people who are striving for significance despite the challenges in their environment.

2. BACKGROUND

I am very encouraged by the young people in Hackney, the majority of whom are achieving their true potential in spite of their inherited disadvantages through urban deprivation and social exclusion; compounded by the constant bombardment of films, computer games and music advocating violence and glorifying thug life, thugs with guns and gangster glamour.

In Hackney we are suffering from the highest rates of increase of gun and knife in crime in London, resulting in terrible acts of gratuitous violence and in some cases ending up in young people losing their lives or badly injured, because they were visiting the area and were not known by the local violent youth; showing the serious implications of district code warfare. This is despite a number of award winning initiatives delivering excellent services to our young people, giving them the opportunity to empower themselves and adopt a productive lifestyle.

We are also starting to observe "peer group street collectives" (PGSCs) and gangs producing their street videos transmitted on several digital music channels advocating violence and retribution against their rivals. Similar to what we observed in America in the nineties when high profile artists lost their lives because of these musical rivalries resulting in gun violence, such as Tupac and Biggie Smalls. We are nowhere near that scale of events, however, voluntary and statutory partners have to work hard holistically to prevent this from happening on a larger scale, and start to permanently solve these deep-set resentments.

So the way forward I believe is to develop a critical mass of young people empowered through peer-to-peer mentoring, giving a greater sense of hope, motivation and inspiration to other young people who are less privileged and grappling with inherited disadvantages because of what is happening in their home, where they live and their surroundings. We need to let them realise the potential within themselves, and recognise they can change their environment and not become it; this needs to be underpinned by reliable and relevant stewardship in the home and elsewhere.

What numerous empowerment programmes seem to focus on is the intellect of the individual, which does not always prevent them from standing up against the peer pack mentality that can lead to criminality. Therefore we need to develop changes from within to address the condition of the heart, based on the person's resentments and fears and the damage it may have on that person.

Resentments and fears, if allowed to flourish can fuel addictions such as drugs, alcohol, violence etc. Keeping a person from grieving the damage it causes and preventing them from feeling the effect and addressing the initial problem(s), thus resulting in warped belief systems fueled by tortured individuals who have no regard for self or others. The PGSCs and gangs exhibit these signs with the resultant street culture with its own norms and values, at odds with the norms and values held dear by a free democratic society; sometimes depicted by young people as a parallel universe driven by haters.

There needs to be co-ordinated and sustained holistic work to shatter the belief systems of these people who advocate thug life and the gangster glamour, with positive role models who give other options such as entrepreneurial and e-commerce/IT skills for example. If left unchecked these beliefs and values that drive behaviour will continually end up in predator type packs of youth, committing the most disgusting acts of violence and other forms of crime.

Therefore, I truly believe that we need to develop strategies that impact the condition of the heart of the person and start to make changes from within. Thus addressing the needs of people who have negative aspirations and do not respect their own life, consequently, they do not respect the lives of others; it is quite simple—change their meaning and you change their feeling.

We need to develop changes from within with a long-term impact, developing an inner voice that will stop young people working together in these very violent predator type packs, which can develop into gratuitous acts of violence, but instead trigger possibilities, abilities and worthiness on the road to achievement. If that happens there will be members within the group who will say no to negative behaviour. This positive inner voice may also guide that person to choose their friends wisely and embrace a productive lifestyle.

The anti-gang outreach initiatives we are rolling out in Hackney will include components focusing on the condition of the heart, developing the inner voice to be a positive one; thus resulting in a critical mass of young people reclaiming their public places in safety, without a fear of their environment and ultimately understanding they can be the changes they want to see.

"If they want to see the change they have got to be the change".

3. INHERITED DISADVANTAGES

Hackney has more residents living in the 10% most deprived wards than any other local authority in the country with over a quarter of the population made up of young people under the age of seventeen.

Hackney is an ethnically diverse borough with close to 40% of the general population from black and ethnic minority groups and a significantly higher proportion, around 80%, of school age children from these groups. Hackney is also home to a large number of immigrants and the number of languages spoken at home other than English is over 40.

According to the 2001 census 10,413 people in Hackney were unemployed. Giving Hackney an unemployment rate of 6.9%—this is the highest rate for all areas in England and Wales. The 16–24 year olds represent the largest group of unemployed people within the borough at a rate of 19.39%.

Only one third of all households are owner occupied, the third lowest rate in England and Wales. This means that the overall majority of residents are tenants of council or housing association properties.

Hackney also has high levels of mental health problems with amongst the highest admission rates to psychiatric hospitals in the country. A significant number of youth schizophrenia cases correlates with crack cocaine and herbal cannabis drug addictions, because the drugs are freely available, relatively cheap and young people are invariably used as runners for larger drug cartels.

The Link to Gangs

The average age of Operation Trident victims and suspects are getting increasingly younger. Shootings in the borough are connected to those involved in youth gang activity with an increasing number of crime reports claiming that the perpetrators were groups of young black men.

The location of many shootings, such as estates where gangs frequent and night time venues that are known territories for certain gangs, also suggests a link to gang criminal activity such as drug supplying and street crime. Anecdotal evidence from community youth organisations suggesting that youth disengagement and disaffection are becoming critical issues in the borough, leading to an increase in violent gang culture that also points to a link between rising gun crime and gangs.

The Root Causes

Hackney has a large population of young people many of whom live in multiply deprived wards. Research conducted by London Metropolitan University suggests the following three contributory factors to the problem of so-called "deviant adaptations", which may lead to gun crime and gang involvement in the borough (Figure 1).

Economic marginalisation coupled with a relative absence of access to legitimate opportunity structures creates the space for delinquency.

An experience of powerlessness as a consequence of multiple deprivations; denied any access to power they are forced to seek it elsewhere and by way of recompense mobilise violence and aggression to appropriate it through the predator packs.

Economic exclusion coupled with poor quality housing and built environment creating a situation where young people in general, and young men in particular have little alternative but to congregate in the street. There is a great deal of pressure placed on them, mainly by intimidation, to adopt the dominant street culture which can result in them becoming thugs with guns and knives terrorising their communities; thus preventing the citizens of Hackney from reclaiming their public spaces and going about their lawful business, resulting in an increase in the fear of crime.

Figure 1
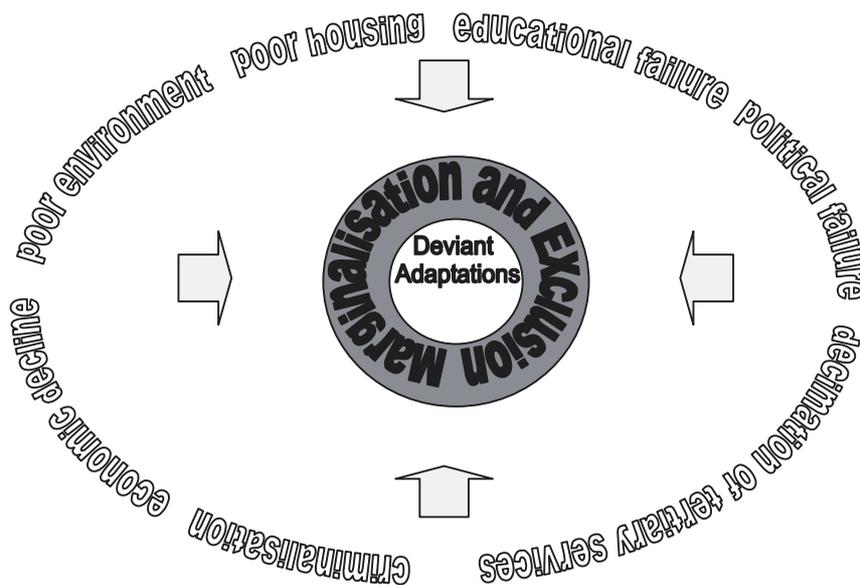
Understanding the Dynamics

Figure 2 shows a generic template, which broadly represents the escalation to violent crime and gun crime associated with varying levels of gang involvement. Differences in gang's hierarchical structures are associated with different crime elements, ages and levels of criminal activity. Lower levels of criminality are represented at the bottom of the scale and are statistically the youngest and largest group. Further up the scale the levels of organisation become tighter, the individuals largely older and fewer and the crimes more serious.

Figure 2

Gangs – A Generic template

Gun Crime ← Stage 4 → Violent Crime

Knife Crime ← Stage 3 → Robbery

MV Crime ← Stage 2 → Burglary

ASB ← Stage 1 → Drugs
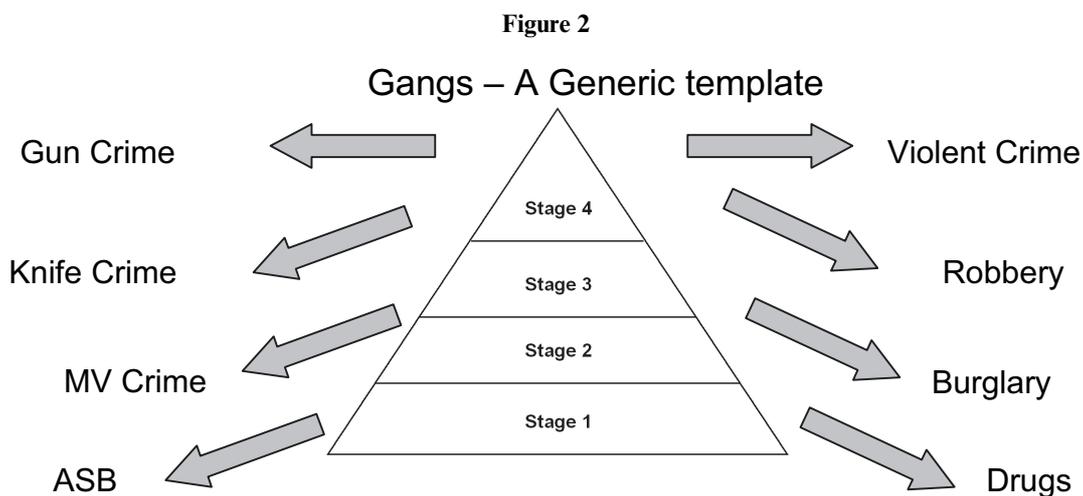
Figure 3 represents the different levels of organisation and affiliation associated with an escalating risk factor with regards to criminality.

Figure 3

high risk

Organised crime group

Gang

Peer group

low risk
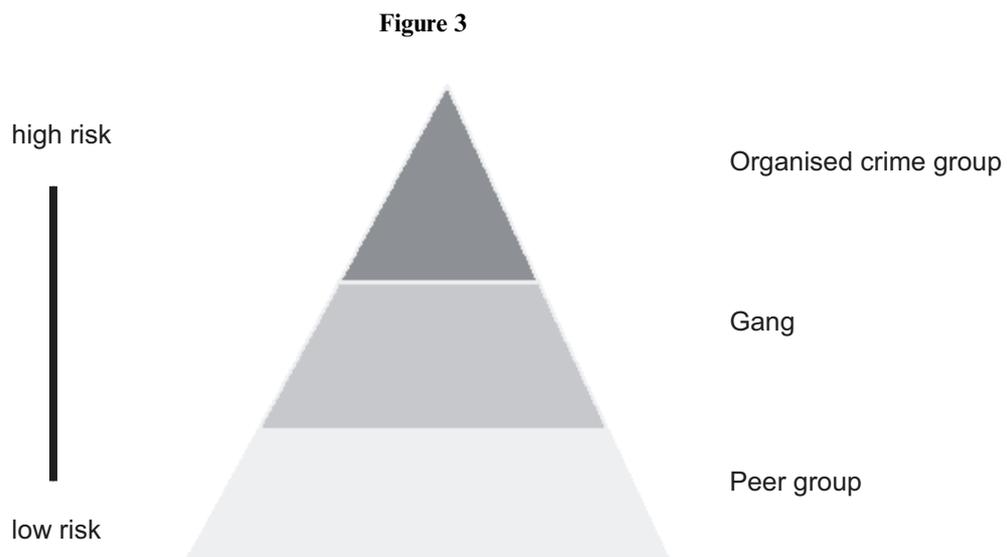
A great deal of the PGSCs have emerged from their local street respect culture, based on a vicious cycle of acting away to prevent other youth from treating them a way; taking revenge because they do not have faith in the criminal justice system and rely on street justice despite the potential repercussions. Resulting in predator pack groups roaming the streets based on strength in numbers and the carrying of weapons, held together by misplaced loyalties and an inability to manage conflict without resorting to violence. They are also a source of future gang members through a grooming process based on initiations entailing acts of violence and other forms of criminality.

Current Intelligence

The intelligence shows there are three basic categories of gun crime which all have various influencing factors:

— Inappropriate use of imitation firearm or air pistols.

— Use of firearm as part of another crime such as robbery.

— Use of firearm in order to injure or kill.

The intelligence also indicates that there are a variety of different gangs in Hackney and that these are often based on geographic location or territories with particular demographics significantly reflected in their conduct and evidenced in their culturally styled names.

Many gang-related problems including gun incidents related to feuds between opposing gangs, invariably around drug dealing and the associated revenge attacks.

Graffiti is used as a method of marking out territories, often linked to district codes, and communicating with each other, as well as for sending messages to other gangs; normally of a confrontational nature.

The Holistic Approach

The Office of the Deputy Prime Minister (ODPM) and the Government Office for London (GOL) have worked with statutory and voluntary agencies to develop a Floor Target Action Plan (FTAP) falling within the community strategy theme that aims to make the London Borough of Hackney a safer cleaner place to live. As such the implementation of the FTAP will be overseen by the "Safer Cleaner Place to Live" thematic partnership of "Team Hackney" the Local Strategic Partnership (LSP).

The preparation of the FTAP followed a five-stage process. The initial stage identified high-level priorities through the performance group of the LSP. The priority identified by the group relevant to this FTAP was violent crime. The violent crime priority was then examined by the LSP's Intelligence and Equalities group which narrowed the focus to identify "Guns and Gangs" as the most pressing issue. Two workshop sessions were then convened which drew together a range of key partners including front line workers with direct experience of dealing with the problem. During these sessions a further more detailed analysis of the problem was conducted along with a survey and review of existing interventions.

The issue of guns and gangs cannot be tackled effectively in either the short or long term without eliciting the kind of understanding and ability to connect with, engage and empower young people to be found in the community itself. What this requires is a real working partnership where skills, information and understanding are shared on an equal basis. The development and strengthening of the communities and the voluntary sector in this area is essential and will be integral to the implementation and delivery of this plan. Allied to this, the support and assistance of the statutory sector partnerships with their accompanying infrastructure and extra resources will also be essential.

The successful implementation of the FTAP will depend in particular on two crucial issues. The action plan is essentially cross-cutting and must be integrated and joined up with existing strategies and action plans, for example the Youth Crime Reduction Task Group (YCRTG). It is fundamentally important to engage with and gain support from the voluntary and community sector, in particular the with faith groups working in the area of social action; for example the recognised Street Pastors initiative.

This scheme consists of volunteers from local churches who voluntarily patrol—in their distinctive uniform—crime hotspot areas of the Borough at the time where these crimes occur, and have shown to reduce crime, anti-social and anti-police behaviour, because the main street crime suspects—black males between 13 and 19 years—are culturally aware to respect pastors and show a certain amount of reverence by not committing crime in their presence.

One of the key statutory bodies in the FTAP will be the Youth Offending Team (YOT). A multi-agency collective of staff from social services, police and health backgrounds who work with young people brought from the courts or those at risk from offending. It is proposed to develop a YOT based "Gang Operations/ Outreach Group" (GOOG), that will have a daily focus on the continually changing dynamics of PGSCs and gangs across Hackney. With the capacity of developing different forms of proactive prevention strategies, including mediation, with the intention of reducing the detrimental impact of the various PGSCs and gangs across the borough.

4. *TRUCE*

TRUCE stands for "To Reach Urban Communities Everywhere" and is part of the Nicky Cruze international American ministry, based on the principles of the Street Pastors initiative "faith works through social action".

It is an initiative running the entire month of July 2006, looking at regenerating the individual involved in thug life and gang culture by addressing the conditions of the heart, through targeted outreach using the international currency of music; in this case "hip hop" with an uncompromising Christian message. They will also show their prowess in the art of dance, in particular body popping and other forms of urban street dance, to gain the attention of young people across the borough.

Using the overseas dimension TRUCE has proved to be the catalyst in galvanising communities to work with greater cohesion and co-ordination in the preparation for, and the roll out of, gang outreach activities; consequently it is part of the ODPM and GOL facilitated FTAP, showing the advantage of working together and sharing best practice and information.

TRUCE is a multi-racial team of young Americans, comprised of reformed gang members, drug dealers and thugs with guns, who are now all committed Christians. They will share details of their success in regenerating themselves and other young people living in New York City's most notorious areas, including the Bronx, to put down their guns, throw away their drugs and pursue a more positive lifestyle. In effect *their mess has become their message*.

They emphasise the need for an inner spiritual discipline, to move the condition of their heart to a more positive and productive force that reduces the influence of disruptive criminal role models. Therefore less likely to be involved in predator pack groups roaming the streets based on strength in numbers and the carrying of weapons, hence rejecting misplaced loyalties and develop abilities to manage conflict without resorting to violence.

TRUCE is not the be all and end all of gang outreach; it is a catalyst in speeding up the co-ordination and cohesion amongst statutory and voluntary agencies. In addition to showing the importance of faith in action, building on a tried and tested Street Pastors initiatives, that has been operating in Hackney for two years. Consequently, the Street Pastors will be the only visible presence where TRUCE is reaching out, together with the fellowship of other churches with a similar cultural and age profile to develop the peer-to-peer mentoring influence. Leading to productive dialogue aimed at challenging the belief and value systems of the target group—PGSCs and the fringe gang members—resulting in making life changing decisions through an uncompromising Christian message.

There will also be presentations in specified schools known to be impacted by the target group, with the intention of developing a critical mass of youth advocates who will want to change their environment and not become it; in addition to joining up with other empowered youth who will have want to be involved in peer-to-peer mentoring. Also, assisting them in having a voice that will influence the future development of their communities, through effectively communicating the factors that influence the environment in which they have to live in safely; thus reducing the influence of the dysfunctional criminal role models.

To reduce the displacement factor to other boroughs we are working with Waltham Forest with co-ordinated outreach events on both boroughs, in response to recent tit-for-tat acts of violence between opposing gangs because of the differing district codes; notwithstanding they are opposing criminal networks.

Soul In The City & Peace Week

The positive impact of TRUCE will be a precursor for Soul in the City (SITC) and Peace Week initiatives in August and September respectively.

SITC is an initiative mobilising 15,000 young people in 600 community regeneration projects across Greater London during August 2006. It is an initiative of Soul Survivor a national youth charity that hosts an annual festival for over 22,000 young people. Soul Survivor is a faith-based organisation that is distinctively Christian and has a desire to demonstrate that "actions speak louder than words" by social action through voluntary work. It is anticipated that TRUCE will stimulate a larger number of youth volunteers coming forward.

Peace Week is an annual event in September celebrating and promoting initiatives and values that positively impact on community safety and provides a celebratory aspect of peace within our diverse communities. Peace Week was developed in Haringey in 2001; the event is now celebrated across a number of boroughs in London.

The Hackney Week of Peace 2005 was a successful series of events that took place in the borough and ended in a peace walk and festival at Springfield Park, with over 45 information stalls providing information ranging from crime prevention (our key priorities) to over three hours of stage performance by local artists. It was hailed as a success especially in bringing together the different communities that make Hackney such an interesting place to live and work. However, there was a minimum number of young people involved in shaping and steering the events, and were conspicuous by their absence as a critical mass. It is believed TRUCE will generate greater youth participation.

Proving The Concept

Using the principles of faith in action to address the inner voice in a person and the condition of their heart through the Christian message, TRUCE will complement the work of statutory and voluntary agencies in reducing gang related activity. It will be working on 18 estates and four schools in Hackney and a similar number in Waltham Forest during the month of July, culminating in two public services at Oceans where the evangelist Nicky Cruz will speak. Their will be followed by a joint youth service between Nicky and TRUCE and SITC, where it is anticipated approximately 4000 young people will assemble at Kingsway International Christian Centre, including a significant number of Hackney youth.

TRUCE will be fully evaluated in the chosen crime hot spot areas where it will be operating, qualitatively and quantitatively, to see its impact on:

— Gang related activity in the community.

— Inter and intra gang rivalry.

— Use of weapons in either of the above.

— The number of gangs and/or their membership.

— Number of reported incidences related to the above.

— Community confidence.

— The number of young people having more productive lifestyles and aspiring for significance.

— FTAP performance indicators.

— The number of young people willing to participate in SITC and Peace Week initiatives.

A successful TRUCE initiative will be the basis for a repeat programme next year with more boroughs wanting to get involved, thus increasing the level of cross border multi-agency work.

5. Closing Remarks

In conclusion the emerging FTAP will be the vehicle to sponsor and sustain targeted gang interventions over the next two years, and there needs to be concerted efforts to maintain the funding beyond that point, if we are going to make the long term changes in regenerating:

— individuals;

— families;

— communities; and

— the borough of Hackney as a whole.

One of the key developments will be the Youth Offending Team (YOT) based "Gang Operations/ Outreach Group" (GOOG), that will have a daily focus on the continually changing dynamics of PGSCs and gangs across Hackney. Thus developing a tailor-made holistic approach in detecting and disrupting individuals involved in this form of activity according to the risk factors apparent; in addition to a matrix of prevent and deter initiatives, as shown by the table below.

Risk Factor Table

Levels of risk	Forms of intervention
Highest Gang members High level of criminal behaviour—not wanting to change at this stage	— Surveillance (Police led) — Enforcement (Police, YOT and Courts) — Information sharing through partnerships — Targeted police strategy — Prolific and Persistent Offenders (PPO) Catch and Convict—Adult
High Gang members want to get out of gang and are motivated to change	— PPO Prevent and Deter—youth — Targeted assistance eg Drug Action Team (DAT), accommodation, ETE — Development of specialist gangs' workers co-ordinating assessment led work
Medium to High Gang members on periphery of gang	— YOT Interventions — Anti-Social Behaviour Order (ASBO) — Community and voluntary sector projects — Safer Schools Partnership to reduce truancy — Prevent exclusions
Low Targeted at younger siblings, neighbourhood projects, vulnerability	— YOT Prevention Projects — Youth Service—Youth support teams — Community and voluntary sector projects — Parenting work — Bullying strategies — Acceptable Behaviour Contract (ABC) — Safer Neighbourhood Teams — Targeted outreach projects—TRUCE, SITC and Peace Week
Lowest Long term prevention work	— Schools projects — Youth Forum — Community Projects—A place to belong — Parents—neighbourhood

The GOOG will have a proactive mediation to reduce the possibility of revenge attacks, with the aim of drawing up agreed ways of managing conflict on an individual or group basis. In addition to drawing on the resources of statutory and voluntary services in developing a relevant bespoke service for those young people at risk of these form of offending, whether as suspects or as victims.

A great deal of these activities will be low level behind the scenes work co-ordinated with high profile community driven prevention initiatives, from a faith and non-faith perspective; galvanizing communities working more cohesively in making Hackney one of the safest boroughs in London; enabling our citizens to reclaim their public spaces that they have withdrawn from because of the threat posed by PGSCs and gangs.

APPENDIX B

TABLE OF RECOMMENDATIONS

Recommendation	Area of Concern	Causes	Symptom(s) and Sign(s)	Suggested Solutions
A	Fractured black families	Urban deprivation, social exclusion, born with inherited disadvantages.	Single mothers, absent fathers and a lack of positive role models.	Culturally specific support given by role models of the shared and common experience, through recognised and accredited parental programmes. E.g. NCBI (National Coalition Building Institute).
B	High rate of teenage pregnancy	Lack of parental guidance and discipline, peer group pressure and greater exposure to sexual explicit material in all mediums.	Under achieving single mothers, disproportionate adoption rate, absent fathers and a lack of parental responsibility	Greater emphasis placed on school and community based programmes that have a proven track record of reducing teenage pregnancy and improve parental responsibility at the youngest possible age as stated in the Wave Trust report of 2005, thus radically shifting educational investment from secondary to primary school level. Supplementary schools have a role to play in advising young girls on safety precautions.
C	Absent fathers	Lack of awareness and role models at an early age leading to a lack of parental responsibilities, and greater exposure to sexual explicit material in all mediums	Disproportionate lack of fathers with a positive and consistent input into the life of their children	Time for men in general and black men in particular to put away their excuses for not having greater involvement in the home, their children's education and extracurricular activities, again supported by a critical mass of black parental mentors from accredited parental programme.
D	Lack of respect and discipline in the home.	The parent feeling a sense of helplessness or a fear of prosecution in the moderate correction of their child.	Parents feel they have no choice and give up resulting in an increase in single parent/fractured families; adoptions or parents resorting to send their children back to Africa or the Caribbean to regain their cultural and community values of respect and discipline.	Recognise the importance of a culturally specific form of maintaining respect and discipline in a black home. There is a need for a national strategy to co-ordinate the Supplementary Schools with mainstream education, and give extra and consistent resources to the African and Caribbean Supplementary Schools that emphasise, from a cultural perspective, the need for greater respect and discipline in young people for themselves and others. Diane Abbott MP has commissioned conferences

Recommendation	Area of Concern	Causes	Symptom(s) and Sign(s)	Suggested Solutions
				and awards around these issues, therefore her work could be a major source of assistance to the DfES.
E	Schools believed to be failing black children by disproportionate forms of discipline and exclusions.	Institutional racism as highlighted by the Wanlesss report 2006	Black children labelled as un-teachable and disruptive, resulting in 3 times more likely to be excluded than white and Asian counterparts, which makes them four times likely to be involved in crime.	Radical transformation of school delivery to significantly enhance achievement of young black students and to reduce exclusions by a half in 2 years, and for teachers to have awareness training to assist them to recognise the perceptions they may have that may stereotype young black students as being disruptive and un-teachable. Again, Supplementary schools have a role to play in retaining black students and reduce exclusions through a more culturally stimulating curriculum. The CRE/CEHR must rigorously inspect and monitor the RES, action plans and Equality Impact Assessments (EIA) of schools that are not fit for purpose in black areas, with the aid of the Department for Education and Skills (DfES).
F	CJS agencies not fit for purpose	Lack of cultural awareness systems in their processes and practices	Culturally based disproportionalities in all the elements of the CJS, from the first form of critical encounter with enforcement agencies (police and immigration), right through to the number of custodial sentences.	As stated above in recommendation E. In addition to incorporating roles and responsibility accredited educational initiatives, specifically for young black people to reduce resentment and the perceptions that they are labelled as criminals, even before they have anything to do with the CJS; such as the MBPA award winning leadership programme through the MPS. Thus providing a more effective police service giving a greater semblance of personal security, coming against the notion that young black people are over policed as potential suspects and under protected as potential victims. In addition to developing a peer-to-peer mentoring scheme and a growing critical mass of youth advocates.

Recommendation	Area of Concern	Causes	Symptom(s) and Sign(s)	Suggested Solutions
G	Impact of Criminal Role Models	Negative peer group pressure and youth culture that advocates criminal and anti-social behaviour	Invariably they are males who act in isolation or in concert with other associates, possibly in a gang hierarchy, that grooms young by manipulating their naivety in: (i) Self labelling as under achievers and potential criminals and to begin their criminal lives at the earliest stage because teachers and the CJS have already labelled them; (ii) Convincing them that cannabis is legalised and they should use it liberally and assist in its supply, in addition to other drugs as part of their initiation into a gang; (iii) Carrying out other deliberate criminal/anti-social acts of initiation into a gang.	Police enforcement tactics to target these criminal/dysfunctional role models to detect and disrupt their influence. This must include government enforcement of arts and media providers that advocate criminal/anti-social behaviour instead of being forces for good, because of their strong influences on youth culture.
H	Extensive and expansive use of Cannabis.	Cultural identity by some young people in Cannabis had greater acceptance when it was down graded and reclassified to a class C drug.	Significant increased number of young black people at a younger age using the drug owing to its cultural appeal and easier availability. Consequently, there has been a significant increase in drugs induced psychosis and related conditions in young in the target group, leading to a paranoid mistrust of the CJS, other public providers and authority figure; notwithstanding any strangers they feel are a threat.	Reclassify cannabis to a class B drug to reduce its recreational drug appeal, followed by more stringent sanctions at all levels in the CJS. Complement this with a comprehensive communication strategy to reduce its use and progression to other drugs such a "crack cocaine" and "crystal meths", simultaneously introduce a robust drug prevention and treatment strategy aimed at primary and secondary schools.

Recommendation	Area of Concern	Causes	Symptom(s) and Sign(s)	Suggested Solutions
I	Young black people distancing themselves from statutory and voluntary organisations	The perception that more formal bodies in the community are trying to identify with their reality and responding to their needs, and their negative encounters breeds a lack of trust and confidence	Responding more to the quick fix street justice, based on the respect culture that revolves around the main currency of violence, as opposed to the formal slower paced CJS	Extensive community consultation helps to inform policing strategies and inform judgement, as shown by the introduction of borough based Community Police Consultative Groups (CPCG) —after the Scarman report—and Independent Advisor Groups (IAG)—after the Lawrence report, which in turn has raised the credibility of the community advocates who have tirelessly carried out this role. Therefore each borough must introduce a Youth IAG to develop a critical mass of youth advocates that can establish bridges between young black people and the CJS, in addition to developing changes agents who have the capacity to establish peer-to-peer mentoring schemes; based on the award winning leadership programme model established by the MBPA, and the graduates who have gone on to establishing the youth advocates programme called Voice Of the Youth And Genuine Empowerment (VOYAGE).
J	Post Code Violence and gang related activity, leading to increased violence with the black community investigated by Operation Trident.	Black youth affiliations going beyond innocent mutual identification groups and moving towards street collectives and/or gangs, based on paranoid misguided loyalties that feel threatened by strangers present within their identified areas.	Growing incidents of gratuitous violence committed by younger age groups, early to mid teens, predominantly amongst themselves, with an increasing use of weapons in an attempt to gain respect through violence; living off the intimidation and fear generated by these acts. Criminal role models labelling and grooming new recruits into the gangs with steps of initiation involving violence and other form of crime.	Each borough should set Operation Trident targets in their Local Area Agreements with Statutory partners, not only from an enforcement tactics but also through prevent and deter strategies, engaging statutory and voluntary agencies, communities and key individuals; because what gets measured gets done through a holistic partnership approach. Operation Trident should establish a performance based on coherent community engagement strategy linking with London-wide strategic partners such as: Youth Justice Board, Government for London, Health Authorities, DfES and DCLG; to give a strong strategic drive on "prevent & deter" tactics for those at risk of, or involved in, gang related activity.

Recommendation	Area of Concern	Causes	Symptom(s) and Sign(s)	Suggested Solutions
K	Greater recognition of the church in the public square and their influence on all forms of social reform, including outreach to young people at risk of, or involved in, crime or anti-social behaviour, including gang related activity.	Lack of resources and recognition given to faith works and social action programmes based on the principles of Street Pastors, with the backing of the Urban Trinity partnership of Council, Churches and COPS (Community Orientated Problem Solvers which include the police and the wider community).	Churches are not outreaching in a structured, co-ordinated and strategic way giving the impression they were only self serving and not going out with a relevant, real and relatable message of hope to those seeking answers to questions in their lives.	The TRUCE (To Reach Urban Communities Everywhere) outreach concerts in the estates of Hackney and Waltham Forest, proved the concept that a significant number of the target group came from church going African and Caribbean families and so with the right form of hearts and mind approach, based on faith works and social action, would get the target group to review their beliefs, views and values that drive their behaviour. Thus enabling them to be empowered enough to take different options in their lives based on wiser choices supported by faith groups, statutory and voluntary agencies; resulting in more productive and cohesive relationships between each of the stakeholders, building safer and stronger communities together with the respective Safer Neighbourhood Teams (SNTs). The evaluation in the report pack shows the merits of the TRUCE concept being rolled out to areas across London that have been blighted by gang activity. This initiative has shown there needs to be an encouragement of outreach programmes through sustainable and consistent funding, also a recognition of the unique position that Christianity can hold in maintaining family/community values in an attempt to reverse the trend of society's moral bankruptcy. And that it can be relevant to the changing times by articulating a social gospel that addresses the material issues of economic inequality and racism. Also any attempt to dismiss religious liberty in the public square is inherently irrational, intolerant and extremely dangerous for society where the bad will outnumber the good if we do not take innovative action.

33.   **Memorandum submitted by the Mayor of London**

SUMMARY

Young black people are overrepresented at practically all stages of the criminal justice system. This is a particular concern for London, which is home to over two-thirds of England and Wales' black people. Whilst the causes of this overrepresentation are complex, it cannot be wholly explained by the extent or nature of offending by young black people. Direct and institutional racism appear to provide at least part of the explanation. The Mayor believes that the Committee must focus its efforts on identifying gaps in data, establishing the detailed causes of the overrepresentation of young black people and identifying a comprehensive and timetabled action plan to make real progress in tackling disproportionality.

INTRODUCTION

1. The Mayor of London welcomes the opportunity to respond to the Home Affairs Committee's inquiry into young black people and the criminal justice system and believes that that the Committee has chosen a most pressing and important issue to investigate.

2. The Mayor wants London to become one of the world's safest cities. This is dependent on having a criminal justice system that operates effectively and fairly, and which the public has full confidence in.

3. The Mayor is committed to promoting and protecting equality of opportunity in London. Race equality is of major importance to all Londoners as the capital is one of the most diverse cities in the world and benefits from the richness of cultural diversity of those who live and work in it.

4. The 2001 Census shows that 2.1 million people who belong to a black and Asian or minority ethnic groups live in London. This accounts for 29% of London's population. London is home to 46% of England and Wales's Black, Asian and Minority Ethnic (BAME) population, while less than 14% of the total population of England and Wales live in the capital. London's population has a higher representation of all minority ethnic groups than does the national population. In all, over two-thirds of black people in England and Wales (69%) reside in the capital.

5. One in ten of all Londoners are black. The proportion is higher still for young black Londoners. According to the 2001 census, 15% of Londoners aged under-18 were black.

6. Under the Race Relations (Amendment) Act 2000, the Greater London Authority has a further legislative drive to promote race equality and good relations between people of different racial groups. Under the Greater London Authority Act 1999, the Authority must ensure that it takes into account equality of opportunity both in the exercise of its functions and in the formulation of and implementation of any policies, proposals and strategies.

7. In this submission the Mayor focuses on young black people and the criminal justice system. Throughout this document, when referring to black people, the term "black" is defined as meaning those of Caribbean or African descent. However, the inquiry should not neglect the wider issue of the overrepresentation of BAME (Black, Asian and other Minority Ethnic) people, and should ensure it focuses on the overrepresentation of those of mixed ethnicity who would classify themselves as Mixed-White and Black African or Mixed- White and Black Caribbean according to Census definitions. The Mayor is also concerned that non-black minority communities in the UK, especially those most affected by poverty, may increasingly become overrepresented in the criminal justice system (whether as victims, witnesses or offenders), and would urge the Committee to pay attention to the issue of the representation of Asian prisoners, including Muslims.

YOUNG BLACK PEOPLE IN THE CRIMINAL JUSTICE SYSTEM

8. The Mayor is very concerned that black people are overrepresented at practically all stages of the criminal justice system. Further, black people are overrepresented as victims of crime, particularly when specific types of victimisation such as violent crime, homicide, racist and faith hate crime and robbery are examined. It is notable that robust data detailing the ethnicity of witnesses is unavailable; given the overrepresentation of black victims of crime this is likely to be matched by similar overrepresentation of black witnesses. In understanding why this is the case the Committee will need to understand why other ethnic groups—including those which share some key social and demographic characteristics—are not.

9. Successive editions of the Home Office's Section 95 Statistics on Race and the Criminal Justice System have shown that black people are significantly overrepresented as suspects, defendants and offenders and significantly underrepresented as criminal justice system workers, especially at senior levels.

10. Adult black Londoners make up 10% of London's population. However, they are disproportionately found in the criminal justice system. In all, adult black Londoners make up:

— 36% of stop and searches;

— 32% of arrests;

— 29% of those accused;

— 27% of those cautioned;

— 31% of those found guilty;

— 35% of those in prison;

— 26% of those on probation.

11. Young black Londoners (aged under-18) are also overrepresented in the criminal justice system—as shown below.

YOUNG PEOPLE AND THE YOUTH JUSTICE SYSTEM IN LONDON

	White %	Black %	Asian %	Other BAME %
Youth population	59	15	17	9
Stop and search	49	37	10	3
Accused	52	31	7	10
Pre-court decisions	59	26	10	5
Remand decisions	35	49	6	10
Custodial decisions	40	43	6	11
Dealt with by Youth Offending Teams (YOTs)	51	30	9	9

12. Young black people in London are three times as likely as white people to be stopped and searched.

13. The probability of being stopped and searched as a black person varies widely across London. In some London boroughs with a relatively small black population, black people are overwhelmingly more likely than whites to be stopped and searched. In Kingston-upon-Thames relative to their population black people are 14.4 more times likely than whites to be stopped and searched and in Richmond-upon-Thames 13.1 times more likely. Whilst some of this discrepancy could be explained by age profile, it is unlikely to provide anything like the full explanation. The Mayor does not believe that the police have been able to satisfactorily explain this worrying situation, or that borough commanders have been adequately held to account.

14. Stop and search arrests during November 2005 were only marginally higher for black people than for other ethnicities: 12.3%, compared to 11.2% for white people and 8.6% for Asian people. This could indicate the disproportionate stop and searching of black people may be unwarranted, as compared with other ethnic groups no more black people are being arrested as a consequence of being stopped. Such disproportionality stigmatises and damages the confidence of young black people in the police and criminal justice system as a whole—and may be an unnecessary use of police resources.

15. Black people accounted for 15% (41,792) of those accused of recorded crime in London during the nine months up to January 2006.

16. Of the 29,872 offences dealt with by London's Youth Offending Teams in 2004–05, 28.8% involved black offenders, 49.8% white offenders, 5.8% mixed offenders and 7.7% Asian offenders.

17. The *Difference or Discrimination* research that was carried out for the Youth Justice Board, which looked at the progress of 17,000 young people (aged 12 to 17) at all stages of the youth justice system in eight YOTs, including three in London, found a higher rate of prosecutions involving young black males. The report also found:

— a higher rate of prosecution and conviction of mixed parentage young males;

— a higher proportion of prosecutions involving black young males;

— a greater proportion of black and Asian males who had been remanded in custody before sentence, especially a greater proportion of black males remanded whose proceedings had not resulted in a conviction;

— a much higher probability that a black male would, if convicted in a Crown Court, receive a sentence of over 12 months;

— a greater likelihood that black and Asian males (aged 12–15) would be under supervision for over 12 months if they received one of the more restrictive types of community sentences; and

— substantial variations between the YOT areas.

18. During 2004–05, 1,588 black youths in London were issued with pre-court decisions—accounting for just under 25% of all youth pre-court decisions in London. The majority of these (60.8%) were issued a police reprimand, 33.1% were issued a Final Warning with intervention and 6.1% were issued a Final Warning without intervention. Despite the general overrepresentation of black youths these proportions mirror those for other ethnic groups.

19. There were 4,219 young black people sentenced during 2004–05 in London—32% of all young people sentenced in London. Of these, 31% were given a community sentence, 24% a referral order, 16% fined, 6% granted conditional discharge, 7% given a compensation order, 3% sentenced to an action plan order and 1% granted an absolute discharge. The proportion of young black offenders sentenced to custody was the highest of all ethnic groups—almost twice that of white youths (11% compared to 6%).

20. There is substantial overrepresentation, relative to the numbers of the population, of young black men in the prison system. Whilst many young offenders from London are held outside of the capital, at Feltham, the only Young Offender Institution in London, 258 of the 588 prisoners held there (43.8%) were black (as of 31 December 2005). In all, 63.6% of Feltham's population are from BAME groups.

21. Many black prisoners believe they experience racist attitudes. According to the December 2005 Prisons Inspectorate report *Parallel Worlds: a thematic review of race relations in prisons*, most visible minority prisoners believed there was racism and that in the main this manifested itself in differential access to the prison regime and treatment by staff. Black men were most likely to claim they were victimised by staff.

22. The Mayor would like to draw the Committee's attention to key reports including *Just Justice* (Children's Society, 2006), *Differences or Discrimination* (Feilzer, M and Hood, R, 2004, Youth Justice Board) and *Race and the Criminal Justice System: An overview to the Complete Statistics 2004–05* (Barclay *et al*, Home Office Criminal Justice System Race Unit, 2006), all of which cite evidence that young black people are no more likely to offend than young white people, that the overrepresentation of young black people in the criminal justice system cannot be explained by their offending, and that once they are in the youth justice system there is differential treatment of young people, depending on ethnicity, possibly as a result of institutional racism.

Offending by Young Black People in London

23. When examining self-report data of offending by young people (eg D Armstrong et al, Children, Risk and Crime, Home Office Research Survey 278, 2005) there is little evidence to suggest that black people are more likely to offend than white people.

24. However, in London during the period April 2005 to February 2006, the rate of youths accused per 1000 population was 63 for black people and 27 for white people. This equates to 2.3 black youths accused for every one white.

25. These comparative figures varied when looking at different crime types. Black youths in London are most overrepresented for robbery and sexual offences accounting for over half of the youths accused for each offence. The ratios were stark: eight black youths accused to one white for robbery and six to one for sexual offences.

26. Black youths were also overrepresented (but to a lesser extent) for those accused of drugs, fraud, violence and theft. In terms of ratios, 3 black youths were accused for every one white youth for drugs and fraud offences and two for one for violence and theft.

27. Despite only accounting for 11% of Londoners, black people accounted for 67% of those accused of supplying crack cocaine and almost 40% of those found in possession in London during 2003–04. This has particularly significant implications as crack cocaine addiction also drives a lot of acquisitive crime, some of which is violent.

28. Arrest referral statistics show that almost half of arrestees who reported using crack cocaine were black. A corresponding proportion of black people might be expected in drug treatment but National Drug Treatment Monitoring System (NDTMS) figures have previously shown only 10% of clients presenting to specialist drug agencies for crack cocaine treatment are black.

29. These figures may go a significant way to explaining the overrepresentation of young black people in the criminal justice system, and especially in custody. However it is important to note if the public were more likely to report these offences when the suspect was black, or if the police were more likely to pursue the investigation and bring charges, then the recorded figures may not themselves be indicative of the relative levels of offending by young people from different ethnic groups.

30. The fact that young black people are far more likely than other ethnicities to be accused of robbery and sexual offences may also feed into judges' and magistrates' perceptions of black people as posing a greater risk to the community generally. The disproportionate involvement of black people in drugs, weapon enabled crime and homicide is likely to further fuel such stereotypes. The Mayor would urge the Committee to also examine the role of the media in perpetuating stereotypes.

Black and Minority Ethnic Staffing Levels in the Criminal Justice System

31. The Mayor is very concerned that BAME staff are significantly underrepresented within the criminal justice workforce, especially at senior levels. He is also concerned that dedicated race equality training is not mandatory in all criminal justice agencies.

32. Latest figures for January 2006 show that 726 of the 31,012 Metropolitan Police officer workforce (2.3%) were of black ethnicity; a further 15% of police community support officers are black. Of the 41 most senior officers at Commander rank or above two are from a BAME background.

33. Only 24 of the 2,208 members of the judiciary are black. Not a single one of the 95 high court judges or 34 lord justices are black (Section 95 Stats, 2005). Nationally, just over 2% (626) of the 28,300 magistrates are black.

34. Just 1.5% of solicitors with practising certificates and 2.6% of barristers are black.

35. Not a single member of a London prison senior management team is black.

36. According to ICM Research carried out in March 2006, 84% of Londoners agree that London's police force should reflect London's ethnic mix; the same proportion thought the police would more effectively protect all Londoners if this was the case.

TOWARDS AN UNDERSTANDING OF THE WIDER SOCIAL CAUSES OF THE OVERREPRESENTATION

37. There is no doubt that young people from BAME groups are significantly overrepresented within the youth justice system. However, it remains unclear how far these differences in representation are linked to ethnicity alone, or how far they are linked to factors such as age, socio-economic circumstances, gender, criminal record and the nature and seriousness of the charge.

38. Young black people are more likely than the general population to have a history of poor education achievement and a wide range of health and social needs. This is likely to contribute to their levels of offending.

— Children in London from BAME groups are more likely to experience poverty.

— Black Caribbean/African groups are overrepresented in London's homeless population.

— Black people are overrepresented in the mental health system.

— Children from BAME groups are more likely to have a long-term illness.

— In London, in 2003, 32.2% of black Caribbean pupils, 34.5% of "black other" pupils and 43.6% of black African pupils achieved 5 or more GCSE Grades A*–C, compared with an average for all pupils of 50.2%. Evidence suggests that inequalities in attainment for black Caribbean pupils become greater as they move through the school system and such differences become more pronounced between the end of primary school and the end of secondary education.

— Black young people appear less likely to engage in voluntary and socio-political activities.

39. The Mayor is concerned that the educational system is not getting the best out of young black people. From an early age black children under-achieve in schools. They are also far more likely than other ethnic groups to be permanently excluded. Whilst London has lower exclusion rates for black pupils than most other regions, its black pupils are still twice as likely as its white pupils to be excluded.

40. This can be explained by socio economic disadvantage, teacher expectations, length of settlement and schooling in UK, parental education and aspirations, fluency in English and institutional racism. There is also a lack of black teachers. Just under 3% of London teachers are black, compared with one-fifth of all school pupils.

THE WAY FORWARD

41. It is extremely concerning that time and time again research, including from the Government itself, has shown that the overrepresentation of black people throughout the criminal justice system cannot all be explained by the extent and nature of offending. The clear implication of this is that there is direct and institutional racism towards black people within the criminal justice system that is not being adequately addressed.

42. Whilst the Mayor believes that the Committee does need to review the evidence base and establish the true extent of the overrepresentation of young black people and the criminal justice system, in light of the existing evidence he urges the Committee to focus its efforts on identifying gaps in data, establishing detailed causes of the overrepresentation of young black people and identifying a comprehensive and timetabled action plan involving a wide range of partners to address disproportionality as a matter of priority. It would be a wasted opportunity if the Committee restricted itself to merely summarising what is already a rich evidence base.

43. The Mayor suggests that during the course of the inquiry the Committee focuses on several key areas:

Identifying gaps in data

The Committee should highlight gaps in data around ethnicity and crime and make recommendations as to its future collection. It is unacceptable that, as the Home Office itself has acknowledged in successive annual overviews of Section 95 statistics on race and the criminal justice system, there is not as yet sufficiently robust data and evidence from which to reach definite conclusions as to the causes of disproportionate representation in the criminal justice system. This lack of data is particularly critical in London, which includes such a high percentage of BAME children.

Making criminal justice agencies take responsibility

It must be the responsibility of each criminal justice agency to provide clear, comprehensive and detailed demographic data including by ethnicity; this must always be built into the performance-monitoring framework and rigorously monitored. Each criminal justice agency in London should also have a dedicated area-based race adviser. The Mayor was concerned to learn recently that the Prison Service London Area Manager no longer has a race adviser and urges the Committee to investigate the rationale behind this and the consequences.

Staffing and training

Whilst it would be over-simplifying to suggest that the overrepresentation of black people can be explained by their underrepresentation as workers in the criminal justice system, it is deeply disturbing that so few black people are to be found working within the criminal justice system, especially at senior levels. The Committee should make recommendations to increase the numbers of black workers within the criminal justice system, including the judiciary. There is also a need to examine the adequacy of race relations training.

Minimising risk factors of offending

From an early age young black people are more likely than their white counterparts to have risk factors for offending—including poverty, poor educational achievement and a disrupted family life. Given this combination of factors it would be highly surprising if young black people were not overrepresented in the offender population—though the underrepresentation of other minority populations, such as Asian communities—shows the relationship is highly complex. The Committee should look at what can explain, prevent and mitigate these risk factors—for example by ensuring that black children receive equal access to high quality education, wider social support and positive role models. The Mayor urges the Committee to work with the Education and Skills Select Committee on the issue of school exclusions and educational achievement. There is also a need to examine the adequacy of crime prevention schemes for young black people and the potential mentoring can make.

A joined-up approach

The Committee should not see the overrepresentation of young black people in the criminal justice system in isolation. Black people are overrepresented in the mental health system—as seen in "Count me in", the first national census of inpatients in mental health hospitals and facilities, which was conducted jointly by the Healthcare Commission, the Mental Health Act Commission and the National Institute for Mental Health in England in 2006.

44. The Mayor would be happy to provide additional analysis if required, and further details of the range of community safety and equalities work that the GLA is involved in. During the course of the inquiry he would urge the Committee to liaise closely with Lee Jasper, his Policy Director for Equalities and Policing and Chair of the London Criminal Justice Board's Race and Diversity Action Group (which focuses on disproportionality).

April 2006

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34. Supplementary memorandum submitted by the Mayor of London

INTRODUCTION

1. This short supplementary memorandum follows on from the Mayor of London's original written submission to the Home Affairs Committee inquiry into Young Black People and the Criminal Justice System and the oral evidence given to the Committee by Lee Jasper, the Mayor of London's Director for Equalities and Policing. It provides the additional information and statistics, primarily on stop and search, which the Committee requested when Mr Jasper gave oral evidence to the Committee.

2. As outlined in the Mayor's original written submission, young Black people are overrepresented at all practically all stages of the criminal justice system. Whilst the causes of this overrepresentation are complex, it cannot be wholly explained by the nature of offending by young people, and direct and indirect institutional racism appear to provide at least part of the explanation.

3. For far too many people, crime and the fear of crime remain part of their daily reality. This is especially true for many Black and minority ethnic people.

4. In London Black people are more likely than white people to be victims of crime, especially serious crime. Whilst the causes of this are complex—often rooted in deprivation and poverty—the figures are stark. Taken as a whole, Black people in London are 10 times more likely than white people to be victims of a racist attack, seven times more likely to be homicide victims, three times more likely to be domestic violence victims, three times more likely to be raped, 2.6 times more likely to suffer violent crime and 1.6 times more likely to be victims of robbery.

5. It is also sadly true that fear of discrimination by criminal justice agencies appears to remain part of daily life for too many Londoners. A quarter of a century on from the Brixton riots and the subsequent Scarman report which was critical of the use of stop and search by the police, we are still not getting it right.

6. Every day in London there are close to 1,000 people stopped and searched by the Police. Of these—based on figures from April to October 2006—90% are stopped and searched under the Police and Criminal Evidence Act (PACE), 7% under Section 44 of the Terrorism Act and 3% under Section 60 of the Criminal Justice and Public Order Act.

Stop and Searches—Police and Criminal Evidence Act 1994

7. The total number of stop and searches conducted by the Metropolitan Police Service (MPS) under PACE between 1999–2000 and 2005–06 increased from 60% from 177,935 to 284,875 during this six-year period.

8. There was a dramatic increase in the use of PACE stop and searches of Black and Minority Ethnic (BME) people. Whilst increases were recorded for people from each BME group, the biggest proportionate increases were of people who the police defined as Arabic or other North African—there was an increase in the use of stop and search of over 200% in six years for this group. This was followed by Chinese, Japanese or Other South East Asian (up 172%), Black people (115%) and Asian people (113%).

9. In stark contrast, the number of stop and searches of White North Europeans increased at a much slower rate of 25%.

10. All of this has led to a situation where Black people in London are now five times more likely to be stopped and searched than white people, and Asians almost twice as likely to be stopped and searched under PACE as white people (1.9 times).

11. Yet despite this, people from BME groups are barely any more likely to be arrested following a stop and search than white people are, inevitably prompting the question of why exactly are BME people stopped and searched more than their white counterparts under PACE.

12. The relatively low arrest rate (13.1% for Black people in 2005–06) and the large number of BME people stopped and searched under this power seems to suggest that police powers are still not always being used in a targeted, intelligence-led way. This is concerning not only because it risks community safety due to the opportunity cost of police time on wasted stop and searches of BME people, but because it also risks further alienating people from BME communities.

13. Londoners from BME communities are also disproportionately likely to be stopped and searched under anti-terror legislation.

14. Since 2001–02 the number of stop and searches under Section 44 of the Terrorism Act 2000 has increased eight-fold to over 22,000 a year. Once again, as with PACE stop and searches, it is Black, Asian and other BME groups who are disproportionately affected. Whereas the amount of white people stopped and searched during this period increased six-fold, there was a ten-fold increase in the number of Asian people stopped and searched and an eleven-fold increase in the number of Black people stopped and searched.

15. Yet just 2% of those stopped and searched are arrested—once again demonstrating that the police are simply stopping and searching far too many people, and especially far too many innocent BME Londoners.

16. It is a similar picture too for Stop and Searches under Section 60 of the Criminal Justice and Public Order Act 1994.

17. The usage of such stop and searches has more than doubled in the last six years, with increases particularly magnified amongst BME communities.

18. Black people in London are now 11 times more likely than white people to be stopped and searched under Section 60 powers—powers which let us not forget are only meant to be used if police believe there is a serious risk of violence, and which were introduced amid public concern about football hooliganism and outdoor raves in the mid-1990s.

19. The statistical evidence regarding the use of stop and search powers in London sadly appear to be consistent with the contention that there is racial and ethnic disproportionality in their exercise and that this has become more of a problem since 2000.

20. This reinforces the belief that this is resulting in the criminalisation of entire communities. It also represents a waste of precious police resources. And in the context of anti-terrorism activity, disproportionate and ill-judged use of stop and search risks being fatally counter-productive if it alienates the very communities whose cooperation the police so desperately needs.

December 2006

35. Memorandum submitted by the Metropolitan Police Authority

THE COLOUR OF JUSTICE

BACKGROUND

The Metropolitan Police Authority (MPA) welcomes the opportunity to offer this submission on the relationship between young black people and the criminal justice system.

Part of the statutory responsibility of the Metropolitan Police Authority is to ensure that the Metropolitan Police Service (MPS) is publicly held to account for its performance. Its scrutiny role is intended to contribute to securing an effective, efficient and fair police service for London's communities.

The issue of disproportional interaction of young black people with the criminal justice system is of major concern to the Authority. It is an important indicator impacting on the level of trust and confidence in the police amongst members of London's diverse and changing communities.

STOP AND SEARCH

The MPA has been addressing this issue on a number of fronts. For example, black and minority ethnic people in London are more likely than White people to experience police stops and searches.

MPS stop and search data by 1,000 population (FYtD April to September 2006) shows that Black people are five times, and Asian people are two times more likely to be stopped and searched than White people.

On the one hand the police power to stop and search is a core responsibility and central to the identity of the job of the police officer. It is a core aspect of policing and defines the unique powers embodied in the role. However, the use of the power particularly as it is experienced by young men, especially those from Black and minority ethnic communities, continues to be a flashpoint of the state of police-race relations, if not the measure of race relations generally, in this country.

Following the Terrorism Act 2000, subsequent terrorist attacks on 7 July and attempts on the 21 July, fundamental questions around the relationship between race, policing (critically stop and search) and the criminal justice system have intensified.

Given the seriousness of the issue, and the consequent impact throughout the criminal justice system, the MPA undertook a major scrutiny of the MPS stop and search practices in 2003–04. This resulted in 55 recommendations, to MPS and other criminal justice agencies. These 55 are being implemented and cover such areas as leadership regulation, data analysis, monitoring and supervision, training, and building community partnerships.

Stop and search practice is particularly important because the repercussions continue right through to sentencing. If you are a black person and break the law, your chances of getting caught are much greater than white people doing exactly the same thing.

We know a lot of adolescent deviant activities are relatively minor and short-lived. However, if you are arrested and enter the criminal justice system, this will have a long-term negative impact on your lifestyle choices and career.

RACISM

To reach a full understanding of the overrepresentation of young Black people in the criminal justice system, it is recommended that this Committee needs to look at the impact of racism in the criminal justice system in three main ways: *personal* (or individual) racism; *systemic* racism (or institutional) and *ideological* (or cultural) racism. It is necessary to see how these three main categories operate in the three main areas of the criminal justice system: policing, judiciary and the penal system.

It is therefore necessary to move beyond statistics and look at the personal, systematic and ideological racism that makes these statistics a reality. The MPA and MPS have committed approaches to tackle these,[212] not least in its use of language in its response to high profile counter terrorist cases. A critical issue arising from counter terrorist cases is the changing landscape of what constitutes Black and Minority Ethnic (BME) in the criminal justice system. "BME" has in the past, often (but not exclusively) referred to "Black African", "Black Caribbean', "Black British". As a result "BME" is increasingly being used as shorthand to include "Asian" and increasingly by some parts of the media, to mean, specifically "Muslim". In recognition of this inclusion, the Greater London Authority uses the term Black Asian and Minority Ethnic (BAME).

The MPA have consistently challenged key stakeholders in their use of language. For example, terms such as "Muslim terrorists" or "Islamic terrorists" are not only inaccurate and cause offence, but do little to reassure all communities; and, in some instances, often generate and exacerbate community tensions.

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[212] See appendix attached.

THE "DANGEROUS CLASSES"

While perhaps a provocative label, the MPA considers that the Committee needs to be cognizant of the historical role and purpose in the evolution of the criminal justice system, which is not unrelated to the above issue of racism.

Another explanatory factor put forward for the disproportionality in stop and search rates is the recognition that police exercise their discretion through the application of what has been termed the prevailing notions of respectability.

As Sir John Woodcock, then HM Chief Inspector of Constabulary, said back in 1992:

> "What is happening to the police is that a 19th Century institution is being dragged into the 21st Century. Despite all the later mythology of Dixon, the police never were the police of the whole people but a mechanism set up to protect the affluent from what the Victorians described as the dangerous classes."

While the context is different, the words are apt within this discussion.

In attempting to grasp the nettle of the persistence of disproportionality in stop and search rates, the MPA has raised the question as to whether, in carrying out stop and search powers are the police simply upholding "basic community values" and the prevailing standards of respectable behaviour?

A police officer that patrols the boundaries of respectability will find that his or her discretion favours those who have greater access to the resources that confer respectable status (P A J Waddington, 2003). Suspicious behaviour is anomalous and tends to rely on a general background understanding of what is "normal".

The widespread public perception of immigrants, of Black and Asian people, as members of problematic marginal sections of the population for example, amounts to a denial of their respectability. And more often than not, police maintain the respectable order through the mere assertion of their authority: their conspicuous presence at certain times and places "moving on" the disreputable, stopping Black people who do not "belong" in certain neighbourhoods, and stopping and searching those who attract their attention not in the expectation of detecting crime.

The MPA and MPS are committed to tackling these critical yet complex issues throughout its work streams, moving towards a cultural shift fundamentally established in a citizen focus approach to policing.[213] The oversight and strategic direction from the Police Authority is fundamental to appropriating such change.

BLACK CRIMINALITY?

Another counter perspective to those put forward above is that the system is indeed colour-blind, and that young Black people are overrepresented in the criminal justice system because they simply commit more crime.

As the Committee is aware, there is a long history of trying to make the connection between race and crime. From theories of Social Darwinism to current media images, Black people continue to be popularly portrayed as being more disposed—and more likely than others—to offend. On the basis of the social and economic position of Black people in British society there are also the structural theories of crime—including those based on such concepts as anomie, social disorganisation, absolute and relative deprivation—that would suggest that black people are disproportionately likely to be found in "criminogenic"[214] contexts. While theories and mythic images abound, the MPA considers that the actual evidence of disproportionate Black criminality is weak. Police statistics measure the actions of the police and that is all. Disproportionate stop and search rates are further compounded by disparities in arrest, charge, bail, prosecution, conviction and imprisonment rates, which are not the same as offending rates.

The MPA is aware of no sustainable evidence that BME groups are more prone to commit crime than white people. Inferences about levels of criminality amongst different groups cannot be consolidated by criminal justice statistics.

Data from arrest rates, for example, resulting from stop and search shows the arrest rate differs little regardless of whether the stop was of a White person or Black person. For example, despite disproportionate BME stop and searches, arrest rates for drug offences are generally proportional to their percentage of the total populations.

Disproportionate minority arrests for drug possession and distribution have fuelled perceptions by police and others that race is an appropriate factor in the decision to stop or search an individual, whilst statistics paint a different picture. However, the existing data on the productivity of searches across racial groups suggests to the MPA that too often stop and search practice may have become a game of "search and you

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[213] See attached appendix

[214] The concept, crimogenic, is a complex debate within public policy. Useful articles such as "Crime as a Signal, Crime as a Memory" from *Journal for Crime, Conflict and the Media* identify key issues centred around crime as a social signifier— 'people interpret particular criminal incidents as indicators about the range of dangers that exist in contemporary social life and that might assail them" (Innes, M, *Journal for Crime, Conflict and the Media*, ISSN 17411580).

will find". Police officers who disproportionately search more Black people will arrest more black people than white people, not because of differences in behaviour, but because they are stopping and searching many more black people than white people.

Public myths and stereotypes to the contrary, the MPA is aware of no evidence to contradict the view that the African/Caribbean crime rate is much the same as that of the White population and the rate for Asian people is very much lower.

STATISTICAL DISCRIMINATION

In looking at official statistics, the characteristics of offenders based on criminal records is limited by the fact that only in a very small minority of offences that occur is an offender identified and in a smaller percentage still does that person end up convicted and sentenced to imprisonment. Home Office figures indicate that the police records 24% of offences reported to the British Crime Survey; in 26% of these recorded offences an offender is identified; and half of these detected offences result in a conviction. The end result of this attrition is that only about 2% of offences result in the conviction of an offender (Home Office 1999). In fact, in the case of BME groups, whilst a higher proportion are arrested and remanded in custody when taken to trial a higher proportion of BME people are acquitted then white people.[215] In other words, official statistics, in isolation, cannot provide a reliable index of either actual or relative involvement in crime; it must be supported and contextualised by detailed analysis.

The official crime data only provides us with a record of decisions taken by the criminal justice agencies. They are the product of criminal justice agencies. In other words, the statistics cannot be seen as a measure of offending as a phenomenon, in any sense separable from the institutional practices of the organisations that produce them.

While it is not useful for the purposes of this submission to delve further into the complex issues of "statistical discrimination", of the racialisation of crime data, or of the criminalisation of Black Youth, the MPA feels it appropriate to conclude discussion of this issue by drawing on the conclusions of Professor Michael Keith:

> "It is impossible to conceive of an objective empirical reality of 'black crime' which can be investigated by social research—this is because criminality, a chameleon concept defined by the histories of legal whim and political fashion, is at once both social reality and emotive myth.

> Clearly, demographically concentrated both in social areas and economic classes structured by material deprivation, it is no surprise to find individuals from migrant minority backgrounds committing individual crimes. But this does not mean that "black crime" can be verified, subjected to scrutiny as a subject category in its own right, without reference to the broader social, political and moral context in which such scrutiny exists" (Keith 1993:278)."

CONCLUSION

This submission cannot be regarded as anything more than an introductory discussion on a topic of huge complexity and importance. The MPA would certainly appreciate the opportunity of making an oral presentation to further explore with Members of the Committee the issues that need to be addressed and the actions that need to be taken.

It is important for the Committee to know why there is disproportionate interaction between young Black people and the criminal justice system. And it is important to appreciate the consequent costs—in every sense of the word—in order to determine how they can be mitigated.

Over the last few years, the Met have made massive efforts and expended considerable resources to ensure a non-discriminatory service. The attached appendix provides just a brief set of examples of recent initiative undertaken by the MPA. But the MPA is aware that a huge gap continues to exist between the institutional initiatives and professional reality not only by the police but also the other institutional sections of the criminal justice system and the continuing day to day experiences of young Black people.

The Committee needs to recognise that the origins of this continuing gap are embedded in the long legacy of deeply polarised relations between the criminal justice system and young Black people. The MPA continues to hear very strong and hostile views about the criminal justice system from young Black people.

The levels of distrust, antagonism and cynicism towards the criminal justice system need to be addressed with some urgency. In restoring the damage to trust and confidence on the part of all sectors of our diverse population in a fair, effective and non-discriminatory criminal justice system, it is recommended that the Committee recognise and strengthen the important role that Police Authorities could and should play in publicly holding the police to account for their performance, to ensure an open and transparent accountability system, and for engaging not just young Black people, but the public as a whole in ensuring the criminal justice system reflect the values and principles of equality and fairness.

December 2006

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[215] See *Race for Justice*, CPS, Professor Gus John, 12 October, 2003.

APPENDIX

MPA Stops and Searches Review Board

The MPA Stops and Searches Review Board (SSRB) formerly known as Stop and Search Scrutiny Implementation Panel (SSSIP) was established in October 2004 to monitor the progress of the recommendations. The Board is a member led committee and is chaired by John Roberts.

The recommendations are around various themes (Supervision & Monitoring, Complaints & Feedback, Policy, Training and Raising Public Awareness).

The Board has now completed two reviews of the themes and will be looking at "signing off" some of the recommendations from January 2007. These includes:

— Structures that are now in place and require no further work except for monitoring;

— Processes that have become obsolete due to change management within the MPS; and

— Those that are ongoing processes for eg training.

The SSRB will cease its scrutiny role by April 2008; however MPA members will continue a review progress of the MPS stops and searches practice through the MPA Equal Opportunity and Diversity Board (EODB) and Full Authority.

Local and Pan London Monitoring of the Stops and Searches—London Wide MPA Stops and Searches Community Monitoring Network Forum

In April 2003, Hackney was the first borough to pilot the monitoring of stops and searches followed by Tower Hamlets in November 2003. The process included the engagement of community representatives and local stops and searches officers.

Between October 2004 and September 2005 only eight local monitoring groups were in place.

To assist community monitoring groups and stops and searches officers at local level, the MPA established a Stops and Searches Community Monitoring (CMN) Forum. The purpose of the Network Forum is to:

— Provide networking opportunities between Local Monitoring Groups.

— Provide leadership to Local Monitoring Groups working with police locally challenging their use of stop and search.

— Provide learning opportunities and capacity building for Local Monitoring Group members.

— Provide a community based "challenge panel" for the MPA Stop and Search Review Board.

As of October 2006 28 boroughs now have a Local Monitoring Group in place.

In September 2006, the CMN has been in place for a year and has met six times to date. The meetings are externally facilitated to ensure independence beyond the MPA, the community and the MPS and for everyone to be able to voice their opinion. Increasingly the community is now taking greater control of the agenda (ie chairing the meetings) and meetings are now thematic in nature.

The CMN meetings have looked at:

— Local Monitoring Group practice—strengths and weaknesses.

— Impact of the bombings on stop and search and public confidence.

— MPS data on stop and search.

— Disproportionality.

— Complaints.

The MPA has ring-fenced £25,000 for Local Monitoring Groups to support local initiatives. This is a one-off initiative for 2006 to 2007.

Information from the Race Hate Crime Forum (RHCF)

The aims of the RHCF are to:

— improve the co-ordination between the key agencies responsible for dealing with victims of race hate crime;

— improve the effectiveness with which perpetrators of race hate crime are brought to justice;

— support the reduction and prevention of race hate crime;

— improve the confidence and satisfaction of victims in reporting crimes; and

— to promote consistent service across London.

The RHCF has since 2004 held bimonthly meetings with boroughs to scrutinise progress on the hate crime agenda. Specifically this has focused on race and faith hate crimes. Boroughs have also increasingly provided information on homophobic hate crime. In 2007 the RHCF will complete the process of hearing presentations from all 32 London boroughs and will refocus on its strategic areas of work with the various forum partner agencies.

The RHCF, through its presentations, has been asking boroughs to share what they are doing to address hate crime and racist bullying in their schools. The information provided so far is fairly general as there are issues for schools in accurately recording incidents of race/faith and homophobic bullying. The MPS current sanction detection target rate stands at 36%.

The information we do have is that in terms of young people and crime. The statistical data from MPS as of September 2006 records the following:

— The number of young people accused age range 0–17 = 24,227.
— The number of young people as victims age range 0–17 = 47,934.

Currently there is no information available to identify young people across the specific age category that applies to the Every Child Matters agenda, where the age range is 0–19. Information is to be requested from the MPS to ensure its categorisation complies with this are range in order to support its new Young People Strategy for 2007–09.

The RHCF will continue to explore the impact of crime and the fear of crime on young people in its investigation of work being done by boroughs.

From Young Minds, Crime and Youth Justice, http://www.youngminds.org.uk/crime/

Young people who commit offences and are in contact with the youth justice system are more likely to have experienced some kind of mental health difficulties. Their offending behaviour is often as damaging to themselves as it is to others around them. It is often a way of dealing with painful, fearful or angry feelings.

The Youth Justice Board for England and Wales is responsible for the youth justice system, which includes Youth Offending Teams (YOTs); the youth courts; and the institutions in which young people are held in custody (the Secure Estate). The Youth Justice Board has a variety of schemes aimed at preventing offending by children and young people, such as Safer School Partnerships, parenting programmes and mentoring programmes.

MPA DOMESTIC VIOLENCE BOARD

The Metropolitan Police Authority (MPA) Domestic Violence Board is set up to monitor, scrutinise and support the MPS in its performance and response to domestic violence. The Board aims to secure continuous improvement in the MPS' response and disseminate best practice and innovation across the 32 Borough Operational Command Units (BOCUs).

At the last MPA Equal Opportunities and Diversity Board, the MPS stated that their overall current sanction detection rate for domestic violence is 35.6%, which compares favourably against the performance for the previous two years.

Both the MPA and MPS are examining the issue of domestic violence homicides. In 2006–07, 11 people have been murdered; in 2005–06 of the 34 domestic violence homicides, six victims were male, 28 were female of which 20 victims were BME women. The ethnicity breakdown of the 20 women were:

— 10 Black African.
— 5 Asian.
— 3 Chinese/Japanese.
— 1 Arabic.
— 1 South European.

Currently, the MPA and MPS are trying to ascertain the age and ethnicity dimensions of both victims and perpetrators and what lessons can be learned to further assist the preventative and campaigning work undertaken by the MPS and its other key CJS and voluntary partners and stakeholders. Critically young people, whether directly or indirectly, may be victims of domestic violence—a key issue the Board is keen to address.

YOUNG PEOPLE AS VICTIMS OF CRIME

In an MPS report, which was submitted to EODB in June 2006, youth crime remains a concern for boroughs, with youth victims accounting for 40% of total personal robbery.

Engaging with young people is crucial towards gaining and maintaining the trust and confidence of young people. The MPS, together with its partners, such as Transport for London (TfL) and British Transport Police (BTP), have made significant in-roads and developed pro-active strategies to assist actual and potential young victims of crime. However, for the MPS there is the challenge of developing sustainable

engagement with young people outside of crime-related operations and successful initiatives such as Operation Blunt (anti-knife crime). The MPS has also carried out notable groundbreaking work through Operation Trident (guns in the Black communities) and with the Trident Independent Advisory Group (IAG) developed high profile anti-gun campaigns.

Safer Neighbourhoods Policing

On 7 February 2006 Prime Minster Tony Blair and policing minister Hazel Blears announced that every neighbourhood in the capital will have its own dedicated police team by April 2007—2 years ahead of schedule.

The programme remains on course for delivering the full rollout of the 630 Safer Neighbourhoods teams into every area of London by the end of December 2006. These teams will have a minimum staffing level of one sergeant, two police constables and three police community support officers (1,2,3 model).

During April 2006 a further 345 Safer Neighbourhoods teams were launched to cover all the MPS area, (including the five additional Westminster teams and the Crystal Palace team).

Recent public attitude surveys have shown an increase in both public satisfaction and confidence in the police service within the Safer Neighbourhoods areas. Anecdotal information from Key Individual Network (KIN) questionnaires (The KIN is a tool that is used for gathering local information and intelligence) also suggests an increase in public satisfaction and confidence.

The Safer Neighbourhood Programme has progressed in that; as of 28 October 2006, (according to DAC A. Hitchcock), 493 SN Panels have been established of which 210 are still chaired by the SN Team. As a criteria of funding for 2006–07 Community Engagement Groups have been required to interact with the SN Panels. In linking the community engagement processes not only with the Safer Neighbourhood level but also into the local partnership process, all community engagement groups report that they are represented somewhere within the local Crime & Disorder Reduction Partnership (CDRP) structure. The vast majority have at least one seat on the CDRP Board as well as on other groups within the CDRP structure. This means that the MPA's role in representing and ensuring that the voice of all Londoners have access to and is heard through strengthened partnership working at the local level.

Community Engagement to Counter Terrorism

The MPA are currently working on a programme of community engagement to counter terrorism. London's communities have a key part to play in countering terrorism, at policy and strategic levels, whilst not the primary provider of community-police engagement, the MPA can and does add significant value to the work in this arena undertaken by the MPS. Part of the programme consists of—the MPA is now committed to delivering in 2006 the following activities with regard to terrorism and counter-terrorism:

(1) A programme of six public hearings with different London communities.

(2) A programme of six focus groups with students in London universities and colleges.

(3) A programme of thirty-two local consultations—one in every London Borough.

Young Black and Asian men from across London have participated in this unique piece of work, with excellent feedback from those who have contributed. The research stage of the programme is near conclusion and a full report consisting of a series of recommendations from Londoners on how to counter terrorism will be published in February 2007. This is an innovative and detailed piece of work, recognising the potential Londoners themselves have to contribute to the safety and security of the capital.

Police Community Support Officers

An, as yet, unpublished piece of research sought to understand why there was a difference between the proportion of PCSO and police officer recruits who were women, ethnic minorities and from a wider range of ages.

Key findings from the study (including Human Resources (HR) data from April 2004 to March 2006, interviews with PCSOs and stakeholders and a survey of the Safer London Panel) highlighted:

— Proportionately more PCSO than police officer recruits in the younger and slightly older age categories, and proportionately more who were from Black and Minority Ethnic (BME) communities;

— Greater variation in age and ethnicity of applicants than recruits for both the PCSO and police officer role;

— Minimal difference between the proportion of BME police officer and PCSO applicants (50.2% vs 55.1%);

— Proportionately fewer BME police officer recruits than PCSO recruits (20.3% vs 36.5%);

— Attractions to the PCSO role included: the nature of the role itself (eg less confrontational, an opportunity to work with the community), future opportunities the role may present (particularly using the role as a "stepping-stone" to becoming a police officer) and terms and conditions of the role (eg salary, flexible hours);

— The most common reason overall why PCSOs left the role was to become a police officer—however, the most common reason why Black African/British/Caribbean, Indian and Pakistani PCSOs left the role was voluntary resignation;

— More than half of PCSOs interviewed intended to apply to be a police officer after being in the PCSO role for a while; and

— Three overarching reasons for more diversity amongst PCSO compared to police officer recruits: the community focused nature of the role; the opportunity the role offers to increase understanding of working for the MPS; and the alternative option that the role provides for unsuccessful police officer applicants.

The study suggested that developments to the PCSO role (training, powers etc) might possibly highlight opportunities to retain current PCSOs and further diversify the profile of police officer recruits. These included:

— Addressing the career structure within the PCSO role—although not necessarily through creation of a rank structure;

— Providing more opportunities for PCSOs to utilise their skills (eg language, practical qualifications, cultural understanding);

— Providing more opportunities for PCSOs to specialise in certain areas;

— Positively promoting and portraying the police officer role (interviews with PCSOs highlighted how it was often the police officer role—rather than the MPS as a whole—that was viewed in negative terms);

— Clearly communicating MPS policies around issues such as opportunities for non-residential police officer training and how the MPS accommodates cultural practices such as prayer and fasting; and

— Providing more assistance to PCSOs who want to go on to become police officers—such as shadowing or mentoring opportunities.

While addressing these issues might offer benefits for both the individual and the organisation, the study also highlighted that effective policing of diverse communities goes further than simply recruiting a diverse workforce. Ensuring that diversity is embedded beyond recruitment together with improving opportunities to retain PCSOs and further diversify the profile of police officer recruits will continue to develop a police service that truly reflects London.

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36.   Memorandum submitted by the Metropolitan Black Police Association

1. INTRODUCTION

1.1 This paper is submitted by the Metropolitan Black Police Association (MBPA) and examines the relationship between young black people and the criminal justice system. It focuses on public perceptions of criminality among young black people and the reasons for their overrepresentation in the system. The Home Affairs Committee has announced that it will hold an inquiry into the relationship between young black people and the criminal justice system, it is hoped that the Association's contribution will influence the thinking of the inquiry and any outcomes. If required the Association would be willing to give an oral submission. The issues surrounding whether patterns of criminal behaviour amongst young black people differ in any significant way from patterns of crime amongst other young people and whether any specific policies are required is also explored.

2. METROPOLITAN BLACK POLICE ASSOCIATION

2.1 The Metropolitan Black Police Association was launched in 1994 and is a staff association and a registered charity (Charity No: 1068108). The MBPA is the largest and most proactive BPA in the UK. The MBPA is a affiliate of the National Black Police Association UK.

2.2 *Metropolitan Black Police Association Aims*

2.2.1 The Metropolitan Black Police Association seeks to improve the working environment of black personnel within the Metropolitan Police Service and to improve police service delivery to black communities. Ultimately the Association wishes to eradicate racism from the police service and the broader criminal justice system.

This aim will be achieved by:
- — Providing a support network for black staff.
- — Working towards improved relations between the police and the black community.
- — Capacity building within the black community.
- — Assisting recruitment and reducing staff wastage.
- — Proactively assist in the development and enhancement of MPS policy and strategy.
- — Providing a social network.
- — Working more closely with other staff associations and unions.
- — Working more closely with other criminal justice agencies both on a national and internal basis.

2.2.2 *Definition of Black:*

Within the Association's constitution the term black does not relate to skin colour but is used to describe all people of African, African Caribbean or Asian origin. However for the purposes of this paper only, black shall refer to peoples of African and African Caribbean origins.

2.2.3 The Metropolitan Black Police Association has been working with young people from the black community for over a decade precisely because of the overrepresentation issues within the criminal justice system. The Association believe that factors including, social exclusion, institutional racism, stereotyping, deprivation, under achievement and exclusion from school are all influencing factors when it comes to understanding the issues of overrepresentation. It is not simply that black youngsters have a higher propensity toward crime than any other ethnic group, it is that they find themselves suffering from multiple disadvantages and that the very organisation that are there to serve and protect them are still struggling to tackle the issues of institutional racism.

2.2.4 The Metropolitan Black Police Association believes that the way in which black personnel are treated in the police service is also an indicator for service related issues to the black community.

Other internal police indicators include:
- — Underrepresentation of the black community within the police service.
- — Underrepresentation of black personnel at senior levels of the police service.
- — The overrepresentation of black police personnel within the disciplinary system reflects the overrepresentation of black youngsters in criminal justice system.
- — Disproportionate stop and search of young black men (less than 12% lead to an arrest).
- — Underrepresentation of black personnel in specialist departments and roles.
- — Lack of trust and confidence between the police and black community.
- — Ineffective community engagement strategies.
- — Lack of cultural understanding of black communities.

3. Historical Context

3.1 Following the Second World War the UK suffered a labour shortage and Britain looked to the Commonwealth and the Caribbean to help. Tilbury Docks on 21 June 1948 saw the first arrival of Caribbean men and women on board SS Empire Windrush. This marked the start of a Caribbean contribution to address the labour shortage and in turn help to rebuild the British economy. The late 1950's saw significant migration to the UK with many settling in London, Birmingham and other metropolitan cities across England and Wales. However, on arrival many encountered racism. Many were turned away from churches, not give access to accommodation with many accounts of landlords saying no blacks, Irish or dogs. This racism led to physical confrontation on city streets and for many in the black community the police were seen to collude with racist gangs. This marked the start of declining mistrust between the police and black community. Throughout the seventies and eighties there were many accounts of police brutality and racism toward members of the black community. The infamous SUS laws were introduced in the 1960's, and police use of these powers contributed to the inner city riots of the early 1980's. The SUS law was the informal name for a stop-and-search laws that permitted a police officer to act on suspicion, or "sus', alone. These experiences have led to cross-generational mistrust of the police.

3.2 *Section 95 data of the Criminal Justice Act 1991*

3.2.1 Section 95 data has consistently shown disproportionality at all stages of the criminal justice system.

3.2.2 Black youngsters are less likely to be given bail than their white or Asian counter parts and are less likely to receive caution.

3.2.3 Black youth are more likely to get custodial sentences than their white counterparts of the same offences.

3.2.4 Black males make up 16% of prison population and black women make up 25%.

3.2.5 From researched commissioned by the MBPA, many in the black community feel let down by the criminal justice system at every stage of the process.

4. Social Exclusion

4.1 Social exclusion is a key factor running throughout the backdrop of overrepresentation. Social exclusion has complex consequences, creating far reaching and long lasting challenges for individual families, communities and the economy. It can pass from generation to generation, children's life chances are strongly affected by their parents' circumstances, such as their income and the place they live.

4.1.1 Social exclusion includes poverty and low income, and encompasses some of the wider causes and consequences of deprivation. The Government has defined social exclusion as:

> "a shorthand term for what can happen when people or areas suffer from a combination of linked problems such as unemployment, poor skills, low incomes, unfair discrimination, poor housing, high crime, bad health and family breakdown".

5. Media

5.1 The media today exhibits a culture that demonises young people, with headlines often describing "hoodie" wearing thugs roaming our streets and shopping centres'. This culture helps to spread fear in communities, and that somehow the word "young" is synonymous with thug. Add the ingredient of race and you have a recipe for stereotyping and discrimination on racial ground. Black youngsters are seen more often as perpetrators and very rarely the victims of crime. In fact young people are a one of the most vulnerable group in society. The victims of gun crime in the black community are in the main under 25 years of age.

6. Education

6.1 Just 27.3% of Black Caribbean boys gained 5 good (A–C grades) GCSEs in 2004, compared to 52% of all pupils, and 47% of all boys. Evidence suggests that a Level 2 qualification (five GCSEs or NVQ Level 2) is the minimum for entry into skilled employment in today's labour market.

6.1.1 African Black Caribbean boys are overrepresented among permanently excluded and fixed-term excluded pupils.

African Caribbean pupils are four to six times more likely to be excluded than white pupils although no more likely to truant than other pupils.

6.1.2 Research from the Youth Justice Board suggests that young people who are excluded from school are more likely to offend.

6.1.3 Figures from Connexions suggest that 11% of black children between 11 to 19 years old were not in education, employment or training (NEET). This is the highest percentage amongst any ethnic group apart from "mixed" heritage groups running at 12%.

6.2 *Peer Pressure*

6.2.1 It is recognised that peer pressure has a significant influence on the offending of young people. For some young people in the black community there is a perception that they die before the age of twenty five, which in turn creates a culture of get rich quick without hard work or education. This in turn can lead to violent incidents witnessed in many inner city communities.

7. VOYAGE: (Voice Of The Youth And Genuine Empowerment)

7.1 The Metropolitan Black Police Association's (MBPA) VOYAGE Programme provides a journey of empowerment, knowledge and capacity building. It was designed specifically to help Black and Minority Ethnic (BME) young people in our major cities empower themselves and their peers, to contribute to healthy, safer and vibrant communities. VOYAGE endeavours to create new partnerships with young people and the police service, helping them to take responsibility for their own actions. It also encourages the young people to seek and provide solutions to local youth crime and anti-social behaviour issues. The programme provides a number interventions and opportunities to address issues of youth crime on a local basis.

7.1.1 VOYAGE provides direct contact with communities who have had a history of disengagement and mistrust of the police, which in turn has presented barriers to:

— the nurturing of community intelligence;

— reducing the fear of crime;

— community reassurance;
— understanding priorities within black and minority ethnic communities;
— trust and confidence between community and police;
— engagement and participation of communities; and
— Community Cohesion.

7.1.2 The MBPA VOYAGE team has delivered across all six Trident boroughs (Southwark, Lambeth, Newham, Haringey, Hackney and Brent), bringing together young people from some of the most challenging neighbourhoods in London. These young people have since engaged and supported the MPS in a number of new and unique ways.

7.2 The following is a list of VOYAGE components:
— Leadership Programme.
— Know Your Rights Seminar.
— Peace Pledge.
— School and College workshops.
— Pizza Evenings.
— Young Black Positive Advocates—Youth Forum.

7.3 *Leadership Programme*

There are two delivery formats for this programme:

7.3.1 (a) *Residential*: This is a seven-day intensive programme providing an atmosphere within which young leaders are developed and nurtured. The curriculum has a strong focus on leadership and includes modules on crime, power, governance and media.

7.3.2 (b) *Modular*: This is a three-month programme delivered within local communities. The curriculum mirrors that of the Residential, however, the subject matter is explored in far greater detail and there is also a far greater emphasis on local community issues.

7.4 *Know Your Rights Seminar*

7.4.1 These are a series of one-day seminars providing young people an outline of their rights and responsibilities when stopped by the police. The course covers legislation and includes a debate with police recruits and the issues of community safety.

7.5 *Peace Pledge*

7.5.1 The Peace Pledge is a promise to live a life of non-violence and a commitment not to abuse alcohol or drugs. The Pledge encourages young people to support their local community, schools and families. The Pledge has eight lesson plans aimed at the Citizenship curriculum within secondary schools.

7.6 *School and College workshops*

7.6.1 These are workshops run by the MBPA in local schools on issues of community safety, violent crime, bullying, community empowerment and peace.

7.7 *Pizza Evenings*

7.7.1 These are events organised by the MBPA where members of the Young Black Positive Advocates (youth forum of the MBPA) are invited to review and comment on police policy and strategy relating to young people. The process provides the YBPA an opportunity to further develop their understanding of the police and contribute to its modernisation. Through this process officers develop a better understanding of young people and in turn informs the development of police policy and strategy.

7.7.2 The YBPA have recently written a response to the *Every Child Matters* green paper and are currently in the process of reviewing the three year Children and Young Peoples plan in Haringey, Hackney, Brent, Newham, Southwark and Lambeth.

7.8 *Young Black Positive Advocates (YBPA)*

7.8.1 The YBPA is the youth forum of the Metropolitan Black Police Association, there are over two hundred black young people from seven inner city London boroughs in London. The group was created by graduates of the Leadership programme who in their words wanted to "educate the mis-educated" in their schools and youth clubs. The group have already run several youth conferences on various community and

youth issues and have hosted two conferences at the House of Commons Portcullis House. They have produced a drugs education magazine called "Drug Rap". The group is regularly asked to comment on issues facing young people in the criminal justice system and education. Young people in the group are aged between 14 to 20 years.

7.9 *Views of the Young Black Positive Advocates:*

— Power of stereotypes—negative imagery through video games, film, newspapers and music videos:

— Both young people and the general public believe what they see—even if not real. Young people then adopt the stereotype, as their destiny and it becomes a self-fulfilling prophecy.

— Stereotypes on both sides—during Know Your Rights workshops young people have suggested that they need to remove their stereotypes of police and the criminal justices system in order to create new histories.

— Respected not Suspected—speaking to the young people and ask them what they think about the perceptions as well as working with young people to identify how the issue of overrepresentation in the criminal justice can be overcome develops trust and understanding between the two groups.

— Lack of cultural competence—a distinct lack of understanding the discipline codes and behavioural codes of black young people can lead to a misjudgement of their behaviour and/or the wrong methodology being used to correct the young person. This can lead to an escalation where based on this lack of understanding situations can be dealt with out of context and extra pressure bought to bear in an attempt to "control" what is perceived as an out of control situation when it is not.

— Scars of difficult histories now being softened by the new histories being created through programmes such as Know Your Rights. Transformation of negative perceptions through open and honest dialogue.

— Fear—is usually developed from a lack of understanding. Rather than making a swift judgement take the time to talk to them and find out what their needs are ie leadership programme.

7.9.1 No celebration of young people who do well (and there are lots of them)—so focus constantly on the young people who are challenging. Therefore false expectations set at all level of society from school, to personal, to family, to society.

8. Conclusion

8.1 The Metropolitan Black Police Association does not believe that there is an inherent or innate difference in offending between young people of different ethnic groups. However, the Association recognises the influence of deprivation, attitudes and expectations of those within the criminal justice system, social exclusion, education, institutional racism and the influences of the media. The black community has to take some responsibility for criminality of their young people, however, this does not take away from the social and economic influences on offender behaviour within urban inner city neighbourhoods. This in turn places a responsibility on those agencies given the task to service local communities. This includes those within the criminal justice system.

9. Recommendations

— Government support for the implement the MBPA VOYAGE programme across the UK.

— Consideration to be given to a Judicial Review of Stop and Search practice.

— Affirmative action (using the Patten Model for the recruitment of Catholics in the PSNI) to be adopted in the recruitment of black personnel into the police service the police service. It is recognised that this will require legislative change.

— Affirmative action to be adopted in the promotion and postings of black personnel within the police service.

— Greater educational support to be given to young people excluded from school.

— In schools where there is a disproportionate exclusion rate of black children the power should be suspended while an independent review be undertaken of each case. During this period disciplinary matters should be managed by the local education and youth services.

Bevan Powell
Deputy Chair

May 2006

37.   Memorandum submitted by the Metropolitan Police Service

SUMMARY

Young black people are commonly perceived to be more involved in criminal activity than other young people. This paper investigates the actual involvement of young black people compared to other ethnic groups, using the information held by the MPS. More specifically, data gained from crime reports and stop and search data will be interrogated to reveal young peoples' actual level of involvement in criminal activity.

1. INTRODUCTION

1.1 This paper is submitted by the Diversity and Citizen Focus Directorate, Metropolitan Police Service (MPS) and offers a report outlining the MPS' factual account of Young Black People and the Criminal Justice System as written submission for the Home Affairs Committee. The Home Affairs Committee announced in a news release on 13 March 2006 that it is due to hold an inquiry into the relationship between young black people and the criminal justice system, focusing particularly on public perceptions of criminality among young black people and the reasons for their overrepresentation. This submission seeks to offer information to help establish the actual level of young black people's involvement in criminal activity in London. In order to draw any robust conclusions about the potential difference between young black people compared to other young people it is important to place any findings in the context of Ethnic London's composition

2. METHODOLOGY USED IN PRESENTING MPS CRIME DATA

2.1 In order to make any comparisons between young black people and other young people in London, the MPS CRIS data (Crime Report Information System) will be used to analyse data by ethnicity and age. The data reflects those people who were 17 and under and who were accused of crime (accused refers to those who were charged, cautioned, taken into consideration (TIC), cannabis formal warning, penalty notice for disorder and warrant issued).

2.2 This report presents the results and findings from the analysis of MPS reported crime maintained by the MPS Performance Information Bureau (PIB) and Stop and Search data maintained by the MPS' Stop and Search Team.

2.3 Where there is an overrepresentation in any ethnic group, the information has been compared to the ethnic populations as reported by the Office of National Statistics 2001 Census.

2.4 Definition of the term *Black*—The Ethnic codes that the MPS use to represent the Black population refers to people that are African or of African Caribbean origin (this includes first generation people).

2.5 Definition of the term Youth—The Children and Young Persons Act 1969, Section 70 of the Act defines a youth as being a person between the ages of 14 and 18 years old.

2.6 Findings that are *statistically significant* are ones, which are likely to reflect a real difference rather than a difference due to chance alone. Statistical evaluation of those figures will be undertaken to establish whether there is an underlying trend in the data, using linear regression analysis. Strong trends and weak trends will be differentiated using r squared value.

3.1 *Placing youth crime in context*

In order to gain an understanding of those who are potentially responsible for committing crime in London, records that relate to those who have been accused of crime rather than those who have been suspected of criminal activity have been analysed. One main reason for this is that the suspect details are less accurate and also less populated.

There were just under one million offences reported to the MPS in the financial year 2005–06. Of those notifiable offences approximately 18% resulted in sanction detections. This, therefore, means that where a sanction detection has been secured, one or more accused will have been identified. Two-thirds of those accused were 25 or under, and of those, 19% were under 17.

MPS recorded that 24,226 incidents[216] of young people (17 or younger) were accused of committing crime in London during the financial year 2005–06. However, over the last five years this figure has decreased consistently. Placing this in context, crime incidents overall have decreased over time however, this reduction is deemed to be not significant. It has not been possible to identify the exact reasons behind the reduction in the level of involvement by young people in crime. However, changes in procedures such as the introduction of ASBO's may have had an impact. More specifically, the crime that young people were likely to be involved in can be viewed in the table below.

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216 Data source: MPS Performance Information Bureau—Crime Report Information System, FY 2005–6.

Table 1

COMPARISON OF ACCUSED BY AGED CATEGORY

Major Crime Category (n = 24226)	FY 2005–06 Under 17	FY 2005–06 All age groups
Theft and Handling	26%	37%
Violence Against the Person	25%	18%
Criminal Damage	14%	12%
Robbery	12%	4%
Drugs	12%	4%
Burglary	6%	10%
Other Notifiable Offences	3%	7%
Fraud or Forgery	2%	7%
Sexual Offences	1%	18%

Source: MPS PIB, FY 2005–06.

Table 1 indicates that there is variations in the type of offences accused are involved in when we compare age type. The most notable differences are in robbery and drugs offences.

The top five crime type that young people are involved in:

— Over the last five years crimes of theft and handling has decreased from 37% to 26%. This decrease of 11% indicates a strong underlying trend.

— Over the last five years crimes of violence against the person has increased from 16% to 25%. This increase indicates a strong underlying trend.

— Over the last five years crimes of criminal damage has increased from 10% to 14%. This increase indicates a strong underlying trend.

— Over the last five years crimes of robbery has shown a 1% increase. This increase indicates no underlying trend.

— Over the last five years crimes of drugs has shown a 1% increase. This increase indicates no underlying trend.

Source: MPS PIB, FYI 2001–2006 (It should be noted that in the FY 2001–02 there were changes in recording practices however, this has not effected the overall observed trends).

3.2 *Profile of young people accused of crime and their ethnicity*

Table 2

ETHNICITY OF THOSE ACCUSED UNDER THE AGE OF 17 AGAINST CENSUS POPULATION DATA (UNDER 17)

Ethnic Group (MPS grouping)	Percentage of those accused by ethnicity	2001 Census %	% difference
White/European	55%	59%	−4%
African/Caribbean	36%	19%	17%
Indian/Pakistani	7%	17%	−10%
Chinese/Japanese	1%	3%	−2%
Arabian/Egyptian	1%	Not stated	N/A

Source: MPS PIB, FY 2005–06 & ONS Census data, 2001.

The table above shows the breakdown of those young people who have been accused of crime by the police by their ethnicity. In order to gauge the expected rate of accused for each ethnic group the table also indicates the proportion of ethnic populations within London using ONS census data. Those accused who come from the African/Caribbean population appear to be overrepresented compared to the census data. The rates of those accused coming from an ethnic background of African Caribbean compared to White/European are significantly different. However it cannot be determined from this information alone what the reasons for this observed difference are. Research carried out by the Youth Lifestyle survey of over 30,000 primary and secondary school children (Armstrong *et al*, 2005) report that there was similar self-reported offending behaviour across ethnic groups. It should be noted that the nature of the self reported crimes should be further investigated for differences between ethnic groups.

When looking at accused information, which relates to all ages, the same proportional difference is apparent. In the FY 2005–06 the figures were 54% White/European and 32% are African/Caribbean which are very similar to the proportions of those accused who are 17 or younger.

What can be interpreted from this information is that age alone may not be a determining factor. Research has shown that aspects of social deprivation and cultural intolerance also play a role in the overrepresentation of certain ethnic groups in certain types of crime.

3.3 *Comparison of the Ethnic groups under the age of 17 and the type of criminality*

The table below shows what type of crime each ethnic group is most likely to be associated with.

Table 3

COMPARISON OF CRIME TYPES BETWEEN WHITE EUROPEAN AND OTHER ETHNIC GROUPS

Major Category	White European	African/Caribbean	Indian/Pakistani	Other
Criminal Damage	70%	21%	4%	5%
Burglary	68%	23%	5%	4%
Violence Against the Person	50%	37%	7%	6%
Theft and Handling	50%	33%	8%	9%
Other Notifiable Offences	42%	38%	9%	11%
Drugs	42%	41%	9%	8%
Fraud or Forgery	40%	34%	13%	13%
Sexual Offences	31%	50%	9%	10%
Robbery	26%	59%	9%	6%

Source: MPS PIB, FY 2005–06.

There are significant differences between crime types and ethnic groups. It should be noted that even though the proportion of those accused of drug offences are similar to the white population this does not take into account the different population levels for ethnic groups.

TOP FIVE CRIME TYPES THAT YOUNG PEOPLE ARE INVOLVED IN

White/European Accused	African/Caribbean Accused	Indian/Pakistani Accused
Criminal Damage	Robbery	Fraud or Forgery
Burglary	Sexual Offences	Other Notifiable Offences
Violence Against the Person	Drugs	Drugs
Theft and Handling	Other Notifiable Offences	Sexual Offences
Other Notifiable Offences	Violence Against the Person	Robbery

These finding would suggest that it is important to establish what factors affect whether different ethnic groups will get involved in crime.

3.4 *Breakdown of Stop and Search encounters to arrests for those under the age of 25*

Table 4

BREAKDOWN OF STOP AND SEARCHES FOR THOSE UNDER THE AGE OF 25

	FY03/04	FY04/05	FY05/06
Stop and Searches—per 1,000 population	22.17	23.45	27.69
Arrests	10.7%	9.0%	10.1%

Source: MPS Stop & Search database.

Just under 200,000 people who are stopped are under the age of 25 and of those who are stopped, approximately two-thirds are under the age of 25. The arrest rate is 10% for the year 2005–06. Although the arrest rate over the last three years has remained constant the percentage change over this period has been at 24.9% and there has been an increase from 22% to 28% per 1,000 population. This increase indicates a strong underlying trend.

Table 5

PERCENTAGE OF STOP AND SEARCHES BY ETHNIC GROUPING
FOR THOSE UNDER THE AGE OF 25

Stop and Searches	FY03/04	FY04/05	FY05/06
White European	48%	47%	45%
African/Caribbean	35%	36%	36%
Indian/Pakistani	15%	14%	14%

Source: MPS Stop & Search database.

Table 6

STOP AND SEARCHES AND ARRESTS BY ETHNIC GROUPING
FOR THOSE UNDER THE AGE OF 25

FY2005/6	White European	African/Caribbean	Indian/Pakistani
Stop and Searches—per 1,000 population	17.58	91.9	32.66
Arrests	9.7%	11.5%	8.0%

Source: MPS Stop & Search database & ONS Census data, 2001.

When we compare the Stop and Search encounters between Ethnic groups it would appear that the proportions are not too dissimilar between White European and African Caribbean ethnic groups (Table 5). However, if the population size of each ethnic group is used to gauge if there is over- or under-representation of ethnic groups a different picture emerges (Table 6).

The Stop and Search figure for the African/Caribbean community is significantly different from the general population and would suggest that disproportionality in stop and search practices exists for those under 25 years of age in that community. This finding may be a factor, which reinforces the public perception that young black people are more involved in crime than others. There seems to be more similarity in the accused rates but still the African Caribbean population are significantly different from the White European population. Further work should be carried out to link accused figures and conviction levels so it can be determined if there is a successful outcome at the point of criminal prosecution.

3.5 *Reasons for Stop and Search being used on young people*

The most common reason for young people aged 25 and under being stopped by the police is for drug (47%) and for robbery offences (31%). The most common reason for young people who are under 17 being stopped by the police are for drugs (31%) and for robbery offences (38%). Again the black community are overrepresented relative to their population size.

Table 7A

REASON FOR BEING STOPPED

Ethnic Appearance	Reason for 25 and under being Stopped	FY05–06
White		15%
Black		12%
Asian	Robbery	3%
Others		1%
White		21%
Black		16%
Asian	Drugs	8%
Others		2%
White		7%
Black		7%
Asian	Violence	3%
Others		1%
White		3%
Black		1%
Asian	Others	0%
Others		0%

Source: MPS Stop & Search database.

Table 7B

REASON FOR BEING STOPPED

Ethnic Appearance	Reason for under 17 being Stopped	FY05–06
White		18%
Black		15%
Asian	Robbery	3%
Others		2%
White		16%
Black		10%
Asian	Drugs	4%
Others		1%

Ethnic Appearance	Reason for under 17 being Stopped	FY05–06
White		16%
Black		8%
Asian	Violence	2%
Others		1%
White		4%
Black		1%
Asian	Other	0%
Others		0%

Source: MPS Stop & Search database.

4. CONCLUSIONS AND RECOMMENDATIONS

4.1 *Conclusion*

— Youth make up two-thirds of all those accused.

— Of those stopped and searched two-thirds are 25 and under.

— Black youths are overrepresented in accused data but age is not a determining factor within ethnicity.

— Crime type is significantly different between ethnic groups who are accused.

— Crime type is significantly different between age groups who are accused.

— Self-reporting evidence indicates that there is no difference between ethnic groups offending behaviour.

— Black youths compared to others are subjected to Stop and Searches more than other young people.

— The proportion of those arrested from Stops and Searches between ethnic groups are similar, however, these populations are still statistically different.

— Increasing stop and search rates over time amongst the young black community are not reflected amongst other young people.

4.2 *Recommendations*

We would therefore recommend that this issue be investigated further by the MPS as a matter of priority. Potential pieces of work that could be carried out include:

— Thorough and detailed analysis of CRIS data to determine whether patterns of victimisation and criminal behaviour of young black people (both as suspects and accused) differ from those of other young people.

— Accused data should be linked to the offence brought to justice data OBTJ and this should include diversity related features.

— Research to be commissioned to determine public perceptions of the criminality of young black people, compared to the criminality of other young people, as well as the reasons/rationale behind those perceptions.

— Research to be commissioned to determine experiences of young black people with the police, compared to the experiences of other young people.

Susan Paterson
Senior Criminologist, Performance, Development and Monitoring Unit
Diversity and Citizen Focus Directorate

July 2006

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38.   Memorandum submitted by the Office of Communications (Ofcom)

VIOLENT LYRICAL CONTENT IN MUSIC AND THE PORTRAYAL OF VIOLENCE IN MUSIC VIDEOS

The Home Affairs Committee ("the Committee"), sought information concerning the prevalence of complaints made to Ofcom about music (or music videos) where the lyrical content included references to violence.

My colleague Neil Gardner previously forwarded the relevant sections of our Broadcasting Code, against which complaints are judged (namely Sections One and Two, "Protecting the Under-Eighteens" and "Harm & Offence" respectively), together with our published "Guidance" for both these sections.

Compliance with the requirements of these two sections of the Broadcasting Code is mandatory for all UK broadcasters licensed by Ofcom and the BBC and S4C; adherence to the accompanying Guidance is advisable as best practice, but is not mandatory.

The Committee asked us to provide the following quantitative information:

— the number of Ofcom rulings relating to violent lyrical content in music, or the portrayal of violence in music videos in each of the last five years; and

— the numbers of public complaints in this area over this time.

Colleagues here have undertaken a thorough search of our complaints databases, encompassing not only Ofcom's own records (since its vesting in December 2003), but also those of the three legacy broadcasting regulators (the Broadcasting Standards Commission, the Independent Television Commission, and the Radio Authority).

As complaints are not catalogued against the category violent lyrical content in music or the portrayal of violence in music videos we have checked our data base using key words.

The number of complaints that the regulators have received specifically on this matter during the last five years is small—five complaints, all made since 2004. Four complaints were not upheld and one was resolved. A complaint is resolved when Ofcom considers it would have upheld the complaint had it not been for mitigating action by the broadcaster. In this case the matter was resolved following the admission of an error by the broadcaster in the scheduling of the video given the nature of its content.

The complaints were as follows:

— Resolved: Music video for "Smile" by Lily Allen broadcast on Smash Hits!, 24 June 2006, 13:00, The Hits, 7 July 2006, 15:50 and The Box, 19 July 2006, 08:14.

  A viewer found this video, which told the story of a woman taking revenge on her ex-boyfriend, offensive—in part, because it showed the woman "paying thugs to beat up her ex-boyfriend". We felt that the narrative of the song related to the singer's personal feelings and were presented in the stylised world of a pop video, thus creating a distance from real life events. We felt that it would be unlikely to encourage any adult viewer to copy such behaviour, but the content was too strong for broadcast at these times when children might be watching. The broadcaster apologised and addressed our concerns in subsequent screenings.

— Not Upheld: Brit Awards, ITV1, 17 February 2004, 20.40. A viewer complained that the presenter mentioned that the artist 50 Cent had been shot nine times.

— Not Upheld: Choice FM, 7 January 2005, 22.00 approx. A listener's primary concern was the use of racist terms however the listener also mentioned that in the listener's view a track had glamorised gun crime and anti-social behaviour.

— Not Upheld: Westwood Rap Show, BBC Radio 1, 17 March 2006, 21.00 approx. The complaint focused primarily on the use of racist terms. It also alleged that the lyrical content had advocated the indiscriminate murdering of African people.

— Not Upheld: BBC Radio 1Xtra, 27 September 2005, 23.00 approx. A listener felt that there was racist language and in that context mentioned "violent vitriol".

The lyrical content that the Committee wishes to investigate is, of course, largely (if not wholly) confined to certain specific genres of music, such as "hip hop" and r'n'b. Looking at complaints in this area in order to assist the Committee it appears that, amongst the largely self-selecting audience for this type of music, there is still much greater concern about the use of racially abusive terms (eg "nigger"), misogynistic terms (eg "whore" and its derivatives) and, to a lesser extent, strong profanity generally, than there is about potential incitement to violence.

It is worth noting that there is a long standing tradition of music companies providing radio edits—that is versions of the main track from which potentially offensive material has been removed—so that the track may be played for broadcast. The same editing technique applies to videos. Therefore, for example, a video played pre-watershed may well be different to a video for the same track played post-watershed. For this reason concerns regarding the lyrical content of music or the portrayal of violence in a video may not necessarily apply to tracks and videos as broadcast. The legacy regulator for radio—the Radio Authority— had a series of meetings with the music companies to discuss how this worked. At the time the Radio Authority was satisfied that the companies were taking significant steps to meet broadcasting standards.

As discussed previously, our Code contains a number of Rules concerning the portrayal of violence and dangerous behaviour which we require broadcasters to adhere to. For example:

2.4 Programmes must not include material (whether in individual programmes or in programmes taken together) which, taking into account the context, condones or glamorises violent, dangerous or seriously antisocial behaviour and is likely to encourage others to copy such behaviour.

The following Rules are specifically applied to protect under-eighteens:

1.3 Children must . . . be protected by appropriate scheduling from material that is unsuitable for them.

— Meaning of "children": Children are people under the age of 15 years.

— Meaning of "appropriate scheduling": Appropriate scheduling should be judged according to:

  — the nature of the content;

  — the likely number and age range of children in the audience, taking into account school time, weekends and holidays;

  — the start time and finish time of the programme;

  — the nature of the channel or station and the particular programme; and

  — the likely expectations of the audience for a particular channel or station at a particular time and on a particular day.

1.4 Television broadcasters must observe the watershed.

1.5 Radio broadcasters must have particular regard to times when children are particularly likely to be listening.

— Meaning of "when children are particularly likely to be listening": This phrase particularly refers to the school run and breakfast time, but might include other times.

Violence and dangerous behaviour

1.11 Violence, its after-effects and descriptions of violence, whether verbal or physical, must be appropriately limited in programmes broadcast before the watershed or when children are particularly likely to be listening and must also be justified by the context.

1.12 Violence, whether verbal or physical, that is easily imitable by children in a manner that is harmful or dangerous:

— must not be featured in programmes made primarily for children unless there is strong editorial justification; and

— must not be broadcast before the watershed or when children are particularly likely to be listening, unless there is editorial justification.

1.13 Dangerous behaviour, or the portrayal of dangerous behaviour, that is likely to be easily imitable by children in a manner that is harmful:

— must not be featured in programmes made primarily for children unless there is strong editorial justification; and

— must not be broadcast before the watershed, or when children are particularly likely to be listening, unless there is editorial justification.

Our Rules make it clear that broadcasters should always make considered judgements as to whether the material that they broadcast can be adequately justified by the context. Context might include (but is not limited to):

— the editorial content of the programme, programmes or series;

— the service on which the material is broadcast;

— the time of broadcast;

— what other programmes are scheduled before and after the programme or programmes concerned;

— the degree of harm or offence likely to be caused by the inclusion of any particular sort of material in programmes generally or programmes of a particular description;

— the likely size and composition of the potential audience and likely expectation of the audience;

— the extent to which the nature of the content can be brought to the attention of the potential audience for example by giving information; and

— the effect of the material on viewers or listeners who may come across it unawares.

I hope this information is of use to the Committee. If we can be of any further assistance, please do not hesitate to contact us again.

Fran O'Brien
Senior Standards Manager, Content and Standards

December 2006

39.   Memorandum submitted by the Peace Alliance and the Black Church Leaders Forum

1. Executive Summary

1.1 This submission has sought to recognise some of the challenges facing black youngsters with their overrepresentation within the criminal justice system (CJS)[217] and the public perception of criminality amongst young black people. It has attempted to address these concerns through a nine-point approach; persecution and policing, parenting, peer pressure, perception, poverty and places, preventative measures and prisons.

1.2 The recommendations proposed are structured around a five-point principle with solutions in:

proper **P**arenting.

effective **E**ducation.

celebrated **A**chievement.

mobilised **C**ommunities.

sustainable **E**nterprise.

2. Introduction

2.1 Reverend Nims has served as a pastor in the black community for over 20 years, and in more recent times he has gotten involved in a number of key committees including the Operation Trident Independent Advisory Group (IAG), Operation Blunt IAG and as a governor of the College of North East London. He has played an active role in the review and development of the Stop and Search strategy supporting the Metropolitan Police Authority, the Metropolitan Police Service and Home Office investigations. He is also a London Board member of the Commission for Racial Equality and chairs the London Criminal Justice Board IAG.

He is the Chief Executive of the Peace Alliance, a national organisation working with local communities to reduce crime and increase cohesion amongst communities.

2.2 He has particular experience in issues around violent crime in the black community; directly supporting families of victims of violent crime and delivering partnership projects to address this. He has with a number of partners developed a range of educational resources for young people to deter them from a criminal lifestyle. These include the *Untouchable?* DVD and teacher resource pack on real life experiences around gun crime and; a three-part "What's the Point?" comic on knife crime. He also developed the "Inside Out" project which takes ex-offenders and professionals into Youth Offending Teams and other youth institutions to warn young people about the impact of life behind bars and also gives information about the role of the criminal justice system. He was invited in November 2003 to give evidence in the All Parliamentary Group on gun crime and previously served on the Home Office Crack Advisory Board.

2.3 Reverend Nims acts as a mentor for young boys in his local borough in Haringey and is in close contact with a number of disaffected black boys. He also serves on the Local Strategic Partnership Board, Crime and Disorder Partnership Board and chairs the Haringey multi faith forum.

2.4 Reverend Nims brings a wealth of experience and knowledge in issues around community cohesion and has involved schools, youth clubs, community organisations, the statutory, voluntary and business sectors in the London Week of Peace which profiles community safety and cohesion.

3. Young Black People and the Criminal Justice System

3.1 There are a host of theories and views purporting to explain the high levels of black people on the wrong side of the CJS. While there is a seductive tendency to the mono-casual explanation of this negative encounter to race and racism, this Committee needs both to understand and resist the seduction so as to explore other issues from an open perspective. We start by quoting a local crime data analyst who once commented that to solve the black problem in this community would be to solve a majority of the crime problem in the area.

So what then is the "Black Problem?" if there is such a phrase.

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[217] Evidence reveals that
— Black people were overrepresented for violent crime (2 victims for every white victim)
— Black People were largely overrepresented for homicide (4 victims for every white victim), racist offences (7.4 victims for every white victim) and domestic violence (2.5 victims for every white victim).
— The homicide ratio was 4 black victims to every 1 white victim in London.
— The stop and search ratio was 4 black people to every 1 white.
— Black people recorded the highest general arrest rate per 1,000 head (76) followed by other-BAME groups (28), white people (23) and Asian people (22).
— 29% of black people accounted for 50% of youth committing robbery, and over 30% of those being dealt with for drugs and violence.

The topic has been approached from nine different aspects and reports on the actual and perceived experiences of young black people leading to an overrepresentation in the criminal justice system. Most of the evidence put forward has been collected over six years of working and supporting black youngsters and their families as well as hosting community meetings to discuss these issues.

3.2 *Persecution and policing*

The reality of day to day living of black young people in UK today demonstrates various levels of persecution which is reinforced by negative stereotypes and media portrayals.

Unprofessional Stop and Search practices by the police continue to be high on the list of experiences suffered by black boys and statistics from recent published figures illustrate the scale of the negative encounter of black people with the police and other members of the CJS and the reality of disproportionality.

Feedback from young people at an Education to Employment (E2E) programme was that nobody was going to employ them as their accent and colour did not fit the jobs out there. This view is affirmed simply by looking at many corporate structures in UK today. This has created a sense of despondency leading to a parallel community that does not easily align itself with mainstream society. Some young people have said that they would rather create their own job opportunities rather than relying on a failing system. This often results in illegitimate drug trading.

Concerns within the education system were highlighted at our Young People and Parents Conferences.[218] These included the difference in the way black young people were treated in schools mostly due to the lack of adequate support, poor communication skills, fear and negative preconceived notions displayed by the teachers. This impacts on the high exclusion rates of young black people leading to overrepresentation at pupil support centres which then becomes the first step in their exclusion from mainstream society leading to potential criminal behaviour.

Young people have also said that schools in certain communities do not encourage enterprising behaviour, but rather reinforce a poor working class mentality. The absence of an all year round historical education on black heroes was also seen to undermine pride within young black minds. All of these factors produce negative responses to education leading to underachievement and in some cases a disproportionate level of exclusion.

3.3 *Parenting*

An acknowledged breakdown in the social fabric of many black families is most typically exemplified by the lack of a strong father figure in the home. In addition, (the multiple jobs that) some single parents and low income families work long hours to make ends meet, thus creating very little time for effective parenting and children miss out on simple family experiences such as the dinner table, learning together and so on.

A far greater concern is the increase in teenage pregnancy without adequate parenting skills and appropriate guidance for their equally young children.

An excellent study on gang related activity[219] in Hackney, by Superintendent Leroy Logan identified that "productive, ever present parenting is an essential part of the solution", and we agree without belaboring the point.

A major issue compounded by the lack of father figures in single parent homes was indicated by feedback from some sessions conducted which seem to indicate that young black boys are influenced by a "get rich quick" mentality and in some cases feel the responsibility/pressures of being the sole providers for their families. This often results in an alternative economy which is drug related.

We also learnt that some black parents and carers/guardians are often disengaged with the child's learning experience in schools.

3.4 *Peer Pressure*

With the absence of appropriate role models, support structures and figures of authority, young black boys have created an alternative family structure which in most cases is outside of the safety of the home environment. In some cases, this can be linked with petty criminality or anti-social behaviour. In more extreme cases, the leaders of such groups are often associated with serious levels of criminality including drugs and violent crime. Some young people in seeking to get "street cred" resort to making wrong decisions in order to get respect.

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[218] A hard copy of this report is attached (not printed). E copies can be made available by calling the Peace Alliance on 020 8808 9439 or email info@peacealliance.org.uk

[219] A hard copy of this report is attached to this submission (see Ev 317).

Superintendent Leroy Logan, in his paper stated that we are starting to observe "peer group street collectives" (PGSCs) and gangs producing their street videos transmitted on several digital music channels advocating violence and retribution against their rivals.

On a different frontier, there is an increasing feeling of insecurity and lack of confidence in the criminal justice system within the young black community. This has led to young black people feeling pressured to carry knives for their own safety. During workshops with young men we have heard this sentiment expressed continually.

Giving another aspect to the problem, a number of young people in Newham, when asked about carrying knives, all identified the need to be cool, or as one of them put it, "to be like big people".

These concerns are not only restricted to the black community but often still lead to further discrimination and overrepresentation in the criminal justice system.

3.5 Perception

There is a perception within certain quarters of the black community that within the media, there is an under reporting of black young people and the black community at large as victims of crime. Whilst on the other hand, the portrayal of black boys as criminals is somewhat excessive.

It can also be argued that the negative stereotyping of young black boys has further compounded the issues causing even members of the public to be cautious around groups of black boys on public transport, street corners, shopping centres and other public areas. A young man once said "don't judge me just by what I wear". Stereotyping has produced negative attitudes leading to a self fulfilling prophecy.

We also agree with Superintendent Leroy Logan that the numerous empowerment and crime reduction programmes seem to focus on the intellect of the individual and diversionary activities such as sports and music. This does not always prevent them from standing up against the peer pack mentality or the resentments and fears that come from the negative stereotypes. We need to "develop changes from within to address the condition of the heart, based on the person's resentments and fears and the damage it may have on that person".

3.6 Poverty and Places

A large number of black communities are geographically located in socially deprived neighbourhoods which although in itself is not a basis for criminality cannot be ignored as an influential factor. In these communities, low self esteem impacts on behaviour and a "ghetto" mentality prevails. Young people have continually asked for social space. The lack of places for young people to spend their leisure time has been an ongoing issue between the black community and the government both locally and nationally. When young people feel disenfranchised and without a place to go, they resort to hanging out on the street making themselves targets for police and vulnerable to themselves.

Though this challenge has resulted in some regeneration activity and more youth provision, we argue that some of this needs to be channeled through faith, community and voluntary groups who currently do excellent work with young people under serious financial pressures. Again this was highlighted as a key issue in the Damilola Taylor Murder Investigation Review.[220]

Works undertaken in a faith context seem to have positive influences on young people's behaviour. Peers and friends alike have cited the experience and confidence gained by participating in activities such as boy scouts and girls brigades. These should be provided within a strong community network such as established faith institutions.

Recent trends indicate that 44% of church goers in inner cities are from black and minority communities, and these churches should be empowered to run sustainable youth programmes leading to self esteem, inner development and wide exposure of life, and not just concentrating on sports and music.

3.7 Prevention measure and prisons

The CJS has demonstrated numerous gaps in working with young black boys who leave the criminal justice system or those who are at great risk of entering into the criminal justice system due to their current environment.

In a particular case encountered, the practical solution was to relocate a particular young person and his family from his immediate environment as remaining in that environment was likely to force the young person into criminal behaviour, either to protect himself from certain gangs or to remain in a certain gang in order to be in a position to get protection. Where such young persons and their families are willing to make these moves, no statutory support or exit strategy exists to extract them.

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[220] *Damilola Taylor Murder Investigation Review: The Report of the Oversight Panel*, MPS: December 2002.

There is inadequate community based support for ex-offenders leaving prison. The programmes that exist sometimes only reinforce the feelings of social exclusion, loneliness and despair. Feelings which sometimes only go away when they are restored back into a criminal or gang fraternity.

Support should be community based. A faith example shows a family supported by a local church taking in ex-offenders and providing a community context for rehabilitation in a safe and secure environment.

3.8 *Conclusion*

Community faith based partnership in conjunction with parents/carers and statutory agencies is vital without faith organisations feeling restricted by undue funding regulations.

4. Recommendations

Through our five-point P.E.A.C.E strategy, we recommend a tiered approach to working with young black people.

4.1 *Parenting*

Encourage stronger parenting role models through active participation in the child's education through Parents Teachers Associations and governorship boards.

Parents and carers should be supported and encouraged to be involved at the early stages of their child's educational development (ie ages 0 to 4 is critical).

4.2 *Education*

Supplementary schools and other after school programmes should receive greater support from local authorities.

Peer mentoring must be a response to the challenges of peer pressure![221]

Sports programs that encourage competition should be implemented in schools.

Schools should review exclusion strategy to keep excluded children on the premises with specific duties.

Discrimination in schools and within the CJS should be identified and appropriately addressed to give young black students a greater confidence in the system.

4.3 *Achievement*

Parents and community groups (including faith groups) and schools should be encouraged and funded to work together to develop schemes that recognise and reward achievers.

The work of "Black Boys Can" should be evaluated and its best practice piloted in relevant communities for national roll-out.

4.4 *Community*

Community based anti-gang and leadership activity should be supported and funded on a long term basis.[222]

Research should be undertaken in a community context to understand complex issues surrounding the incidence of mental health in black communities and its link to the CJS.

Support organisations should be developed for parents and carers who are not too confident in dealing with concerns around their child's education, particularly to offer help when dealing with problems in schools.

The recruitment of black magistrates is vital to avoid potential discrimination of the bench.

Police should be continually trained to be more professional and in some cases understanding in their handling of Stop and Search within the black community. The critical encounter often determines the response of young black boys.

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[221] CONEL operates an in house peer-to-peer mentoring scheme where they match high scoring students to young students of a similar age to support them in their studies. For example, level 3 students working with level 2 students, sharing aspirations, work ethics, building confidence and assisting them in how to do their work. They have learnt that black young people like to meet with other black people who are doing well in school. CONEL's results in 2004–05 were 20% better than the average of Black/Caribbean colleges.

[222] Examples such as the recently concluded TRUCE summer activity should be evaluated and its success recommended as transferable best practice to other areas with similar issues. A report on Truce is attached to the Hard Copy of this evidence (not printed).

4.5 *Employment*

Technology, finance and other key vocational areas should become pivotal in developing more skills amongst young people.

Job placement opportunities in every tier of society is vital from entrepreneurship, entertainment and politics.

Reverend Nims Obunge

October 2006

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40.   Memorandum submitted by Trident

INTRODUCTION

This report is submitted to the Home Affairs Committee in relation to its inquiry into Young Black People and the Criminal Justice System, by "Trident", the Metropolitan Police Service unit that investigates violent gun crime within London's black communities ("Trident Criminality").

The aim of the report is to give an insight into the causes and theories of Trident criminality. Although no single explanation is possible, it is hoped that these insights will assist in understanding why some people from black communities get involved in Trident criminality and consequently enter the criminal justice system. The report also contains information on the ages of those involved—which is reducing—and on the career paths of some of those who have become Trident criminals. Although this report is restricted to Trident matters many of the factors (eg the reducing age of those involved in violence and disadvantage) apply to other groups.

It should be noted that this report only gives a picture of gun crime for the London area.

The data and information used to compile this document has been obtained from the Metropolitan Police Intelligence System (CRIMINT), the Metropolitan Police Crime Reporting Information System (CRIS), Trident databases and Trident staff. The analysis within this report is either conducted over the financial year or the calendar year depending on the data sets available.

TRIDENT HISTORY

Serious gun crime within London's black communities hit the news headlines twice in four days in the summer of 1998 with the shocking and brutal murders of Avril Johnson in Brixton and Michelle Carby in East London. Both young mothers, who were at home with their children, were tied up and mercilessly shot in the head by a Jamaican gang.

Serious gun within black communities continued to increase and spread across London and on 24 July 2000 the Metropolitan Police Service officially launched Operation Trident whose brief was to tackle "Shootings within the black communities of London". See Appendix A for Terms of Reference.

Chart 1 provides a breakdown of the number of Trident murders and shooting incidents for the last seven years. The total number of incidents are illustrated by the black line. The total incidents are then broken down further by crime classification into the categories of murder (— line), attempted murder (– line) and other shootings (solid line) (eg GBH, robbery, criminal damage etc).

Murders are recorded by the number of victims as there have been a number of incidents in which there have been two or more people murdered.

The attempted murder and other shootings offences are counted by incident. This therefore explains why when the three categories are added up they do not equal the total incidents.

It should also be noted that the data for 2000–01 might not be accurate and slightly low as Trident was not formed until July 2000 and offences would have been dealt with by other units prior to that date.

Chart 1

Trident Level of Offending - Financial Year
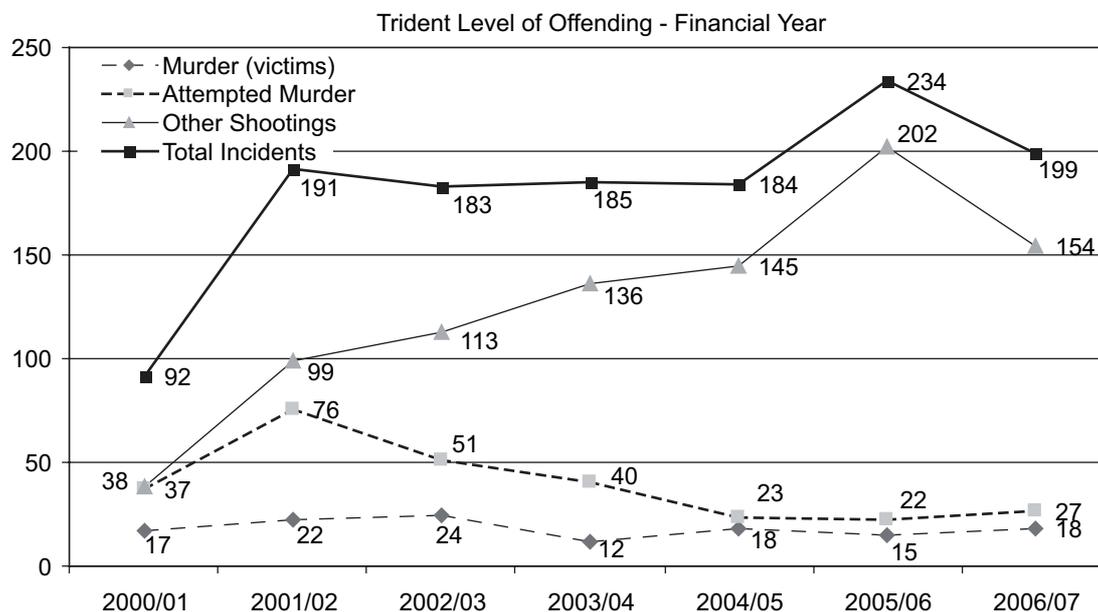
	2000–01	*2001–02*	*2002–03*	*2003–04*	*2004–05*	*2005–06*	*2006–07**
Murder (victims)	17	22	24	12	18	15	18
Attempted Murder	37	76	51	40	23	22	27
Other Shootings	38	99	113	136	145	202	154
Total Incidents	92	191	183	185	184	234	199

* 2006–07 data—1 April 2006 to 11 March 2007.

Early Trident criminality, in the late 1990s and early 2000s, was mainly perpetrated by Jamaican-born nationals. In the last four years there has been a steep rise in the involvement of British-born suspects, many being second and third generation African Caribbeans making this more a "home grown" problem. Notwithstanding that, some of the most violent offences have been committed by Jamaicans and there is evidence of people whose immigration status is doubtful exerting fear and dubious influence in British communities.

The nature of Trident criminality makes it difficult to predict, in that shooting incidents are sporadic. A shooting can be a "one off" act of disrespect and another such incident may spark a flurry of activity in the form of reprisals. The majority of Trident subjects lead chaotic lifestyles and the carrying of firearms is second nature to them.

Since 1 January 2001 to date (11 March 2007) 1,195 firearm homicides and shootings have taken place within London's black communities. Appendix B provides a detailed breakdown of these incidents by year and borough.

Historically approximately two-thirds of Trident shootings take place on the Hotspot Boroughs of Hackney, Lambeth, Southwark, Brent and Haringey. However the last two or three years has seen the emergence of Lewisham and Waltham Forest as prominent boroughs for Trident criminality.

In only one of these shooting incidents has a female been identified as discharging the firearm.

Only one borough in the Metropolitan Police Area, Havering, has not recorded a Trident shooting incident.

Much of the Trident gun crime is, unsurprisingly, linked to the poorer London Boroughs, areas of deprivation, high ethnic minority population and high unemployment. The Index of Multiple Deprivation[223] identifies Hackney (second), Southwark (fifth), Haringey (sixth), Lambeth (seventh) and Brent (thirteenth) as some of the most deprived boroughs in the London Region. These boroughs also have the highest density of African Caribbean population in the London Region.[224]

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[223] http://www.renewal.net/England/London/RegInfo.asp
[224] http://www.guardian.co.uk/graphic/0,5812,1395103,00.html

There is evidence that Trident gangs also have links to other major cities such as Bristol, Birmingham and Nottingham.

Music venues/clubs continue to attract gun crime offences often due to particular promoters or groups appearing at the venue. Also because one particular crew/posse are aware that another opposing crew/posse frequent those premises and, as such, the venue becomes an ideal location to commit a shooting.

Prison Sentences

Since 1 January 2002 a total of 40 life sentences have been handed down to subjects arrested and charged with murder by Trident. A total of 3,909 years of imprisonment has been given to subjects arrested by Trident for the period 1 January 2002 to 9 March 2007.

Table 1

TRIDENT TERMS OF IMPRISONMENT

Year	2002	2003	2004	2005	2006	2007*
Life sentences	4	9	8	13	12	3
Total imprisonment	577	706	736	925	688	277

Source: Trident.

Table 1 provides a breakdown of the prison sentences. * 2007 figures 1 January to 9 March.

Recent successful high media trials have seen life convictions given to the suspects for the murders of:

— Seven-year-old Toni-Ann Byfield and her father in Brent in September 2003.
— Zainab Kalokoh at a christening in Peckham in 2005.
— The triple murder of the Morrison sisters and their mother's partner Noel Patterson in 2005 in Brent.

Seizures

Since 1 January 2002 in the course of their investigations and pro-active operations Trident have seized a total of 1,838 firearms and 69,882 rounds of live ammunition.

Witness Protection

Trident are working on building confidence in witness protection systems and take every opportunity to publicise convictions and sentencing to encourage future victims and witnesses to come forward.

Operation Newlandrig

This joint Trident and HM Immigration Service initiative was commenced in November 2003 aimed at the disruption of Trident subjects, men of violence, or those involved in criminality that supports Trident criminality, by means of utilising Immigration powers of detention and removal from the UK.

The operation focuses on persons identified as illegally in the UK as a result of Trident operations and intelligence. This can include not only Trident suspects but also victims and witnesses, in particular drug dealers who are illegal immigrants and are often targeted by gangs in drug robberies, which can result in shootings or retribution attacks. The removal of potential victims of these gangs is an effective crime reduction tactic to decrease the opportunity for the commission of such offences.

In the financial year 2005–06 there were 131 Newlandrig arrests and 75 removals. This included arrests for immigration offences, possession of false documents and theft/handling of stolen documents.

This ongoing operation continues to make a significant impact on Trident criminality.

ETHNICITY OF LONDON'S FIREARM HOMICIDES AND SHOOTINGS

Chart 2

Ethnicity of Suspects by Incident for all MPS
Firearm Homicides and Shootings - 2006

Dk
European
3%

White
9%

Unknown
4%

Asian
1%

Mixed group
4%

African-
Caribbean
79%
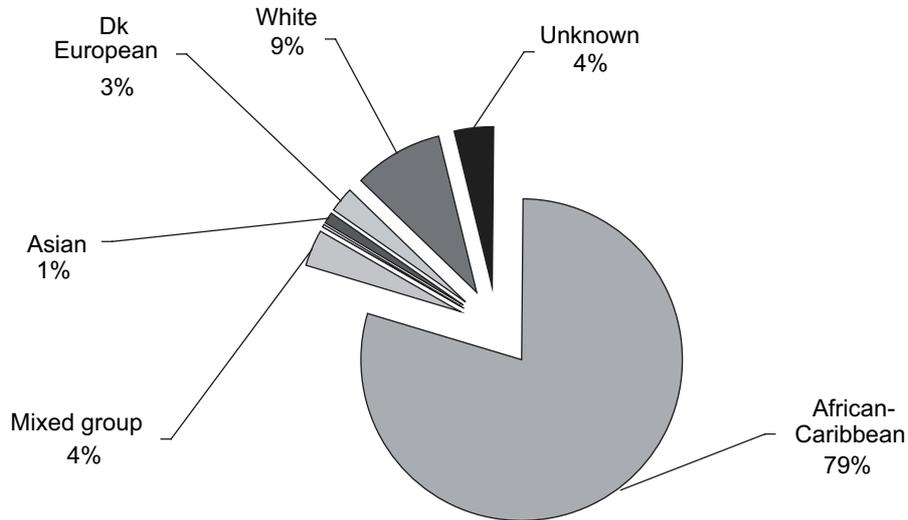
Source: Trident

Chart 3

Ethnicity of Victims by Incident for all MPS
Firearm Homicides and Shootings - 2006

Dk European
4%

White
14%

Unknown
1%

Asian
4%

Mixed group
1%

African-
Caribbean
75%
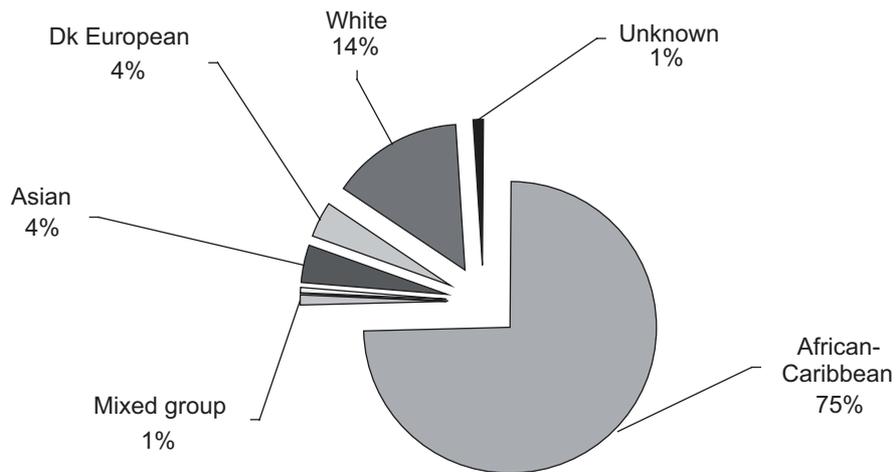
Source: Trident

Charts 2 and 3 provide a breakdown by percentage of the ethnicity by incident for suspects and victims of firearm homicides and shootings (not including commercial robberies) in the Metropolitan Police Area for the calendar year 2006. (Ethnicity is classified by visual description under the police ethnicity codes).

Where mixed group is shown this means two or more suspects of differing ethnicity eg one White and one African Caribbean.

As can be seen from Chart 2 African Caribbean males commit 79% of these offences whilst most of the mixed group, over 3%, also involved African Caribbean suspects.

On examining Chart 3 three-quarters of the incidents involve African Caribbean victims.

Generally the majority of firearm homicides and shooting incidents are intra-ethnic.

OFFENCE LOCATION IN RELATION TO SUSPECT'S HOME ADDRESS

Chart 4

Relationship of Borough to Venue of Trident
Subjects Offence
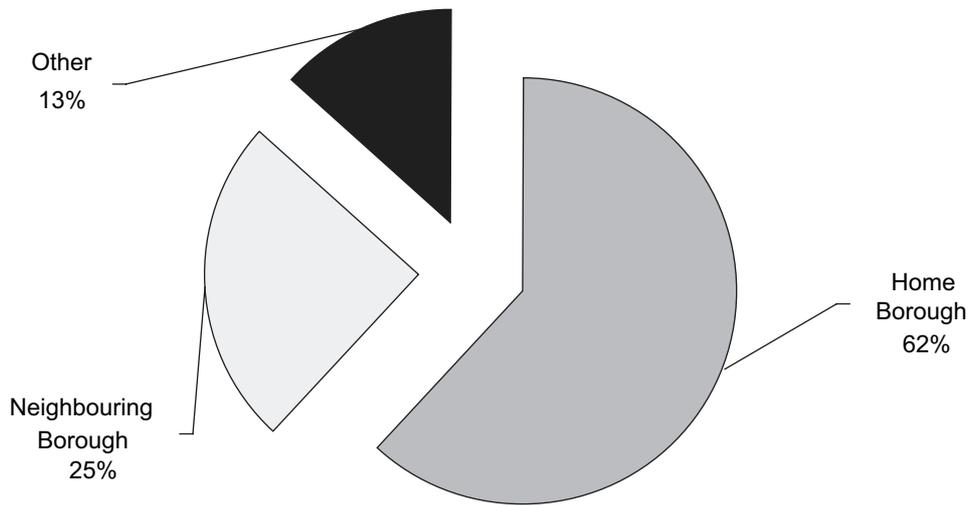
Source: Trident.

For the financial year 2005–06 analysis was carried out in relation to the borough on which arrested suspects committed their Trident criminality in comparison to the borough of their home address. As can be seen from chart 4 almost two-thirds of Trident criminality is very localised, with a further quarter of offences committed on a neighbouring borough.

This confirms the territory theory in relation to conflicts between gangs from different estates and areas sometimes referred to as "post code violence" and also drugs turf wars.

SOLVABILITY

Chart 5

Solvabilty of Trident Shootings - 2005/2006
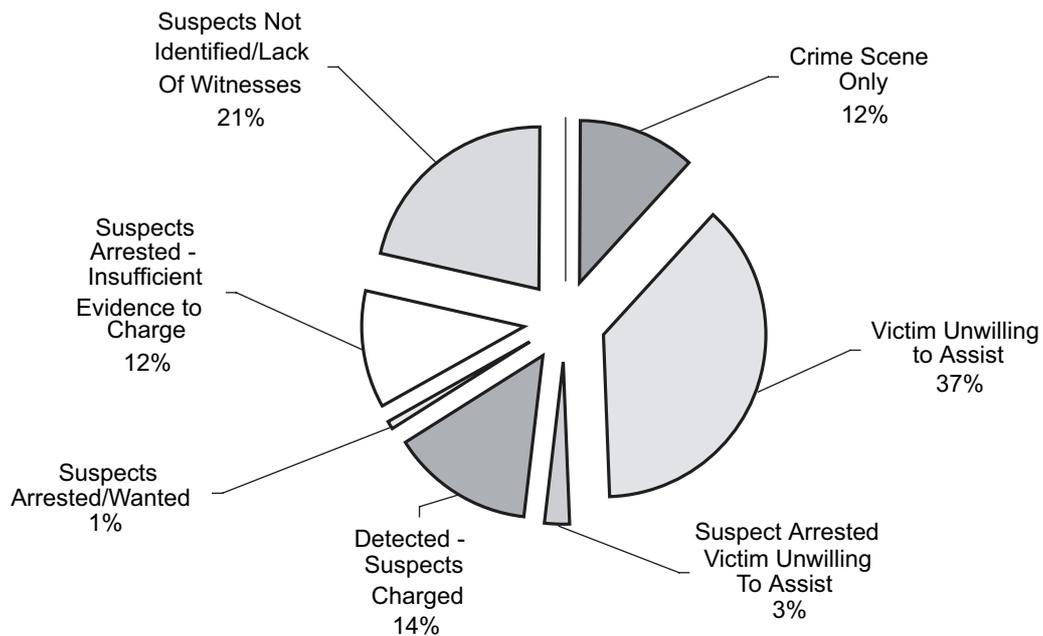
Source: Trident.

Analysis has been conducted around the solvability of Trident shootings (not including Trident murders) for the financial year 2005–06 whereby the investigating officers were asked to supply brief details of the current situation of the investigation. The results are depicted by percentage in chart 5.

The challenge Trident officers face is clearly evident in 40% of the shootings where the victim is unwilling to assist police even though in many instances the victim knows who the perpetrator(s) are. Some elect not to help police due to fear of further attacks on themselves or their family whilst others do not trust the criminal justice system and seek to "settle the score" themselves in a revenge shooting.

In 12% of incidents officers are presented with a "crime scene only" where there are no identified victims or suspects, the only evidence they have of a shooting being ammunition casings found at the scene. Gun crime, particularly shooting incidents, often results in a lack of forensic evidence.

Suspects are charged in just over one-eighth of the incidents. In around another eighth of the shootings, although arrests are made there is insufficient evidence to bring charges.

Nearly a fifth of shootings see no suspects identified and/or a lack of witnesses. The event is so quick that witnesses often do not see exactly what happened. Witnesses often fail to come forward and give evidence through fear of reprisals and often witnesses will fail to turn up at court.

The majority of Trident murders and shootings take place in the hours of darkness between 10 pm and 3 am. 15% of Trident incidents take place in or close to nightclubs[225] where lighting and large crowds make it difficult to clearly see what happens.

Although the 2006–07 financial year is not complete yet, preliminary analysis has been conducted on incidents committed so far. Current findings show that the percentage of "unwilling victims" is fairly stable at 43% as are "crime scene only" at 11%.

The other categories are currently not comparable due to on-going investigations with suspects still wanted, awaiting charges or Crown Prosecution Service decisions.

Examination of data for the past two years identifies that 93% of suspects charged with Trident murders and shootings have previous criminal convictions. Meanwhile 71% of Trident victims have a criminal record.

Since 1 January 2002 there have been 90 Trident murders within the black communities of London. Trident murders are often very complex investigations and some take two or three years to solve.

To date 57% of these murders have seen individuals arrested and charged. It is anticipated this percentage will increase as ongoing investigations progress.

When a murder investigation reaches court almost half the arrested suspects have received life sentences (see Chart 6). A further eighth of suspects have received terms of imprisonment for manslaughter. A quarter of cases see the defendants acquitted or found not guilty whilst 15% of cases are discontinued due to lack of evidence.

Chart 6
Trident Murders - Court Results

Case discontinued 15%

Acquitted or Not Guilty 26%

Lesser Sentence 1%

Manslaughter 12%

Life 46%
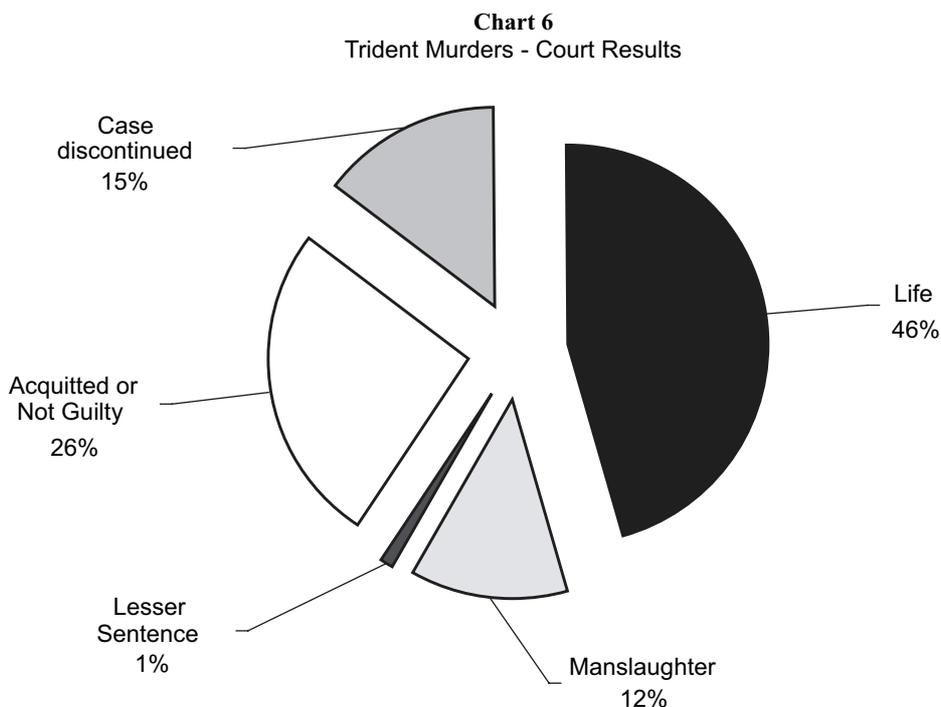
Source: Trident.

225 Trident Murders and Shooting Incidents in and outside Nightclubs, Bars and Public Houses—2001–06—November 2006.

THE IMPACT OF TEENAGERS

The most worrying trend over recent years is the commission of Trident offences by younger suspects who do not fit the usual Trident profile.

Chart 7

Age of Suspects Charged with Trident Murders/Shootings

Source: CRIS.

Chart 8

Age of victims of Trident murders and shootings.
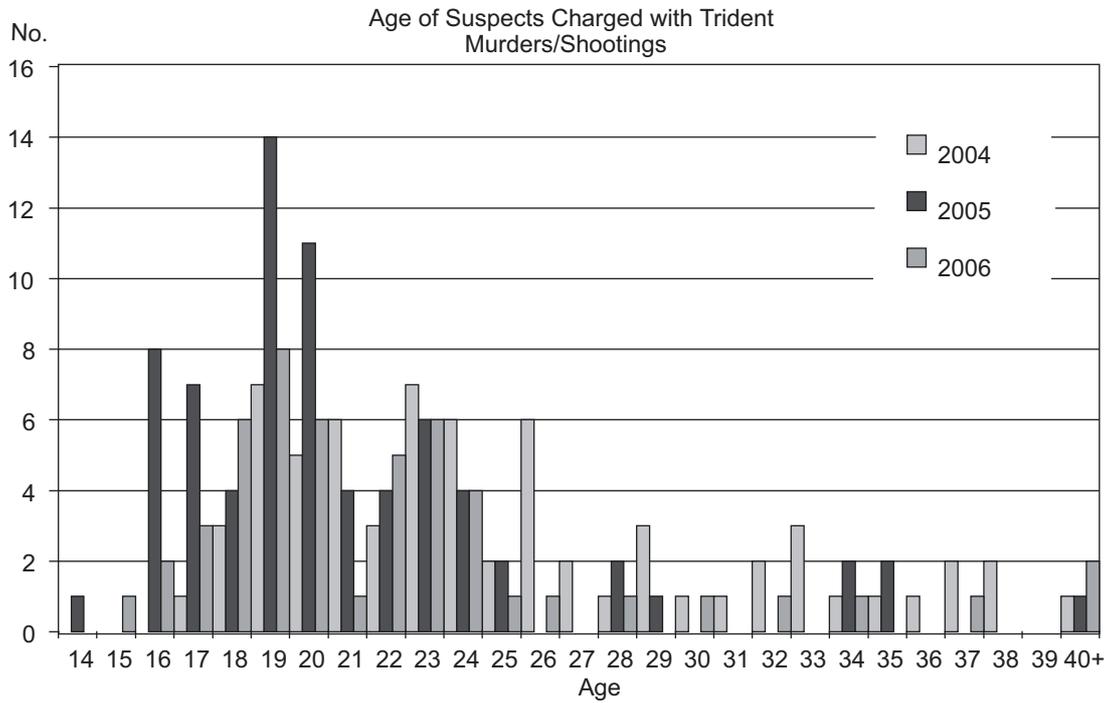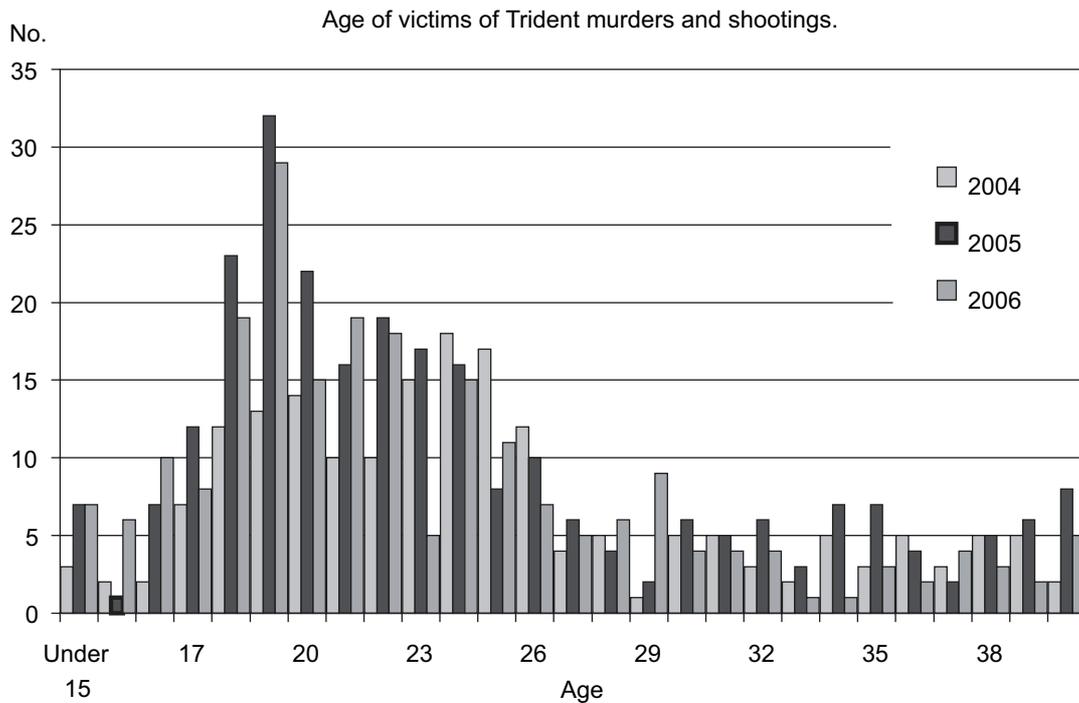
Source: CRIS.

Chart 7 clearly indicates a decrease in the age of suspects with 54 teenagers, one being only 14 years of age, being charged with Trident murders or shootings over the past two years.

Similarly Chart 8 indicates an increase in younger Trident victims with the peak age being 19 years, the same as that of suspects.

Chart 9

Ages of Trident Murder Victims

	15	16	18	19	20	21	22	23	24	25	26	27	29	30	32	34	37	38	39	45	47	62
☐ 2004				2	1	3	1	2	2			1				1		1	1	1		
■ 2005			1	1		3		3	1		1			1	1							1
☐ 2006			1	2	2	1	3		1		2		2	1			2					
■ 2007	2	1			1				1				1								1	

Victims Age
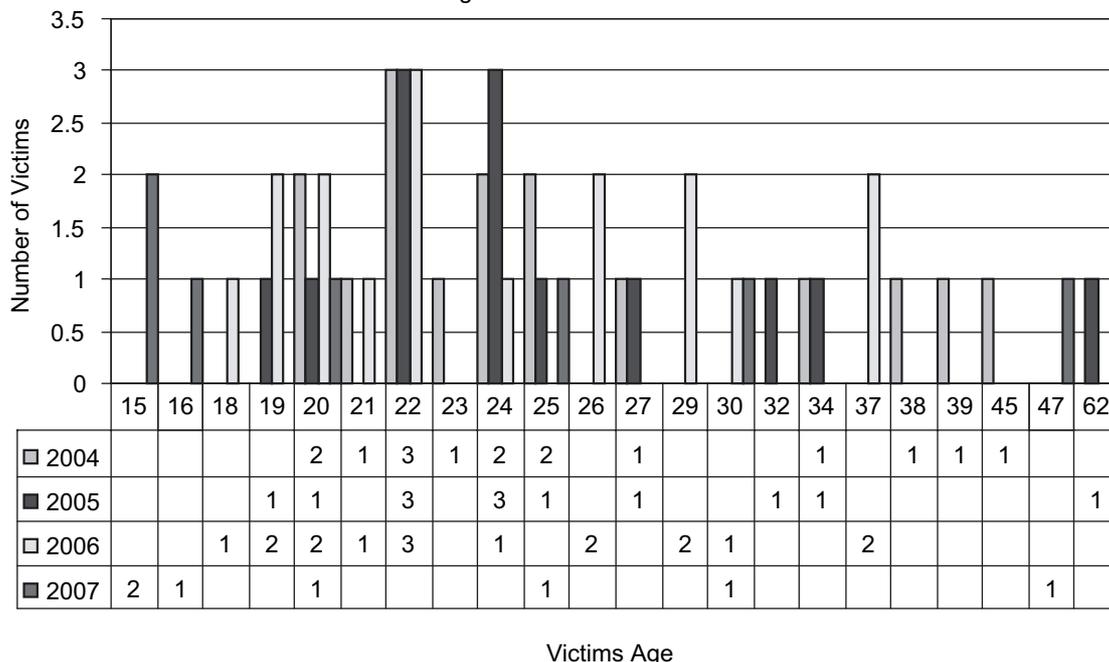
Source: CRIS.

Chart 9 provides a breakdown of the ages of Trident murder victims since 2004. The drop in the age of Trident murder victims is clearly evident.

Table 2

VICTIMS OF TRIDENT MURDERS AND SHOOTINGS UNDER THE AGE OF 20

Year	2003	2004	2005	2006
Number of victims	31	39	82	79
Percentage of victims	16%	19%	27%	31%

Source: Trident.

Table 2 provides a breakdown by number and percentage of young Trident victims over the last four years. It confirms the trend of more teenage involvement, with the percentage having almost doubled since 2003 with almost a third of Trident victims in 2006 being aged less than 20 years.

TRIDENT CRIMINAL CAREER PATHS

Analysis of Trident Criminal Career Paths and Individual Case Studies of Trident subjects was completed in April 2005. This work focused on 15 individuals who had progressed from acquisitive crime to Trident criminality.

During research and analysis their criminal careers were tracked including the location of their crimes. Their family background with regards to parents and fellow siblings was examined including their criminal history.

Table 3, which has been compiled from arrest data, provides simplified case studies of the criminal careers of three of these individuals. The offences listed in each age box are ones that the subject was involved in during that age year and there is no specific time scale for that year.

Table 3

Age	Subject A	Subject B	Subject C
11	Burglary Mugging Using Drugs Threatening Behaviour		Shoplifting Criminal Damage Threatening Behaviour
12	Theft Possession Knife Expelled from School Mugging Assault	Shoplifting Burglary Assault Theft	Burglary Mugging Expelled from School Possession of Cannabis
13	Assault Possession of Crack Vehicle Theft Theft Criminal Damage	Criminal Damage Mugging Indecency	Assault Mugging Burglary
14	Mugging Supplying Crack Robbery with Firearm Possession Firearms	Vehicle Theft Assault	Burglary Possession Air Gun Possession Cannabis Mugging
15	In Youth Offenders Institute	Mugging Assault Expelled from School	Mugging Supplying Cannabis Burglary In Young Offenders Inst
16	In Youth Offenders Institute	Assault Mugging Possession Knife Driving Offences In Youth Offenders Inst.	Mugging Possession Knife Burglary In Youth Offenders Inst
17	Robbery – Steaming Possession of Knife In Prison	Mugging Possession Knife In Prison Vehicle Theft	Mugging Possession Knife Robbery Steaming
18	In Prison	Robbery – Steaming Trident Shooting In Prison	In Prison
19	In Prison Trident Murder Possession Firearms Trident Shooting	Trident Murder Possession Firearm Robbing Drugs Dealers	Possession Cannabis Mugging
20	In Prison	In Prison	Trident Murder Possession Firearms Robbing Drugs Dealers Trident Shootings x 2

© MPS—Trident—Sue Prior, 2005.

Source: Trident.

Their progression from acquisitive crime to Trident criminality is clear to see, as is the increasing violence in their activity particularly in conjunction with drugs offences and also the close link between drugs and Trident criminality. Also noteworthy is the expulsion from school of all three individuals.

Youngsters between the ages of 16 and 18 years, who are unemployed and cannot claim benefit, are particularly at risk from drugs suppliers who recruit them to deal, which provides them with an income.[226]

Progression from acquisitive crime to firearms offences and Trident criminality is quite swift. This is highlighted in chart 10, which shows that the peak time span for these fifteen individuals to progress from their first arrest to an arrest for firearms offences is just six years.

[226] Lambeth Borough Police "Tackling Gun Crime" workshop—8 to 9 September 2005.

Chart 10

Time from first arrest to arrest for Trident shooting or
possession of firearms.
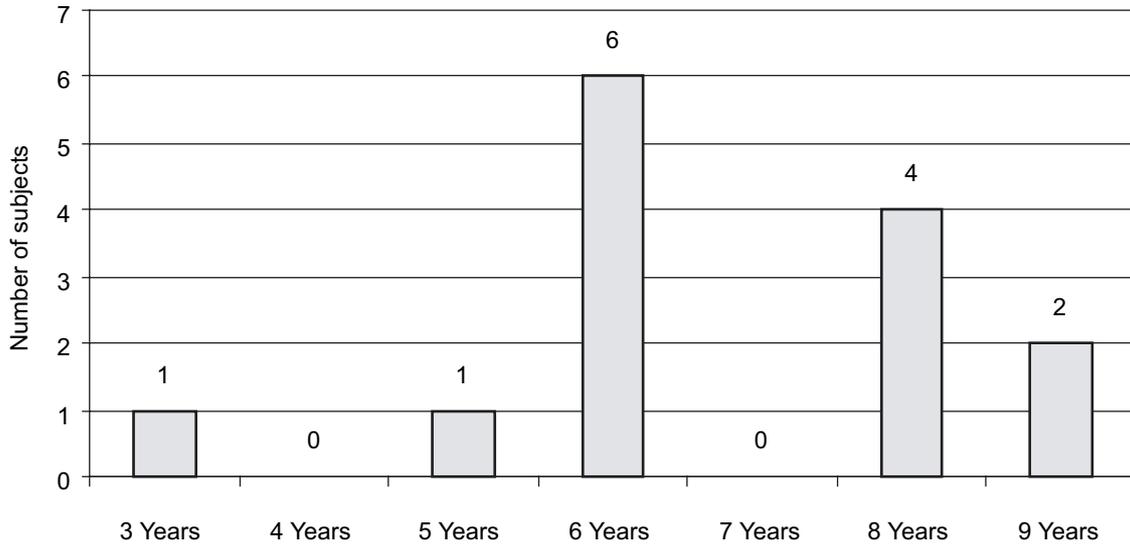
Source: Trident.

Other key findings from the research study are shown below:

— On average 73% of the offences for which these subjects were arrested were committed on their home borough, usually in close proximity to their home address.
— All of the shootings committed by these individuals outside of their borough of residence were at nightclubs.
— Eight of these individuals (53%) had been arrested for the supply of drugs.
— Fourteen of these subjects had served a term of imprisonment by the age of 19 years.

Chart 11

Age that subjects were first arrested.
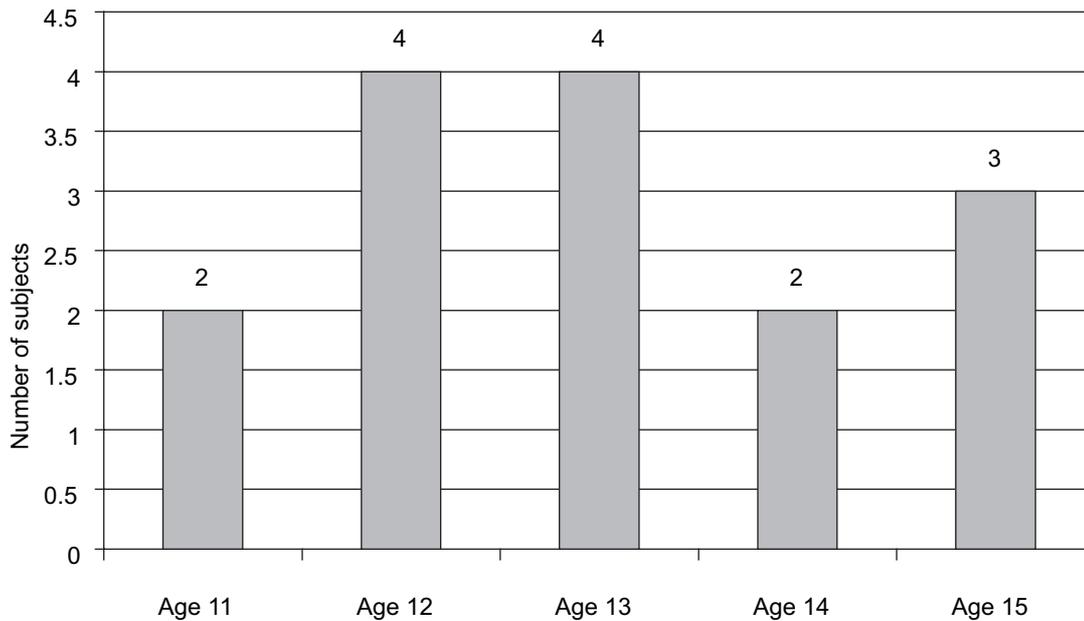
Source: Trident.

— All fifteen of these individuals had been arrested by the age of 15 years (Chart 11).
— Seven of these subjects (47%) had never claimed any benefits from the DWP (Department of Work and Pensions).
— Where the subject's father had been identified 75% had a criminal record.

— 50% of these subjects' mothers had criminal records.

— Where the subject had elder siblings one or more of them had a criminal record.

— Where these subjects had younger siblings 53% had criminal records.

— Two of the subjects had family members who had been convicted of murder.

It should be remembered that this study was on a very small sample of only fifteen individuals, who came from one London borough. However, it does provide a good insight into the background and criminal careers of these young black males.

Such profiles can change rapidly and this research has not included study of the interventions that were tried with this group.

Trident Criminality Theories

Trident criminality is a complex issue with numerous theories as to its causal factors. Many of these have recently been debated following the three firearm murders of teenagers in South London.

Appendix C provides a detailed chart encompassing the many theories of the influencing factors pertinent to Trident criminality. This chart was compiled using the knowledge and experience of Trident Police Officers and staff gained through intelligence gathering, investigation and liaising with members of the black communities of London.

Firearm Supply and Availability

UK criminals at all levels are unlikely to have difficulty in acquiring a firearm should they wish to do so. However, knowledge of how and where criminals acquire firearms is limited. Firearms and their component parts can be sourced from internet sites, usually from countries where possession is legal, such as the USA. The internet is an easy and comparatively safe way to acquire firearms, and has made them more accessible to would-be UK buyers. Firearms sent by ordinary post not only cost less to import, but effectively go hidden amongst the vast volume of post arriving daily in the UK. There is some intelligence to indicate that complete, genuine firearms are sourced this way, although most recoveries have been of readily convertible blank-firing weapons.

The number of firearms seized on entry would suggest that firearms are generally being smuggled into the UK on a small scale.

A recent assessment highlights that firearms seized at UK points of entry originate from Albania, Bosnia, Bulgaria and Croatia, with limited intelligence indicating that Belgium, France, Germany, Ireland, The Netherlands and Spain are transit countries for the supply of illicit firearms to the UK.

The Metropolitan Police Service and Greater Manchester Police have highlighted the importation of Baikal firearms. It is believed these are being converted and imported from a factory in Lithuania and smuggled into the UK. The Metropolitan Police suggests more than one network is involved in supplying these weapons to the UK, as they are being sold to Organised Criminal Gangs from differing communities.[227]

Recommendations

We would recommend that further research by relevant partners could be considered, as follows:

— Further research as to why younger people are getting involved in gun crime.

— Further research into the risks related to exclusion from school.

The further development of a risk assessment tool backed up by inter-agency working along the lines of the MAPPAs (Multi Agency Public Protection Arrangements) might be valuable.

We support the recommendations made in the ACPO Submission namely:

— Increased educational and welfare support for young black people to the age of 21.

— Incentives for young people to find and remain in employment.

— Greater emphasis on prevention and rehabilitation initiatives as opposed to enforcement leading to increased criminalisation of young black people.

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[227] ACPO Criminal Use of Firearms Portfolio—2007.

APPENDIX A

TRIDENT TERMS OF REFERENCE

MURDER

All fatal shootings where both the victim(s) and suspect(s) are members of the black communities of London.

SHOOTINGS

All non-fatal shootings or discharges (not including commercial armed robberies) where the victim(s) and suspect(s) are members of the black communities of London.

PRO-ACTIVE OPERATIONS

The targeting of suppliers, converters and manufacturers of illegal firearms that are being sold or distributed to the communities of London.

Any threats against police officers or police staff, (for example police community safety officers), where a firearm is produced but not discharged.

APPENDIX B - Trident Murder and Shooting Incident table

Borough	2001	2002	2003	2004	2005	2006	2007	Grand Total
Lambeth	35	19	31	23	40	27	6	181
Hackney	21	29	31	14	44	30	7	176
Southwark	14	23	12	16	28	36	4	133
Brent	17	25	21	19	20	17	3	122
Haringey	25	17	12	6	20	7	2	89
Waltham Forest	6	9	12	8	17	19	2	73
Lewisham	3	8	11	18	15	9	1	65
Newham	12	13	7	3	10	6	2	52
Wandsworth	3	5	3	5	9	11		36
Islington	5	4	6	1	4	8	1	29
Westminster	5	7	2	5	6	2	1	28
Croydon	5	2	5	10	9	4		25
Hammersmith/ Fulham	3	6	4	4	3	3		24
Ealing	2	7	1	5	4	2	2	21
Tower Hamlets	4	4	1	2	4	3		18
Kensington & Chelsea	1	1	5	4	4	2		17
Greenwich	2	1	2	3	4	3		15
Enfield	1	0	2	1	3	3	2	12
Camden	0	1	1	2	5	2		11
Redbridge	1	1	3	1	4	0	1	11
Barnet	1	1	1	3	1	3		10
Merton	2	3	0	0	3	1		9
Harrow	0	2	1	3	1	0		7
Kingston	0	1	0	1	2	0		4
Bromley	0	0	1	1	1	0		3
Hillingdon	0	0	2	1	0	0		3
Barking & Dagenham	1	0	0	0	0	1	1	2
Hounslow	0	1	0	2	0	0		2
Bexley	0	0	0	1	0	0		1
Richmond	0	1	0	0	0	0		1
Sutton	0	1	0	0	0	0		1
Havering	0	0	0	0	0	0		0
Totals	**169**	**192**	**177**	**162**	**261**	**199**	**35**	**1195**

Hotspot Boroughs shown in grey   *2007 figures 1 January to 11 March inc.

Incidents Increased	Incidents Decreased	Incidents Stable

Source – Trident.

APPENDIX C

TRIDENT CRIMINALITY THEORIES CHART

Trident Criminality Theories

© MPS - Trident - Higher Analyst Sue Prior - 2007
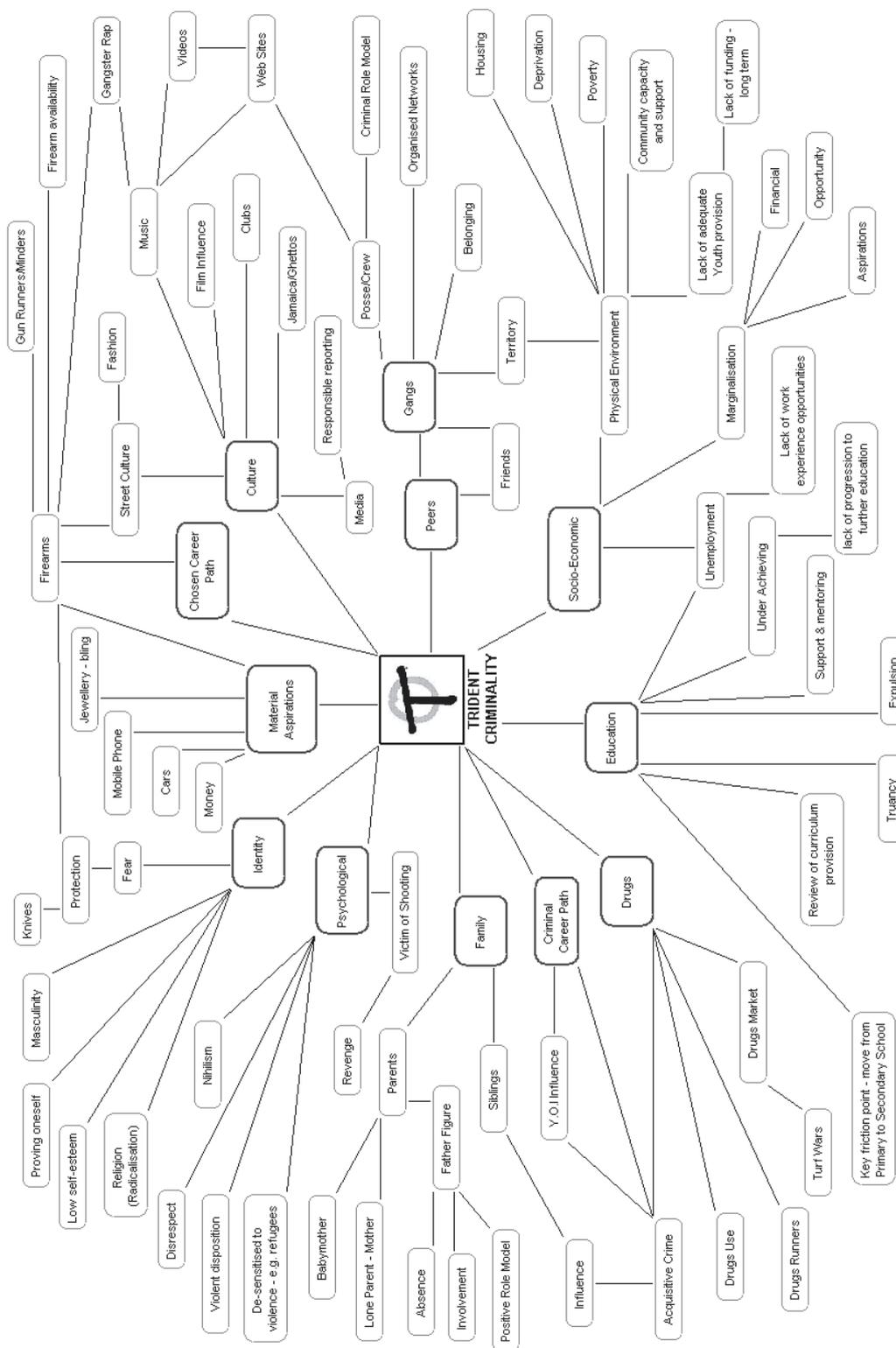
41.   **Memorandum submitted by Mr Bob Tyler**

VITV operates two television channels on the Sky Digital platform, Channel U and Fizz TV. Both services work on a mainly telecom revenue model, with viewer interaction through text and other Telco services.

Fizz TV, started in February 2005 is a predominantly Top 40 hit service, playing current chart music as chosen by the listener. A "Text to Screen" service accompanies the video in a split screen format allowing listeners to send messages as part of a Fizz community. The company operates a fully compliant system of moderation within the Ofcom Codes and general rules of Taste and Decency in conjunction with the live text service.

Channel U started in February 2004 and although initially not a Black music style service, is now, through stealth, a prominent UK Urban Music TV channel, focusing on unsigned material and aspiring artists. We however insist that Channel U is not a black channel but an Urban genre because of the appeal of the music to a cross section of youth.

The station is a free to air service on the BskyB platform and showcases many unsigned or up and coming musicians that do not have access to or would not be considered by other TV services, either mainstream or specialist.

Musically Channel U features UK Hip Hop, UK Grime, Bashment and some Jamaican Dancehall. Rolling video programming is supported with occasional live performances, such as "open mic" sessions, interviews and showcase performances.

Whilst fast becoming a brand in its own right, Channel U is sometimes perceived by viewers as London focused however there is a rise in interest from aspiring artists outside of the capital and the station is beginning to receive a regular flow of material and contact from other UK regions. There is also a mis-conception that Channel U is a black or ethnic proposition, the music is performed and enjoyed by everyone that participates in an Urban life style.

Tight budgets and unsophisticated technology rather than degrade the product, actually enhances it, giving the station a different appearance from more mainstream TV stations. Consequently the Channel U on screen persona is fitting and liked by the young urban viewer. Channel U's main attraction demographically (45% approximately) are young people between the ages of 16 to 24 years (BARB data). Nearly 20% of the audience to Channel U are under 16.

The audience profile of Channel U has disadvantages in respect of in-home viewing and transmission platforms. Young people tend not to be Digital TV subscribers in their own right. Effectively viewing has to be more opportunist than planed when considering a family TV set with Digital satellite. Secondly Cable TV propensity is greatest in urban areas, towns etc, often where the fixing of dishes is limited or prohibited. Carriage on Cable would greatly improve Channel U viewing, penetrating inner city areas and subsequently reaching more audience. However, cable services are dominated by major players and the network is restricted by capacity. Channel U has not been successful in obtaining carriage on the crowded Cable networks.

Channel U operates under an Ofcom licence and adheres to the Broadcasting Codes as regulated by the regulator. At any one time approximately 70% of music videos played on the channel are from unsigned, mainly UK Urban artists.

This places a regulatory responsibility on Channel U staff not only in terms of the volume of submitted videos for consideration but also administering the compliance issues in respect of the Ofcom Codes and Channel U standards.

On an average month Channel U receives approximately 100 videos for consideration. Some (approximately) 30% are re-submission, videos sent back to the artist for editing to comply with acceptable standards. The process engages the time of more than three people, to register, review, assess and provide the appropriate feedback over content issues. Videos are always processed by a minimum of two people to create a transparent process. A second stage process examining any potential compliance issues is in place for submissions that need further review. This can generally number around 15 videos a week for closer examination.

Approximately 30% of videos are accepted on first submission and approximately 20% are initially rejected on the basis of being poor quality, out of tune etc. Approximately 5% are rejected on the basis of violent undertones or similar, such as glorification of drug use etc, images of weapons and glorification or promotion of violent behaviour. Of the remaining, more than half are considered in terms of content for post-watershed viewing with the remaining being deemed suitable for daytime. In this process contact is made with the artist to advise of any recommended edits or alterations that would make the material more suitable etc. These are re-submitted after editing and treated as new submissions, taking their place in the submission queue.

All videos must be submitted with copies of lyrics otherwise they will not be entered into the review system. A submission form requires full contact details and proper UK address etc.

This process was fully introduced in January 2006 after a significant change of management against a back drop of two minor complaints. Subsequently, staff have been made more familiar with the appropriate Broadcasting Codes that apply, additionally three staff have attended Workshops provided by the regulator Ofcom. Channel U is proud of its current achievements in maintaining relationships with the regulator and in 2006 making no infringements.

In addition to the regulator's Codes, Channel U also impose additional standards in respect of the inclusion of weapons in material both visually and lyrically. By issuing feedback and website information to artists we feel we help to create more awareness over the issues surrounding this genre of music. Although not yet statistically measured, we have, from the beginning of 2006 received less video entries that have, what we call a "dark nature". Artists have realised that making a video suitable for daytime viewing will have more plays on the channel than a video that is confined to post-watershed hours.

When a video is finally selected for inclusion each is allocated a voting number that can either be voted for by text or telephone. A weekly chart promotes the Top Ten most voted videos, with some being popular for ten or more weeks. During 2006 around 50 different artists were showcased on the station with around 700 individual videos.

A text to screen service of messaging operates for four hours daily. Viewers have the chance to text a message to the screen, supporting an act or simply messaging the Urban community. This is not a main revenue stream and carries high compliance costs in terms of message editing and moderation.

The station also has a free service, "Friday Freeness" when all call charges are dropped. However there are still network costs involved and in effect the service costs money in terms of network charges. Additional revenues are made from limited advertising.

In 2006 Channel U invested heavily in server capacity and re-launched its website (www.channelu.tv) in August 2006. On demand video viewing (not download) is already proving popular and additional staff have been employed to increase written content, including music/artist news and artist profiles.

Mr Bob Tyler
Head of Compliance and Regulatory Affairs
VITV/Channel U

January 2007

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42.   Memorandum submitted by the X-it Programme, Lambeth Children and Young People's Service

The X-it Programme has been designed in order to offer a modular programme of intensive support and self-esteem building to young people who are at risk of gang membership.

The programme was designed in response to the gang murder of a young person, Adrian Marriott, in Brixton in the Summer 2004. The fatal shooting of Adrian led to a palpable fear amongst young people in Brixton who started to vocalise their concerns to youth workers about the gang culture and the increasing force being used to convert them to a corrupt form of Islam. These young people wanted out.

1. THE AIMS OF THE X-IT PROGRAMME

— To reduce levels of weapon use and serious crime in a target group of young people identified as being at risk of progressing to more serious levels of crime.
— To develop young people's self awareness and sense of identity, empowering them towards informed decision-making independent of peer and street culture.
— To identify and nurture a core group of young leaders who will inform future initiatives addressing this target group.

Objectives

— To empower young people to make positive choices.
— To increase levels of self awareness.
— To further develop young people's sense of responsibility for themselves and for their actions.
— To facilitate the expression of anger in positive ways.
— To increase the social skills with peers and adults.
— To further develop self-esteem.
— To experience the support and confidence that a positive group can offer.
— To develop a sense of personal achievement through engaging in challenges.

2. The Programme

The methodology and underpinning ethos of the X-it Programme uses clear Youth Work principals and practice. It also progresses young people through the five desired outcomes identified by "The Every Child Matters" agenda. Bernard Davies in *Youth Work: A Manifesto For Our times* (Youth & Policy 2005) outlines the key underlying elements that come together to make youth work distinct from other professions and the X-it Programme clearly has a number of these critical elements seated at the heart of it's design and delivery. These include:

2.1 *The programme concentrates on "needs" not "deeds"*

The Lambeth Youth & Play Service runs the programme and whilst working alongside agencies within the criminal justice system (such as the YOT and the police) we deliberately maintain a discreet distance. This has a number of distinct advantages:

— We are perceived by young people as being separate from the CJS.

— Young people can come to us with a "clean sheet".

— We are able to work with young people within a community context who are offending but who haven't yet come to the notice of the CJS.

2.2 *Participation is voluntary*

This principle of voluntary engagement is intrinsic to the practice, and forms the shape and nature of the relationship between the youth worker and the young person. It means that young people are enabled to retain power. This process, by its very nature, has to be one of mutual negotiation involving much "give and take". If a programme doesn't meet the aspirations of the young person, he or she always has the power to walk away from it.

2.3 *The programme works both on an individual level & with peer groups*

Young people who attend the X-it Programme are seen as individuals with their own unique starting points. They are encouraged to look at, and gain confidence in their individual and collective identities. This attitude is respected and promoted. The programme recognises the nature, power and importance of young people's peer relationships, which is a fundamental part of its success, the X-it Programme works with peer groups as a whole.

2.4 *It is young person led*

By employing, as peer workers, young people who have attended previous programmes, the programme aims to ensure that young people's voices are heard and heeded. The young people are involved in all stages of the programme, including the recruitment and delivery, which ensures parity between the workers and the young people.

2.5 *It operates within a community context*

We work directly on young people's territory and in partnership with local agencies. This enables us to address the local concerns of neighbourhoods and to be proactive in providing solutions. For example on the Moorlands Estate in Brixton we have created a multiple agency partnership which includes the Youth and Play Service; the YIP; PAYP, housing agencies; Community Safety; Hillmead Primary School and the police.

2.6 *It works in partnership*

We recognise that no one agency is able to provide all of the solutions and that a successful programme draws in the expertise of a number of agencies. Our initial target groups are identified utilising intelligence from a number of sources. These include housing agencies; the police; Community Safety Teams; tenants associations; youth workers and most importantly young people themselves.

Currently three agencies work in delivering key elements of the programme. These are the Lambeth Youth & Play Service, In-volve and the Brathay Hall Trust. We all have a shared philosophy and the work of each agency compliments the other.

3. The Programme Elements

During the recruitment stage of the programme, we gather intelligence and identify three key "Hot Spots". We target more than one area at a time as this has the bonus of enabling us to address issues of territory and territorial conflict. These areas (usually estate based) are where young people's criminal activities in groups are causing serious problems. Once areas are defined we identify which young people are responsible for the problems and in particular the key players within these groups. The X-it team then

approaches these young people, the programme is outlined to them, and they are asked if they would like to participate. Six young people are then recruited from each "Hot Spot". The youth peer workers are critical at this stage as they provide role models to demonstrate what is possible and achievable.

We target young people aged between 14 and 21 years (although this is flexible). We aim to work with 22 young people (18 participants and four youth peer workers) per programme, but are always over subscribed.

The programme runs over 32 weeks and is delivered in modules by the various partners. We maintain a consistency of workers throughout the modules, with partner agencies supplying their workers to each other's modules. These consist of:

3.1 *Ten weeks of group work sessions run by the X-it team*

The X-it team consists of youth workers and youth peer workers employed by Lambeth Youth & Play Service and a local police sergeant. The group work sessions are run on each groups "home territory" and are run simultaneously. The sessions address a number of issues such as weapon carrying; the economics of crime; drug abuse; peer pressure and conflict resolution. Alongside this we also encourage young people to set simple goals and how to vision them. On Saturdays we bring the three groups together for social activities such as a football match, go-karting or a dinner out. This enables the young people to get to know each other. We also run a two-day residential preparation at an Outdoor Activity Centre in London with the Brathay staff.

3.2 *Six-day residential at Brathay Hall—Lake District*

Brathay Hall is a centre of excellence in youth development. They design innovative residential programmes for young people using powerful experiences as a backdrop for growth. Young people are encouraged to cultivate a positive sense of self and others, which allows them to flourish. This element of the programme offers participants an intensive programme of challenging activities, focusing upon the development of their confidence, competence and self-esteem. The young people are encouraged to learn through their experiences and to reflect on this learning.

3.3 *Leadership Programme*

In-volve run the final module. In-Volve are a social care charity that has been successfully targeting community groups affected by social exclusion for over twenty years. In-Volve's service side runs provision in many parts of the UK including the largest young person's drug service in the country. As part of the X-it Programme, In-Volve runs a 20-week leadership course called RAW. The aim of the RAW process is to increase levels of self-awareness and emotional competency, and to empower socially excluded young people towards constructive and informed decision-making. As part of the leadership programme the young people are provided with one-2-one support and life coaching.

Throughout, the X-it Programme workers support participants, making home visits; offering court support; advocating with various agencies on their behalf and identifying training and employment opportunities.

4. EVALUATION

John Pitts, Vauxhall Professor of Socio-legal Studies, University of Luton evaluated the X-it Programme. This evaluation followed the progress of 25 young people of whom 24 were of African or Caribbean descent and one who was White. This evaluation identified that whilst the participants on the programme continued to have contact with gangs in their neighbourhoods, their gang activity was greatly reduced:

> "Overall, in as much as it is possible to tell, 18 of the 25 participants (72%) desisted from offending during their involvement with the X-it programme, having no new offences recorded against them. This formal data was corroborated informally by friends and acquaintances".
> **J Pitts An Evaluation of the X-it gang desistance programme, Lambeth. March 2006**

The evaluation identified a number of key factors underlying the X-it Programme 's success. John Pitts concluded that the voluntary nature of the programme combined with an orientation towards providing opportunities is an effective approach. He also identified the programme's aim to meet the emotional needs of the young people as playing a role in enabling; "youngsters to navigate the world without recourse to violence and coercion". The X-it Programme aims to establish a "dialogue" between participants and workers. Paulo Freire (Brazilian educationalist) believed that this is key to working with disenfranchised groups. Dialogue he insisted is a co-operative activity involving respect and involves people working with each other, rather than one person acting upon another and can be seen to develop social capital and mutual trust. This process of dialogue can develop "critical consciousness", which enables people to critically examine and learn from the past, leading to informed action in the present. The youth peer workers played

a central role in this, providing both role models and emotional support to their peers. The need for young people to commit to making major changes in their lives in order to come onto the programme and in becoming active agents in this process was also highlighted.

> "It is, of course, a social-psychological truism that the harder it is to gain access to a group, the more highly membership will be valued and, in consequence, the more highly the member will rate themselves for having achieved membership. Thus, the challenge of gaining entry to the programme, and the possibility that this might be denied, appears to be a motivating factor".
> **J Pitts An Evaluation of the X-it gang desistance programme, Lambeth. March 2006**

The final factor was the positive nature of the relationships between the workers and the young people. These were grounded in existing relationships, and that the high expectations and the care and attention of the staff team was crucial:

> "It opened a door for me. I wanted to get into youth work and its helped. The programme's given me a lot of insight into young people and why they do the things they do. I think their parents are too stretched with trying just to make a living—they haven't got time to care, these people, the X-it staff, they care, they give unconditional love, do you know what I mean?"
> **Participant quoted in: J.Pitts An Evaluation of the X-it gang desistance programme, Lambeth. March 2006**

5. WAYS FORWARD

Ted Cantle found that a widespread feeling amongst communities is that they have little stake in their communities and don't get enough help in tackling their problems. Successful programmes directly engage the community in providing solutions. By creating partnerships between statutory and voluntary groups and by engaging local people a sense of ownership is engendered. Systems have to be created that enable local people to identify the issues, without being overwhelmed by professionals. In the X-it Programme we create social capital by increasing young people's networks and spheres of influence, employment and training opportunities, empowering them to become community leaders.

Young people when asked what their dreams for their future are, state very simply; "A home; A good job; A nice partner and a couple of kids". These surely are not unrealistic goals? But for many Black young people who are disenfranchised from the main stream, these seemingly simple goals are perceived as unattainable. The "Gang" or "Crew" offers young people a family, an identity, power, associated self-esteem, and the potential for making money. Viable options have to given to these young people.

Black young people are more likely to suffer from a multitude of social exclusion factors than their white counterparts, and being out of school was highlighted in John Pitts' report as being a critical factor in our participant's becoming engaged in anti-social behaviour. Black young people are also more likely to suffer from a low self-esteem, created by their experience of institutionalised racism and have less access to employment. These factors also impact on their parents/carers and the communities in which they live.

The X-it Programme has been exploring ways of establishing a seamless process in order to provide viable progression routes for young people. Further funding and viable community partnerships have enabled us to deliver a junior X-it (Targeting 10 to 12 year olds who are using weapons and already involved on the fringes of the gang culture); a parenting programme for the parents/carers of our participants and workshops on Islam. John Pitts identifies successful projects as those that have offered:

> "The possibility of being 'somebody else'. This somebody else could be a plumber, a joiner, a hairdresser or a web-site builder, but they had a steady income a trade and they were not constantly looking over their shoulder. In short, successful projects enabled youngsters to gain access to, and survive and prosper within, the educational and vocational mainstream".
> **J Pitts An Evaluation of the X-it gang desistance programme, Lambeth. March 2006**

In order to address the overrepresentation of young black people within the criminal justice system we need to create successful and effective partnerships to deliver a holistic programme that addresses young people's behavioural issues as well as their pastoral care needs, based within a community context.

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Julia Wolton

August 2006

43. Memorandum submitted by the Youth Justice Board (YJB)

INTRODUCTION AND BACKGROUND

The Youth Justice Board for England and Wales (YJB) welcomes the inquiry and the opportunity to submit written evidence. This note provides background on the role of the YJB, relevant research and data and an outline of the approach undertaken by the YJB. The YJB would be pleased to provide any further information that would be of assistance to the Committee.

The role of the YJB is to oversee the youth justice system in England and Wales. We work to help prevent offending and reoffending by children and young people under the age of 18, and to help ensure that custody for them is safe, secure, and addresses the causes of their offending behaviour. We base our work on research and evidence, wherever possible.

Specifically, we:

— advise the Home Secretary on the operation of, and standards for, the youth justice system;
— monitor the performance of the youth justice system;
— purchase places for, and place, children and young people remanded or sentenced to custody;
— identify and promote effective practice;
— make grants to local authorities or other bodies to support the development of effective practice; and
— commission research and publish information.

The YJB does not directly manage either secure establishments or local youth offending teams (YOTs).

PATTERNS OF BEHAVIOUR AND OUTCOMES

In order to help to understand whether there are significant differences in patterns of behaviour between different ethnic groups and whether there are differences in experiences of the youth justice system between different ethnic groups the YJB has developed data sources and commissioned research.

Youth Offending Team data

The YJB collects data from YOTs detailing the number of offences and youth justice disposals by ethnicity.[228] This information is published annually by the YJB[229] and is used also to inform the collation of the Home Office's published statistics on race and the criminal justice system.

We understand that key findings from the data provided by YOTs and included in the *Race and Criminal Justice System* publications has been set out in the submission to the Committee by the Home Office. To avoid unnecessary duplication, some key points only are highlighted here:

— Black young offenders accounted for 6% of offences within the youth justice system in 2004–05. In total Black and Minority Ethnic (BME) groups accounted for 11.9% of all youth justice offences recorded by YOTs. As well as general overrepresentation, Black young offenders are significantly overrepresented for certain offences, most notably robbery offences and drugs offences. These patterns are similar to those since 2001.
— Black young offenders are significantly less likely to be given unconditional bail compared to White young offenders and Black young offenders are more likely to be remanded in custody compared to White young offenders. These differences are found to be statistically significant.
— Whereas Black young offenders accounted for 6% of total offences in 2004–05 they received 11.6% of total custodial sentences.

Differences or discrimination?

To establish a better understanding of how minority ethnic young people are treated at key stages of the youth justice system, compared to white young people, the YJB commissioned an independent research study.[230] The focus of the research was to investigate whether differences in outcomes related to ethnicity and gender were justifiable in terms of case-related or other legitimate factors, or whether there was evidence of discrimination. The challenge was to look at outcomes for cases that might be expected to have been treated alike.

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[228] The data provided by YOTs to the YJB is related to the number of incidents—offences and disposals—as opposed to the number of individuals within the system. One individual could be responsible for a number of recorded incidents in a single year. To address this the YJB is requiring the submission from this year of data related specifically to the number of individuals by ethnicity in order to measure effectively the performance indicator set for YOTs (see below).

[229] Latest edition is YJB *Youth Justice Annual Statistics 2004–05*.

[230] *Differences or discrimination? Minority ethnic young people in the youth justice system.* Martina Feilzer and Roger Hood in consultation with Marian FitzGerald and Andrew Roddam; Youth Justice Board 2004.

The conclusion of the research study showed that there were considerable variations in the extent of over- and under-representation of different ethnic groups in relation to the proportions in the populations served by the eight YOTs that were the focus of the study. Also, at various points in the decision making processes differences in outcome in the treatment of different ethnic groups and genders were identified. While many of the differences appeared to be accounted for by relevant variations in the characteristics of the cases on which decisions had been reached, this was not always established. That is to say, there were at various points of the system differences that were consistent with discriminatory treatment. In particular the study highlighted the following areas of concern:

— the higher rate of prosecution and conviction of mixed-race young males;

— the higher proportion of prosecutions involving Black young males;

— the greater proportion of Black and Asian males that had been remanded in custody before sentence, especially the greater proportion of Black males remanded whose proceedings had not resulted in a conviction;

— the slightly greater use of custody for Asian males;

— the greater use of the more restrictive community penalties for Asian and mixed-race males— especially those aged between 12 and 15;

— a much higher probability that a Black male would, if convicted in a Crown Court, receive a sentence of 12 months or more;

— a greater likelihood that Black and Asian males aged between 12 and 15 would be under supervision for longer than 12 months if they received one of the more restrictive type of community sentences;

— a slightly greater tendency for individuals from minority ethnic groups to have been committed to the Crown Court;

— a much greater proportion of mixed-race females who were prosecuted; and

— in general, a substantial variation in outcomes between YOT areas.

The research presents a complex picture which did not point to a uniform pattern of discrimination against minority ethnic groups in general. While young Black males were identified in relation to certain areas of potential discrimination, as noted above, it was Asian males that were more likely to receive custodial sentences and mixed-race males that had a higher rate of prosecution and conviction in general.

The Audit Commission in their review of the youth justice system in 2004[231] noted concern about the higher percentage of Black and mixed-race young people receiving secure remand decisions. Noting there may be several reasons for this and that the YJB monitored remand decisions by ethnic origin, the Audit Commission recommended that more information was fed back to YOTs who in turn should provide data on their own area to the court. In addition, it was recommended that YOTs should develop local policies on diversity among their own staff and aim to develop good practice in working with minority ethnic young people, especially those at high risk of custodial remands.

Levels of offending

The fact that Black young people are overrepresented within the youth justice system does not simply indicate a higher level of offending in general. The relationship is complex including the potential areas of discrimination set out above.

Self report offending surveys do not indicate clear patterns of evidence of higher levels of offending within different ethnic groups. While the YJB's commissioned MORI youth survey has indicated a higher level of self report offending by Black young people (see below), this has not been the general conclusion from other surveys and research, notably the analysis of the *Offending, Crime and Justice Survey 2003* (OCJS) undertaken by the Home Office.[232]

The findings of the OCJS across age groups included:

— There are differences in the extent to which people from different ethnic groups self report their offending with White respondents and those of mixed ethnic origin most likely to report offending behaviour. The differences are not fully accounted for by the different age and sex profiles of the groups.

— The patterns may reflect differences across ethnic groups in their profile of factors known to be strongly associated with offending. For example young males are particularly likely to offend and there is a high proportion of young males in the mixed ethnic origin group.

— Asian and Black respondents had lower offending rates even after age was controlled for. The rates for serious offending in the last year showed a similar pattern with the exception that for this category Black respondents did not differ from the national average.

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[231] Audit Commission *Youth Justice 2004 A review of the reformed youth justice system*.

[232] The age range for the OCJS 2003 was 10–65. The number of young people was boosted by half and in addition there was a booster sample for minority ethnic respondents.

— The level of offending among White respondents was mainly driven by the pattern for young males. White males aged from 10 to 25 were far more likely to have committed an offence in the last year compared with young males in other ethnic groups (28% compared with 12% to 19% for other groups.) Fewer differences were apparent for older males and younger and older females, though those of Asian origin were consistently less likely to have offended.

— Overall, young Asian were less likely to commit public disturbances, graffiti and behaviour leading to neighbour complaints than their White counterparts. This was mainly driven by low levels among Asian females and 16 to 25 year olds. On the whole, Black groups and those of Mixed ethnic origin did not differ from White respondents.

— "Age standardised" rates for committing any anti-social or other problem behaviour show that all ethnic groups were similar to the average rate.

— The "multivariate model" showed that after various "risk" factors were taken into account, ethnic group was not independently predictive of participation in anti-social or other problem behaviour.

Whereas the OCJS did not indicate higher offending levels, as noted above, self report surveys by MORI commissioned by the YJB have found that, among young people in mainstream schools, a higher proportion of Black pupils report having committed an offence compared with their White or Asian peers. Almost two in five back young people (37%) reported committing a crime in the last 12 month period compared with a quarter of white pupils (26%) and one in five Asian pupils (20%) according to the 2004 survey. This was a pattern also noted in the 2003 Youth Survey.

Risk Factors

As noted, the relationship between offending levels and ethnicity is complex. Research indicates that in general a number of key social and personal risk factors are associated with the onset of offending and reoffending by children and young people. In order to inform an understanding of offending levels by different ethnic groups consideration needs to be given to the prevalence in different communities of the risk factors such as low income and poor housing, disengagement from education, availability of drugs, high turnover and lack of neighbourhood attachment. These factors may be more or less prominent in particular communities with different ethnic populations due to wider social trends. It is also the case that specific types of offences can be associated with particular social factors that can be more likely to be clustered in particular communities. For example, research on street crime commissioned by the YJB identified that one factor that helped to explain borough level variations in robbery offences was the rate of population change in an area (and the effect on levels of social control).

Clearly a higher prevalence of the risk factors that are associated with offending and re-offending could explain disproportionate numbers of BME young people being arrested and entering the youth justice system. However this could not simply explain disproportionate outcomes at different stages within the youth justice system, including bail and sentencing decisions. As identified in the Differences or Discrimination research, case history and other factors do not appear to explain all differences in outcomes.

POLICY APPROACH

Introduction

The YJB is committed to working collaboratively with Criminal Justice and Children's Service partners to improve the youth justice system for all communities. This has included involvement with the Office for Criminal Justice Reform on a joined up approach to criminal justice including with the CJS race unit and the work towards the delivery of the PSA target for BME equal treatment in the CJS.

As set out in the previous section, the evidence suggests 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 not simple patterns of disproportionate outcomes but it does point to potential discrimination.

In response to these concerns the YJB established a new corporate objective to seek equal treatment at the local level for comparable offences by different ethnic groups. To support this approach YJB set a new key performance indicator for YOTs so that: *All YOTs should have an action plan in place to ensure that any difference between the ethnic composition of offenders in all pre-court and post-court disposals and the ethnic composition of the local community is reduced year on year.*[233]

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[233] Because it has been identified that BME communities can be disproportionately affected by the risk factors associated with juvenile offending the YJB has set YOTs a performance indicator that does not require an immediate or total elimination of disproportionate outcomes. According to local demography and other factors YOTS may differ in the rate at which proportionality can be achieved.

The work of the YJB is designed to support improvements in practice in the youth justice system at the local level. However, the YJB is clear that these improvements can only be achieved within the context of the make up of each local community and the resources and arrangements that exist in these communities. The YJB can assist by disseminating example of good practice and by prioritising action through our performance framework but can not directly manage the activity at a local level.

In November 2004 the YJB began an audit and planning process with YOTs to help develop the new action plans. Nacro has supported the YJB on the development of YOT race action planning processes. The YJB had issued earlier guidance (YJB and Commission for Racial Equality Guidance for Youth Offending Teams on achieving equality 2001) however it was decided that further support and guidance was required following the receipt of the research evidence outlined above.

The approach that YJB has promoted is intended to enable YOTS with their partner agencies to assess the local patterns of BME representation in the youth justice system and to develop and implement local plans to increase the proportionality of outcome and tackle any identified discrimination.

Following the audit and planning process YOTs were asked to submit their action plans by 30 June 2005. The YJB is monitoring the implementation of the action plans and providing support to YOTs to develop their approaches. This will include YJB consultancy support to YOTs that are identified to be struggling to make progress and regional workshops planned for this year to showcase and disseminate emerging good practice across the youth justice system and with partner agencies.

Evaluation of YOT action plans

YJB has undertaken some work to evaluate the race action plans prepared by YOTs.

The audits and action plans included quantitative data on the number of offences, court remands and disposals at the local level by ethnic classification. The qualitative aspect looked at the following elements:

— Policy on race.

— Planning and protocols.

— Workforce (recruitment and selection, retention, appraisal and exit strategy).

— Training and development.

— Outreach and local networks.

— Service delivery.

— Monitoring—workforce and service delivery.

The majority of YOTs reported some degree of disproportionality with regard to BME groups in the operation of their local youth justice system. It appears that many YOTs have used the quantitative data that they gathered through the audit process to determine areas that would require further research or closer ongoing monitoring.

Other findings from the initial evaluation of the plans include:

— Over a third of YOTs specifically noted overrepresentation of Black/Black British in the youth justice system in their area compared to the general BME population. Close to 9% of YOTs noted significant underrepresentation of Asian/Asian British young people.

— 53 YOTs reported that the number of BME young people committing offences was too small to allow significant conclusions to be drawn solely from the quantitative data.

— The most commonly cited offences for which BME groups were overrepresented were: robbery, breach of statutory order, drug offences, violence against the person, motoring offences. However, almost half of the YOTs identified a need to undertake further research into offences committed by BME groups.

— 46 YOTs noted variations in court remands for BME populations compared to what might have been predicted by the local population. Of most concern were variations in the rates of remand to custody, remand to local authority accommodation and the use of conditional bail. 17 YOTs report that they had decided to review their remand practices and procedures including reviewing decisions where bail is refused.

— 40 YOTs noted potentially significant variations in disposals based on ethnicity.

— 37 YOTs said that they would develop or refine programmes in response to the quantitative data analysis.

— 32 YOTs stated that they would now share data with court user groups, courts, CPS and/or police.

— 63 YOTs identified the need to develop or enhance their links with local BME groups and networks.

— 38 YOTs intended to improve gatekeeping around assessment and court reports to ensure that issues of race and diversity were being properly considered.

— 22 YOTs would now be examining their programmes to ensure that they are relevant and accessible to BME young people.

— 25 YOTs stated they intended to improve monitoring of youth justice national standards, compliance, attendance and completion rates with regards to race.

— 37 YOTs would in future monitor victimisation and/or aggravated offending with regards to race.

The analysis of the YOT race action plans shows mixed levels of development. In general race equality appears to be being given greater priority by YOTs. However, it is not yet clear to what extent equality issues are being uniformly prioritised at the local level and the extent to which work is integrated into mainstream YOT activity. As set out above, the YJB will be monitoring the implementation of the plans and changes in outcomes at the local level.

Targeted prevention programmes

The YJB has been central to the development of new targeted prevention programmes aimed at working with children and young people identified at high risk of offending and committing anti-social behaviour. Following the 2004 Spending Review and the Budget announcement in 2005, additional funding has been made available to the YJB to expand these prevention programmes. This has led to the YJB introducing a new prevention funding formula for all YOTs. To ensure that the funding is effectively used guidance and performance management arrangements have been put in place. YOTs were made aware of the importance of considering the relevance of the prevention programmes to race equality in the YJB guidance noting that:

> "Preventive services must be accessible and deliver provision to groups of children and young people and their families who are disproportionately represented or who face particular challenges in the criminal justice system, such as looked-after children, those who are disabled, and those from Black and Minority Ethnic groups".

Reviews of the plans that have been received by the YJB from YOTs for the use of the new funding stream indicate that while there are few schemes planned to work exclusively with BME young people (An example of a programme that has focused specifically on work with BME young people has been the Right Track programme in Bristol.) there is likely to be a significant amount of attention focused on race equality issues in particular through the delivery of new parenting programmes but also through Youth Inclusion and Support Panels (YISPs) and some Youth Inclusion Progammes (YIPs) (as YIPs are neighbourhood projects some locations have a particular emphasis on working with the BME community).

Workforce

As the Home Office publication *Race Quality in Public Services* (2005) identified the proportion of BME groups working in YOTs exceeds their proportion in the general population. However the YJB is seeking to ensure that the level of diversity remains strong and representation is proportionate at all levels within the system. Staff from BME groups represented 15.9% of all staff in 2004–05. This proportion is broadly reflected also at operational manager level where 15% of operational managers are from minority ethnic communities but not at the strategic manager level where representation is 6%.

As part of the YJB's Human Resources and Learning Strategy new "gateway" qualifications in youth justice have been introduced to attract a more diverse entry into youth justice work and YJB is collaborating with the National Probation Service on a positive action leadership programme called Accelerate.

Secure Estate

As the commissioner of secure estate places for children and young people remanded or sentenced to custody the YJB includes general requirements in relation to race equality in the service specifications with the providers of custody. The YJB commissions a managed service from the providers of custodial places and seeks to ensure contract requirements are met.

The YJB Young Offender Institution (YOI) service specification requires that:

> "Governors should be committed to equality of opportunity and the elimination of discrimination on the basis of any relevant factors including, but not limited to, ethnicity, sexuality, gender, intellectual ability and disability".

The Secure Children Home service specification includes the requirement that:

> "The provider will operate a young person equality opportunity monitoring system that ensures access to education, recreational facilities and higher levels of privilege are not restricted to any group or individual on the basis of any form of discrimination. By this means Providers will be

able to demonstrate the effective implementation, review and monitoring of equal opportunity policy. The Provider should be able to demonstrate through policy documentation and the production of monitoring records, their capacity to use external independent arbitration in the event of a dispute".

The privately operated Secure Training Centres specifications include requirements in relation to equal opportunities policy and regular monitoring of that policy and the provision of professional translators and other translated materials when necessary for young people.

The Juvenile Awareness Staff Programme which has been introduced by the Prison Service and YJB for staff working specifically with juveniles in YOIs includes some consideration of diversity within the training modules.

Details of a young person's ethnicity are provided to the YJB's placement team which is responsible for making the placements to the different custodial establishments. It has to be noted that there is limited flexibility available to the YJB over placement options because of pressures on the number of places. It is also the case that in making decisions about placements a range of factors need to be taken into account including the assessed needs of the young people remanded or sentenced to custody and their home location. Taking this into account, the YJB has sought to respond to requests from individual establishments to consider transfers when the ethnic makeup of the population in an individual establishment is considered an issue.

The YJB is aware of the need to improve its monitoring of the secure estate in relation to ethnicity, including the use of physical restraints and forms of separation. The YJB is working with the custodial providers to improve data provision and analysis as part of wider work on improved data collection and consistency in data provision across the different custodial providers.

The YJB has also sought to develop opportunities in general for children and young people in the secure estate to be able to seek support and assistance primarily through the introduction of a new advocacy programme.

Future research

The YJB research strategy for 2006 to 2008 sets out plans for further research projects related to race equality to be commissioned. The first is a project to better identify the specific needs of BME young people and young women including exploring the practices of YOTs and the secure estate providers currently in response to those needs. This project is due to start this year. The second study planned is about the response of YOTs to working with children and young people who have committed racially motivated offences including exploring the nature and availability of tailored interventions and to investigate the approach of practitioners currently in working with this group of offenders. This study is due to start next year

YJB is also involved in the longitudinal juvenile cohort study designed to explore the effectiveness of the youth justice system as a whole and to map the progress made by young people at different stages of the system. This will include exploring differences in outcomes for different groups of offenders including BME groups.

In general, YJB research specifications include requirements for samples by ethnicity. However it is not always possible to include a sufficiently robust sample size.

Finally, the YJB is aware that the Commission for Racial Equality and ESRC are planning a research project to explore further the causes behind the different experiences of the youth justice system by BME young people. The research project is intended to build on the analysis found in the YJB commissioned report *Differences or discrimination*. The YJB will be co-operating with the research study.

April 2006

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44. First supplementary memorandum from the Youth Justice Board (YJB)

ADDITIONAL QUESTIONS FROM THE HOME AFFAIRS COMMITTEE

1. *What are the key local trends in young black peoples' representation as suspects, defendants and detainees in the YJS, as shown by the YOT Action Plan evaluation?*

The YOT action plan evaluation report did not provide local data on suspects and defendants as it related to those young people receiving a substantive outcome in the criminal justice system. Also, as the data provided by YOTs was for a single year, the report did not include information on trends.

The evaluation report did include a summary of the information provided by YOTs on the variance between the proportion of the local population from all BME groups and the proportion of offences committed by young people from BME groups. This table has been included in the annex to this note. It should be noted that there is a limitation in the statistical conclusions that can be drawn because this is a

comparison of proportions of the population with number of *offences* as opposed to offenders. A single individual can be responsible for multiple offences. In the future YOTs will be providing the YJB information on both offences and offenders by ethnicity to help monitor the YOT KPI on BME representation.

It is noted in the evaluation report that many YOTs reported that they felt that the number of offences committed by young people from BME groups was too small to allow them at the local level to draw significant conclusions from this quantitative data alone. It needed to be used alongside the. wider work on developing their local analysis and action plans.

The headline data on offences committed by young people from BME groups also clearly does not provide information on what the levels of variance are for different ethnic groups. YOTs are expected to analyse their information at the local level to ascertain this and the YJB will be also compiling information by different ethnic classifications at the national level.

2. *Where are the major gaps in information collected about the experiences of children and young people from different ethnic groups in the youth justice process?*

The YJB is working specifically to improve the data available in relation to incidents in the secure estate. The YJB has established a data reference group with membership from all sectors of the secure estate for juveniles; Secure Training Centres, Secure Children's Homes and Young Offender Institutions. The purpose of the group is to identify gaps in the recording and reporting process and this will include examining whether there are gaps in the collation of data related to ethnicity. The group will then aim at standardising the recording and reporting of data across the secure estate for juveniles, in common with other relevant Government Departments and agencies— Department for Education and Skills, Department of Health and the Commission for Social Care Inspection. We anticipate that we will be able to break down appropriate data by demographic information including ethnicity.

The YJB has been working to improve data collection across the youth justice system. New developments including that from this financial year data on ethnicity is included in the management information collected about the number of young people starting the Intensive Supervision and Surveillance Programme and also this year new requirements in the YJB counting rules for specific information on prevention programmes.

3. *Is it possible to monitor changes in the numbers of young people from different ethnic groups in the YJB secure estate?*

YJB collects data from YOTs on the ethnicity of children and young people remanded or sentenced to custody in the youth justice system. As well as the number of custodial disposals each year, we can also monitor the population in the juvenile secure estate by ethnicity at particular points in time. In terms of the number of custodial sentences in each year the following data is available for the last three financial years.

Custodial Sentences	White	Mixed	Asian or Asian British	Black or Black British	Chinese or Other Ethnic Group	Not Known	TOTAL
Total Custodial Sentences 2003–04	5,454	240	235	847	75	93	6,944
% Breakdown by Ethnicity 2003–04	79%	3%	3%	12%	1%	1%	100%
Total Custodial Sentences 2004–05	5,385	303	277	797	50	50	6,862
% Breakdown by Ethnicity 2004–05	78%	4%	4%	12%	1%	1%	100%
Total Custodial Sentences 2005–06	5,600	350	277	792	34	43	7096
% Breakdown by Ethnicity 2005–06	79%	5%	4%	11%	0%	1%	100%

4. *What action is the YJB taking to ensure uniformity of good practice in tackling overrepresentation of BME groups at various stages of CJS, given the YJB's assessment of "mixed levels of development" in YOT areas?*

The YJB is monitoring the implementation of the local action plans and providing support to YOTs to develop their approaches. The YJB is using a regional workshop approach and its monitoring arrangements to identify good practice and to disseminate that practice. The approach that has been taken is for practice to be informed by the local context including the make up of the local community and the resources available locally to provide support. This will vary from area to area. In that sense the YJB is not seeking or able to centrally prescribe local action.

While the YJB is not seeking uniformity of approach it is working to share emerging and good practice that can inform local approaches. As noted in our submission the YJB research strategy includes further planned research including a project to better identify the specific needs of BME young people and exploring the current practices of YOTs and secure estate providers. The YJB will be able to use the findings of that report to share good practice.

5. Will the YJB be undertaking any research to establish why one third of YOT action plans reported overrepresentation of young black people in the local YJS?

The *Differences or Discrimination* research report referred to in the original submission gave some insight into the stages at which differences in outcomes in terms of the youth justice system occur that cannot be simply explained by differences in case characteristics. We expect the Commission for Racial Equality/ESRC research project referred to in our submission to explore further the causes of those differences and to map the extent of the differences in experience across BME groups that the *Differences or Discrimination* report identified. No other research is planned at present.

6. What is the YJB's view as to why few YOTs' plans for the use of new prevention funding formula were targeted at BME or young black groups specifically?

In general the prevention schemes developed by YOTs are aimed at working with the highest risk young people based on local identification and individual assessment. Although relatively few projects are likely to be tailored exclusively to BME or young black groups we know that existing and planned schemes are likely to work with a diverse range of young people based on local assessment and do or are likely to provide activities and interventions designed to meet the needs of specific individuals and communities.

The YJB is aware of several existing schemes that have arrangements in place for responding to specific ethnic or cultural differences. These include Youth Inclusion Programmes such as Luton YIP that can refer young black boys to a local group tailored to cater for identity issues and intensive outreach work by Hammersmith and Fulham YIP to educate young people on race issues.

7. What mechanisms does the Youth Justice Board have to use ethnic data to monitor the impact of its overall policies on different ethnic groups, in the light of the requirement under the 2000 Race Relations (Amendment) Act for Race Impact Assessments?

YJB collects a range of data by ethnicity that informs its monitoring of the youth justice system. Data by ethnicity is published in our annual statistics publications, and generally YJB research reports and project and programme evaluations include requirements for samples by ethnicity in order to inform those reports (although it is not always possible to include a sufficiently robust sample size). In the future the data returns from YOTs in relation to the action plan and the race equality KPI will provide information on the overall trends in representation within the system and inform analysis on the impact of overall policies and practice at the local level.

Youth Offending: Variance between Local BME Populations and offences committed (Figures from 2004–05)

Band	Yot	*BME Population Aged 10–17 as a % of Total Population Aged 10–17*	*Total Number of Offences*	*Where Ethnicity is known % of Offences Committed by BME*	*% points of Offences Committed by BME Population*[334]
Band A:	Tower Hamlets & City of London	73.9	979	70.0	−3.9
BME Population	Newham	72.3	1,797	67.7	−4.6
Aged 10–17 = >30%	Brent	71.5	959	69.7	−1.8
	Lambeth	59.9	1,393	79.1	19.2
	Ealing	58.0	979	55.6	−2.4
	Hackney	55.5	1,287	69.5	14.0
	Southwark	52.8	1,363	62.3	9.5
	Harrow	52.5	484	45.9	−6.6
	Redbridge	49.8	549	58.1	8.3
	Haringey	49.0	1,608	54.0	5.0
	Slough	48.9	589	39.1	−9.8
	Waltham Forest	48.7	855	61.5	12.8
	Leicester City	47.0	2,762	25.2	−21.8
	Camden	46.3	587	50.8	4.5
	City of Westminster	45.7	670	57.5	11.8
	Hounslow	45.2	733	31.0	−14.2
	Lewisham	45.0	1,322	55.8	10.8
	Hammersmith and Fulham	42.2	734	55.7	13.5
	Birmingham	40.8	7,643	36.3	−4.5
	Wandsworth	40.3	1,112	59.0	18.7
	Islington	39.5	954	48.2	8.7
	Luton	38.5	1,234	35.5	−3.0
	Croydon	37.4	1,633	46.8	9.4
	Kensington & Chelsea	36.6	384	63.4	26.8
	Merton	35.3	682	36.2	0.9
	Barnet	33.0	1,102	29.1	−3.9
	Blackburn with Darwen	31.1	1,050	14.5	−16.6
	Bradford and District	31.0	4,272	20.7	−10.3
	Greenwich	30.3	1,288	27.0	−3.3
	Wolverhampton	30.2	1,739	30.4	0.2

[234] Where figures are negative. BME offending is *less* than would be indicated by the underlying demographics. The figures exclude those offences where ethnicity was not known.

Band	Yot	BME Population Aged 10–17 as a % of Total Population Aged 10–17	Total Number of Offences	Where Ethnicity is known % of Offences Committed by BME	% points of Offences Committed by BME Population[334]
Band B: BME Population Aged 10–17 = >20–29.9%	Enfield	29.9	1,259	37.8	7.9
	Sandwell	28.8	2,302	24.9	−3.9
	Hillingdon	27.6	1,149	20.0	−7.6
	Manchester	26.7	4,263	19.0	−7.7
	Nottingham City	22.4	3,804	30.3	7.9
	Kirklees	22.1	2,651	19.7	−2.4
	Oldham	22.0	1,607	18.1	−3.9
	Kingston	21.0	515	12.4	−8.6
	Coventry	20.0	2,970	14.4	−5.6
Band C: BME Population Aged 10–17 = 10–19.9%	Walsall	19.8	1,871	15.7	−4.1
	Derby City	18.4	1,277	18.9	0.5
	Barking and Dagenham	18.1	928	21.4	3.3
	Rochdale	17.0	1,966	9.7	−7.3
	Bolton	15.9	1,827	8.1	−7.8
	Sutton	15.3	833	17.1	1.8
	Sheffield	14.3	3,222	19.5	5.2
	Peterborough	14.2	1,237	12.8	−1.4
	Richmond-upon-Thames	13.7	563	12.1	−1.6
	Bristol	13.6	2,725	15.4	1.8
	Reading & Wokingham	13.0	1,071	20.8	7.8
	Trafford	12.6	1,556	18.4	5.8
	Bromley	12.3	788	13.6	1.3
	Buckinghamshire	12.3	1,267	25.6	13.3
	Cardiff	12.3	3,115	14.2	1.9
	Leeds	12.2	6,774	16.5	4.3
	Milton Keynes	11.9	1,261	10.2	−1.7
	Bexley	11.5	715	9.1	−2.4
	Windsor & Maidenhead	11.5	398	4.3	−7.2
	Calderdale	11.2	1,619	6.0	−5.2
	Dudley	10.4	1,705	9.5	−0.9
	Bury	10.0	980	6.6	−3.4
Band D: BME Population Aged 10–17 = 5–9.9%	Newcastle upon Tyne	9.9	3,345	3.4	−6.5
	Bedfordshire	9.8	1,885	18.6	8.8
	Hertfordshire	9.1	4,301	10.2	1.1
	Brighton & Hove	9.0	1,079	7.5	−1.5
	Lancashire	8.3	6,491	5.2	−3.1
	Solihull	8.2	615	10.7	2.5
	Stoke on Trent	8.2	2,532	6.9	−1.3
	Leicestershire	7.8	2,687	6.8	−1.0
	Tameside	7.8	1,588	4.2	−3.6
	Bracknell Forest	7.7	613	1.8	−5.9
	Liverpool	7.5	4,626	9.2	1.7
	Newport	7.5	1,136	15.1	7.6
	Surrey	7.2	2,346	5.8	−1.4
	Medway	6.9	1,097	5.0	−1.9
	Northamptonshire	6.9	3,781	6.8	−0.1
	Oxfordshire	6.8	1,854	9.6	2.8
	Stockport	6.6	1,422	5.4	−1.2
	Havering	6.3	978	7.3	1.0
	Southend-on-Sea	6.3	843	6.6	0.3
	Swindon	6.3	1,156	10.6	4.3
	Warwickshire	6.2	1,745	5.0	−1.2
	Thurrock	5.8	725	6.7	0.9
	West Sussex	5.8	3,771	5.2	−0.6
	Cambridgeshire	5.1	1,924	6.9	1.8
	South Tees	5.0	2,491	3.1	−1.9
Band E: BME Population Aged 10–17 = <5%	Rotherham	4.9	1,344	3.6	−1.3
	Gloucestershire	4.6	1,997	7.9	3.3
	Kent	4.6	6,345	8.5	3.9
	Shropshire & Telford/Wrekin	4.5	1,718	3.3	−1.2
	West Berkshire	4.5	520	2.7	−1.8
	Salford	4.4	2,007	3.1	−1.3
	Suffolk	4.4	4,327	5.7	1.3
	Bath & NE Somerset	4.2	687	14.0	9.8
	East Sussex	4.2	2,190	3.7	−0.5
	Essex	4.2	4,658	4.0	−0.2
	Wessex	4.2	10,964	3.6	−0.6
	Stockton-on-Tees	3.9	1,074	1.7	−2.2
	Bournemouth and Poole	3.7	1,846	2.4	−1.3
	Nottinghamshire	3.7	3,547	3.5	−0.2
	South Tyneside	3.7	1,725	1.6	−2.1
	Worcestershire and Herefordshire	3.7	3,798	4.1	0.4
	Darlington	3.6	802	0.0	−3.6
	North Lincolnshire	3.6	1,242	1.5	−2.1
	Staffordshire	3.6	3,664	6.9	3.3
	Wakefield	3.5	2,242	2.1	−1.4
	Doncaster	3.4	2,213	2.8	−0.6

Band	Yot	BME Population Aged 10–17 as a % of Total Population Aged 10–17	Total Number of Offences	Where Ethnicity is known % of Offences Committed by BME	% points of Offences Committed by BME Population[334]
Band E: BME Population Aged 10–17 = <5% (*continued*)	South Gloucestershire	3.4	751	6.1	2.7
	Swansea	3.4	1,423	2.6	−0.8
	Vale of Glamorgan	3.4	669	4.4	1.0
	York	3.2	1,235	3.1	−0.1
	North Tyneside	2.9	1,943	1.4	−1.5
	Blackpool	2.6	1,319	1.7	−0.9
	Wiltshire	2.6	1,796	4.4	1.8
	Dorset	2.5	1,640	1.8	−0.7
	Halton/Warrington	2.5	1,426	1.1	−1.4
	Norfolk	2.5	3,099	5.5	3.0
	Derbyshire	2.4	2,705	3.1	0.7
	Kingston-upon-Hull	2.4	2,706	2.9	0.5
	Sefton	2.4	1,313	1.5	−0.9
	Somerset	2.4	1,899	0.8	−1.6
	Wirral	2.4	1,849	1.0	−1.4
	Cheshire	2.3	2,869	2.0	−0.3
	North Somerset	2.3	640	2.0	−0.3
	Gateshead	2.2	1,207	0.4	−1.8
	Lincolnshire	2.2	2,855	2.9	0.7
	Sunderland	2.2	2,924	0.9	−1.3
	Knowsley	2.1	1,227	0.7	−1.4
	Plymouth	2.1	1,255	2.7	0.6
	Torbay	2.1	866	2.0	−0.1
	Bridgend	2.0	621	1.0	1.0
	Devon	2.0	3,349	1.8	−0.2
	NE Lincolnshire	2.0	1,560	0.3	−1.7
	North Yorkshire	2.0	3,125	0.8	−1.2
	Conwy & Denbighshire	1.9	1,336	0.5	−1.4
	East Riding of Yorkshire	1.7	988	28.9	27.2
	Torfaen & Monmouthshire	1.7	915	0.4	−1.3
	Wigan	1.7	1,597	0.7	−1.0
	Gwynedd & Mon	1.6	459	1.1	−0.5
	Cornwall	1.5	2,011	0.3	−1.2
	Hartlepool	1.5	750	0.4	−1.1
	Neath Port Talbot	1.5	663	2.4	0.9
	Pembrokeshire	1.5	757	0.1	−1.4
	St Helens	1.5	1,012	0.5	−1.0
	Carmarthenshire	1.4	1,018	0.2	−1.2
	Durham County	1.4	3,174	0.3	−1.1
	Rhondda Cynon Taff	1.4	1,260	0.7	−0.7
	Barnsley	1.3	1,766	0.9	−0.4
	Cumbria	1.3	3,728	0.2	−1.1
	Flintshire	1.3	472	0.0	−1.3
	Northumberland	1.3	2,065	0.3	−1.0
	Caerphilly & Blaenau Gwent	1.2	1,627	0.2	−1.0
	Wrexham	1.2	960	0.4	−0.8
	Merthyr Tydfil	0.9	391	0.3	−0.6

45. Second supplementary memorandum submitted by the Youth Justice Board

1. At the recent evidence session with the Youth Justice Board we undertook to provide any further information we had in relation to Referral Orders and the membership Youth Offender Panels.

2. Regarding membership of Youth Offender Panels, we do not collect regular data on the ethnicity of panel members specifically. A Home Office report published in September 2003 summarised the results of survey work with Youth Offender Panel volunteers during 2002. This survey reported that 86% of volunteers were White, 7% Black and 3% Asian. The report concluded that compared with the general population White people on the panels were underrepresented whereas Black people were slightly overrepresented. The report noted that the findings were in line with a Home Office Citizenship Survey in 2001 that found that Black people were more likely to formally volunteer than other groups. The report also noted that while Asian people were relatively well represented and Black people were slightly overrepresented individual YOTs did report that they felt minority groups were underrepresented on their panels and several expressed a committed to target groups within future recruitment processes. Guidance issued by government departments and the YJB has emphasised that local recruitment strategies should be based on the demographic profile of the local population to ensure they are representative of the local community and advocates targeted advertising and publicity where needed. The survey concluded that in general Youth Offender Panel volunteers were fairly representative of the population in most respects. The notable exception was that two-thirds were female. The report also noted that many volunteers, approximately one-third, were new to volunteering altogether. The report can be found at:

http://www.homeoffice.gov.uk/rds/pdfs2/rdsolr3403.pdf

3. While YJB does not hold further data specifically on Youth Offender Panel members we do collect data covering the broad range of volunteers involved in work with Youth Offending Teams including panel members. The data for the last two workforce surveys on volunteers is given below. A more detailed breakdown is given also for 2006–07 below. While the data does show relatively high representation of BME groups as volunteers, the data again shows that in general there is overrepresentation of females compared to males.

2005–06	
White Male	25.8%
BME Male	5.2%
White Female	58.2%
BME Female	10.9%

2006–07	
White Male	24.1%
BME Male	5.7%
White Female	58.8%
BME Female	11.4%

2006–07	
White Male	2,027
Black Male	309
Asian Male	125
Mixed Race Male	32
Chinese/Other Male	15
White Female	4,941
Black Female	596
Asian Female	213
Mixed Race Female	105
Chinese/Other Female	44
Total	**8,407**

4. In terms of the operation of referral orders with different ethnicities, in general the statistics indicate that the level of Referral Order use broadly follows the general pattern of use of different types of disposals. YOT data provided to YJB for 2005–06 indicates that young Black people received 5.7% of all disposals. As indicated by Ellie Roy at the evidence session, in general terms the higher up the sentencing framework, the higher the proportion of disposals are accounted for by young Black people, so whereas 4.2% of pre-court disposals are with Black young people, the figure for court community penalties is 7.7% and for custodial sentences is 11.2%. Young Black people accounted for 6.7% of Referral Orders in 2005–06 according to YOT data—this is slightly higher than the average for other "first tier" penalties at 6.1%. This proportion has been consistent over the last few years since 2003–04 at 6.6% or 6.7%.

5. I would like to make one point of clarification in relation to my answer at Q581 on the evaluation of parenting programmes. While the evaluation I referred to did include an analysis of reoffending, to clarify, the analysis was not with a formal comparison group but a comparison of conviction and offending rates before and after involvement in the programme. The evaluation, as noted in the evidence session, was positive on several aspects of the programmes and noted a reduction in both the reconviction rate and average number of offences. However, without a rigorously matched comparison group it is not possible to directly attribute positive impacts. (Since the evaluation was published, the YJB has adopted more stringent research standards and would not now commission an impact evaluation with this design). In terms of further research about parenting interventions aimed at reducing youth offending and anti-social behaviour, the YJB will be interested to see what can be learned from the evaluation of the DfES-funded Parenting Early Intervention Pathfinders (which work with the parents of eight to 13 year olds at risk of anti-social behaviour) and the Prevention Cohort Study which we have commissioned the University of York to undertake, which will look at parenting provision, as well as other preventive interventions funded by the YJB. We are also involved in the development of the new National Academy for Parenting Practitioners which will act as a national centre and source of advice on high-quality academic research evidence on parenting and parenting support.

6. Finally, I would like to confirm the position in relation to spending on parenting interventions and prevention funding (Q579). The parenting figure is expected to be closer to £4 million this year, rising to £5.5

million next year. The total for new prevention funding overall is that of £45 million that I gave at Q579 as opposed to £43 million at Q575.

Chris Hume
Director of Practice and Performance

12 March 2007

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46.   Third supplementary memorandum submitted by the Youth Justice Board

I am pleased to provide some additional information that I understand the Committee would like in relation to the above inquiry.

Regarding whether the Youth Offending Team (YOT) race audit and action planning process was intended as a one-off or regular process, the position is that for future years we have incorporated the elements of the race action planning within the annual YOT youth justice plan process. This is the main planning process set out by YJB for YOTs. The templates for the annual youth justice plan now include a review of the previous year's actions, performance against last year's race action plan and setting out actions for the coming year on race. It should be noted that due to Freedoms and Flexibilities for English local authorities some authorities are exempt from the statutory requirement to submit a youth justice plan to us for consideration. The Government has set out its intention to extend this freedom to all local authorities in England rated 3* or 4*. However, we are in general encouraging YOTs to use the templates we have issued for their local planning processes whether or not they are under the statutory requirement, and encouraging YOTs in the relevant authorities to submit their plans on a voluntary basis. The Key Performance Indicator we have set for YOTs remains part of the overall YOT performance framework set out by YJB, and we are clear that good local analysis and planning is central to achieving improvements in performance. In the coming year we will continue to monitor progress closely, provide support, disseminate practice and intervene in areas where it is our judgement that these issues are not adequately being considered. YOTs are locally managed partnerships and we believe that this is one of their assets, not least as it means they are well placed to respond to local needs and develop local responses. However, this is done within a framework set by the YJB and I can assure the Committee that this issue will remain a priority for the YJB and we will use the levers available to us.

Regarding whether individual Youth Offending Teams agreed targets for reducing overrepresentation in their area as part of the action planning process the Key Performance Indicator referred to above requires each YOT to take action to reduce, year on year, local differences based on local populations.

In terms of the future, and the role of wider local services supporting the YOT partnership to deliver on this agenda, we would see benefits in an indicator on these issues being included within the proposed new overarching performance framework for local government and its partners being developed in England.

Regarding whether the YJB has any statistics which are disaggregated by both gender and ethnicity to allow comparisons of the representation of males and females in the youth justice system within and between different ethnic groups, the position is that our data from YOT returns in general cannot be disaggregated for both gender and ethnicity simultaneously. At present, this would require a change in YOT recording requirements. As noted in my letter of 29 January we are able to provide this type of breakdown for secure placements which is recorded via a separate case level system to monitor placements in the secure estate. The quarterly snapshots we provided between April 2005 and March 2006 for the custodial population includes a breakdown by age and gender as well as ethnicity. If it would be helpful to the Committee we would be happy to provide further periods of data that are available.

I wanted to take this opportunity to inform the Committee that the YJB expects to soon be in a position to publish a commissioned research report on young people and group offending, gangs and weapons. There have been some problems in finalising this research because of contractual issues beyond our control, but they are resolved and we expect to publish later in the spring. The research was not commissioned specifically to look at the issue of ethnicity in relation to these matters but given the recent tragic events and the Committee's interest in these issues I wanted to bring this to your attention. There are not conclusions in the report specifically in relation to young Black people and the report identifies the range of ethnicities that can be involved in group and gang offending. The literature review for the report does give some consideration of the relationship between different ethnicities and gangs and there is within the report some consideration from interviews with professionals and young people of the relevance of ethnicity, including in some areas the potential for ethnicity to prove a basis for allegiances and patterns of conflict adding to the more traditional and common "territorial" aspect of group allegiances. That in some areas there can be inter-group conflict, including conflict between different minority groups, is also noted. While we appreciate the Committee's inquiry is at a relatively late stage we would be happy to discuss this further with you.

Ellie Roy
Chief Executive

April 2007

47. Fifth supplementary memorandum submitted by the Home Office

RESPONSE TO FURTHER QUESTIONS FROM THE COMMITTEE

QUESTION 1

The Committee would like to include in its report a figure for the percentage of the black population aged 10–17 who have a criminal record. Presuming these figures aren't readily available, we would appreciate the Home Office's best estimate of the following information so we can reach an approximate calculation ourselves.

   (i) the proportion of the black male population aged 10–17 and aged 18–20 who are included on the Offenders Index (or the Police National Computer) and

  (ii) the proportion of the black female population aged 10–17 and aged 18–20 who are included on the Offenders Index (or the Police National Computer) compared to

 (iii) the proportion of the male and female population overall aged 10–17 and aged 18–20 who are included on the Offenders Index (or the Police National Computer) and

 (iv) the figure for white males and females of the same age.

HOME OFFICE RESPONSE

We are unable to provide the information you have requested. The Offenders Index holds very limited information on the ethnicity of offenders. Whilst we have used data for recent years from the extract we hold of the Police National Computer (PNC) to provide information on the rates of re-offending by specific groups of offenders, we have not previously used the PNC to estimate the number or proportion of the population with criminal records and we understand that PNC data for earlier years may not provide a complete picture of criminal histories. Ethnicity data held on the PNC uses the Phoenix classification, which relies on the visual assessment of ethnicity by the police. This classification differs from that used for population data in England and Wales which is based on the "16 + 1" categories used for the Census and which relies on self classification rather than visual assessment. The Census classification includes a number of "mixed" categories which do not directly correspond to any of the categories used for the PNC data. For these reasons the data recorded on the PNC cannot be used to provide a reliable estimate of the proportion of the black population with a criminal record.

QUESTION 2

The Committee would also be grateful if you could clarify the basis for the figure which states that black people are five times more likely to be a victim of homicide. Is this figure a comparison with rates per 1,000 people for the population as a whole, for example, or just for white people?

HOME OFFICE RESPONSE

Black people are five times (actually it's 5.5 times) more likely to be a victim of a homicide than White people. So it's a comparison between rates for Black and White. The calculation is based on per 10,000 population rates (due to relatively small numbers of homicides annually) and uses combined homicide data for the three years—2002–03, 2003–04, 2004–05. Note: excludes 172 homicides of White people by Shipman and 20 Morecambe Bay homicides.

May 2007

[Source: Race and the CJS: An overview to the complete statistics 2004–05]

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48. Memorandum submitted by Janice Williams, consultant working with a Lone Parent Project in Camden for the past six years, Parent Governor of a Haringey School

This topic has come up frequently in my multi-ethnic groups at the Parentpack project. Here are the main points made to me by the Black parents I have worked with about their sons:

— Teachers in school don't like to challenge black boys about their behaviour perhaps through fear, so they get away with worse behaviour than white kids. There is a real fear among teachers and other professionals of being branded racist if you challenge a black kid. Parents are worried by this, not necessarily because of any racism but because poor behaviour is expected and tolerated from black boys. This has three major effects:

    1. Their academic performance is low because they are never expected or made to work hard. Exam success does not come without work.

2. Because poor and disruptive behaviour is expected, tolerated and accepted, the boys do not learn to control it.

3. This in turn leads to low self-esteem and low self-expectations. By the time they have been in school a few years they do not believe they can do any better.

4. This makes it all the harder for the parent at home to demand good behaviour. These kids may come from lone parent families where Mum may be the only person trying to make her son behave. This is a tough job under any circumstances, multiply harder when the rest of the world does not attempt to help. There may be several children in the family—Mum does all she can, but feels like King Canute trying to stop the tide.

— The boy culture—some black youths feel that to be a man is to disrespect women and that you are not a man if you allow yourself to be controlled by them. This makes life doubly difficult for female teachers who can get much worse behaviour to deal with than the male teachers do. Also for mothers.

— There is a real and justifiable fear of violence among teachers.

— Teachers are not taught how to be firm and respectful with children, to use their tone of voice and body language to best effect. They often (I personally have seen this in school) plead with children to behave or treat them insultingly, neither of which gains them respect.

— The net result is a situation for black boys where they are cut off from achievement in school, have little contact with good male role models who might help them achieve out of school and are left solely with the arena of competitive misbehaviour in which to try to excel.

— The home culture of corporal punishment—this is the norm in many black households and leads to a situation where children are accustomed only to respond to the threat of violence. This is of course not used by teachers, hence kids do not behave in school.

March 2006

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49.   Memorandum submitted by Nacro

1. About Nacro

1.1 Nacro is a crime reduction charity providing services nationwide including projects for individuals and communities and research, consultancy and training services for people and organisations involved in reducing crime. Nacro has a long history of working to eradicate discrimination within the criminal justice system. Within Nacro's Policy and Research Division are specialist Race and Youth Crime sections which have a history of working together with regard to matters of race equality and discrimination in the youth justice system. Nacro has been represented at a high level with regard to race matters, including the Lawrence Steering Group, and works with criminal justice agencies including the Prison Service and Local Criminal Justice Boards.

1.2 From 2003 to 2005, Nacro was commissioned by the Youth Justice Board for England and Wales (YJB) as National Development Agent for Diversity. Work with the Board was focused on race equality during that period. Most pertinently, this resulted in every youth offending team (YOT) conducting a race audit using a common template and producing an action plan as part of the statutory annual youth justice plan (from 2005). Related to this were a YJB corporate target and a key performance indicator for YOTs together aiming to reduce, year on year, disproportionate outcomes on the basis of ethnicity in the youth justice system and improve the quality of services to Black and Minority Ethnic (BME) young people.

2. Summary

2.1 Nacro understands that the Committee is particularly interested in perceptions of offending by black young people, their offending patterns and overrepresentation in the youth justice system and the work that Nacro has done with the YJB and youth offending teams on race equality. Thus, the main points are:

— that self-report research suggests that the actual rate of offending by black young people is no higher than for other ethnic groups;

— that there is nevertheless a disproportionate number of black young people represented at all stages of the youth justice process; and

— that following Nacro's work with the YJB, YOTs have been required to take a series of steps to promote equality.

3. Perceptions of Criminality Among Young Black People

3.1 There remains a gap between perceived and actual levels of crime. As with crime overall, youth crime appears to have been falling in recent years,[235] although the predominant perception among the public is of a rise.[236] In view of this, it is notable, and perhaps misleading, that the number of children and young people dealt with by youth offending teams for summary and indictable offences has been rising,[237] but this is perhaps a result of more proceedings for minor offending. It is likely that public perception of the proportion of crimes committed by black and other minority ethnic young people is also inaccurate, particularly the false impression that black young people are responsible for a comparatively large amount of crime.

3.2 It is Nacro's understanding that the Committee's inquiry is to focus on those young people who are classified as Black or Black British (B/BB). There is evidence that this group is disproportionately represented at different stages of the youth justice system and that will be considered below. However, the starting point is the proportion of offences that are recorded against B/BB young people in comparison to other ethnic groups. On the face of it, statistical data may appear to suggest that B/BB young people commit a disproportionately high number of offences. However, this would be an unsafe conclusion for the reasons set out below.

3.3 The most recent statistics (for 2004–05) indicate that B/BB young people committed 6% of offences dealt with (by youth offending teams, including those subsequently reprimanded or warned). This compares with 6.2% in 2003–04 and 5.6% in 2002–03.[238] The actual rise over the last three years for offences by B/BB young people (dealt with by YOTs) is from 15,191 to 17,216 (a rise of some 13.3%). It may be relevant to note that the number of offences where the ethnicity of the person concerned is not known has fallen quite fast over that same period, from 5.4% of the total number to 3.3% (a fall of 4,785), which may account for at least some of the change. The exact proportion of the entire population of 10–17 year olds who are B/BB is not certain but is likely to be less than 3%.[239] Here again, the raw statistics could lead to the misleading conclusion that B/BB young people are around twice as likely to commit offences as the population as a whole.

3.4 However, there is substantial evidence to suggest that this is not the case. In a recent Home Office report,[240] it was noted that a number of reasons for disproportionality had been suggested, including discrimination on the part of the police, police recording practices, socio-demographic factors and black people spending more time visible on the streets (and therefore more likely to be identified and apprehended in the context of only about a quarter of all offences being brought to sanction).[241] The report was unable to reach a clear conclusion. Another factor playing a part may be stop and search practice. In 2003–04 it was found that black people were 6.4 times more likely to be stopped and searched than white people (all age groups). Although only 7% of arrests were made following a stop and search in that period, this may be significant. The initiatives to Bridge the Gap may increase arrest rates following stop and search processes, but little evidence exists about this at present.

3.5 More recently, the results of an important survey have been published that more strongly indicate that B/BB young people do not commit more offences than other ethnic groups.[242] This self-reporting based survey considered not only offending, but also anti-social behaviour and drug use. As well as ethnicity, it took account of age and gender. It found, for young people (largely reflecting overall findings), that black young people reported having offended to a lesser extent than white and mixed race young people (Asian young people less so). With regard to anti-social behaviour there were less pronounced differences overall. With regard to drug use, black young people were near the average, with white young people reporting the highest use, more so for Class A drugs. Researchers generally consider that self-report studies provide a more reliable measure of offending rates than other recorded crime figures, not least because they include offences/offenders that have not otherwise come to attention. In this case, the method allowed offending across ethnic groups to be compared in the context of disproportionality in recorded crime figures.

3.6 Thus, it cannot be concluded that the over-representation of B/BB young people among those entering the criminal justice system correlates with actual offending levels. Indeed, it may be that B/BB young people commit less offences than some other ethnic groups overall. Differences may be the result of differential treatment but other factors, such as visibility and likelihood of being caught, may have an impact. Another factor might be differences in the type of offences that form any pattern according to ethnicity (for example, the nature of some offences leads to easier identification and apprehension of the offender).

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[235] See Nacro Youth Crime Briefing *Some facts about children and young people who offend—2004* (March 2006).

[236] See for example Home Office Statistical Bulletin 11/05 available at http://www.homeoffice.gov.uk/rds/crimeew0405.html

[237] See Chapter 7 (Young Offenders) of the Home Office report (under section 95 Criminal Justice Act 1991) *Statistics on Race and the Criminal Justice System—2004* at http://www.homeoffice.gov.uk/rds/pdfs05/s95race04.pdf

[238] From the Youth Justice Board's annual statistics for youth justice available on www.youth-justice-board.gov.uk

[239] Some individual Yots have reported that the 2001 Census data may have become rapidly out of date in respect of some BME populations of young people locally.

[240] *Race and the Criminal Justice System: an overview to the complete statistics 2004–05* (2005) available at http://www.homeoffice.gov.uk/rds/pdfs05/s95overview.pdf

[241] Youth lifestyle surveys suggest as many as 90% of offences remain undetected.

[242] Home Office Online Report 33/05, *Minority ethnic groups and crime: findings from the Offending, Crime and Justice Survey 2003* (November 2005) available at http://www.homeoffice.gov.uk/rds/pdfs05/rdsolr3305.pdf

4. Patterns of Offending

4.1 Statistical evidence suggests that B/BB young people do, overall, have a different pattern of offending to other groups in some respects. They are more likely to be charged with robbery, breach of bail and statutory orders, drugs offences, fraud and forgery. They are less likely to be charged with arson, criminal damage, burglary or public order. Of these, robbery is the most marked with B/BB young people prosecuted for around a quarter of all robberies that come to attention in the youth justice system. There is a suggestion, lacking in hard evidence at present, that differences in charging practices could have a bearing. Whilst the offence of robbery is the most striking matter in this regard nationally, there are large regional differences and further study would seem to be required.

4.2 Because robbery is associated in this way with B/BB young people, it may have a strong influence on public perceptions overall. In this context, it is worth noting that robbery offences make up only 1.8% of juvenile offending. Thus, robbery offences recorded against B/BB young people is less than 0.5% of all offences.

4.3 The age at which B/BB young people enter the system/commit offences may be relevant and worthy of investigation. Among the 10–17 age group, the peak age for robbery offending is low compared to most other offence types, at 15 or 16 (most offence types continue to rise to a peak at 17—or beyond). Other offence types with low peaks are arson and criminal damage, although it is robbery that falls most significantly between the ages of 16 and 17 (a drop of around a third). There is some statistical evidence to suggest, but not conclude, that B/BB young people may enter the criminal justice system at a younger age (for example, differences in remand statistics regarding those remanded in custody, age 15 or over for males, against those remanded to local authority secure accommodation, normally under 15). Further investigation with regard to cross matching offence type, disposals, age, gender and ethnicity might be useful, together with police charging practice at younger ages.

5. Black Young People in the Youth Justice System

5.1 It is well documented that B/BB young people are over-represented in custody (more so regarding longer sentences) and under-represented with regard to unconditional bail decisions and pre-court disposals (reprimands and warnings). In analysis of statistical evidence, Nacro found evidence that suggests disproportionality by ethnicity at many stages of the system, including the way in which interventions and disposals are chosen and delivered, and further differences by geography. This added weight to the recommendation made by Nacro to the YJB for an approach based on local detailed audits and action planning within YOT areas.

5.2 The following observations are not comprehensive but provide illustration:

— B/BB young people experience a high number of remand episodes (including bail and custodial). In 2004–05, B/BB young people were recorded as committing 6.0% of offences and receiving 5.8% of disposals (including reprimands and warnings), whilst experiencing 9.9% of remand episodes. This reflects statistics for the previous two years. It is not easily explained but could suggest that B/BB young people have more changes in remand status, perhaps being subject to more custodial remands on first appearance, prior to subsequent release on bail. The differences might also be partly associated with higher acquittal and discontinuance rates or different quality of legal representation/instruction and bail assessments. There may be discrimination with regard to decision making.

— The detail of disproportionality regarding bail and remand varies considerably by area. However, across England and Wales, B/BB young people, representing 9.9% of all bail and remand episodes, experience 19.1% of remands to local authority secure accommodation, 17.0% of remands in custody and higher percentages of all other bail and remand outcomes other than unconditional bail.

— To illustrate the significance of more detailed investigation, it is evident that B/BB young people are more likely than the wider population to be made subject to electronic monitoring ("tagging"). At the final warning stage, where B/BB young people are given a warning, they are less likely to be supported by a programme than white young people. The evidence together suggests that black young people tend to be viewed as less suitable for "human" supervision and support and more suitable for electronic surveillance, quite possibly a result of difficulties in engagement/trust building or attitudinal differences and discrimination. On the other hand, recent research found that young black people were more likely to receive longer periods of supervision (and custody) under community sentences.[243] Analysis of each YOT area's race audits over time and/or other research might be needed to reach full conclusions with regard to this and other apparent anomalies.

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[243] See Feilzer and Hood report to the YJB, *Differences or Discrimination* (2004) available at www.youth-justice-board.gov.uk

6. Youth Offending Teams and Race Equality

6.1 In its work with the YJB and having conducted an initial survey and analysis, Nacro supported the notion of improvement (similar outcomes for young people regardless of ethnic background) by a process of local detailed auditing and planning. Nacro worked with the YJB to develop a template and guidance to help YOTs to conduct race equality audits and action plans[244] (plans for the first year were in place from June 2005). YOTs are required (not in statute) to produce action plans annually.

6.2 The audits were designed with a common core applicable to all YOT areas regardless of the size of BME populations (not statistically significant in all YOT areas), with a requirement for greater detail (for example, by age and gender, court area, electoral ward etc) according to the local characteristics and population. Currently, YOTs monitor ethnicity according to the main 2001 Census classifications (5 + 1) although there may be an intention to monitor in greater detail in the future (16 + 1). Yots were encouraged to audit and plan at the more detailed level where applicable locally.

6.3 The audit process has two separate strands. The first is quantitative, investigating the detail of the youth justice system locally and identifying areas needing attention. The second is qualitative, investigating leadership and management, policy development, workforce issues, monitoring systems (for example, regarding the use of anti-social behaviour orders locally) and service delivery. Where disproportionality or poor quality is identified, YOTs are encouraged to put in place action plans to bring about improvement, year on year. It is the completion, quality and implementation of action plans that is monitored by the YJB.

6.4 Promising though this process is for bringing about real change, it remains a requirement on youth offending teams alone, under the leadership and guidance of the YJB. To counter this weakness to some degree, guidance to YOTs stresses the need to involve other relevant agencies (police, courts, education or health for example) and partners locally and to apply a joint problem solving model, with strategic ownership at the highest levels. For example, where there are high or low levels of remands to local authority accommodation by ethnicity, the YOT should consider devising a project or research to identify the reasons and tackle problems, working with other agencies as necessary. In areas where BME populations are very small, the YOT should consider working with other agencies to ensure good quality experiences for all young people and to make an assumption that problems and lessons identified nationally or by neighboring areas might apply even in the absence of statistical evidence.

6.5 Nacro is no longer involved directly in this national process due to the completion of the YJB National Development Agent contracts. Nacro does work with individual YOTs on a consultative basis to help with auditing and action planning. There are over 150 YOTs in England and Wales and analysis of the audits and action plans regionally and nationally will be valuable when available.

April 2006

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50. Memorandum submitted by the Damilola Taylor Trust

1. Introduction

1.1 My name is Heidi Watson, I am the Chief Executive of the Damilola Taylor Trust. The Trust was established a year after Damilola's death to prevent young people (under 25s) from becoming either victims or perpetrators of crime. We run educational anti-crime events for young people at risk of becoming entrenched in violent criminal behaviour as well as education in schools and the community. We work in partnership with national and local police, the Home Office, schools and other private and voluntary sector organisations.

Many of the young people we work with are involved in gangs, living in deprived areas, and a wide cross section are from black and minority ethnic backgrounds. I am the Vice Chair of the IAG for New Scotland Yard's bladed weapon strategic unit, Operation Blunt. I chair a Knife Policy Group at Portcullis House with a children's think-tank called Kids Count. I will be speaking on knife crime at fringe events for the three main party conferences this year. In addition to this I also work for Serco Home Affairs business development team designing custodial and community solutions to rehabilitate youth and adult offenders. My previous experience includes work with the homeless, street prostitutes, chaotic drug users, youth and adult ex-offenders and long term unemployed and socially excluded people.

1.2 My evidence is based on experience of working with young black people in the community and criminal justice system, victims, suspects and perpetrators alike and gaining a first hand understanding of the cultures and subcultures which shape their lives in this country. It does not have supportive research analysis as I am not an academic. My job is to change the hearts and minds of young people and in order to do that you must first understand them.

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[244] The "toolkit" containing templates and guidance is available at http://www.youth-justice-board.gov.uk/PractitionersPortal/Diversity/EqualityInYouthJustice/

2. Social Stereotyping/Media Reporting

2.1 In my experience, the neighbourhoods most likely to report crime are those from a higher socio-economic spectrum. Often in these neighbourhoods, young black people exist in lower concentrations and are more likely to be treated with mis-trust than areas of concentration, where they are better understood. In inner city areas like London this is compounded by the fact that areas of extreme deprivation and poverty border areas of high wealth and a young black person entering a wealthy neighbourhood from the "wrong side of the street" is viewed cautiously and is far more likely to be reported to police for looking "suspicious" or being in close proximity to a crime. Because they are viewed as "out of place" this makes them more memorable if a crime occurs and more likely to be seen as the likely perpetrator. Young people feel this and it builds an automatic barrier in their minds, a feeling that they can never achieve wealth legitimately as they will never be accepted in wealthy social circles.

This leads to a likelihood of police being directed to question young black people about incidents with which they may have no involvement. Young black people often cut themselves off from the police, believing that they will be brought in for questioning just because they are black—which only adds to the feeling that wealth and social acceptance is beyond them.

This is compounded by the media, with reporting on "feral children", "hoodies", the "yob culture" and their tendency to highlight young black men as being the perpetrators.

3. Young Black People in the Education System

3.1 Young black people in this country are more likely to grow up in with a single parent (usually a mother) bringing them up, making successful parenting more difficult. In areas of poverty schools are more challenged in terms of quality of teaching, facilities and services. There are more likely to be concentrations of anti social and unruly pupils, distracting those who do want to learn and pressuring them against this. There is a lot of anger generated by the feeling of being trapped in poverty and not "let into" opportunities for wealth. This leads to a "why bother" approach for many, already struggling against the odds. The home environment is often not conducive to schoolwork, learning and concentration. Small houses mean no self contained study room, therefore study is often interrupted by the other occupants of the house, further adding to the problem.

3.2 Getting to school is far more dangerous as young black people are more likely to become a victim of crime themselves and the few possessions they have are at risk of being stolen by perpetrators who arm themselves for the purpose of intimidation. This leads to a belief that they need to band together for self protection and to "further" themselves financially—this can result in carrying weapons for self protection and adoption of gang culture as a protection mechanism.

4. Gang Culture

4.1 To some young black people gangs are a way to enter a family which provides belonging, safety, money, status and power. Gang culture has been glamourised by black hip hop and rap stars from America whose claim to fame is the shootings they have survived and injuries they live with. Music videos show these outcast role models surrounded by symbols of wealth and success, female attention and movie star lifestyles. Young black people who feel that they are outcasts in our society are presented with role models who they can identify with and a lifestyle to aspire to without having to overcome the prejudices of society.

4.2 This is a dangerous trend attracting outcasts from across white, black and minority ethnic groups towards a culture which is marketing a lie. A gang lifestyle cannot bring the financial and societal rewards shown. Most find that they are stuck in a low paid, high risk "job"—being runners and pushers for the illegal drug industry. Unfortunately, by the time young people discover this for themselves, they are in danger if they attempt to leave the gangs and they may already have a criminal record which further decreases their chances of any kind of legitimate income success.

4.3 To these young people—police are seen as another gang, no cooperation is allowed and engagement is frowned upon. Police are more likely to target young black people in a group, believing them to be a gang with criminal intent. For a group of young black friends who do not deal drugs and are not criminals—this further alienates them from the authorities set up to help them.

5. Violent Culture

5.1 In my opinion the Film Industry, Video Game Industry and Music Industry set the tone of youth culture more than reflect it. Far too often they glamourise violence, portray rewards for criminal behaviour, and pander to the more base emotions which young people should be encouraged to suppress not indulge. This sets up role models who are anti-social, violent and achieve success through violence.

5.2 Computer/video games which allow young people to play out violent fantasies, gain rewards for car theft, murder, the carrying of weapons and general anti-social behaviour are leading impressionable young minds into the subconscious belief that this is how you achieve your goals.

5.3 The attachment of an 18 certificate is no barrier to young people in socially deprived neighbourhoods since they can easily access pirate copies and are therefore unlikely to buy them over the counter, subject to legal restrictions. To the young black people who see themselves as society's outcasts this is a far more glamorous way of life than trying to build a career against the odds.

5.4 Even in the more mainstream television programming conflicts are rarely resolved through intelligent negotiation or social skills. Instead, the more sensationalist, extremist behaviour is shown to attract ratings, creating a culture where the extremist becomes the norm.

6. Career Barriers

6.1 For those young black people who are able to overcome all of this negative role modeling, anger and fear they have yet more barriers to face.

6.2 They are far less likely to come from a home where university is an affordable, realistic option. Parental financial support from a low income or single income household for a young person who is studying away from home is highly unlikely.

6.3 Even if they overcome this barrier and find a way to support themselves, once again they are outcast, since it is likely that they will need to work in a paid job as well as study to financially support themselves, therefore having less available time and energy for their studies. They are also less likely to be able to enter the social side of university life as they cannot afford the time or money to do this.

6.4 If they overcome all of this and gain a good qualification young black people are then less likely to be chosen by an employer to interview if they have an obviously ethnic name. Once interviewed they are less likely to gain the best career opportunities since they have had neither the time nor pro-social modeling to allow them to develop the most persuasive and adept social skills—they are still disadvantaged.

7. Young Black Muslims

7.1 Some young black people are from the Muslim religion. With these young people, not only do they face all of the above prejudices, stereotyping and societal barriers—they also face the additional factor that their religion is becoming a symbol of terrorist fear in this country. Since 9/11 and 7/7 young Muslims in this country increasingly feel under threat, isolated and victimized by society. This further compounds other issues of social exclusion detailed above and is a worrying new facet to an old problem.

8. Solutions

8.1 *Social Stereotyping and Media Reporting:*

Media Reporting can change behaviours as well as setting the tone of them. Media should be encouraged to celebrate young black people who have made a success of their lives or have contributed significantly to society by their behaviours or example—a more balanced approach to young black people in this country. Increasingly young people across the ethnic spectrum feel that they are viewed as a problem for society—whatever their behaviour.

Role models are strong motivators to shape young black people's behaviour, it is up to us to create the right ones. Mentor schemes between people who have achieved financial and social success (from all faiths and ethnicities) and young black people struggling to get on the first rung of the ladder can be a powerful tool. Those who do not understand the barriers which social deprivation puts on a young person's life will always fear the young people who are "different" to them—therefore this is a two way learning progress.

Community engagement and integration events between wealthy communities and their poorer neighbours should be encouraged to foster a bridge between them and try to walk in each other's shoes. Young black people should be consulted, engaged in the planning process and put at the heart of these schemes so that it is not something which is done to them—rather it is something they have achieved.

8.2 *Young black people in the education system:*

Supervised study rooms should be made available for deprived young people (of all ethnicities) who want to study in safety and quiet, this could be supervised by local business people as part of a corporate social responsibility initiative.

Teachers should be recruited locally so that they have a good understanding of the cultural base of the neighbourhood and are representative of the cultural mix.

8.3 *Gang culture:*

Safe houses for young people who are in danger of being victimised by a gang or want to escape from one should be set up in areas with known danger hotspots. These should be zones where young people can go, without being questioned, to be protected from danger.

The only authority set up to protect young people is the police force. They are seen by many young black people as being prejudiced, confrontational and always looking for a means of gaining their next conviction, rather than being someone they can turn to for help. Young people increasingly feel that they need to protect themselves, this must be overcome if the number of weapons carried for self protection are to be reduced.

At the Damilola Taylor Trust we are using reformed ex-offenders who have "street cred" to build a bridge between young people and the safer neighbourhoods and safer schools officers, to foster trust and mutual respect and allow them to ask for help when they need it. This is proving very successful but organisations like ours need help and money to roll this out widely. Additionally, however, neighbourhood policing must be backed up by better witness protection if this is to result in better intelligence and more targeted, effective detection.

Police recruitment should include personality testing which weeds out those with a tendency towards prejudicial views or abuse of power. One police officer without the personality for community integration can undo the work of so many other excellent police officers. In such a key role, the personal fairness of each officer is essential to community cohesion. Also officers should be trained to develop the necessary social skills to successfully engage young black people to foster the understanding that the community and the police are on the same side.

8.4 *Violent culture:*

Programmers should be made responsible for the content of the programmes they broadcast, not only in terms of labeling it correctly with age restrictions but in terms of what message it gives out— what is the moral and lasting impression of the piece. Why should products which reward amoral or anti-social behaviour exist? What service does it provide to society or the viewer?

8.5 *Career barriers:*

The Damilola Trust gives a set of annual awards to the Kings College Access to Medicine programme. An opportunity for young people from more socially deprived areas to complete a medical degree over six years rather than five, with mentoring support and their own study room. This offers an excellent opportunity to young black people—allowing them a way into a lucrative career path. Many of these are now in the top tenth percentile of the college. This is underpinned by a schools programme which engages potential next stage candidates and give them hope for their career future.

This type of programme should be extended to many industries to enable a more balanced workforce and a pathway out of poverty. Employers should be encouraged to mentor potential future employees from school age onwards.

8.6 *Young black muslims:*

Engagement with young Muslims, especially young black Muslims is crucial to maintain social cohesion in troubled times, even their community leaders are often cut off from them.

Social and Educational programmes should be developed where young people mix in supervised circumstances and gain a better understanding of each other and of adult support. An excellent example of this is street football in Scotland where a fold up football pitch is taken into inner city areas. Young people play football but must adhere to strict rules of conduct. It is a proven conduit to keep young people fit, help them to understand their differences and teach them pro-social behaviour in a socially fun and inclusive way.

September 2006

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51. Memorandum submitted by the National Family and Parenting Institute

1. Summary

1.1 The evidence from the National Family and Parenting Institute summarises research into the impact of parenting on children's outcomes, the role of fathers and issues relating to non resident fathers. Overall the evidence suggests that there are advantages to children if their fathers' engage with their upbringing, but this is dependant on the circumstances of the case. Where fathers are seriously antisocial, contact can have a deleterious effect on children's outcomes. Where there is a history of significant domestic violence, it can be dangerous. Resilience can also be fostered by one strong family relationship, generally with the mother. Nevertheless, the evidence on children's outcomes supports the premise that in most cases fathers' engagement should be encouraged by schools and family services. There is a readiness amongst many Black

families to use family services and this should be supported in service responses. Various models for involving fathers have been developed, but greater impetus and practical guidance is needed to involve non resident fathers.

2. BACKGROUND

2.1 The National Family and Parenting Institute is the UK's leading centre of expertise in families and parenting. We carry out research, listen to what parents want and deliver messages from research to people working with families. We advocate policy changes to help parents address challenges successfully as they raise children.

2.2 The National Family and Parenting Institute, together with NCH, and supported by the Joseph Rowntree Foundation, established the Commission on Families and the Wellbeing of Children under the chairmanship of Professor Sir Michael Rutter. Clem Henricson, Director of Research and Policy at the National Family and Parenting Institute, is the Commission Secretary. In its report "Families and the State", published in December 2005, the Commission examined the empirical evidence on the impact of parenting on children's outcomes. The following findings are pertinent to this inquiry.

3. PSYCHOSOCIAL EXPERIENCES THAT CARRY RISK

3.1 Three categories of risk experiences of particular significance for children's outcomes have been identified:

— There are substantial risks associated with a lack of ongoing, harmonious, selective committed relationships. Risks are present when there is an absence of such relationships (as there often is in most forms of institutional child rearing), when the relationships are profoundly negative (as with rejection, scapegoating, and neglect) and are of a kind that engender uncertainty and insecurity.

— Social groups are influential through the ethos, attitudes, and styles of behaviour that characterise them. This applies within the family, peer group, school and community. A lack of social cohesion within any of these groups seems especially damaging.

— Reciprocal, conversational interchange and play constitute important learning opportunities, both with respect to cognitive skills and also styles of social coping and adaptation. Their absence has a negative impact.

4. OPTIMAL CARE

4.1 Baumrind's (1967) concept of optimal "authoritative" parenting comprising a combination of warmth (love and affection) and demandingness (the setting of standards), as compared approaches which are authoritarian, permissive or neglectful, has had a significant influence on the understanding of parenting. Baumrind also laid emphasis on the overall parent child relationship and the need to recognise that children differ in their characteristics and how they should be responded to.

4.2 Research findings have amply confirmed the validity of these concepts (see, for example, Bornstein, 2002; Rutter and Rutter, 1993). There are important cultural variations in the ways in which specific environmental features affect children's psychological development (Stewart and Bond, 2002; Rutter and Tienda, 2005), but the available evidence suggests that these broad principles apply across cultures.

5. RESILIENCE

5.1 In assessing the impact of care, it is important to recognise the differentiation in individual children's responses to the same risk factors. Gene/environment interaction is significant in this regard, with negative environmental effects often being greatest in those who are genetically at risk, the genetic influences operating through children's vulnerability to their environment (Rutter et al, 2006). There is also evidence that some children have a stronger capacity for resilience, overcoming stress and adversity, than others. This may be determined by genetic influences that moderate the impact of environments, or prior psychosocial experiences; psychosocial advantage can render children less susceptible to the effects of acute stress (Quinton and Rutter, 1976). An alternative protective relationship within the family may buffer some children from the risk effects of discord and a negative relationship with a parent (Jenkins and Smith, 1990). Ameliorating experiences after adversity can also have a positive effect (Rutter, 2006).

6. THE ROLE OF FATHERS

6.1 Research confirms that fathers as well as mothers have a significant role to play in bringing up children, although mothers continue to be emotionally closer.

6.2 Studies in the UK and US show that, in general, children continue to report being emotionally closer to their mother than their father (Warin et al, 1999; Katz, 2003; Halle, 2001; O'Brien and Jones, 1996; Lamb and Lewis, 2004). Adolescents are more likely to discuss their personal worries, their experiences and

progress at school with their mother (Warin *et al*, 1999; O'Brien and Jones, 1995, 1996; Katz, 2003), and mothers continue to invest more time and are more involved in parenting across the child's age span (Paulson and Sputa, 1996). Fathers' contacts tend to be focused on what has been described as bridges to the outside world, for example leisure activities and financial matters (O'Brien and Jones, 1995).

6.3 While most fathers have a less close relationship with children than mothers do, studies have shown that their role is significant. Cross-sectional and longitudinal research evidence in the UK and US shows that the level of father involvement is associated with children's greater self-confidence, mental health, positive behaviours and relationships, educational attainment and cognitive skills (see research reviewed in Le Menestrel, 1999; Flouri and Buchanan, 2004; Lewis and Warin, 2001; Yeung, *et al*, 2000; Aldous and Mulligan, 2002; Pleck and Masciadrelli, 2004). Of particular importance for children's outcomes is the quality and content of fathers' involvement and of the father-child relationship (O'Brien, 2004; Le Menestrel, 1999; Aldous and Mulligan, 2002; Amato and Sobolewski, 2004). Wagner *et al* (1996), in their longitudinal study of depression in adolescents, found that young people subject to stress were less likely to suffer from depressive symptoms if they had two parents whom they perceived as warm rather than just one. Shulman and Seiffge-Krenke (1997), in their overview of research into the relationship between fathers and adolescents, concluded that the broader perspective of a triadic relationship, involving the father as well as the mother, rather than the intensity of a dyadic relationship with the mother only, was important for the adolescent's psychological adjustment to adulthood. This research needs, however, to be seen in the context of Rutter's assessment of *Psychosocial resilience and protective mechanisms* (1987), which concluded that one good parent can do much to compensate for a poor relationship with the other.

7. When Parents are Apart

7.1 **Non resident fathers.** In a recent overview of research into children's relationships with their non-resident fathers, Dunn (2004) noted that findings on contact are mixed, although the effect size of associations between contact and positive outcomes has increased in recent research. Amato and Gilbreth (1999) in their meta analysis suggested that this may be due to non-resident fathers having become more committed to the parental role. Dunn also found the quality of child/father relationships to be particularly important and to be consistently related to children's capacity to adjust to parental separation. Jaffee *et al* (2003) in their epidemiological sample of 1,116 five-year-old twin pairs found that the less time fathers lived with their children, the more conduct disorders their children had. However, this was only the case where fathers engaged in low levels of antisocial behaviour. Where fathers engaged in high levels of antisocial behaviour, the more time they lived with their children, the greater the conduct problems their children presented. These findings show that while contact usually benefits children, there is a need for a response that takes into account contra indications dependant on the circumstances of the case.

7.2 **Reducing the risk to children of domestic conflict.** When parents separate, the objective should be to minimise the risk of children suffering because of domestic conflict. Social policy should take into account the significant impact separation has on children. There is evidence to show that, not only do young people experience approximately a two-year adjustment crisis period (Demo and Aycock, 1988), they also suffer disproportionately from health, social and educational problems, particularly if subject to repeated disruptions (Pryor and Rodgers, 2001). These difficulties can be exacerbated by parental conflict. Indeed, evidence shows that parental conflict is a major source of distress to young people whether prior to or post separation, or when partners continue to live together (Chase-Lansdale and Hetherington, 1990; Richards, 1993). Amato and Keith (1991) found it to be the most consistent feature of divorce to undermine children's wellbeing compared with parental absence and economic disadvantage. These issues around adult parental relationships need to be factored in when considering our expectations of standards of care in bringing up children, the support the state provides and contact arrangements.

8. Fathers' Involvement in their Children's Education

8.1 The National Family and Parenting Institute has undertaken a major analysis of research into the role of fathers in supporting their children's education (Goldman, 2005). The overview found a paucity of evidence in relation to Black fathers and those studies which have been undertaken tended to be small and localised, and to relate predominantly to families of South Asian origin. This should be borne in mind in assessing the findings below. Further research is required.

8.2 One study of African Caribbean resident and non resident church going fathers (Bruneau, 2002) found significant levels of father involvement with home and play activities, and a similar picture emerges from the South Asian studies (Razwan, 2002; Black Development Agency, 2002; Herrick and Ali,2003). Fathers who were children of immigrants wanted to give more time to their children than their fathers had been able to give to them (Bruneau, 2002, Herrick and Ali, 2003; Working with Men, 2004). In contrast a small group of African fathers (mainly Somali Muslim) interviewed by the Black Development agency reported low levels of involvement.

8.3 In terms of the nature of the involvement, similar patterns emerge to those in white families with mothers taking the prominent role, particularly in the context of schools, but fathers also engaging across a spectrum of activities. Distinctive features include a high level of commitment by fathers to undertaking cultural and religious activities with their children and there was a significant role for men from the extended family as male role models—grandfathers, uncles, older brothers.

8.4 In relation to service uptake, a voluntary organisation in London found that African and African Caribbean fathers were high users of services for fathers. Significantly recent research undertaken by the National Family and Parenting Institute for the DfES (Apps *et al*, in draft) shows that Black families do not constitute the most hard to reach in terms of service uptake, and that there is a readiness to use services. Greater difficulties are experienced with a small section of resistant white families.

8.5 Examining the experiences of non resident fathers generally, Goldman found that they encounter difficulties in becoming actively involved in their children's education. Her study examined school practice and made recommendations to increase engagement with non resident fathers including the development of a school policy on the issue, employing a range of male carers, not just resident fathers, and establishing a set of systematic, practical contact arrangements. Schools have considerable potential in this area and the Bruneau study noted the need for non resident fathers to have a place where they can spend quality time with their children.

9. Conclusion

9.1 Overall the evidence suggests that there are advantages to children in their fathers' engagement with their upbringing, but this is dependant on the circumstances of the case. Where fathers are seriously antisocial, contact can have a deleterious effect on children's outcomes. Where there is a history of significant domestic violence it can be dangerous. Resilience can also be fostered by one strong family relationship, generally with the mother. Nevertheless, the evidence supports the premise that in most cases fathers' engagement should be encouraged by schools and family services. There is a readiness amongst many Black families to use family services and this should be supported in service responses. Various models for involving fathers have been developed, but greater impetus and practical guidance is needed to involve non resident fathers.

September 2006

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52. Sixth Supplementary memorandum submitted by the Home Office

Letter from Vernon Coaker MP

When giving evidence to the Home Affairs Select Committee on 13 March, I undertook to write to the Committee on one issue.

Mr Winnick asked if many convictions had actually taken place for those aged 21 and over who had been found guilty of possession of a prohibited firearm. The attached table provides this information.

PERSONS[1] SENTENCED FOR FIREARMS POSSESSION OFFENCES INVOLVING MANDATORY CUSTODIAL SENTENCES (FROM 2004), ENGLAND AND WALES, 199

Offence	Statutes	Year	Age group	Total persons sentenced	Persons given immediate custody	Of which: 5 years or over[2] No.	Of which: 5 years or over[2] % of total sentenced	Average custodial sentence length (months)
Possessing or distributing prohibited weapons or ammunition or firearm disguised as other object	Firearms Act 1968 sections 5(1)(a), (ab), (aba)[3], (ac), (ad), (ae), (af)[4] or (c) and section 5(1A) as amended by the Criminal Justice Act section 287	1995	16-17	39	4	-	-	3.0
			18-20	102	10	-	-	10.2
			21 +	524	70	1	0.2	12.9
			Total	665	84	1	0.2	12.1
		1996	16-17	34	5	-	-	6.0
			18-20	87	10	-	-	3.8
			21 +	597	93	9	1.5	19.4
			Total	718	108	9	1.3	17.2
		1997	16-17	32	3	-	-	10.7
			18-20	105	9	-	-	2.7
			21 +	639	94	-	1.1	16.8
			Total	776	106	7	0.9	15.3

Offence	Statutes	Year	Age group	Total persons sentenced	Persons given immediate custody	Of which: 5 years or over[2] No.	Of which: 5 years or over[2] % of total sentenced	Average custodial sentence length (months)
		1998	16-17	36	2	-	-	4.5
			18-20	159	19	-	-	5.4
			21+	836	150	7	0.8	15.1
			Total	1,031	171	7	0.7	13.0
		1999	16-17	36	2	-	-	7.5
			18-20	98	12	-	-	5.2
			21+	666	124	7	1.1	17.1
			Total	800	138	7	0.9	15.9
		2000	16-17	35	3	-	-	10.0
			18-20	109	16	1	0.9	14.4
			21+	585	123	5	0.9	19.6
			Total	729	142	6	0.8	18.7
		2001	16-17	62	2	-	-	8.0
			18-20	148	21	-	-	7.5
			21+	529	108	7	1.3	21.0
			Total	739	131	7	0.9	18.7
		2002	16-17	54	8	-	-	9.8
			18-20	115	26	-	-	16.6
			21+	603	140	15	2.5	23.0
			Total	772	174	15	1.9	21.3
		2003	16-17	52	8	-	-	11.0
			18-20	121	23	-	-	16.6
			21+	713	183	34	4.8	29.3
			Total	886	214	34	3.8	27.3
		2004[5]	16-17	49	10	5	10.2	25.0
			18-20	122	35	13	10.7	39.5
			21+	565	206	63	11.2	35.3
			Total	736	251	81	11.0	35.3
		2005	16-17	32	9	4	12.5	26.0
			18-20	59	34	18	30.5	45.5
			21+	294	199	124	42.2	48.6
			Total	383	242	146	37.9	47.3

(1) Principal offence basis.
(2) 3 years in the case of persons aged 16-17.
(3) Came into force during 1997.
(4) Came into force during 2004.
(5) Many of the persons dealt with in 2004 will have committed their offences prior to the mandatory sentence being introduced in January 2004.

Source: RDS-NOMS, Ministry of Justice.

These figures have been drawn from administrative date systems. Although care is taken when processing and analysing the returns, the detail collected is subject to the inaccuracies inherent in any large scale recording system.