

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

Second Annual Report
December 2009

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Introduction

This is the second annual report to the House of Commons Home Affairs Select Committee (the Committee) setting out progress we are making on the range of commitments made in the Government's response to the report and recommendations of the Committee's Inquiry on Young Black People and the Criminal Justice System (CJS)¹.

The Inquiry Report, published on 15 June 2007, looked at the relationship between young black people and the CJS, focusing on the reasons for their over-representation in the system.

The Government's response² was published on 18 October 2007 and set out a detailed response to each of the Report's recommendations. The paper included a commitment to publish detailed operating proposals and a governance framework³ for delivery of the Government's commitments. This framework was published, accompanied by a Written Ministerial Statement (WMS)⁴ laid by the Secretary of State for Justice and Lord Chancellor, on 13 December 2007.

The WMS and the governance framework committed us to reporting progress annually. The first annual report⁵ was published on 16 December 2008.

This year's report retains the original chapter headings used by the Committee and continues to outline progress against each recommendation from the Committee's report (set out with its paragraph reference for ease of reference). In addition, each chapter is now accompanied by an overview of the work being delivered to improve outcomes for young black people, and a summary of future activity, in each of the areas highlighted by the Committee. This allows us to show how the Committee's recommendations are being embedded into Government policy.

Overall, this report demonstrates good progress. Action is in hand to address, and in some cases go beyond, the Committee's recommendations. However, we are not complacent. The Government fully recognises the scale of the challenge before us and accept that there is more to do. We are confident that we have the right strategies in place to reduce race disproportionality across the CJS. The forthcoming race strategy, to be published shortly by Communities and Local Government, will also ensure that promoting race equality is central to all policy making, in all government departments, and that all public services play their part in tackling inequalities.

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

2 *The Government's Response to the House of Commons Home Affairs Select Committee Report: Young Black People and the Criminal Justice System* (CM 7214) (2007), Ministry of Justice, London

URL: <http://www.justice.gov.uk/docs/ybp-and-cjs.pdf>

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

4 *Hansard*, Volume 469, Column 64WS, 13 December 2007

URL: <http://www.publications.parliament.uk/pa/cm200708/cmhansrd/cm071213/wmstext/71213m0004.htm>

5 *Home Affairs Select Committee Inquiry: Young Black People and the Criminal Justice System – First Annual Report* (2008), HM Government, London

URL: www.justice.gov.uk/publications/docs/young-black-people-cjs-dec-08ii.pdf

A Coherent Strategy

Overview

We accepted 60 of the 67 recommendations in the main Inquiry report, and all but one of the recommendations in the Data Annex. This second annual report shows progress on all of the commitments the Government made in response. It also shows change is happening:

- Continued support for raising the aspiration of black boys and young men through delivery of the REACH programme. This includes the provision of funding, until 2011, of the first ever black male national role model programme, a recommendation of the REACH panel.
- Narrowing the school exclusions gap for black children.
- Breaking negative role models for young people in their communities by taking more cash and assets from drug dealers and serious organised criminal gangs, and investing it in communities through charitable projects.
- Family Intervention Programmes (FIPs), aimed at helping families involved in anti-social behaviour (ASB), are proving successful. The outcomes for those families ending the intervention with a formal exit are, compared with their situation at the beginning of the project, overwhelmingly positive across a range of measures.
- We can now evidence that there are no significant differences in the type of Crown Prosecution Service (CPS) charging decision, by ethnic background for young people under 18-years-old.
- A national reduction in the number of firearms offences of 22% in April to June 2008 compared with the same period the previous year as a result of the tackling Gangs Action Programme (TGAP) in four hotspot areas.⁶
- For the first time, local criminal justice agencies, under the leadership of Local Criminal Justice Boards (LCJBs) have access to consistent, good quality ethnicity data through the Minimum Data Set (MDS), to assess levels of disproportionality in the CJS.
- The number of offenders aged 10-17 entering the CJS for the first time fell from 94,481 in 2007/08 to 74,033 in 2008/09 – a 21.6% decrease.⁷

Data from the Citizenship Survey tells us that people from black and minority ethnic (BME) communities are becoming more confident that the CJS will treat them fairly. In 2001, a third (33%) of BME respondents believed that they would be treated worse by the CJS than people of other races. This has now reduced to 28% in 2007/08.⁸ But our evidence shows us that racial disparities still persist throughout the system. The latest available statistics⁹ show that if you are black, you are eight times more likely to be stopped and searched by the police, six times more likely to be in prison and three times more likely to be arrested than someone who is white.

It is a strategic priority of the CJS to address unfair race disproportionality in all its forms.

⁶ Data supplied directly by the four TGAP police forces – management information only.

⁷ Youth Crime: Young people aged 10-17 receiving their first reprimand, warning or conviction, in England, 2000-01 to 2008-09, DCSF (2009)
URL: <http://www.dcsf.gov.uk/rsgateway/DB/STR/d000895/index.shtml>

⁸ Citizenship Survey: 2007-08 (April 2007 – March 2008), England and Wales, (2008), CLG, London
URL: <http://www.communities.gov.uk/publications/communities/citizenshipsurveyaprmar08?view=Standard>

⁹ Statistics on Race and the Criminal Justice System 2007/08, Ministry of Justice, London
URL: <http://www.justice.gov.uk/publications/docs/stats-race-criminal-justice-system-07-08-revised.pdf>

This priority is being driven through the Justice for All Public Service Agreement (PSA24) for 2008-11. This PSA includes a priority action (indicator 4), fundamental to delivering justice for all but with a specific focus on improving the experience of those from BME communities, which requires that, by the end of the target period (March 2011):

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

At the heart of this target is the drive to ensure that local agencies, under the leadership of LCJBs, are able to identify, understand and address race disproportionality at key stages in the criminal justice process. This is already making a difference. Half of all LCJBs have, or are currently, rolling out the MDS, which provides the essential datasets to support LCJBs to identify race disproportionality at key points of the CJS. They now have the evidence that enables them to identify where disproportionality is occurring, agree priority actions with their communities and draw up action plans to tackle unfair disproportionality. All 42 LCJBs will have rolled out the MDS by March 2011.

It is essential that the CJS ensures that it is fair and transparent, but this alone is not sufficient to address the causes of disproportionality. This requires sustained, Government commitment and action to tackle the socio-economic and cultural issues that may impact adversely on young black peoples' lives and make them susceptible

to contact with criminal justice services. The Government is using the Public Service Agreements for the period 2008-11 to drive its reform programme to deliver improved life chances for all young people and to reduce the likelihood of their detrimental involvement with the CJS. Departments continue to work together to deliver the PSAs.

Update on progress to deliver recommendations

Recommendation 1: To provide a focus and structure for change, we recommend that the Government should draw together a specific, cross-departmental strategy to reduce the over-representation of young Black people in the criminal justice system. The strategy should bring together a coherent overview of what is being done by all government departments and at national and local level at present to reduce over-representation and should make an assessment as to why it has failed. It should make specific recommendations as to the contribution which is needed from each department and agency in order to reduce over-representation. (Paragraph 219, Main Report; Paragraph 8, Conclusion & Recommendations)

Recommendation 2: The strategy to reduce over-representation will need to set out clearly the responsibility of central Government departments. Co-operation between the Home Office and the new Ministry of Justice over this issue will be key. The Department for Communities and Local Government, Youth Justice Board and NOMS will also have a vital role to play. (Paragraph 220, Main Report; Paragraph 9, Conclusion & Recommendations)

The 2008 Annual Report set out how the PSA targets (the Government's top 30 priorities for action) provide the framework through which the Government is delivering the socio-economic and cultural shifts needed to deliver improved outcomes for young black people in the CJS. Progress against the PSAs is reported through Departmental Annual Reporting and the Autumn Performance Reporting Process.

Set within the PSAs, the PSA 24 priority action on race disproportionality is central to achieving better outcomes for young black people within the CJS. Every LCJB now has a three-year strategy for delivering PSA 24 with supporting periodic plans that set out the actions they will be taking to address race disproportionality. The plans are tailored to the needs of local communities and are designed to respond to local priorities with local solutions.

The Office for Criminal Justice Reform (OCJR) provides a support and challenge role for LCJBs to ensure plans are robust. OCJR has entered into sustained and structured dialogue with LCJBs regarding the monitoring process working closely with them through a process of intensive OCJR and peer-led support to enable them to meet the standards expected. For example, on a monthly basis OCJR has started monitoring the action plans of LCJBs to assess the extent to which they are delivering against agreed actions. To enhance this performance monitoring regime we will undertake, on a monthly basis, random dip sampling of action plans. This will require LCJBs to submit documentary evidence of all activity outlined within their action plans. This allows for good practice to be identified and shared and for any areas of significant

concern to be identified and raised with the CJS Operational Board, the body which oversees delivery of the framework and strategy for the CJS set by Ministers, including delivery of PSA24.

As highlighted in the 2008 Annual Report, the Youth Crime Action Plan¹⁰ is crucial to the delivery of PSA 14 – particularly the national indicator to reduce the number of first-time entrants going into the CJS. The Youth Crime Action Plan: One Year On¹¹ sets out the progress we have made, and describes the action we will take over the next year to ensure that we build the confidence of communities, families and young people. Backed by £100 million of new investment it has led to significant action over the past year, which has made a real difference to young people, families and communities. There are more police patrolling the streets after school, and working with children's services to take vulnerable young people off the streets at night and make sure they get the support they need. More families whose children are at risk of becoming involved in crime are getting intensive support and challenge to turn their lives around. We have brought a new focus to providing support to young victims. Young people who have offended are now carrying out punishments that are tougher – such as paying back to the community during their leisure time, including Friday and Saturday evenings – and that tackle the causes of their offending by combining enforcement with intensive support. At the centre of the plan is a commitment to ensure that the public knows about our work, can have a say in it, and is confident that we are doing the right things and achieving results.

¹⁰ Youth Crime Action Plan (2008), COI, London
URL: <http://www.homeoffice.gov.uk/documents/youth-crime-action-plan/>

¹¹ Youth Crime Action Plan: One Year On (2009), COI, London,
URL: www.homeoffice.gov.uk/documents/youth-crime-action-plan/one-year-on?view=Binary

Recommendation 3: We do not believe there should be an explicit target to reduce over-representation. Such a target would create the perception and perhaps real danger that the exercise of justice was being distorted to meet a government target. Instead, we believe that the Government's aim should be to work towards a situation in which levels of recorded crime, self-report surveys about involvement in the criminal justice system and levels of victimisation reflect the proportions of young people from different socio-economic backgrounds in the population. The Section 95 statistics published annually by the Home Secretary should include details of progress towards this goal. (Paragraph 222, Main Report; Paragraph 11, Conclusion & Recommendations)

In the 2008 Annual Report we agreed that an explicit target to reduce disproportionality would not be practicable and explained how the MDS will provide LCJBs with the data they need to better understand race disproportionality in their area.

LCJBs are using MDS data to identify, examine and understand disproportionality at key stages of the criminal justice process including:

- Stop and Search;
- Arrests;
- Charging decisions;
- Convictions/ acquittals;
- Remands;
- Sentences;
- Compliance with supervision orders;

- Prisoner adjudication decisions; and
- Prisoner regimes.

In support of the MDS, a data-handling protocol has been agreed with the relevant agencies to ensure more effective recording of ethnicity data on court proceedings. This has already helped to improve the quality of ethnicity data.

We recognise that LCJBs, using local data and local knowledge and working collaboratively with local communities, are best able to analyse and address unfair disproportionality in their areas. Mentioned in the 2008 Annual Report, in addition to the tool already developed for stop and search practices, we are developing diagnostic tools to assist LCJBs identify and address the causes of disproportionality:

- in those areas that are not covered by the MDS:
 - Employment – Recruitment, Retention and Progression
 - Prosecution of Hate Crimes
 - Victim and Witness Satisfaction
- in those areas that are particularly challenging:
 - Bail Decisions
 - Arrests

The Ministry of Justice publishes the annual collection of statistics on race and the CJS (the Section 95 statistics), but we maintain the view that this is not the right vehicle to report progress towards reducing disproportionality. Progress on delivering PSA 24, Indicator 4 is reported in the Departmental Annual Reports and Autumn Performance Reports.

Recommendation 4: The department which ‘owns’ the strategy to reduce over-representation should make regular assessments of progress towards a reduction in disproportionality and should challenge other departments to report regularly on progress towards indicators for reducing over-representation.

Recommendation 5: We are aware that the Government has published several strategies aimed at tackling elements of social exclusion in areas as diverse as housing, educational attainment and employment. Several of these have addressed the particular needs of BME communities in general and of particular BME communities. The effectiveness of these strategies needs to be kept under regular review.

We reported last year that regular assessments of progress against plans to deliver each of the priority actions within the PSA are made through PSA governance arrangements.

As a reflection of the importance that the Government places on race equality, Ministers have met to discuss race equality action across Government. Four key actions were agreed to better embed race equality into Government policy:

- Development of a clear cross-Government narrative that highlights the progress already made and the challenges still present;
- Development of departmental equality scorecards;
- Appointment of departmental Ministerial champions for equality; and

- Examination, led by PMDU, of equality-related indicators in all PSAs.

The Department for Communities and Local Government (CLG), after a significant consultation exercise, will be publishing by the end of this year a cross-Government race equality strategy to build on the achievements of Improving Opportunity, Strengthening Society (IOSS)¹² that was published in 2005. This strategy is informed by Tackling Race Inequalities: A Discussion Document¹³, which set out to inform a discussion on future work in this area. As well as inviting written responses, CLG also set up a micro-site¹⁴ and held eight listening events around the country to interact with interested organisations and individuals at local level. Since the end of the consultation period, CLG has been working with colleagues across Government to develop the new strategy on tackling race inequalities. The strategy will set out our vision for race equality and how we will provide leadership across the public sector to achieve this.

The revised Government race strategy will set out the progress we have made towards narrowing the gaps in attainment and outcome for different BME communities as well as the challenges that remain and our approach to addressing them.

CLG and the Treasury will work with key departments across Government to ensure achievement of PSA indicators relating to the narrowing of inequality gaps, or any under- or over-representation of specific groups in key PSAs, as well as monitoring progress against public commitments

The Government Equalities Office (GEO) is leading on the action to appoint Ministerial

¹² *Improving Opportunity, Strengthening Society: The Government's Strategy to increase race equality and community cohesion* (2005), Home Office London. URL: http://www.homeoffice.gov.uk/documents/race_improving_op-port.pdf

¹³ *Tackling Race Inequalities: A Discussion Document* (2009), CLG, London. URL: <http://www.communities.gov.uk/documents/communities/pdf/1155456.pdf>

¹⁴ URL: <http://www.be-utd.org/>

Equality Champions. This is being taken forward by the Cross-Government Equality Programme Board and the Civil Service Equality and Diversity Task Group.

GEO is working with the Equality and Human Rights Commission (EHRC) to support departments' drive to deliver fair outcomes for all communities. It has been working with stakeholders and subject experts to develop an Equality Measurement Framework (EMF) that can be used to assess equality and human rights across a range of domains relevant to 21st century life. These domains focus directly on those things in life that people say are important for them to actually do and be – such as enjoying an adequate standard of living, being healthy, having good opportunities for education and learning, enjoying legal security, and being free from crime and the fear of crime. It is particularly concerned with the position of individuals and groups with regard to characteristics such as age, disability, ethnicity, gender, religion or belief, sexual orientation, transgender and social class.

The EMF will provide a baseline of evidence for evaluating progress and deciding priorities. The baseline of the extent of inequality in the UK will be reported in the first statutory EHRC Triennial Report to Parliament, due to be published during 2010. It will also provide data that may help the Government and other public bodies prioritise their activities to meet the public sector Equality Duties. As data are collected to fill the framework, a web-based tool will be developed to make the data accessible and useful to all groups and individuals with an interest in promoting equality and human rights in Britain. The framework will be live by mid-2010, ahead of the EHRC Triennial Report.

Recommendation 6: Statutory services which impact on or aim to tackle social exclusion - such as education, youth and careers advice, youth housing services and drug treatment - should be routinely monitored to assess the extent to which different ethnic groups are able to benefit from them. This data should be regularly reviewed to explore the reasons for any shortcomings in the ability of all young people to access and benefit from services.

We agreed with the Committee and highlighted how Equality Impact Assessments provide this crucial monitoring regime. The measurement framework set out in response to Recommendations 4 and 5 will also support government departments to critically review their programmes and priorities.

Looking Forward

We know that addressing the needs of all communities, and taking particular action to understand and address race disproportionality where it exists, is a fundamental action required to engage local communities and drive up confidence in the CJS. To build confidence and address potential unfairness in all parts of the system, LCJBs will need to continue to ensure that they collect and analyse consistent and good quality ethnicity data and put in place appropriate action plans to reduce disproportionality where it cannot be objectively justified. This will largely be supported by successful implementation of the MDS.

Through the *Realising the Potential* programme, we aim to increase the capacity and capability of the CJS by making LCJBs the leaders of change in the CJS and driving reform to achieve continuous improvement.

Good quality data are key to this work and we will continue to ensure that agencies collect good quality ethnicity data. This includes monitoring the impact of the court ethnicity data protocol to ensure it fulfils its objective to increase the quality of data available on court proceedings.

Taken together, this programme lays strong foundations to continue to address race disproportionality.

Support for Positive Adult Influences

Overview

The Government is supporting parents, carers and communities to improve outcomes for young people and to make positive interventions in young people's lives who are at risk of offending, before they go down that path. For example, the Department for Children, Schools and Families (DCSF) is providing over £75m to local authorities for 2009/10 to provide targeted parenting and family interventions to improve outcomes of children, young people and families. This includes funding all local authorities to set up Youth Crime Family Intervention Projects aimed at families with children and young people at risk of offending.

The National Academy for Parenting Practitioners (NAPP) is increasing the supply of professionals delivering evidence-based parenting programmes and is taking action to ensure that local commissioners have the knowledge and skills to commission proven interventions, including through the third sector. NAPP is looking to achieve an increase in BME practitioners accessing this training.

CLG's *Inspiring Communities* programme, launched on 8 April 2009, aims to mobilise local communities around a positive goal-raising the attainment of young people in deprived communities. It is focused on supporting 11- to 14-year-olds to widen their horizons and fulfil their potential. Initially based in 15 neighbourhoods, it will fund and support neighbourhood local people. CLG is supporting this programme with a core programme worth more than £10 million and is working with DCSF and the Cabinet Office to ensure its effective delivery.

Update on progress to deliver recommendations

Recommendation 7: We believe a full evaluation of Government support for parenting - from parenting orders to interventions for struggling families - should be carried out to assess the extent to which current provision is accessible, appropriate and relevant to the needs of Black groups. (Paragraph 227, Main Report; Paragraph 15, Conclusion & Recommendations)

We agreed with this recommendation and, in the 2008 Annual Report, we set out the range of programmes funded by the DCSF providing targeted parenting and family support.

A recently published evaluation of Family Intervention Programmes (FIPs) aimed at anti-social behaviour (ASB) shows that the outcomes for families ending the intervention with a formal exit are, compared with their situation at the beginning of the project, overwhelmingly positive across a range of measures. For example:

- the proportion of families not involved in ASB at the end of the intervention had risen to 66%, compared with 10% of families at the start;
- truancy, exclusion and bad behaviour at school was an issue for children in 25% of families at the end of the intervention compared with 56% at the beginning;
- poor parenting as an issue had reduced from 65% at the beginning of the intervention to 28% at the end.

The *Youth Crime Action Plan* also committed to ensuring that services are better targeted at those families with children most likely to engage in youth offending. This culminated in the introduction of new Youth Crime Family Intervention Projects, based upon the evidence from the evaluation of FIPs. Around 42 Youth Crime Family Intervention Projects are now in place across England. Like the original FIPs, the aim is to have one in every local authority area by the end of March 2010. DCSF will be monitoring access by BME communities.

Family Pathfinders have been developed to improve the outcomes of those families caught in a cycle of low achievement. There are 15 Family Pathfinders currently operating which are providing good practice examples for ensuring children and adult services join up more effectively to identify vulnerable families and to provide better support for those families. The *Think Family* approach outlined in the 2008 Annual Report continues to be evaluated and it remains the expectation that the final report will be published in Spring 2011. This will include data on families that have been supported by the Family Pathfinders disaggregated by ethnicity.

Following the successful evaluation of the Parenting Early Intervention Programme (PEIP), outlined in the 2008 Annual Report, the Programme continues to be implemented. There are now 73 Parenting Early Intervention Programmes in operation across the country and a further 152 programmes are due to become operational by April 2010. The PEIPs have been successful as measured by improvements to parenting skills and the behaviour of the child concerned, halving the number of parents

who classified their children as having significant behavioural difficulties.

Recommendation 8: We recommend Youth Offending Teams and social services should consider making greater use of voluntary organisations who have established success in providing parenting support to Black families. (Paragraph 228, Main Report; Paragraph 16, Conclusion & Recommendations)

We agreed with this recommendation. The Youth Justice Board (YJB) continues to ensure effective engagement with third sector organisations. In the region of £4 million of YJB funding is invested, through Youth Offending Teams, in parenting programmes each year. Around half of all programmes are delivered through the voluntary sector; the involvement of the third sector was promoted and encouraged when the YJB first allocated its funding in 2005/06. The YJB is also investing £2 million of its YOT prevention funding towards the recently announced expansion of Family Intervention Programmes, mentioned in Recommendation 7.

The 2008 Annual Report mentioned the YJB's plans to develop and maintain partnership working through Memoranda of Understanding with several key organisations. For example, the YJB and the Prince's Trust met in June 2009 to discuss how best to work together. The demonstration project mentioned in the 2008 Annual Report has commenced between Peterborough Youth Offending Service and Peterborough YMCA. This project aims to showcase the close working relationship which exists in Peterborough and demonstrate the benefits to encourage similar relationships to be

developed. Initial analysis of the project indicates improvements in the understanding between the organisations of the benefits of partnership working in the context of a diverse local community.

Recommendation 9: We recommend that the National Parenting Academy, which is due to become operational in Autumn 2007, should offer specific advice to practitioners on the needs of families of African and Caribbean origin. It could also draw on the support of voluntary organisations working in this area to deliver its training programmes for practitioners. (Paragraph 229, Main Report; Paragraph 17, Conclusion & Recommendations)

We agreed with this recommendation. The Academy is delivering a series of workshops, up to March 2010, to parenting practitioners covering good practice with working with BME families.

As mentioned in the 2008 Annual Report, the Academy is targeting free parenting training to practitioners who work with parents who are most in need, as identified by the 150 local plans and priorities and through statutory and third sector services. Not all areas identify BME parents as a priority, but most are very clear about specific issues facing particular ethnic groups. The Academy will have trained over 3,000 practitioners from priority groups including Youth Offending Teams (YOTs), Family Intervention Projects, the Parenting Early Intervention Programmes and those working in extended schools and Children's Centres by March 2010.

The Academy undertook a mapping exercise of local service provision last year, the

findings of which have now been published and available via the Family and Parenting Institute's website¹⁵.

The Academy is also trialling the American 'Functional Family Therapy' approach, to assess its effectiveness in helping teenage offenders and their families. Approximately 100 families will have been recruited to the trial, of which ten will be BME families, and they will have completed the intervention by September 2010. As part of the Functional Family Therapy trial it is anticipated that a number of reports and papers will have been submitted for publication by the end of March 2010. These will include research data from pre-intervention assessments and will provide valuable information on the challenges faced by young offenders and their families. The final analysis on the effectiveness and cost benefits of the trial compared to other service provision will be available in 2011/12.

Recommendation 10: It is important to take urgent steps to expand support for mentoring programmes which are focused on young Black people. The Government should evaluate promising schemes working with young Black people currently, such as 'Generating Genius' and the 'From Boyhood to Manhood' programme, and in the long term, should build on this research when prioritising funding. In the shorter term we recommend that there should be a presumption in favour of expanding the existing work of organisations which have grown from local communities and which are well supported by them. (Paragraph 231, Main Report; Paragraph 18, Conclusion & Recommendations)

¹⁵ Parenting Services: Filling in the Gaps (2009), Family & Parenting Institute, London
URL: <http://www.familyandparenting.org/item/publication/70/1>

We agreed with the Committee's recommendation. Following on from last year's launch of the first ever black male National Role Model Programme, a key recommendation of the REACH panel, the Government has continued to support the role model programme through funding a third sector organisation to deliver the programme until 2011. The national role models have been sharing their stories with black boys and young black men across the country to provide inspiration, challenge stereotypes and shine a light on positive images of black male achievement. The Windsor Fellowship, which is running the national role model programme, recently started the second phase of the programme with regional role models. The regional role models will attend events hosted by third sector organisations working towards the educational achievement of black boys and young black men. This work will run alongside the national programme.

Progress on the REACH programme (delivery of all five recommendations to Government made by the REACH panel in 2007) is continuing. CLG published an update report this year looking at the processes and resources which have been put in place across national government, local authorities, schools, and the community and voluntary sector to support and empower black boys, young black men and their families.

The Annual Report last year set out the proposals for a multi-skilled taskforce of Ambassadors and role models to focus on reducing violent crime, particularly knife crime. As such, the Home Office is supporting the *No to Knives Coalition*, which brings together representatives from organisations such as the Peace Alliance, the

Prince's Trust and the Damilola Taylor Trust with leading figures from sport, including the Premier League, the Football League, and the Football Association; music, including the MOBO and Brit Awards; and the corporate world, e.g. Asda, to drive forward a high profile anti-knives campaign.

Our responses to Recommendations 12 and 13 provide further details on mentoring provision.

Recommendation 11: School is an environment in which guidance and motivation can make a crucial difference. We suggest that schools should, where appropriate, make use of mentoring to assist and inspire young Black people in the classroom and outside. (Paragraph 232, Main Report; Paragraph 19, Conclusion & Recommendations)

We agreed with this recommendation. Building on the success of a DCSF-funded peer mentoring scheme which was taken forward by ChildLine in Partnership with Schools (CHIPS), DCSF commissioned three leading charities – CHIPS, Beatbullying and the Mentoring and Befriending Foundation (MBF) – to pilot three different and innovative approaches to peer mentoring in tackling bullying.

CHIPS introduced a number of new and innovative elements to their pilot scheme which included a successful partnership with Premier Rugby and a programme focused on working with perpetrators of bullying. The CHIPS scheme is now reaching many more children, young people and adults and they have introduced a wider range of strategic partnerships to further the reach of peer mentoring to children and young people. Since June 2008, CHIPS have worked directly with 358 schools and 33 local authorities.

The MBF focused on links with the curriculum and has worked in collaboration with the Award Scheme Development and Accreditation Network (ASDAN) to develop an award for peer mentors and scheme co-ordinators in schools. They are working currently with 150 schools to develop a structured peer mentoring programme as part of a wider school anti-bullying strategy. In order to reflect fairly the ethnic diversity of the different schools across England, 17% of the participating schools chosen have over 80% of pupils from non-white British backgrounds. The MBF scheme has introduced rigour into the assessment process and the ASDAN qualification and Approved Provider Standard are useful enhancements to the peer mentoring process, which has been taken up by the other providers.

Beatbullying focus on tackling cyber-bullying and the CyberMentor programme¹⁶ has been particularly innovative and successful in the way it has used the Internet as a tool to facilitate peer mentoring. The scheme is underpinned by a strong communications and media strategy which Beatbullying has used to good effect to showcase the benefits of the programme. The programme has proved highly successful in engaging schools. To date, over 660 young people from across four pilot regions have been trained as CyberMentors, approximately 75% of which have already begun to mentor online. The training for young CyberMentors includes discussions around bullying related to race, gender, sexuality, culture, faith, and religion. Over 200 Senior CyberMentors from universities and colleges across England have also been trained.

¹⁶ URL: <http://cybermentors.org.uk/>

Recommendation 12: DCSF could create a database of organisations offering mentoring support in different parts of the country and track their methods and effectiveness. Information on the benefits of mentoring and advice on how best to procure and deploy it should be disseminated to schools. The department should assess whether, and how much, additional funding schools will need to engage these organisations and make this available where necessary. (Paragraph 232, Main Report; Paragraph 19, Conclusion & Recommendations)

The Government's response to the Committee initially disagreed with this recommendation. However, the 2008 Annual Report outlined plans for a peer mentoring database to be developed by the Mentoring and Befriending Foundation. The database is currently being finalised.

Recommendation 13: Mentoring should be preventative rather than solely curative. Ken Barnes told us that mentoring organisations are currently often brought in on a remedial basis, "after our children have reached a kind of psychosis where they are beginning to rebel against society". (Paragraph 233, Main Report; Paragraph 19, Conclusion & Recommendations)

We agreed with this recommendation. Peer mentoring is used proactively. Young people who are identified as being in need of support for a variety of reasons – including those on the verge of criminality – can be offered peer mentor support.

The MBF has been promoting the use of peer mentoring through various publications for those working with children and young people, resulting in an increase in interest

in setting up peer mentoring programmes within both education and community settings. The MBF has also contacted approximately 160 national stakeholders to promote training and resources through their communication channels. As a result, approximately 60 organisations are now promoting the MBF on their website or through their e-bulletins.

The MBF held a national conference on 4 November, organised in partnership with the Prime Minister's Council on Social Action, to highlight the specific contribution that one-to-one peer mentoring can make in supporting others and to realise the potential of the Programme.

Looking Forward

The Government's long-term aim is that parents will be better equipped with their parenting role and families with significant, generational problems are stabilised and problems are not passed from generation to generation. The DCSF will continue to provide funding (of around £89 million) in 2010/11 for targeted parenting and family interventions in support of this aim, to improve the outcomes for children, young people and families. All local authorities will also have at least one Youth Crime Family Intervention Project operating by March 2010.

CLG is developing a programme which will focus on bringing young people together from different backgrounds to help tackle prejudices and build relationships.

CLG is funding 27 national and regional projects through the Tackling Race Inequalities Fund, to address discrimination

and underachievement. Thirteen projects are working with young people. Examples include The Stephen Lawrence Charitable Trust which undertakes distinct work around young black boys by: enhancing education in a variety of ways such as the provision of scholarships and bursaries; increasing the number of young people who pursue a career in Urban Design; and using education to promote equality of opportunity and good race relations. Another example is Excell3 which through their community projects, such as empowerment training, aim to support and empower black youth thus allowing them to achieve greater success. Many funded organisations also take account of the views of BME youth when developing activities, such as the Runnymede Trust. Officials from the Race Equality Diversity Division will have regular meetings with the funded organisations and the impact of their individual programmes will be closely monitored.

In respect of the Peer Mentoring Programme, the three charities will report formally on their programmes in Spring 2010 and the reports will highlight the benefits of peer mentoring and how best it should be used in schools. DCSF has also commissioned Goldsmiths University to carry out an evaluation of all three programmes as part of the research they are carrying out into the efficacy of various strategies to tackle bullying. Goldsmiths intends to publish a report setting out their key findings in September 2010.

The Central Role of Schools

Overview

Our ambition is for every child to succeed. The challenge is to prepare every child to make a success of their life. We have to make sure that the best of what we offer in our school system – which matches the best anywhere in the world – is made to all children, as we seek to break the link between disadvantage and low achievement.

New Pupil and Parent Guarantees, underpinned by legislation, will be implemented across the country driving the next stage of education reform. We recognise that no school can meet the needs of all its pupils alone. Delivering the guarantees will require schools to work together and with wider children's services, to share expertise and facilities and provide children with the skills and confidence they need for greater independence in adult life.

Federation and other partnership solutions will become central to tackling under-performance and extending the reach of the best leaders. We will accelerate the creation of Academies and Trust schools, bringing in new sponsors and partners as well as introducing a system to accredit good education providers who wish to run groups of schools. We will support the creation of multi-agency teams in schools, strengthen Children's Trusts and promote co-location of services such as specialist child health clinics, youth centres and sports facilities.

The school accountability system, which will include a new School Report Card, will focus more sharply on how well each child is progressing and developing. It will take more account of the views of pupils and parents and reward those schools that are the most effective in breaking the link between deprivation and low achievement.

Ofsted's strategic plan emphasises its firm commitment to equality and diversity and the interests of all service users: children, young people and parents. This is reflected in its approach to school inspection. The judgement on the overall effectiveness of a school is strongly determined by the achievement and standards of individuals and groups of pupils. Any school where the pupils make less than good progress cannot be judged as better than satisfactory overall. Similarly, a school can only be judged good overall if there are no marked differences between the achievement of different groups of pupils, such as those of different ethnicity. Current guidance to inspectors already requires them to take into account the achievement of BME pupils, which is then reported on separately, if appropriate.

Update on progress to deliver recommendations

Recommendation 14: Our evidence suggested that school exclusion and under-attainment are closely correlated with young Black people's disproportionate involvement in the criminal justice system. It is therefore vital that the DCSF is closely involved in the development of strategy to reduce over-representation. (Paragraph 234, Main Report; Paragraph 21, Conclusion & Recommendations)

We agreed with the Committee's recommendation. DCSF is continuing its long-term work to reduce the disproportionate exclusion of black young people, which began after a Priority Review published in 2006 highlighted the existence of disproportionality.

Twelve local authorities and almost 80 schools, chosen because of high or disproportionate exclusion rates for black pupils, took part in a pilot aimed at reducing exclusions of Black Caribbean and Mixed White/Black Caribbean pupils. This led to a good practice toolkit and DVD being produced on reducing disproportionate exclusions of this group. These support materials were launched in February 2009 and are available on DCSF's National Strategies website.¹⁷ The materials promote data analysis in schools, enabling schools to explore whether they have an issue with disproportionate exclusions of young black people. The materials also focus on pupil perceptions, and the importance of communication with governors and teachers to develop a whole-school ethos and vision to improve behaviour of pupils.

DCSF will be monitoring the impact of its new approach through annually published exclusions data. As highlighted in the 2008 Annual Report, we would expect to see the impact of this work in 2009/10 exclusions data, available summer 2011. However, we have already seen an encouraging trend. Data for the 2007/08 school year published in July 2009¹⁸ shows that, while all exclusions were down on the previous year, permanent exclusions for black children generally were down more sharply than for the rest of the cohort, so the gap is narrowing. This is the first time that the number and proportion of exclusions by ethnicity has been shown by region and local authority area for fixed-term exclusions, and at regional level for permanent exclusions. Thus, it is now possible to get a more detailed geographical picture of trends and remaining imbalances by ethnicity.

The 2008 Annual Report also set out the proposal in the Youth Crime Action Plan to make permanent exclusion from school an automatic trigger for a Common Assessment Framework (CAF) assessment. The revised Improving behaviour and attendance: Guidance on exclusion from schools and Pupil Referral Units published in 2008 acts on this proposal. This guidance sets out that, following permanent exclusion, local authorities should arrange to assess the pupil's needs and that this should involve undertaking a CAF process where one has not already been carried out.

Recommendation 15: Many respondents believed disciplinary problems began with misunderstandings between teachers, pupils and parents. We are encouraged that the new Professional Standards for teachers, which will come in from September 2007, require specifically that teachers must know how to adapt teaching, learning and behaviour management strategies for those they teach, including how to take practical account of diversity and promote equality and inclusion in their teaching. School inspection should prioritise assessment of the extent to which disciplinary measures are appropriate and fair. (Paragraph 237, Main Report; Paragraph 23, Conclusion & Recommendations)

The Government response to the Committee disagreed with this recommendation, as it was considered that Ofsted inspections already require schools to provide details of exclusions by gender and ethnic origin.

¹⁷ URL: <http://nationalstrategies.standards.dcsf.gov.uk/node/161362>

¹⁸ URL: <http://www.dcsf.gov.uk/rsgateway/DB/SFR/s000860/index.shtml>

The Government does believe that there is a case for new arrangements for handling parents' and young people's complaints. The new arrangements will strengthen the arrangements for reaching resolution in disputes between schools and parents; issue guidance to schools in effective complaint handling; provide effective redress where the school has been at fault in providing a service or handling a parents' complaint; support schools in their decisions where they are correctly reached; streamline, where possible, current arrangements for complaints; and replace the Secretary of State's role in considering complaints regarding schools under ss496/497 of the Education Act 1996 with an independent national service.

We have established a set of principles which could govern the handling of complaints. We consulted on those principles in 2008 as well as arrangements for the handling of parents' complaints about their child's school and how they might be improved from the first informal stages through to formal complaints.¹⁹ The new service will be hosted by the Local Government Ombudsman and we are legislating for its introduction through the Apprenticeships, Skills, Children and Learning Bill currently before Parliament.

Action to narrow the attainment gap of under-achieving black and minority ethnic groups will remain a priority until it is eradicated. We will use mainstreaming initiatives that focus on: whole school systems; teacher skills; and developing and disseminating best practice. Our approach is reinforced through the expectations

within the Children's Plan for a personalised approach to learning.

In 2003, the Government recognised that the strategy of using targeted programmes was important for raising the standards for a number of under-achieving ethnic minority groups. A number of pilots were conducted before being made more widely available. A key outcome of these programmes, delivered through National Strategies, has been the helpful resources that are also relevant to other groups and therefore fit into our move to a more mainstream approach that benefits all children, schools and local authorities.

Recommendation 16: It is significant that the Government's own Priority Review concluded that there are measures which can and should be taken to reduce the exclusions of young Black people. We urge the Government to implement the findings of the Priority Review carried out by the DfES in 2006, which recommended that additional guidance and training should be provided to help school leaders and staff reduce gaps in areas where they are greatest and that compliance mechanisms should be strengthened to 'turn up the heat' on schools which fail to address persistent gaps. Attention should be given to ensuring all schools are fully meeting their responsibilities under the Race Relations (Amendment) Act 2000 to eliminate unlawful discrimination and promote equality of opportunity and good relations between persons of different ethnic groups. (Paragraph 238, Main Report; Paragraph 24, Conclusion & Recommendations)

We agreed with this recommendation. As the 2008 Annual Report set out, the programme of work initiated by the 2006 Priority Review is set out under Recommendation 14.

¹⁹ A New Way of Handling Complaints about School Issues: Consultation Outcomes (2009), DCSF, London
URL: <http://www.dcsf.gov.uk/consultations/index.cfm?action=conResults&consultationId=1570&external=no&menu=3>

Recommendation 17: We stress the importance of ensuring that proper educational provision is made for those young people who are excluded from school. (Paragraph 239, Main Report; Paragraph 25, Conclusion & Recommendations)

We agreed with the Committee. The 2008 Annual Report highlighted the scheme being piloted to explore innovative ways of arranging and delivering alternative educational provision for those who are excluded from school. The twelve pilots are currently under way in Coventry, Darlington, Haringey, Herefordshire, Knowsley, Liverpool, pan-London, Nottingham, Oxfordshire, Rotherham, Wakefield, and Westminster.

Local authorities are testing a variety of delivery models and are working in partnership with a number of well-known private and voluntary sector organisations including Barnardo's, Kids Company, Nacro and the Prince's Trust. Many are also working closely with other local service providers such as Child and Adolescent Mental Health services, Primary Care Trusts, youth offending services and the police.

Pilots are targeting specific groups of young people and have clear outcomes for them. For example, one pilot is working with young people at risk of not being in employment, education or training (NEET) and aims to increase attendance, reduce exclusions, reduce offending, increase numbers in work experience or training and raise overall attainment. Innovative provision in this pilot includes an eco-centre where young people spend one day a week learning practical skills. Another project is running a mobile pupil referral unit using youth, private and voluntary sector sites around the county, resourced by a partnership of schools, the

county council and private and voluntary providers including a theatre trust and an arts centre. The project is aimed at Key Stage 3 pupils aged from 11 to 14; those requiring supported transition from Key Stage 2 to KS3; those at risk of exclusion; persistent absentees and young offenders.

It aims to reduce fixed period and permanent exclusions, offending, persistent absence, and to improve engagement in further education and employment. Evaluation of the pilot projects started in October, and will report finally in autumn 2011 with interim releases in summer 2010. All pilots are aware of the equality issues around the provision they make for young people and the evaluation process will include ethnicity as one of the key elements, to identify any variation in service provision.

Taking forward the plans set out in *Back on Track*, a suite of guidance on a core entitlement for pupils in alternative provision is planned to be published for consultation by the end of 2009.

Another proposal, the collection and publication of information on the attainment of young people in alternative educational provision, has also been implemented. Information on attendance at pupil referral units was published, at a regional level, in July 2009²⁰ and work is underway to pilot the collection and publication of 2009 Key Stage 4 (GCSE) pupil referral unit and alternative provision pupil performance data in January 2010. DCSF are looking at whether an ethnic breakdown of these data will be possible.

The Apprenticeships, Skills, Children and Learning Act 2009 contains provisions for regulations to be made which would require a local authority to obtain the consent of

²⁰ URL: http://www.dcsf.gov.uk/rsgateway/DB/SFR/s000832/SFR03_2009PRUTable.xls

the Secretary of State before closing a pupil referral unit (PRU). The Government intends to use this power to make the closure of a PRU subject to the Secretary of State's consent where the PRU has been described by Ofsted as requiring special measures, or Ofsted have given notice to the Local Education Authority that an inspection is due. This is to prevent PRUs being closed to avoid an intervention. The Government expects that the Local Education Authority will be required to provide information about the provision they are intending to replace the closing PRU with, and the Secretary of State will then give his consent dependent on an assessment of the adequacy of these plans.

Recommendation 18: We also recommend that DCSF should increase its efforts to explore and publicise legitimate alternatives to full exclusion, such as excluding internally or giving disruptive students constructive duties within schools. (Paragraph 240, Main Report; Paragraph 26, Conclusion & Recommendations)

We agreed with this recommendation. Sir Alan Steer's report *Learning Behaviour: Lessons Learned*, published in April 2009, stated that "school exclusion should only occur when there is no other alternative" and that "in many instances effective early intervention by the school and extended services can prevent the subsequent need to exclude". However, there are circumstances when the behaviour of a child is so challenging that an exclusion has to be made in the interests of other pupils and the school. It is essential in these circumstances that "the exclusion process operates to the highest standards and that the child concerned and the parents are treated with respect".

Recommendation 14 sets out the range of activity being taken forward to address disproportionality in permanent exclusions, particularly the number of Black Caribbean young people being permanently excluded. Revised statutory guidance on exclusion was published in September 2008 which made clear that schools and local authorities, in partnership with parents/carers, have a responsibility to reduce the need for exclusion. This guidance includes a specific chapter on early intervention covering alternatives to exclusion. The effectiveness of exclusion policies is monitored through the annually published exclusions data.

In September 2009, the Secretary of State for Children, Schools and Families announced a strategy to improve pupil behaviour in schools. The central elements of the behaviour strategy include the Behaviour Challenge in which schools with a 'satisfactory' Ofsted behaviour rating will be encouraged and supported to achieve 'good' or 'outstanding' behaviour standards and engaging parents through the new *Working together for good behaviour in schools* leaflet.

Current DCSF guidance on school behaviour policies includes a chart setting out the key rights and responsibilities of schools, parents and pupils as regards behaviour. DCSF are considering with partner organisations on the Ministerial Stakeholders' Group on Behaviour and Attendance how this information might be disseminated and used to best effect. DCSF has used one of its regular emails to schools this autumn to focus specifically on pupil behaviour issues. The purpose was to help raise awareness of legal powers and highlight good school practice on behaviour management. DCSF has also refreshed its website on school behaviour, consolidating into one place links

to all of the Department's current guidance on behaviour issues and to associated materials produced by partner organisations such as the teacher professional associations.

Recommendation 19: We recommend that DCSF should consult Black voluntary and community groups and Black pupils themselves to identify any gaps in the relevance of the curriculum to their needs. Attention should be given to identifying curricular content which interests and empowers young Black people. (Paragraph 241, Main Report; Paragraph 27, Conclusion & Recommendations)

We agreed with this recommendation. DCSF is committed to promoting pupil voice as part of a whole school approach to engaging the participation of children and young people. We have therefore established a framework of statutory guidance underpinned by accountability. Ofsted already looks at how a school considers the views of pupils as part of the inspection process. This involves a dialogue with the school on how to improve their practice, where necessary.

DCSF issued statutory guidance in 2008 entitled *Working Together - Giving Children and Young People A Say* designed to help schools organise and offer children and young people opportunities to develop their skills as active citizens; and organise a variety of approaches of involving children and young people. The guidance outlines how governing bodies could seek pupils' views and engage them in strategic decision-making.

From September 2008, the new citizenship programme of study at Key Stages 3 and 4 includes an examination of the key concepts of identity and diversity and encourages

exploration of what it means to be a citizen in the UK today.

DCSF has put in place provision to support all schools in designing and implementing the new secondary curriculum. It has supported a national Continuing Professional Development programme to increase the number of specialist Citizenship teachers. DCSF is also supporting the Association of Citizenship Teachers' work with local authorities and schools to improve the confidence and capacity of schools to plan and deliver a citizenship curriculum that is effective and coherent with the curriculum as a whole.

The national project *Who Do We Think We Are* engages primary and secondary schools in the exploration of identity, diversity and British citizenship – in schools, local communities and nationally. It provides a high profile, national opportunity to celebrate shared values and identity as British citizens. The next event week will be in June 2010.

Recommendation 20: Government should ensure history lessons are relevant to all young people in Britain. Attention should be paid to ensuring they include reference to the contribution of Black communities - for example, their involvement in two World Wars. Several witnesses alluded to the importance of including reference to the slave trade in the curriculum. This could form part of the new focus on citizenship education recommended by the Ajebo review of the citizenship curriculum and recently accepted by Government. (Paragraph 241, Main Report; Paragraph 27, Conclusion & Recommendations)

We agreed with the Committee. The new Key Stage 3 curriculum for history, effective from September 2008, states that pupils should have opportunities to explore the ways in which the past has helped shape identities, shared cultures, values and attitudes today. This can help pupils prepare for life in an increasingly diverse and multi-ethnic society.

The 2008 Annual Report set out a number of new compulsory elements of the History curriculum, including the effects of the slave trade and the Holocaust. Given their introduction in the last academic year, it is too soon to measure the impact they have had. Pupils are not assessed at Key Stage 3 and those commencing a GCSE full course of study from September 2008 would not yet have sat a final exam based on the revised Citizenship and History curriculums. However, the impact of the new curricula will be kept under review by the Qualifications and Curriculum Development Agency as part of their statutory duties. Ofsted's three-yearly report on citizenship, the next of which is due to be published in Spring 2010, will provide some evidence of how the new Citizenship curriculum has bedded in.

Recommendation 21: We recommend that Government should ensure specific teacher resources are available to all schools who have gun, gang or knife crime problems. (Paragraph 242, Main Report; Paragraph 28, Conclusion & Recommendations)

We agreed with this recommendation and set out in the 2008 Annual Report the range of measures to enhance the ability of schools to play their role to help tackle youth violence and gang issues, including the issuing

of practical guidance to schools on how to recognise, prevent and tackle problems of gangs and group offending in schools.

Recommendation 22: We were encouraged by the apparent success of Safer Schools Partnerships, which bring together schools, police and crime reduction partnerships to gather intelligence and prevent crime. Many of the plans involve a police or community support officer coming into school to work with the children and teachers. According to the Government, these have led to a drop in crime and anti-social behaviour and a reduction in the numbers of children excluded for poor behaviour. Other police forces should consider instigating Safer Schools Partnerships in high crime areas. (Paragraph 243, Main Report; Paragraph 29, Conclusion & Recommendations)

We agreed with this recommendation and the *Youth Crime Action Plan* (YCAP) and the YCAP: *One Year On* update report set out the Government's commitment to expand the coverage of Safer School Partnerships (SSPs), helping them to become the norm rather than the exception.

As part of this, a series of conferences were hosted by DCSF and the Home Office in 2008/09 to promote the benefits of SSPs. Following the six regional conferences, DCSF, the Home Office, the Youth Justice Board, the Association of Chief Police Officers (ACPO) and the National Policing Improvement Agency (NPIA) issued joint SSP Guidance in May 2009 and there has been positive feedback from stakeholders in the police, schools and local authorities on the guidance. DCSF and the Home Office are continuing to work with ACPO,

NPIA and the YJB to further promote the establishment of SSPs across the country. This includes work to communicate the benefit of SSPs and to help local areas to prioritise which schools would benefit most from an SSP.

Recommendation 23: We recommend that mentoring support within schools should be targeted at the primary-secondary transfer to help ensure a successful transition. (Paragraph 244, Main Report; Paragraph 33, Conclusion & Recommendations)

We agreed with the Committee and last year's Annual Report referred to the introduction of personal tutors, which will allow schools to strengthen the individual support available to pupils and their parents as they reach Year 7. DCSF are on track for all secondary school pupils and their families to have access to a named personal tutor by September 2010. The Training and Development Agency for Schools (TDA) has developed a pathfinder process which aims to test various models of delivery, operating in 40 local authorities since September 2009. The results of this pathfinder will feed in to the intelligence and case study material for all local authorities over the course of the next year.

DCSF is also providing over £100 million from 2008 to 2011 to support the expansion of Parent Support advisors. There are now 3,500 advisors and similar professionals in place and they are commonly involved in supporting transition sessions in schools, which are held when children move schools. They work closely with school staff and external agencies to identify those families that need additional support at the time of transition.

Recommendation 24: Youth inclusion programmes should be targeted particularly at at-risk young people in this age group. Schools should be trained to swiftly identify those who are headed down the wrong track and divert them to appropriate interventions. (Paragraph 245, Main Report; Paragraph 31, Conclusion & Recommendations)

We agreed with the Committee's recommendation.

The Youth Inclusion Programme (YIP) consists of over 100 projects across England and Wales, based in some of the most deprived neighbourhoods. The core group of young people YIPs work with is identified by their likelihood of offending, based on a multi-agency panel assessment of risk and protective factors. YIPs continue to steer young people away from crime and, together with other YJB-funded targeted prevention programmes, engage approximately 20,000 of the hardest-to-reach and most challenging young people every year.

Positive Activities for Young People (PAYP) continues to deliver targeted developmental activities for 8- to 19-year-olds at risk of social exclusion and community crime. Funding totalling £74.5 million in 2009/10 and £94.5 million in 2010/11 has been allocated to all local authorities to increase the volume and quality of positive activities available to young people, when and where they are most needed.

Recommendation 25: Attention should be given to informing young people about the law and the consequences of becoming involved in crime. (Paragraph 246, Main Report; Paragraph 32, Conclusion & Recommendations)

We agreed. In addition to the new Citizenship curriculum outlined in Recommendation 19, the Ministry of Justice has, as set out in the 2008 Annual Report developed an educational resource to help 7- to 16-year-olds understand the justice system. The *Your Justice Your World* educational resource was launched on 13 July 2009²¹ by the Attorney General and Justice Minister Bridget Prentice. The online resource for young people aged from 7 to 16 is visually appealing, highly interactive and comprehensively covers the criminal, civil, family and administrative aspects of the justice system. All primary and secondary schools have been sent details of the resource, to encourage uptake, and a number of schools have already opted to use the resource to complement their teaching of the Personal, Social and Health Education (PSHE) and Citizenship curricula. It is envisaged that use of the resource will extend beyond the formal educational arena of schools to community youth groups, further education and pupil referral unit settings. By promoting awareness – through articles in education-sector magazines, conferences and other school and community networks – it is hoped that *Your Justice Your World* can also be used for independent learning at home.

Your Justice Your World has since been promoted at the Youth Crime Action Plan: Next Steps event on 22 July. A Welsh language counterpart was launched at the National Eisteddfod festival on 3 August. Its national launch took place in Norfolk at a week-long *Your Justice Your World* event organised by the Norfolk Local Criminal Justice Board in October. With online and

classroom activities that cover parental separation, restorative justice, arson and knife crime (to name but a few), it is hoped this resource will save duplication of effort across agencies in the CJS.

The Attorney General's Youth Network has also been established to: complement existing youth-focused activity and citizenship education; encourage understanding of and respect for the rule of law; and encourage an understanding of the justice system and an individual's rights and responsibilities.

Since 2007, the Crown Prosecution Service in Derbyshire, in conjunction with Derbyshire County Council, has been delivering lessons to 11- to 16-year-olds as part of the Citizenship curriculum. The lessons aim to educate students about the CPS and the Criminal Justice System as a whole. National roll-out of this project is now underway.

Police forces are using a range of methods to engage young people locally, for example through the use of Safer Schools Partnerships, as set out in Recommendations 22, 37 and 57.

Recommendation 26: Government should conduct further research to evaluate the success of supplementary schools and the reasons for this. Where appropriate, it should encourage local authorities to promote knowledge among mainstream schools of the existence of supplementary schools in the area, and of the possibilities for co-operation. (Paragraph 247, Main Report; Paragraph 33, Conclusion & Recommendations)

²¹ URL: www.teachernet.gov.uk/yjyw

We agreed with the recommendation. The 2008 Annual Report outlined plans by DCSF to tender for research into the success of supplementary education. That tender has now been awarded to the Institute for Policy Studies in Education (IPSE) and the National Centre for Social Research (NatCen) and their report is anticipated to be published in 2010.

Recommendation 27: We recommend that local authorities should adopt a strategic approach to over-representation, mirroring that which we have recommended for central government. Local authorities should set out clearly the responsibilities of all relevant agencies - voluntary and independent as well as public sector - to reducing over-representation and should hold regular joint meetings to assess progress and address any shortcomings in the response. (Paragraph 248, Main Report; Paragraph 34, Conclusion & Recommendations)

Our original response to the Committee made clear that, whilst we agreed with the principle that local authorities and their partners should adopt a strategic approach to combat over-representation, it is for local authorities and their partners to determine how best to do this.

Statutory guidance published in July 2008 was a further move to consolidate duties linked to introducing a new Local Performance Framework, stemming from the Local Government and Public Involvement in Health Act 2007. Since that time, the 'duty to involve' came into force in April 2009 and is part of a suite of other measures to embed a culture of greater public empowerment and involvement. Since publication of the

guidance, 152 Local Area Agreements have been agreed; reports on areas' performance linked to this will be through the Comprehensive Area Assessment, to be conducted by the end of this year.

Recommendation 28: We recommend that local authorities should consider as a matter of priority whether services are sufficiently accessible to young Black people and vulnerable young people of all ethnicities, and should offer more user-friendly alternatives where necessary. (Paragraph 250, Main Report; Paragraph 35, Conclusion & Recommendations)

We agreed with this recommendation. All local authorities should be fulfilling their statutory duty to secure young people's access to positive activities, underpinned by revised guidance from DCSF. All local authorities continue to receive baseline funding to deliver intensive and targeted activity programmes which target young people at risk of negative outcomes such as offending and anti-social behaviour. Fifteen priority areas are receiving additional funding to deliver year-round intensive and targeted activity programmes to young people at risk in particular of involvement in gun and gang crime.

All local authorities also continue to receive funding to publicise to young people positive activities on offer locally. In addition, DCSF are working to improve the information that parents receive on local opportunities and activities for their children.

As mentioned in the 2008 Annual Report, through the Young Inspectors pilot, disadvantaged young people are being trained to scrutinise local services and make recommendations for improvement, giving

young people a real influence and voice on the quality of local provision. The Look Listen Change Consortium has been appointed to deliver the pilot in 36 local authority areas during 2009-11.

Looking Forward

DCSF remains firmly committed to tackling disproportionality in exclusions. The materials on reducing the disproportionate exclusions of Black Caribbean and Mixed White/Black Caribbean pupils were rolled out through National Strategies Regional Advisers in February 2009, and are being used on an ongoing basis as part of the National Strategies' exclusion support and challenge regime with local authorities. The regional advisers will work with local authorities and a member of schools' senior management team where the data suggests there are disproportionate exclusions of Black Caribbean and Mixed White/Black Caribbean pupils. As highlighted in the 2008 Annual Report, the impact of this work is expected to be shown in 2009/10 exclusions data, available in Summer 2011.

DCSF will continue to strengthen the inspection regime to ensure schools are meeting their statutory duties in respect of equality and diversity. Throughout the new Ofsted framework, there is a strong emphasis on the outcomes for individuals and groups of pupils, an emphasis that is made explicit in the grade criteria for each element of the evaluation. For example: "The effectiveness with which the school promotes equality of opportunity and tackles discrimination" will be a 'limiting judgement' – if a school is judged to be inadequate for this aspect of the schedule, it is likely that its overall effectiveness will also be judged to be

inadequate. In making this judgement, Ofsted inspectors will consider "the performance and experience of different groups of pupils, for example minority ethnic groups, looked after children, gifted and talented pupils, pupils with special educational needs and/or disabilities, and of other groups even though the number of pupils may be small in number". Where a school is judged to be inadequate, it will be given a set of recommendations by Ofsted. The local authority is required to prepare a statement of the action it proposes to take.

The alternative education pilots will be evaluated and the report published in late 2011. This evaluation should highlight good practice from the pilots and is likely to draw upon good practice from areas which have undertaken work outside the funded pilots.

The Apprenticeships, Skills, Children and Learning Act 2009 places a duty on the governing bodies of all maintained secondary schools, as well as academies, city technology or arts colleges in England to co-operate to promote good behaviour and discipline, and reduce persistent absence amongst pupils (known as behaviour and attendance partnerships). This will be supported by new statutory guidance to be published in early 2010. This guidance will stress the importance of schools working together to improve behaviour, reduce persistent absence and reduce the need to exclude.

Drug use

Overview

The Government wants to reduce the proportion of young people starting to use or frequently using illicit drugs and volatile substances. Illicit drug use and substance misuse are linked to crime, truancy, and other negative life experiences for individual users, their families and communities.

The 2008-2018 drug strategy *Drugs: protecting families and communities*²² places a focus on protecting all members of our communities. Our objectives are to make communities safer, cut crime and improve physical and mental health through:

- Targeted prevention, intervention and information campaigns against drugs;
- Enforcement action at all levels of the supply chain at home and abroad;
- Better access to effective treatment and support tailored to the needs of individual drug users which will enable them to re-integrate into society; and
- Better engagement between delivery partners and the community.

The Government is committed to taking action to reduce alcohol-related crime and disorder further than it has already, in particular under-age drinking and binge drinking.

In June 2007 the Home Office published *Safe, Sensible, Social: The next steps in the National Alcohol Strategy*²³ jointly with the Department of Health. This set out a comprehensive programme of action to deliver a holistic approach to tackle alcohol-related harm,

taken forward in partnership by the Home Office, Department of Health, DCSF and the Department of Culture Media and Sport in conjunction with the Whitehall partners, local delivery partners and the alcohol industry.

The Government wants to reduce the proportion of young people drinking frequently, to excess, or in an unsafe, unsupervised environment. Alcohol misuse amongst young people is linked to crime and disorder as well as other negative socio-economic experiences. It can also be linked back to family problems, issues at school or in employment, and in offending behaviour. *The Youth Alcohol Action Plan*²⁴, launched in June 2008, sets out a comprehensive approach to stop young people drinking in public; to help them make the right decisions about alcohol; and to provide clear information to parents and young people about the risks of early drinking.

Update on progress to deliver recommendations

Recommendation 29: We recommend that the Department of Health explore ways to determine effectively the extent of drug use among young people of different ethnicities and that it conduct a review of the location and type of treatment currently available to determine how far treatment is meeting their needs and fill any gaps. We also believe that there is a need for a more detailed study of cannabis use and its use by, and effects on, young people of different ethnicities. (Paragraph 252, Main Report; Paragraph 36, Conclusion & Recommendations)

²² *Drugs: Protecting Families and Communities – Strategy 2008-2018*, Home Office, London
URL: <http://drugs.homeoffice.gov.uk/drug-strategy/overview/>

²³ *Safe, Sensible, Social: The next steps in the National Alcohol Strategy* (2007), HM Government, London
URL: <http://www.homeoffice.gov.uk/documents/alcohol-strategy-2007>

²⁴ *Youth Alcohol Action Plan* (2008), The Stationery Office, London
URL: www.dcsf.gov.uk/publications/youthalcohol/

We agreed with the Committee. The Home Office has commissioned research into potential differential access to drug services and the UK Drug Policy Commission (UKDPC) will examine issues of stigmatisation of specific BME groups within that research. Full consideration will be given to any recommendations arising from this research and UKDPC's conclusions.

The ten-year drug strategy published last year is owned and delivered by partners across Government. Its action plan includes specific objectives linked to equality and diversity. A Drug Strategy Equality Forum has been established to provide scrutiny of the drug strategy from a diversity and equality perspective. The group has oversight of projects including the production of a diversity manual for delivery partners and diversity research projects, to review diversity practice in all partnerships, and benchmark to improve performance. Home Office-led work to produce a new diversity manual has begun, along with research and analysis on access to services, data and information sources.

In April the Home Office published *The 2008 Drug Strategy: One Year On*²⁵, which provided a snapshot of the progress made in delivering the drug strategy, as well as next steps and future priorities. During this first year, we have:

- Seized more cash and assets from dealers and higher-level criminals, which contributes to breaking negative role models to young people in their communities and to investing into the community through charitable projects, some aimed at disadvantaged young people;

- Brought together local delivery partners including the police to raise community confidence and tackle local crime and antisocial behaviour;
- Piloted Family Intervention Projects in ten areas with positive results on anti-social behaviour figures;
- Contributed to reductions in drug use amongst pupils over the past year, including cannabis, supported by two successful FRANK campaigns;
- Increased the number of Positive Futures projects to 118 this year;
- Increased the number of under-18s accessing treatment;
- Worked on communication campaigns with local and international partners against the social harms of drugs.

The Drug Strategy Equality Forum (DSEF) is undertaking a refresh of the diversity manual for local partnerships. It will set out the legal obligations surrounding diversity, a checklist of actions that should be taken, and sources of information, guidance and support.

The Home Office's Drugs Interventions Programme (DIP) also has a Race Equality and Diversity Scrutiny Panel, made up of members from key drugs-related organisations, including service user groups and national delivery partners. This Panel holds six-monthly regional forums to share practice and explore solutions, and any issues arising are escalated where necessary to the DSEF. The Panel has developed the DIP Race Equality and Diversity Action Plan to drive up performance in taking forward race equality and diversity in local delivery by identifying and assisting those areas performing less well. The action plan is a living document, regularly reviewed by regional forum members.

²⁵ *The 2008 Drug Strategy: One Year On*, Home Office, London
URL: <http://drugs.homeoffice.gov.uk/publication-search/drug-strategy/drug-strategy-2008-one-year-on>

The Home Office has also developed quarterly DIP diversity data area reports, which show the number of individuals who test positive for Class A drugs, who are assessed by DIP and taken onto the caseload in each quarter in terms of their gender, age and ethnicity profiles. Applied locally, the reports are being used as a vital tool in helping areas to identify possible gaps or barriers to engagement. They have been available to areas for the past year.

Following last year's success of their prevention campaigns on cannabis and cocaine with their target audience (although drug use was stable among 16- to 24-year-olds, it fell to its lowest level including cannabis among 11- to 15-year-olds since 2001), FRANK²⁶ re-launched the BrainCrashers and Pablo campaigns this year.

The Home Office also continues to co-fund Positive Futures, mentioned in the 2008 Annual Report²⁷ as a diversionary programme for young people living in 'challenging' environments where they are deemed at greater risk of engaging in substance misuse, criminal and anti-social behaviour.

The third and final report on school-based drug education conducted by Blueprint, a Government research programme, was also recently published. All the reports have contributed to the evidence base around school-based drugs education and a number of recommendations relating to teacher training; the delivery of messages which challenge young people's perceptions about drug use; involving parents in drug education; and greater collaboration outside schools with, for example, health and media initiatives. The key findings from the

Blueprint reports will be considered as part of the review and revision of drug guidance for schools undertaken by DCSF and currently out for consultation.

One of the main commitments from the review was that Personal, Social and Health Education, which includes drug and alcohol education, should be made a statutory part of the school curriculum; DCSF have been consulting on this.²⁸ DCSF have also revised the early intervention approach to tackle at risk children through the *Think Family* pilots that embed joint working in local authority systems and services, and consists of a range of intensive support options to children and families identified with complex support needs.

The 2008 Annual Report also set out the Government's plans to reclassify cannabis to Class B. Reclassification came into force in January as planned. Enforcement action has included the issue of guidance for enforcement partners on tackling cannabis cultivation. The latest (2008) *Smoking, Drinking and Drug Use Among Young People in England* report²⁹ shows cannabis use has fallen year on year amongst pupils.

Looking Forward

Many of the commitments in the first action plan were based around identifying the scale and type of needs within diverse communities, and the degree to which these were being met, in recognition of the fact that limited sources of data and information were available. Future action plans will be based on the findings revealed by this first set of actions. Progress against the 2008-2011 action plan of the drug strategy will

²⁶ URL: <http://www.talktofrank.com/>

²⁷ Home Affairs Select Committee Inquiry: *Young Black People and the Criminal Justice System* - First Annual Report (December 2008), Recommendation 45, Page 45

²⁸ URL: http://www.dcsf.gov.uk/pns/DisplayPN.cgi?pn_id=2008_0235

²⁹ *Smoking, Drinking and Drug Use Among Young People in England* (2008), NHS, London
URL: <http://www.ic.nhs.uk/statistics-and-data-collections/health-and-lifestyles-related-surveys/smoking-drinking-and-drug-use-among-young-people-in-england/smoking-drinking-and-drug-use-among-young-people-in-england-in-2008-full-report>

continue to be monitored and will use new data and research outcomes to inform the next action plan and future policy.

The Home Office will also act upon the findings of the forthcoming National Audit Office review on tackling problem drug use.

The DIP programme is developing a repository of good practice for use by local DIP service providers. This will include examples from the Community Substance Misuse Service's Black and Ethnic Minority Outreach Project, which aims to make and maintain contacts with local BME communities and individuals in Telford and Wrekin by, for example, developing strong links with local faith leaders. The Outreach Project has helped directly increase the number of female referrals from this community into DIP services. The sharing of good practice will mean that areas can not only tap into each others' experiences, but can also develop expertise in delivery of equal access to services. This repository of good practice will be a living document, continually updated as necessary. When fully developed, it is planned to place the repository online and in a way that it can be updated whenever areas request changes.

Evaluation of the six Young Person Alcohol Arrest Referral pilot schemes, which is being undertaken by each area individually, is expected to be available from summer 2010. These schemes ensure that those who have already been arrested for an alcohol-related offence can benefit from a brief intervention by a trained worker which should help to significantly reduce re-offending. The pilots are capturing data on young people accessing the services, specifically age, gender, preferred language and education, employment and training status.

Government departments are working together to co-ordinate activity in order to ensure that custody-based pilots are joined up where appropriate and that future development of scheme models are aligned through bringing together the initiatives contained in the *Youth Crime Action Plan* and the *Youth Alcohol Action Plan* at national and local level.

Mental Health Treatment

Overview

Our vision is that in 2020 mental health will be seen as an important asset to our society, one in which we all have an investment and to which we all – individuals, employers, the third and statutory sectors, local authorities, the health services and all government departments – have an important contribution to make. All individuals will be treated with respect in an inclusive society, whatever their age, background or circumstances. Services will be attuned to the needs and wishes of individuals and communities and will actively promote equality. Inequalities for black and minority ethnic groups in access to and experience of mental health care will have disappeared. In July 2009 consultation began on *New Horizons* – towards a shared vision for mental health, which will replace the National Service Framework (NSF) for Mental Health. *New Horizons* will advance the twin aims of:

- Improving the mental health and well-being of the population;
- Improving the quality and accessibility of services for people with poor mental health.

The programme will take a life-course approach, from laying down the foundations of good mental health in childhood through to maintaining mental resilience into older age, from prevention of mental health problems, through effective treatment to recovery.

Update on progress to deliver recommendations

Recommendation 30: We recommend that the Department of Health conduct a review to ensure mental health treatment is appropriate and sufficient to meet young Black people's needs. (Paragraph 253, Main Report; Paragraph 37, Conclusion & Recommendations)

The Government's response to the Committee disagreed with this recommendation, because a review of mental health service provision for BME communities had already been undertaken, culminating in the publication of the Department of Health's *Delivering Race Equality in Mental Health Care* (DRE) action plan.³⁰

In the 2008 Annual Report we set out how the DRE action plan has been improving the delivery of services to BME communities. It continues to do so. For example, the projects delivered on community engagement through the DRE organised and funded local Focused Implementation Sites. These are currently being evaluated so that the good practice that emerges from them can be disseminated nationally. In Hampshire, for example, DRE has funded work to make cognitive behavioural therapy more culturally adapted to people from BME communities.

By the end of 2008 we had 450 community development workers in place who are actively building bridges between BME communities and local mental health services. The funding is in place to reach our target of having around 500 active community development workers.

30 *Delivering Race Equality in Mental Health Care*, Department of Health, London
URL: http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_4100773

The DRE dashboard of key indicators to measure BME people's access to services has been agreed and the data collected are currently being analysed. The dashboard is expected to be published by the end of the year and will help to inform *New Horizons*. For example, the dashboard has allowed us to monitor BME communities' take-up of psychological therapy services in primary care. One of the two pilot Improving Access to Psychological Therapy sites – Newham – is an area with high numbers of BME people in the local population. Evaluation from this site has shown that it has been able successfully to develop a service that BME communities can access and that provides effective treatment for them. The findings also showed an increase in the number of BME people accessing the service following the introduction of a self-referral programme, whereby patients did not have to be referred by a GP. Broken down by ethnicity, the figure for self-referred patients appropriately matches ethnicity distribution for the Newham population as a whole.

Looking Forward

The findings and approaches of the DRE will form an integral part of the *New Horizons* framework. Through *New Horizons* we will ensure that the mental health needs of BME communities are fully integrated into mainstream mental health service commissioning and provision. The Department of Health expects *New Horizons* to be published by the end of the year.

Housing

Overview

The Department for Communities and Local Government aims to provide housing and support to meet the needs of vulnerable people. The Supporting People programme provides funding for housing-related support to help individuals meet their needs. From April 2009, for the first time, Supporting People has been allocated to councils as a non-ring fenced named grant, paid separately to, but with the same financial flexibility as, Area Based Grants. This removal of the ring fence provides councils with the opportunity to come up with new and innovative ways to support vulnerable people in a range of different situations.

A package of measures is being developed to support the sector during this period of change. This includes a new financial modelling tool, to be published next year, which will provide evidence at a local level on the financial benefits of investment in housing-related support.

The Supporting People Programme makes a real difference. For example, the programme helps around one million people at any one time, including over 40,000 young people.

Update on progress to deliver recommendations

Recommendation 31: The evidence we received suggested there is a need for a review of housing, for vulnerable young people of all ethnicities. We recommend that within this particular attention should be given to monitoring levels of access and success of interventions at local level for Black young people to ensure the needs of this group are being met. (Paragraph 254, Main Report; Paragraph 38, Conclusion & Recommendations)

We did not accept the Committee's recommendation, instead setting out the way in which the Supporting People programme was enabling provision of housing-related support to young people of all ethnicities.

The Supporting People programme, or more specifically the National Supporting People Outcomes Framework, provides a strong evidence base for monitoring levels of access. Between 1 April 2008 and 31 March 2009, 57,623 young people (16- to 25-years-old inclusive) left short-term³¹ Supporting People funded services. Of these, 10,426 (18.1%) were from BME origins (defined as all 'non-white' groups) with 2,100 (3.6%) from Black Caribbean origins and 2,807 (4.9%) from Black African origins.

The website that supports the National Youth Homelessness Scheme has been heavily promoted since its launch and feedback indicates that its user-base continues to grow. A 12-month review of the site, to ensure all content remains current and to add new resources, has been completed and we continue to add new modules and information to reflect new policy developments.

Looking Forward

The Government has committed to invest £7.5 billion over the next two years to deliver up to 112,000 affordable homes, and around 15,000 private homes. The number of non-decent social homes has fallen by around 1.5 million since 1997- from 2.2 million to about 670,000 in 2008. CLG is also currently consulting on changes to the way social housing is allocated to make it fairer and more responsive to local communities.

³¹ Supporting People clients on leaving a service where support has been provided on the basis of a short-term contract (where duration is likely to be two years or less) and who have received support for 28 days or more have an outcome form filled in

Safe Spaces and Youth Activity

Overview

The Government's vision for improving youth facilities and access to positive activities is set out in *Aiming High for Young People*, the ten-year strategy document published in July 2007.³² We want all young people to enjoy happy, healthy and safe teenage years that prepare them well for adult life and enable them to reach their full potential. By 2018:

- All young people will have access to a diverse and attractive activities and places to go that responds to their needs and supports their personal development, including providing routes into more dedicated support and guidance for those who need it;
- Disadvantage will no longer be a barrier to accessing local opportunities and activities will be popular with young people from a wide range of different backgrounds, faiths and ethnicities, actively bringing them together;
- Parents will be fully informed about the available opportunities and have confidence in their ability to support their teenagers' personal development; and
- Communities will play their part in providing opportunities and support for young people, building stronger and more trusting relationships across the generations.

Delivery of this vision is supported by **myplace**, the new capital investment programme highlighted in the 2008 Annual Report which will provide safe places for

young people to go to in their leisure time. Furthermore, all local authorities will continue to receive baseline funding plus additional funding from 2009/10 to 2010/11 to deliver intensive and targeted activity programmes which target young people at risk of negative outcomes such as offending and anti-social behaviour.

Update on progress to deliver recommendations

Recommendation 32: We recommend that Government should look to increase awareness of, and access to, safe spaces in areas of high deprivation in which young people can meet informally with friends and gain access to information about organised activities and help and advice. Consideration should be given to how to make these centres 'single gateways' through which young people can gain access to a full range of other statutory services. (Paragraph 256, Main Report; Paragraph 39, Conclusion & Recommendations)

We agreed with this recommendation. The 2008 Annual Report outlined the ongoing activity amongst local authorities to integrate their youth support services in order to improve their responsiveness to young people's needs. This builds on the commitment set out in the Children's Plan that, by 2010, all areas would have in place high quality arrangements that provide identification and early intervention so that all young people who need additional help are able to gain swift and easy access to the support they need. The targeted youth support reforms have made a significant contribution to delivering this commitment with virtually all local areas having achieved

³² *Aiming High for Young People: A Ten Year Strategy for Positive Activities* (2007), DCSF, London
URL: <http://www.dcsf.gov.uk/publications/tenyearyouthstrategy/>

full implementation of their youth support arrangements by early 2009. Much of the positive impact on young people's lives from these new ways of working has been attributed to better systems for early identification, better use of CAF in full assessments and the lead professional role, supported by co-located multi-agency teams.

In March 2009, Ofsted published a report detailing the outcome of inspections into the quality and impact of youth work in 100 local authorities between 2005/06 – 2007/08. Of these there were 32 inspections undertaken in 2007/08 during which period local authorities were implementing new integrated ways of working to deliver targeted youth support. Significantly, no local authorities were judged inadequate, with 20 being judged as good, the remainder adequate. This showed that local authorities were adapting well to the new integrated working practices ensuring young people gained access to a wider range of support services.

To increase awareness of and access to organised youth activities, the DCSF's Youth Taskforce launched a public-facing Open Drive in November 2008. This drive sought to make full use of Government investment to increase provision of and participation in Friday and Saturday night positive activities to meet the *Youth Crime Action Plan* commitment that youth centres would stay open late on evenings and weekends. Key achievements as a result of this drive include:

- Funding guidance for **myplace**, the Youth Capital Fund and Youth Capital Fund Plus all include an expectation that provision will be available on a Friday and Saturday night;

- Delivery of an Open Weekend in July 2009 where the vast majority of local authorities put on additional activities on a Friday and Saturday night and publicised them more effectively;
- Investment of £22.5m through the Youth Capital Fund Plus to improve youth facilities in 50 of the most deprived areas, specifically in neighbourhoods where crime and anti-social behaviour are a concern - this will lead to over 100 facilities opening, including on Friday and Saturday nights.

Using the powers enshrined in the Dormant Bank and Building Society Accounts Act 2008, the Government plans to re-invest unclaimed assets to benefit communities including, as set out in the 2008 Annual Report, the improvement of existing and building of new youth facilities. Unclaimed assets will be distributed by the BIG Lottery Fund, who will account for the funding separately from both the lottery funds and Government funding that they distribute. All unclaimed assets funding will be in addition to and not a substitute for Government funding.

Recommendation 33: We recommend that funding should be given to provision of, and awareness raising about, opportunities for all young people in deprived areas to get involved in organised youth activities such as sport, outdoor and environmental work and drama. Local authorities should look to raise awareness of, and access to, youth activities ranging from formal, national organisations to more informal or local associations. (Paragraph 257, Main Report; Paragraph 40, Conclusion & Recommendations)

We agreed with this recommendation. Through **myplace**, the Government is investing a total of £271.6 million in world-class youth facilities through capital grants of between £1 million and £5 million delivered through the Big Lottery Fund. This is £82 million more than originally reported in the 2008 Annual Report, the additional funds having been re-allocated from within the DCSF's existing funds. Through Round 1, £240 million was made available of which £61.7 million was committed to 21 fast-track projects in November 2008 and £178.4 million was allocated in principle to 41 projects through the standard track in March 2009. The first completed **myplace** facility, the OPEN Centre Project in Norwich, was officially opened by the Minister for Children, Young People and Families on 27 October. OPEN will provide a meeting place for young people, which includes a music venue and young people's nightclub, theatre and other arts-based activities, music recording studios and an educational resource. Other facilities will follow in early 2010.

A further £31.6 million will be made available through Round 2 which was launched in June 2009. Decisions on which ten or so projects to fund are expected before the end of December.

Last year, the Annual Report outlined the introduction of extended school services and the plans that all schools will be providing access to a core offer of extended services. Working with the Training and Development Agency for Schools (TDA) and local authorities, excellent progress has been made locally towards providing access to the extended services core offer, with the vast majority of schools – over 80% – already providing access. The Government is on

target to meet the aim of every school doing so by 2010.

This work is supported by Government investment of £1.3 billion. Extended services funding is devolved to local authorities to agree how the funding will be used locally with schools and other partners. All extended services funding has been allocated, and local authorities have been given details of their allocations for 2009/10 and 2010/11. The funding enables local authorities to support schools in providing access to the core offer, and in supporting extended services co-ordinators to enable schools to establish high quality, sustainable and inclusive extended services. Over £200 million of dedicated funding is also available to support the participation of the most disadvantaged children in extended services activities.

The Youth Taskforce, as part of the wider *Aiming High* programme of investment in positive activities, made available £22.5 million in the 50 most deprived areas of the country to ensure that there are exciting things to do and places to go for young people, including on a Friday and Saturday night. The facilities will be specifically located in the areas where there are high levels of youth crime and anti-social behaviour. The investment will lead to over 100 facilities opening, including some mobile provision to target those harder-to-reach areas. As of November 2009 there were approximately 40 facilities open with the remaining 60 or so opening by March 2010. All facilities have been designed and developed in conjunction with young people themselves and sought to involve those who have traditionally not engaged in organised youth provision.

The Youth Taskforce provided £25,000 each to 81 local authorities with high rates of crime, including knife crime, to increase their provision of and participation in positive activities on a Friday and Saturday night as part of the Government's Open Drive (mentioned at Recommendation 32). Evaluation of this showed that, up to the end of March 2009, over 26,000 young people benefited from provision of over 5,000 additional activities. Data on the levels of provision and the participation of young people in activities will be captured via local authorities and a TellUs 4 survey in February 2010.

Parents and children tell us that there are not enough safe, stimulating places for children and young people to go. The Children's Plan (2007) set out the vision for improving children's well-being, whatever their background, through an enjoyable and active childhood, including publication of the first ever national Play Strategy for England (2008). Through the Play capital building programme, every top-tier local authority in England is now in receipt of at least £1 million to build and renovate new and existing play areas, with a focus on inclusion and improving safe opportunities to play in areas of deprivation, taking account of regional variations and child population. It is a funding requirement of the Play capital building programme that local authorities develop play areas that are fully inclusive and accessible to all children, with specific reference to inclusion of those from different cultural and ethnic backgrounds in the Play Strategy. Over 520 new and/or refurbished play areas ready for children and young people to use have opened since last summer in 63 local authorities. Also, at least 20 adventure playgrounds are due to be

completed by March 2010, and a further ten adventure playgrounds due by March 2011. DCSF's investment of £235 million to deliver 3,500 new or refurbished play areas, plus 30 staffed adventure playgrounds, by 2011 will provide important free, quality provision in locations where it is most needed.

The third sector is crucial to the delivery of play sites and the longer-term sustainability of these areas. Third sector organisations have historically supported and delivered much of the play provision across the country, from small 'friends of the park' groups to broader-based third sector play partnerships. The 2008 Annual Report recognised this and we will continue to support the sector to fulfil their vital role. We need to ensure that voluntary and community sector organisations continue to provide positive and beneficial local play services for children and young people, working in partnership with local authorities and other services, if we are to see greater community ownership of play and our substantial investment in play spaces sustained in the long term. In recognition of this, as part of the terms and conditions of their Play Programme grant, it is expected that all local authority Play Pathfinders and Playbuilders will work with and involve the voluntary and community sector in the delivery of play.

As outlined last year, the Education and Inspection Act 2006 placed a duty on local authorities to publicise information on positive activities, as part of a wider duty to secure young people's access to positive activities. To support local authorities in meeting their statutory duty, DCSF published guidance *Creating a Sense of Belonging*³³ to

³³ *Creating a Sense of Belonging* (2009), DCSF and National Youth Agency, London.
URL: http://www.dcsf.gov.uk/everychildmatters/_download/?id=6183

help all local authorities effectively target funding for Positive Activities for Young People (PAYP).

Funding for PAYP is now part of the Area Based Grant which gives local authorities the flexibility to use the investment to meet local requirements. This has resulted in fewer measures available to monitor the impact of the funding. Therefore, DCSF has agreed with local authorities a new compulsory data collection from 2010 which relates to their duty to secure access to and publicise positive activities. DCSF intends to revise the statutory guidance including exemplification of what a strong offer of positive activities looks like.

A project contributing to the reduction of barriers to accessing positive activities commenced in September 2008 and aims to deliver an Information and Signposting project in 20 local authority areas which receive additional support and challenge from the Government's Youth Taskforce. The project is trialling innovative approaches to collect, collate and publicise information about positive activities with 20 local authorities. The project has been extended to gain further evidence of the impact on improving young people's access and participation in positive activities. Early learning from the first year of the project will be available by the end of this year and it is anticipated that the learning from this project will be shared with other local authorities in 2010.

Recommendation 34: We recommend that Government should work towards a situation in which there are sufficient places on YIPs to meet the needs of all high-risk young people in high crime areas. Government should also look to ensure

that there are adequate numbers of Youth Inclusion and Support Panels (YISPs) – groups which plan and manage interventions to prevent involvement in crime among at-risk young people – and that they have sufficient capacity to meet the needs of young people in their area. (Paragraph 258, Main Report; Paragraph 41, Conclusions & Recommendations)

We agreed with this recommendation. Details of Youth Inclusion Programmes are included under Recommendation 24.

Looking Forward

The Government's ten-year strategy *Aiming High for Young People* sets out a number of key desirable outcomes for young people and the programme of work going forward will support and underpin delivery of those outcomes.

Building on the Open Drive, the Prime Minister's Delivery Unit undertook a review of Friday and Saturday night youth provision to see what more could be done to ensure that those at risk of getting involved in crime and anti-social behaviour have access to provision and are encouraged to attend. Over the next six to nine months this work will include the following:

- Influencing the relevant government departments (particularly DCSF, the Department for Culture, Media and Sport (DCMS) and the Home Office), their NDPBs, schools and extended services as well as those working with young people on the frontline to use available resources effectively to increase provision of and participation in positive activities on a Friday and Saturday night.

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- Putting in place robust monitoring data, collected from all local authorities, through which the Youth Taskforce and regional Government Offices can provide additional challenge and support to local authorities where publicised provision of Friday and Saturday night positive activities is low.
 - Ensuring that young people who need support for alcohol or drug misuse and other issues are able to access it at the times and places they need it, including through their participation in positive activities.

The Youth Taskforce recently published *Targeted Youth Support: Next Steps*³⁴. This document set out the plan, for the period 2009-11, to ensure that the *Targeted Youth Support* reforms are made sustainable and that the systematic approach used to ensure young people's needs are identified and met is embedded right across the youth workforce. We want the full range of partners including schools, youth services and positive activities, community safety and police, and health services to work together to ensure that young people are supported to achieve.

The Youth Taskforce will continue to work with the 50 local authorities receiving the Youth Capital Fund to ensure that the new/refurbished facilities open as scheduled and that this leads to increased participation in positive activities by young people, especially of those who have traditionally not engaged in organised youth provision.

The additional £2 million funding allowed local authorities to increase provision of Friday and Saturday night positive activities in the middle of the year when most of their youth provision budget had already been

commissioned. This enabled them to meet existing demand ahead of being in a position to re-commission their youth provision. All the *Aiming High* investment to local authorities and the third sector, for things to do and places to go, includes an expectation that provision will be available on Friday and Saturday nights. This will further encourage local authorities to commission provision of positive activities so that it extends right across the week, including at the weekend. The Youth Taskforce will continue to provide challenge and support to local authorities to ensure that they have sufficient provision of positive activities available on Friday and Saturday nights.

³⁴ *Targeted Youth Support: Next Steps* (2009), DCSF, London
URL: <http://publications.everychildmatters.gov.uk/default.aspx?PageFunction=productdetails&PageMode=publications&ProductId=DCSF-00639-2009>

Gang Membership

Overview

The Government is determined to tackle gang and group offending behaviour, and to reduce the harm caused by such groups, particularly deaths and serious injuries linked to gangs involving guns and knives. In September 2008, the Home Office published *Gangs: You and Your Child*³⁵, advice for parents on gangs. In addition, the Policing and Crime Act 2009 introduced a new civil tool for police and local authorities to manage gang-related violence. The new gang injunction will serve the purpose of:

- Preventing acts of serious violence from occurring;
- Breaking down gang culture; and
- Providing an opportunity for local agencies to engage with gang members and develop effective strategies for them to exit the gang.

In the 2008 Annual Report, we reported that the intensive work of the Tackling Gangs Action Programme (TGAP) in the four hotspot areas had resulted in a national reduction in the number of firearms offences of 22% in April to June 2008 compared with the same period in the previous year. The number of firearms discharges continues to fall in the TGAP areas.³⁶

- In Manchester, between February 2008 and February 2009, there was a 92.7% reduction in gang-related firearms discharges compared with the same period last year – and no injuries or fatalities. However, the fatal shooting of 16-year-old Giuseppe Gregory on 10 May 2009 highlights that we must not be complacent and Greater Manchester Police and its partners are committed to re-doubling their efforts.

- In London, gun crime offences are down by 25% in the 12 months to the end of February 2009. In January to June this year ten 13- to 19-year-olds have been killed as victims of violent crime. Whilst this is a marked reduction on the number during the same period last year, this is still an unacceptable number and the Metropolitan Police continue to tackle youth violence.
- In Liverpool, there were 45 gun crime offences in the period April to August 2008. This compares with 63 in the same period in 2007. Merseyside Police are not complacent, however, and will work to sustain this reduction and further improve.
- Between August 2008 and March 2009, there were no gang-related homicides or attempted homicides in Birmingham.

The Tackling Knives Action Programme (TKAP), aims to reduce deaths and serious injuries through knife crime among 13- to 24-year-olds in the TKAP areas and increase public confidence that serious youth violence is being tackled in those areas. Developed by the Home Office, working closely with other government departments and key stakeholders including local government, police forces, community groups and practitioners in affected local areas, TKAP will sustain and build on existing cross-government and community work. This includes the lessons learned and success achieved by the Tackling Gangs Action Programme and *Youth Crime Action Plan* to deliver a reduction in serious youth violence and improve public confidence through concerted action.

³⁵ URL: <http://www.homeoffice.gov.uk/documents/gangs-you-and-your-child>

³⁶ Data supplied directly by the four TGAP police forces – management information only

The first phase of TKAP was launched by the Prime Minister and Home Secretary in June 2008. In the first nine months, the Home Office focused nearly £7 million of resources on rapid, concentrated work to tackle teenage knife crime in 14 areas of the country. In March 2009, TKAP was extended for a further year, with an extra £5 million to tackle knife crime and increase targeted police action to tackle the minority of young people who commit serious violence, regardless of the weapon involved. TKAP has been extended to include 13- to 24-year-olds (previously 13- to 19-year-olds), and to a further two police forces, taking the total to 16 forces. This work runs alongside the measures set out in the *Youth Crime Action Plan*.

TKAP includes work aimed at reducing gang membership as a driver behind serious youth violence. The strategy is end-to-end: from preventing gang membership through to prosecution and rehabilitation for those convicted of crimes linked to gang membership.

Update on progress to deliver recommendations

Recommendation 35: Local authorities should identify where gang exit programmes are necessary. Where it is required, Government should provide some additional pump priming gang exit programmes should be collected at national level and disseminated to local agencies. (Paragraph 260, Main Report; Paragraph 42, Conclusion & Recommendations)

We agreed with the Committee. In a number of areas partnerships have developed or are developing joint responses to provide exit

programmes for gang members. This is work that we are encouraging, and assisting the development of, by sharing best practice. In addition, an ACPO-led team of experts is being funded through TKAP to give advice and assistance in tackling gangs. This will be a multi-agency team and one that will work and offer advice and expertise on a whole range of gang-related issues, from enforcement and policing through to safeguarding procedures and mentoring.

Through its Community Fund, the Home Office is supporting a number of small groups over the next three years in their work to tackle serious youth violence, through intensive work with young people and provision of diversionary activities. Successful applicants for the £4.5m Fund have now been announced.³⁷ The Home Office prioritised projects that are engaging young people involved, or at risk of becoming involved, in gun/knife crime and gang-related activity in the TKAP areas. For example, the Be-United project is addressing one of the key drivers behind gang activity – territoriality. It aims to use outreach, mentoring and educational activities to break down barriers associated with established ‘territories’ for a core group of 40 young people aged between 13 and 19 living in Newtown, Lozells, Handsworth and Aston in Birmingham.

Through the Youth Sector Development Fund, managed by DCSF, the Home Office has launched a £500,000 funding stream that will support four organisations in TKAP areas working with young people. The projects selected offer alternative options to gang involvement, empowering young people with skills to make a positive step towards

³⁷ URL: http://www.grantsadmin.co.uk/homeoffice_communityfund/

building self-belief and confidence. The community projects funded are not aimed at a particular ethnic group, but at their local population. The ethnicity of gang members tends to reflect the ethnicity of the population living in the specified area.

The guidance launched in May last year, *Tackling Gangs: A Practical Guide*, has been taken up in areas outside the initial 4 TGAP areas and feedback indicates that the guidance is proving useful.

Recommendation 36: Key to most of the gang exit programmes we heard about was their separateness from local criminal justice agencies as perceived by their clients. Where there is a need, local authorities should consider contracting with community or voluntary sector organisations to provide gang exit programmes in their area. We also recommend that attention be given to the idea of creating ‘safe-houses’ for young people who wish to escape from gang violence but need protection in order to do so. (Paragraph 261, Main Report; Paragraph 43, Conclusion & Recommendations)

We agreed with this recommendation. *Tackling Gangs: A Practical Guide* highlighted the need to involve the third sector in local partnerships to tackle gangs. Phase 2 of TKAP, announced in July 2009³⁸, emphasises the importance of partnership working to tackle gangs, including engagement with third sector organisations. Also, TGAP areas have been given £800,000 in 2008/09 and a further £800,000 in 2009/10 to expand multi-agency risk management processes for gang members in TGAP areas.

The £4.5 million Community Fund, mentioned under Recommendation 35, is providing funding to a number of third

sector organisations taking forward work to tackle gangs. We have funded a range of organisations working to strengthen young people’s resilience to gang recruitment and also aiding those already involved in gangs to remove themselves. For example, a project run by Haringey Warriors Youth Organisation aims to empower young people to no longer be defined by their postcode but by who they are and what they do. Axten FC in Brixton aims to reduce knife/gun crime and gang activity/violence amongst young people in the area by getting them out of gangs, and keeping them out, through use of workshops and education and by training them to become mentors themselves.

The Home Office continues to work in partnership with local authorities on this issue and promotes the use of gang exit programmes in their dialogue. The position remains that local areas need to understand local gang activity and decide what approach to gang exiting best fits their problem. To support this, the 2008 Annual Report set out the Youth Justice Board’s work to develop software for Youth Offending Teams (YOTs) to monitor local gang activity. The necessary developments to YOTs’ IT systems have now been achieved and the software is available to all YOTs. Those who are using the tool report finding it very useful in enabling more effective risk and behaviour management, as well as raising the awareness of the issue of gangs amongst practitioners within the YOT.

On the issue of safe houses for those seeking to leave gangs, the Department for Communities and Local Government is undertaking some work on providing emergency accommodation and re-housing for young people and their families affected by gang activity. For example, in Birmingham

³⁸ URL: <http://press.homeoffice.gov.uk/press-releases/plans-tackle-youth-violence>

and other areas, a local protocol has been agreed to offer emergency re-housing to victims of gang attacks. This is in its early stages and continues to be developed and enhanced.

London boroughs with identified gang issues are:

- signed up to cross-borough protocols on emergency and longer-term placement of young people and families in accommodation;
- engaged in local multi-agency arrangements and developments around gang prevention;
- aware of the need to commission specialist training for housing staff and providers on gang involvement, based on an audit of training needs;
- aware of examples of innovative practice and what works well; and
- invited to be part of cross-authority commissioning of services.

Recommendation 37: Where criminal gangs are clearly causing problems for local neighbourhoods, the police should use existing legislation to apprehend gang members. Where the concern is more about the potential for looser affiliations of young people who are not heavily involved in violence or crime as yet, we recommend that local youth services devote resources to draw these young people into focused activities through organised youth activities, improved access to facilities and the provision of one-to-one support and mentoring. We also believe there may be a need for more focused support at school to help young people say ‘no’ to gang membership and to raise awareness

about where they can get help if they feel pressurised to join a gang. (Paragraph 263, Main Report; Paragraph 44, Conclusion & Recommendations)

We agreed with the Committee. In addition to the range of positive and diversionary activities set out in Recommendations 32-34, the Government continues to explore how existing partnership working might be expanded to tackle gangs and group offending effectively. For example, following the publication of *Tackling Gangs: A Practical Guide* and the associated awareness-raising guidance for schools, the DCSF and the Home Office has held a series of conferences to encourage the further development of Safer School Partnerships (SSPs). The conferences took place between November 2008 and February 2009. Following on from these conferences, and using what was learned at them through talking to the people on the ground who put SSPs into operation, DCSF and the Home Office worked together with the Youth Justice Board, NPIA and ACPO to produce guidance on SSPs. This guidance³⁹ was published in May 2009.

Recognition of the value of SSPs by the police, schools and young people themselves is an important step – the Government wants them to be the norm rather than the exception.

Local authorities continue to use existing legislation, such as Anti-Social Behaviour Orders, to prohibit the movements of known gang members. However, in February, the Home Secretary introduced into the Policing and Crime Bill a provision for injunctions against gang members. This new injunction

³⁹ URL: <http://www.teachernet.gov.uk/wholeschool/behaviour/sspg>

will allow the police or a local authority to apply to a county court for an injunction against an individual to prevent gang-related violence. This injunction will serve the purpose of preventing acts of serious violence from occurring, breaking down gang culture and providing an opportunity for local agencies to engage with gang members and develop effective strategies for them to exit the gang. This includes prohibiting gang members from entering particular areas. Subject to Parliamentary approval, these new injunctions would commence in April 2010. The Home Office is also working with other government departments to assess the potential for an injunction applicable to those aged under 18.

being delivered through YOTs to targeted young people convicted of knife crime. The KCPPs are delivered using a variety of media and partners, working to a framework determined by the YJB.

Looking Forward

The Tackling Knives Action Programme recognises gang membership as a driver behind serious youth violence. The Home Office will continue to fund local projects which help to discourage gang membership, provide viable alternatives and assist those who want to remove themselves from the gang lifestyle.

Where there are incidents of gang-related violence, the Tackling Knives Action Programme is providing £100,000 to the Association of Chief Police Officers (ACPO) to set up an ACPO Gang Team. The team will be available to police forces and partnerships to deliver focused advice and guidance. The team will bring together not just police but also experts with a range of frontline experience of managing gangs.

Additional work going forward includes the Knife Crime Possession Programme (KCPP), a component of TKAP, which is

Voluntary Organisations

Overview

We know that strong communities are characterised by a thriving third sector and so the Government will continue to take steps to support the environment for third sector organisations to develop and achieve their aims.

The Government's final report of its review of the third sector⁴⁰ set out a strategy for Government working in partnership with third sector organisations over the next ten years to promote social and economic regeneration. The report sets out plans to promote the partnership between the Government and the third sector. Most of the measures will be led by the Office of the Third Sector (OTS), which will invest more than £515 million in third sector programmes to support thousands of community organisations across the country.

OTS is now one year into the implementation of the strategy. Great progress has been made, with OTS' key programmes up and running. For example, over 7,000 small grants have been made to community groups through Grassroots Grants and 875,000 volunteering opportunities for young people have been commissioned through the youth volunteering body v. The Government is committed to making further progress on implementing the third sector review.

DCSF understands the important role that the third sector plays in supporting young people, including the design and delivery of local services. It wants to establish a dynamic, purposeful and productive partnership with the third sector and for that relationship to be characterised by

mutual clarity, consistency and trust. DCSF published its third sector strategy and action plan in July 2009. This strategy sets out the Department's principles, pledges and commitments for continued working with the third sector to help deliver the Every Child Matters agenda and improve outcomes for all children and young people. In particular, the strategy describes DCSF's plans for joint working with its delivery partners to achieve better engagement and partnership working, to improve commissioning, and to help develop a healthy third sector.

Many faith-based organisations such as churches and religious charities also have the experience, buildings, personnel and 'reach' that make them ideally placed to deliver services to those in need. The Department for Communities and Local Government (CLG) therefore wishes to see such organisations as an integral part of the third sector. CLG is working with OTS, the Commission for the Compact and others to ensure that particular issues around faith-based service providers are properly addressed in the Compact refresh currently taking place, and due for publication by the end of the year. CLG is keen to ensure that young people benefit fully from its initiatives to foster inter-faith dialogue and activity. One of the criteria which the Community Development Foundation – administering the Faiths in Action funding scheme on behalf of CLG – has adopted in assessing grant applications is the extent to which women and young people from faith communities will benefit.

We also want to ensure that the CJS as a whole reflects the communities it serves. Volunteers play a key role in enabling

40 *The Future Role of the Third Sector in Social and Economic Regeneration: Final Report* (2007), HM Treasury/Cabinet Office, London
URL: http://www.cabinetoffice.gov.uk/media/cabinetoffice/third_sector/assets/the_future_role_of_the_third_sector_in_economic_and_social_regeneration.pdf

people's voices to be heard and to act as independent participants in the delivery of justice and the monitoring of public services. These services belong to everyone, and it is important that people from all backgrounds are encouraged and empowered to play their part. The three Criminal Justice Departments will work together to examine what more might be done to increase the diversity of volunteers within the CJS.

Update on progress to deliver recommendations

Recommendation 38: Identification of the means by which voluntary organisations can be funded adequately and consistently over time should form a key part of Government's strategy for tackling the overrepresentation of young Black people in the Criminal Justice System. We do not think there can be a one size fits all model for effective use of voluntary and community groups to reduce over-representation. We would urge grant-makers and government to consider grants for small voluntary organisations as well as support for larger charities working to reduce the numbers of young Black people who are represented in the criminal justice system. (Paragraph 267, Main Report; Paragraph 45, Conclusion & Recommendations)

We agreed with this recommendation. The Government continues to strengthen third sector involvement in delivering and improving public services. *Capacitybuilders*, mentioned in the 2008 Annual Report, has spent around £29 million for the period 2008/09. This funding was spent on a range of programmes including the following:

- Consortia Development Grant – investment in partnerships of local and regional support providers.
- Modernisation Grant – designed to help support providers plan and deliver improved support to local third sector organisations.
- Improving Reach Programme – investment which is targeted at improving the support services available to third sector organisations working in and with excluded communities.
- National Support Services – a programme designed to produce tools and best practice guidance for support providers on issues such as income generation and equality and diversity.
- Social Enterprise Programme – helps build networks of support provision for social enterprises.
- Capital Grants Programme – designed to increase access to high quality, relevant and affordable shared facilities for third sector organisations.
- A range of other research programmes to inform capacity building in the third sector

Capacitybuilders expects its investment to improve the quality of support services available for all third sector organisations, regardless of their ethnicity. However, due to additional barriers faced by certain BME groups and their historical difficulty in accessing funding, *Capacitybuilders* has developed a number of programmes that are specifically targeted at third sector organisations working with BME communities. Since the beginning of the financial year 2009/10, *Capacitybuilders*

has been delivering a Regional Networks Programme. The regional networks provide a forum for third sector organisations to gain influence over local policy-making. There are a series of regional networks that exist to provide representation specifically to BME organisations. The funding from *Capacitybuilders* is designed to offer support to ensure that these networks are effective and sustainable.

The innovative campaigning research programme is investing £750,000 in action research which will support approximately 30 participating organisations to run frontline campaigns, focused on improving the lives of marginalised people including those from BME communities. The programme will draw out learning on innovative approaches to engaging harder-to-reach groups, identifying different techniques and approaches that can be used or adapted to achieve a positive change for themselves and their community.

As part of the National Support Services Programme, *Capacitybuilders* runs a workstream that is focused on equality and diversity. The workstream provides: a first port of call on equality and human rights; tailored training and open learning activities; increased collaboration between equality and generalist groups; a database of equality support providers and a stronger national voice to deal with equality issues.

The £130 million Grassroots Grants programme, announced in January 2008 and opened for bids from September 2008, has already awarded 7,702 grants to small local community groups and built an endowment of over £14 million. This fund aims to create empowered, active, and cohesive communities now and into the future. Many of the beneficiary groups specifically support

young BME people, and many more bring a whole range of local people together to provide: sports, cultural and leisure activities; practical skills development and training; and emotional support and a range of services. Examples of beneficiaries who are specifically supporting young BME people include:

- Black Achievers Wings Award, which recognises and celebrates the achievements of children and young people from minority ethnic backgrounds living primarily in the inner city wards of Leeds;
- Derby Black Boys Can which aims to raise the achievement and aspirations of black boys aged 9 - to 16-years-old.

As set out in the 2008 Annual Report, in October 2008 the Ministry of Justice and the National Offender Management Service (NOMS) jointly published *Working with the third sector to reduce re-offending: Securing effective partnerships 2008-2011*.⁴¹ It sits beneath the Ministry's Third Sector Strategy and aims to build on work already taking place to reduce barriers to the third sector's role in reducing re-offending, protecting the public, achieving safer communities, and tackling social exclusion. It is recognised that the third sector has a role in shaping strategy and policy as well as informing and delivering services. The plan also seeks to enable and promote effective volunteering and mentoring with and by offenders and ex-offenders. This links to the Ministry of Justice's commitments to increasing public confidence in the CJS, including the confidence of BME communities; the recent Green Paper on Engaging Communities in Criminal Justice; and the Government's response to Baroness Neuberger's review of volunteering across the CJS.

⁴¹ *Working with the third sector to reduce re-offending: Securing effective partnerships (2008-2011)*, Ministry of Justice, London
URL: <http://www.justice.gov.uk/publications/1028.htm>

The associated action plan acknowledges the specific role and value of the BME third sector in reducing re-offending and that it is particularly disadvantaged in terms of its ability to engage and deliver services through commissioning/funding. The action plan includes commitments and actions to improve the way MoJ/NOMS involve a diverse third sector in service design and review. It says that we will:

- develop knowledge and make use of the Cabinet Office code of practice on consultation, the Compact (and improve compliance), and Working Together: Co-operation between Government and Faith Communities;
- support our policy-makers, planners and commissioners in understanding the diversity of the sector with regard to inequalities between communities and organisations in their current ability to engage – this will include recognising that smaller and community-based organisations may need resources to participate fully in consultations and partnerships and the need to make use of informal networks and contacts as well as infrastructure and more formal networks;
- put in place NOMS operational policy for working with the third sector, backed by practice guidance for directors in regions and Wales, prisons and probation and work with the third sector to identify options for brokerage to provide a gateway to the wider third sector;
- use grant funding alongside commissioning where this better meets outcomes, and develop guidelines for commissioners and procurement staff on the appropriate use of grants;

- work with representatives from the BME, women's and faith sectors to identify mechanisms for ensuring that there is a voice for these parts of the third sector in reducing re-offending including service design and review;
- increase the diversity of volunteers across the CJS including volunteering with and by offenders.

Progress will be formally reviewed and reported annually to Ministers, the Reducing Re-offending Programme Board, partners and stakeholders. The first review was published recently.

The Ministry of Justice's Criminal Justice Group is providing funding of £1.8 million over the next three years for national third sector infrastructure to support the third sector voice and build capacity. This work includes a focus on BME, women's, faith and community groups.

NOMS committed to undertaking a review of grants it provides to third sector organisations and will ensure that the new operational policy for prisons and probation will include guidance around grant funding. The review has now concluded. NOMS is currently in the process of developing a formal grant policy to be published early in 2010. In line with guidance for working with third sector organisations issued by the Commission for the Compact, and the NOMS position on commissioning and competition, the review aims to offer more open and fair competition through transition to a contested grants programme.

The Home Office also continues to support third sector organisations to help deliver its

departmental objectives. For example, the Home Office is providing further support to the Damilola Taylor Trust in 2009/10 to enable the Trust to support Richard Taylor, Damilola's father, in his new role as envoy to the Prime Minister on youth and knife crime. The Community Fund, referred to under Recommendations 35 and 38, is also supporting these small groups over the next three years in their work to tackle serious youth violence.

Recommendation 41 provides further information on the Government's commitment to provide more three-year funding to third sector organisations.

Recommendation 39: Government should consider how it can support faith-based organisations delivering preventative interventions and make contact with young people who have fallen outside statutory activity. The Department for Communities and Local Government should carry out an evaluation of existing faith-based interventions in gang membership and should consult these groups on how they could best be supported to achieve their goals. Based on this, government should consider extending support to faith-based organisations whose interventions have proved successful. (Paragraph 271, Main Report; Paragraph 46, Conclusion & Recommendations)

We agreed with this recommendation. The Government recognises that many faith-based organisations are ideally placed to deliver services and reach into those communities that are perceived to be 'hard to reach'. The Interdepartmental Group on Religion and Belief exists to encourage government departments to engage

effectively with faith communities. One of the issues that this Group and the Faith Communities Consultative Council have considered is how faith-based organisations can be more widely seen as an integral part of the third sector. CLG officials are working with their counterparts in the Office for the Third Sector to ensure issues around faith-based service provision are properly accounted for in the refresh of the Compact.

CLG also continues to work with partners such as the Faith-Based Regeneration Network to ensure faith organisations have the capacity and capability to enable them to provide services on behalf of the Government and local authorities.

Following the evaluation of the Faith Community Capacity Building Fund, highlighted in the 2008 Annual Report, CLG are making sure that the lessons learnt inform the implementation of its current scheme to support local inter-faith activity – Faiths in Action. In particular, CLG have ensured that the Community Development Foundation (CDF), which is administering the scheme on behalf of the Department, holds regular stakeholder events, allowing potential beneficiaries of the funding to help shape the second round. The CDF are aware that one of CLG's top priorities is to ensure that women and young people from faith communities benefit from Faiths in Action, and this is one of the things that has influenced the CDF's grant recommendations.

The 2008 Annual Report also highlighted the publication of CLG's inter-faith framework document *Face to Face and Side by Side*⁴² and set out a range of specific next steps commitments. The Framework aims to

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

encourage dialogue and collaborative social action involving people with different religions or beliefs as a way of building understanding, celebrating shared values, and empowering people to bring about real and positive change within local communities. Delivery of the next steps is progressing well.

CLG launched the Faiths in Action Fund, a grants programme open to faith, inter-faith, voluntary and community sector organisations at national, regional and local levels in England. This programme supports opportunities within local communities for people of different religions and beliefs to develop strong and positive relationships with one another. An Inter-Faith Week in England and Wales (15-21 November) highlighted inter-faith activity at the local, regional and national levels and encouraged greater participation.

Faith-based organisations such as the Peace Alliance, the Ascension Trust/Street Pastors and the Bringing Hope Project have been invited to attend meetings of the Home Secretary's Roundtable on Guns, Gangs and Knives to share the experiences and views of law enforcement personnel, the community and voluntary sector and policy officials from a number of government departments.

Recommendation 40: We recommend that local authorities should review their channels of communication with voluntary agencies to ensure they are responding to local need. Local authorities should seek to ensure that local agencies are giving appropriate weight to the concerns of voluntary organisations and taking action where necessary. (Paragraph 273, Main Report; Paragraph 47, Conclusion & Recommendations)

We agreed and the 2008 Annual Report set out extensively the statutory guidance produced, which includes the duty to involve local citizens in local decision-making and service provision. The 'duty to involve' came into effect in April 2009.

The 2008 Annual Report also outlined the Government's intention to legislate to strengthen Children's Trusts, the local partnerships bringing together key services with a view to improving the well-being of children and young people in the local area. This has been achieved through the Apprenticeships, Skills, Children and Learning Act 2009. The new legislation builds on the Children Act 2004 by:

- extending the number of statutory Children's Trust 'relevant partners' to include maintained schools (including Academies and non-maintained special schools), further education institutions and sixth form colleges, Jobcentre Plus and (via the Education Act 1996) Short Stay Schools (Pupil Referral Units);
- requiring all local authorities areas to have a Children's Trust Board; and
- giving the Board responsibility for preparing, publishing and monitoring the implementation of the local Children and Young People's Plan (CYPP), thus giving ownership of the plan to the whole Trust partnership, rather than the local authority alone.

The Apprenticeships, Skills, Children and Learning Act also provides powers to issue statutory guidance on Children's Trusts (including the Children's Trust Board) and regulations on the CYPP, both of which are currently out for consultation. The draft guidance makes clear that voluntary

sector organisations are as important as the statutory partners in the Children's Trust and that every Children's Board should include representation from the third sector. The regulations also require that the third sector is consulted on the preparation of the CYPP. Taken together these two measures should enable the voluntary sector to have a stronger voice in local strategic decision-making. The consultation will conclude on 29 January 2010 and we expect the guidance and regulations to be finalised by March.

Recommendation 41: We believe central government and local authorities should review the timescales on which they offer funding, to ensure voluntary organisations have an adequate opportunity to effect change in a particular area. (Paragraph 277, Main Report; Paragraph 48, Conclusion & Recommendations)

We agreed with the recommendation. The 2008 Annual Report set out the Government's commitment to report annually to Parliament on its progress in implementing its pledge to provide more three-year funding to third sector organisations. The Government maintains its support for regular reporting on three-year funding – this report is made as part of the annual review of the Compact, the framework agreement for how the Government and the third sector should work together; the last such report was published in December 2008.

Recommendation 42: We recommend that Government consider its guidance to the Youth Justice Board, local authorities and other grant issuing bodies, to ensure that it is sufficiently flexible to allow criteria to be tailored to the particular client group in question. Where possible, monitoring and evaluation should take a long term

view and should use both qualitative and quantitative measures. (Paragraph 281, Main Report; Paragraph 49, Conclusion & Recommendations)

We agreed. The Office of the Third Sector continues to implement the cross-governmental action plan *Partnership in Public Services*.⁴³ It has now been over two years since the launch of the action plan and there has been excellent progress on all of the key actions identified, including:

- the principles of good commissioning have been embedded by government departments into their commissioning frameworks;
- the National Programme for Third Sector Commissioning was established in 2007 and is funded until 2011;
- guidance issued on 'working in a consortium to deliver public services';
- report on consideration of social issues and social clauses issued;
- principles of 'intelligent monitoring' to reduce burdens on third sector issued;
- creation of the Innovation Exchange, linking third sector innovators with potential investors.

The National Programme for Third Sector Commissioning has been established with the capacity to train up to 3,000 commissioners in working across the public sector to increase awareness of the contribution third sector organisations can make to the design and delivery of public services. Around 1,000 commissioners have engaged with the programme in its first phase, including bursaries to attend accredited third sector modules with five leading business schools and universities.

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

Those taking part in the training are acquiring a better understanding of working in partnership with third sector organisations, large and small.

A comprehensive package of training and support has been established for commissioners, including the following:

- National training days, structured in a series of one-day sessions designed to combat myths and highlight the benefits of working with the third sector. Around 1,000 participants have been drawn from commissioners and procurement officers at both the local authority level, including local councils, Primary Care Trusts and Strategic Health Authorities, and at national level – mainly from Probation and Prison Services.
- A portfolio of accredited training has also been developed with institutions across the country. The Programme has funded and worked collaboratively with five universities⁴⁴ and the Association of Chief Executives of Voluntary Organisations (ACEVO) to develop accredited, post-graduate, modules and courses for commissioners on working with the third sector. The accredited training has been supported by the Programme through offering bursaries for participants, enabling commissioners to access the accredited courses.

Looking Forward

The Office of the Third Sector is embarking on an evaluation of the Grassroots Grants programme in order to capture the impact of the small grants programmes on a range of communities including young people and BME communities. An interim evaluation

report will be available early next year. In the meantime, in 2009/10 Grassroots Grants aims to invest a further £26 million through the small grants element and to match donations of up to £20 million to support small community groups in the future.

The Government will next report on the three-year funding commitment in February 2010 in order to better align reporting with the financial year. This forms part of a broader policy to ensure that funding, wherever possible, is provided in a sustainable framework to ensure greater efficiency and stability.

The refresh of the Compact, due to be launched by the end of this year, also achieves CLG's goal of ensuring that the 'faith sector' is enshrined in official policy as an integral part of the third sector, with its parameters and issues properly identified and addressed. However, work to support faith literacy training, centrally in Whitehall as well as in local authorities and Government Offices for the Regions, will need to be ongoing.

The cross-Government Public Services Steering Group will continue to oversee implementation of the *Partnership in Public Services* action plan, focusing on promoting working with the third sector to commissioners, across government departments and local authorities to ensure the momentum for transforming the landscape for third sector involvement in public services is embedded and sustained in the long term.

The National Programme for Third Sector Commissioning has developed a second phase of delivery led by the Improvement and Development Agency (IDeA), with

⁴⁴ Universities of Bath, Birmingham, Central Lancashire, Nottingham Trent and Warwick

major components being delivered by a wide range of public and third sector delivery partners. This second phase will run up to the end of March 2011 and will also include awareness-raising among commissioners of the barriers faced by small third sector groups, including black-led organisations. This will include consideration of how to improve the contracting and funding relationship. Key developments for Phase 2 include:

- joint training for commissioners and third sector bidders;
- more service specific and joint-commissioning training in the key areas of health and social care, education, training and employment, offender management and criminal justice;
- support for use of evaluation tools that measure the achievement of social value; and
- commissioning for services in untried markets e.g. personalised services, direct payments and support for user-led organisations.

For 2009/10, the Ministry of Justice is working with partners to identify key actions that will strengthen the diverse BME sector/ community voice in reducing re-offending at all levels, but in particular in local planning and service design. A number of round-table events will focus on the role of infrastructure and what needs developing further to strengthen BME third sector voice. This will include consideration of the feasibility of local champions for the BME sector working to reduce re-offending. A report will be produced from the round-table events, to take place in early 2010, which will set out key issues and actions.

The legislative changes strengthening Children's Trusts will be supported by new statutory guidance and regulations on the CYPP, both of which are currently out for consultation. The draft guidance makes clear that voluntary sector organisations are as important as the statutory partners in the Children's Trust and that every Children's Board should include representation from the third sector. The regulations require that the third sector is consulted on the preparation of the CYPP. Taken together these two measures should enable the voluntary sector to have a stronger voice in local strategic decision-making. The consultations will conclude on 29 January 2010 and publication of the new guidance is anticipated in March 2010, together with the laying in Parliament of regulations in relation to the CYPP.

The new legislation also put Children's Trust Boards on a statutory footing requiring every local authority to establish one. DCSF expect all Children's Trust Boards to be in place by April 2010 and all jointly-owned local CYPPs to be published by April 2011.

Broadcasters' Responsibility and Popular Culture

Overview

All children and young people should experience high quality and meaningful cultural opportunities, to enrich their experiences and personal development, offer possibilities for raising aspirations, develop talent across the creative spectrum, and also as a powerful force for social change.

As well as promoting access for all children, the Government is also investing in a number of specific projects which aim to use intensive exposure to music as a means for personal and community development in some of the most deprived communities in the country. Through music, aspirations can be raised in these communities and young people will have a positive alternative to divert them away from gang culture and offending behaviour.

We also want to use the power of the 2012 Olympic Games in London to inspire creativity across all forms of culture, especially amongst young people. The 2012 Olympics provide a unique opportunity to motivate young people's ambition and achievement, which will leave a lasting legacy well beyond 2012.

Update on progress to deliver recommendations

Recommendation 43: We believe that greater censorship would be both undesirable and impractical. Any government role in relation to artists and the material they produce should be restricted to ensuring organisations and individuals are not contravening the broadcasting code or breaking other laws, such as those against incitement to commit hate crime. (Paragraph 283, Main Report; Paragraph 50, Conclusion & Recommendations)

Recommendation 44: Given the impact of music and videos on young people who are already vulnerable, we believe both service and commercial broadcasters should formulate and publicise policies on how they intend to tackle this key public concern. Broadcasters who receive videos and tracks from young artists which portray violence or crime should demonstrate that they are engaging in dialogue with young people, and showing them what is and what is not eligible to receive air time. (Paragraph 284, Main Report; Paragraph 51, Conclusion & Recommendations)

As stated in both the original Government response to the Committee and the 2008 Annual Report, these are matters for broadcasters not Government.

Recommendation 45: The Department for Culture, Media and Sport should receive support to provide appropriate funding to music projects which involve young people to express their creativity positively. We also recommend that DfES should explore what training and support should be made available to youth workers and teachers to help build resilience in young people to negative messages in popular culture. (Paragraph 285, Main Report; Paragraph 52, Conclusion & Recommendations)

We agreed with the Committee. The range of programmes outlined in the 2008 Annual Report continue to support and enhance young people's cultural education and engagement in the creative arts.

Find Your Talent⁴⁵, the joint DCMS and DCSF pathfinder programme, is working in ten areas in the country to explore how best to deliver five hours of high quality cultural experience to every child

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

in that area. Qualitative evidence from Find Your Talent funded projects in the ten areas indicates: high levels of engagement with the programme; a new reach of activity in terms of the children and young people accessed; and positive impacts for participants, including increased confidence, the development of creative and transferable skills, and improvements in behaviour. The learning generated by the pathfinders will be used to develop a template for a national offer across other areas of the country. Distilling this learning is now a key priority for the next phase of the programme.

DCMS is maintaining its youth mentoring programme, comprising of music, media and sport schemes. The schemes continue to help young people in challenging circumstances realise their potential by offering one-to-one and group mentoring for those young people who most need it. Results to date are very positive. For example, the pilot programme (2006-08) of the music mentoring programme led by Youth Music engaged over 1,000 young people in one-to-one, small group and large-scale mentoring activity. 80% of the mentees who were asked after being involved in the pilot phase said that their musical skills improved and 73% said that they developed non-musical skills such as communication and practical skills like numeracy and research.

DCMS also continues to deliver its two-year programme to provide access to community music rehearsal spaces to all young people in ten deprived or isolated areas by March 2010. So far spaces have been established in Liverpool and Bristol. Four other rehearsal spaces will be opened in the coming months and discussions are ongoing about setting up

spaces in Manchester, Nottingham, Coventry and Birmingham

Positive Futures⁴⁶, the sport- and arts-based activities programme for 10- to 19-year-olds funded by the Home Office, has made good progress in expanding its capacity to deliver arts and music programmes, assisted by a staff secondment from Arts Council England. Recent developments include the following:

- Catch22 (which manages Positive Futures on behalf of the Home Office) have secured a national training licence with Trinity College, enabling them to deliver in-house Arts Award training across the Positive Futures programme;
- Projects have accessed funding to support new programme development (and in some cases seed new arts-based social enterprises) from sources including Youth Music PowerPlay, Creative Partnerships and Find Your Talent;
- Additional investment from Arts Council England is supporting the publication and launch of a tool-kit providing case studies and advice for projects developing arts activity.

Recommendation 46: We also recommend that Government should work with local and national broadcasters who reach a large Black audience to disseminate messages about how to report and deal with crime. Radio stations, TV channels and websites may provide useful platforms from which to publicise weapons amnesties or to give our anonymous contact numbers for Operation Trident, Crime Stoppers or other helplines. (Paragraph 286, Main Report; Paragraph 53, Conclusion & Recommendations)

⁴⁶ URL: <http://drugs.homeoffice.gov.uk/young-people/positive-futures/>

We agreed with this recommendation. Throughout 2008/09, the It Doesn't Have to Happen campaign⁴⁷ delivered advertising through targeted radio, billboard posters, websites, cinema, and an MTV partnership. The adverts educated young people at risk of carrying knives of the consequences, in order to increase their capacity to decide not to carry them.

An evaluation survey by Ipsos Mori of 1,000 10- to 16-year-olds showed that the campaign has been particularly successful among people from BME communities, who were more likely to:

- think the campaign materials are interesting (77% compared to 65% of white respondents);
- agree that the materials make them want to pass them on to friends (49% compared to 40% of white respondents);
- make them want to visit the It Doesn't Have to Happen webpage (44% compared to 34% of white respondents); and
- feel safer as a result of the campaign (34% compared to 24% of white respondents).

Significantly, 73% of all respondents agreed the campaign's adverts made them less likely to carry a knife.

In addition, the campaign is successfully engaging directly with over 5,000 young people in at-risk areas through partnerships with the Football Foundation's Kickz programme⁴⁸ which uses football and the appeal of professional football clubs to offer 12- to 18-year-olds in some of the most disadvantaged areas of the country the chance to take part in positive activity three nights a week, 48 weeks of the year, and a programme of regional events.

Recommendation 47: We believe it is critically important that young people are involved in the formulation of any policy on popular culture and how it can be used to prevent involvement in crime. (Paragraph 287, Main Report; Paragraph 54, Conclusion & Recommendations)

We agreed with the Committee. The 2008 Annual Report outlined plans for the ten Find Your Talent pathfinders to consult and work with young people to develop the opportunities offered so that they meet local needs and are appealing to those we wish to engage. All ten pathfinder areas have now either established or planned a structured means of engaging with children and young people in designing and delivering their cultural offer. They are developing innovative ways of putting young people at the heart of shaping their local offer.

Past research has shown that young people do not feel they are listened to when local cultural activities are being planned. Find Your Talent is poised to address this by ensuring that local cultural provision is more demanded. As part of this, partnership arrangements with stakeholder and delivery partners will be extended to proactively involve young people in designing a cultural offer which demonstrably meets their needs. The recruitment of young people in pathfinder management arrangements to inform design and deliver is also expected to initiate engagement by previously low engagers in some pathfinder areas. This approach will be evaluated alongside all other aspects of the programme as part of a wide-ranging independent evaluation. Many areas who are not Find Your Talent pathfinders already involve young people in developing local cultural provision. DCMS consider that the influence and voice of young people themselves will continue to be key to developing a coherent local culture provision.

⁴⁷ URL: <http://www.crimereduction.homeoffice.gov.uk/stopknifecrime/>
⁴⁸ URL: <http://www.footballfoundation.org.uk/our-schemes/kickz/>

Looking Forward

The Government will use the power of the 2012 Olympic Games to inspire a generation of young people. Our Legacy Action Plan published in 2008 sets out how we will encourage young people to feel part of the Games through a range of programmes and activities linked to sport, culture, communities and volunteering.

We will continue to support and challenge local authorities to use the music funding provided to them to ensure that all school-age children have access to quality music and cultural experiences. This will be supported by a National Year of Music which will run through the 2009/10 academic year. The aim of the Year is to celebrate the wealth of music-related activities available to England's children and young people, and encourage more children and young people to get involved. We also aim to change perceptions by proving that music is important for our children and young people, with the benefits relating to personal and social development, behaviour and self-esteem.

Similarly, the Cultural Olympiad is working to remove barriers to access to musical and cultural experiences for young people, particularly in diverse communities. *LSO on Track*, an Inspire Mark project delivered by the London Symphony Orchestra, is a grass-roots initiative for 8- to 18-year-olds in East London's deprived and culturally diverse areas, which aims to provide a musical legacy inspired by London 2012. The project hopes to provide children in all ten Olympic Host and Gateway Boroughs in London with an opportunity to learn a musical instrument and realise their musical potential.

The Find Your Talent pathfinders are now in their second year of delivery. It is planned for the lessons learned to be drawn out and actively disseminated as the programme continues. DCMS and DCSF are looking at how the learning and good practice identified through these pathfinders can be used to develop a cultural offer for all children and young people across the country beyond the life of the programme.

Building on achievements to date, future plans for Positive Futures include the following:

- The wider roll-out of Arts Award accreditation, coupled with promotion via projects of a range of other qualifications recognising arts achievement.
- Developing sustainable and creative partnerships with the arts and creative media agencies and key cultural institutions, within which opportunities will be explored for shared apprenticeships and avenues created by the Cultural Olympiad.
- Capturing project feedback on what works best in supporting young people's creativity; creating positive outlets for this through campaigns, events, competitions and broadcast media; and sharing practice lessons much more widely through a 'community of interest' aimed at further extending the programme's reach to young people from black and minority ethnic backgrounds.
- A continuing strong emphasis, within the programme's arts delivery, on positive role models who meet young people 'where they are' and with whom young people build relationships of respect and trust.

As part of our Olympic Legacy promises, we want to create a world-class system for physical education (PE) and sport and to ensure every child has access to five hours of PE and sport per week, with three hours for 16- to 19-year olds. DCMS and DCSF will continue to deliver the joint *PE and Sport Strategy for Young People* by working closely with key delivery partners, Sport England, with its focus on sport in the community, and the Youth Sport Trust, overseeing delivery through the network of School Sports Partnerships.

The Home Office will also continue to invest in the It Doesn't Have to Happen campaign in 2009/10, with new online, TV and outdoor adverts, to ensure the core messages are distributed to as many young people as possible.

Youth Offending Teams

Overview

The Government set out in the *Youth Crime Action Plan* its triple track approach to youth crime including new commitments to help break the cycle of offending and re-offending. While the frequency of youth re-offending has fallen by over 23% since 2000, the Government and the Youth Justice Board are committed to taking action to further reduce re-offending rates. The work of Youth Offending Teams (YOTs) is critical to achieving this and the YJB continues to monitor and support YOTs to improve their performance.

The YJB has helped to develop a youth justice system based on robust interventions and rigorous enforcement. It has led work to establish performance management arrangements for Youth Offending Teams and to bring a more strategic focus to reducing re-offending. While the significant reduction in the frequency of youth re-offending is encouraging, there remain challenges to overcome.

The YJB has a range of work to seek to improve Youth Offending Teams performance including supporting poorly-performing areas through the YJB's teams in Wales and English regions; providing improved infrastructure to enable areas to undertake better analysis of their performance and target resources more effectively; and helping YOTs identify and share promising and emerging practice.

Update on progress to deliver recommendations

Recommendation 48: We recommend that the YJB should make greater efforts to ensure YOTs can demonstrate that they have identified and analysed any pattern of overrepresentation in their area. Where overrepresentation is a significant issue, YOTs should be required to show that the support they provide for young Black people is designed to meet the particular needs of these young people and to reduce their risk of re-offending. (Paragraph 292, Main Report; Paragraph 55, Conclusion & Recommendations)

Recommendation 49: YOTs should be required to identify the support they will require from other agencies and voluntary organisations. They should be required to show that they possess or are developing appropriate partnerships with these organisations. (Paragraph 293, Main Report; Paragraph 56, Conclusion & Recommendations)

We agreed with these recommendations. The YJB's new planning framework requires YOTs to self-assess against eight key outcome areas and includes a strong focus on race disproportionality and the actions YOTs are taking to address this. YOTs are required to produce an improvement plan to address gaps, with the YJB regional teams monitoring progress and targeting their improvement activity resource to address under-performance.

The YOT self-assessments referred to in the 2008 Annual Report have now been validated by YJB regional teams, resulting

in the identification of local priorities for ongoing monitoring and improvement. Regional reports have been completed and a national report for 2009/10 compiled. The review of YOT plans identified that race disproportionality continues to be a challenge in many YOT partnership areas; the YJB's Equalities and Diversity Board is considering how to address this. One development thus far has been the appointment of a race and diversity champion in the Yorkshire and Humberside area working with local YOTs.

The YJB is working to strengthen links between YOTs and LCJBs to ensure they work together to address disproportionality and make full use of data coming from the Minimum Data Set.

As outlined in the 2008 Annual Report, the YJB had commissioned a study to explore the specific needs of young BME people in the youth justice system and the levels of current service provision. This study has now been completed by Kings College London, working with Nacro, and is to be published shortly. However, the YJB already know that the research indicated BME groups can receive different outcomes. In advance of publication of the research, therefore, the YJB have agreed to improve ethnic monitoring by implementing the 16+1 ethnicity classification system and engaging with the Minimum Data Set so that issues of disproportionality in the youth justice system are appropriately identified and addressed in LCJBs' analyses of MDS data. The YJB have undertaken to disseminate the research once published to all YOTs and will potentially develop programmes and training modules based upon the findings.

The 2008 Annual Report also set out that a new diversity and equalities strategy was being finalised by the YJB. That strategy was completed in March 2009 and is supported by an action plan for implementation which is regularly monitored by the YJB's Equalities and Diversity Board.

Recommendation 50: Given the multifaceted causes of the problem and the shared responsibilities involved in resolving these, YOT indicators should form part of the wider, overarching performance framework for local government and its partners. Throughout, close collaboration will be needed with the adult Probation Service to ensure a co-ordinated response at both local and national level. (Paragraph 294, Main Report; Paragraph 57, Conclusion & Recommendations)

We agreed. The 2008 Annual Report stated that the new national indicator set for local government in England includes the proportionate ethnic composition of young people on youth justice system disposals. Whilst it is not yet possible to determine the impact of National Indicator 44 (the ethnic composition of offenders on youth justice system disposals), we now have data returns from YOTs which will allow future progress to be measured effectively.

Monitoring of performance at a regional level by the YJB's regional teams will enable good practice and areas for improvement to be identified and appropriate support offered. The YJB has commenced a project working with the YOTs in the West Midlands region to improve their performance against National Indicator 44.

The YJB is working with the Office for Criminal Justice Reform to strengthen the links between Local Criminal Justice Boards and YOTs to use local information and analysis to address unfair race disproportionality. YOTs need to ensure that they know what all the other criminal justice agencies are doing so that they can offer a joined-up approach to addressing the issue. YJB is also developing information toolkits to enable YOTs to better understand and make use of local data on disproportionality.

Looking Forward

The YJB will work closely with the Ministry of Justice to ensure that YOTs engage effectively with their local criminal justice agencies through the Local Criminal Justice Boards. Diversity and equality needs a joined-up approach from all agencies in a locality so improved YOT engagement with the LCJB should enable this.

The YJB is contributing to an ongoing review of National Indicators across the Home Office and Ministry of Justice. Subject to Ministerial agreement, National Indicator 44 should be retained.

The YJB will monitor the success of its current work in the West Midlands region to improve performance against National Indicator 44 and, depending on the success of the project, similar work may be implemented in London.

Further data and research

Overview

The Government wants to see the 16+ 2001 Census self-defined classification system adopted by all criminal justice agencies; to have disproportionality in the experiences of BME people identified; and addressed where it is found to be unjustified. PSA 24 and the MDS, outlined under Recommendations 1-6, are fundamental to the delivery of these outcomes.

Update on progress to deliver recommendations

Recommendation 51: We understand that the Home Office has just commissioned the development of advice and guidance on the collection and use of a minimum dataset on race statistics, following the publication of the Root and Branch Review of Race and the Criminal Justice System in September 2006. We welcome this move, and would emphasise the importance of local criminal justice boards taking a holistic view of the working of the system on their area. This will require full and accurate monitoring by all agencies, including the CPS and the courts. A full set of recommendations on further data and research is set out in the Annex. (Paragraph 297, Main Report; Paragraph 58, Conclusion & Recommendations)

We agreed with the Committee and the progress to implement the MDS is contained in our responses to Recommendations 1-6.

It is clear from LCJB Delivery Plans for 2009/10 that there is a notable amount of work underway to identify and address race disproportionality. For example, Devon and Cornwall LCJB listened to the concerns of diverse communities about the impact of

racially motivated crime and developed and sustained a cross CJS Race Scrutiny Panel to scrutinise hate crime cases. Durham LCJB recognised that they needed to improve the way they engaged with young people and developed a Youth Independent Advisory Group; this acts as a critical friend to the criminal justice agencies and helps assess service delivery from a young person's perspective. The group has 'youth-proofed' the constabulary's right to complain procedure and youth strategy and in 2009 were awarded the Investors in Children's Award.

Recommendation 52: The Government should undertake monitoring of CPS charging decisions to verify that any undue bias to charging decisions in cases where the suspect is Black has been eliminated. (Paragraph 298, Main Report; Paragraph 59, Conclusion & Recommendations)

We agreed. The Crown Prosecution Service (CPS) published equality and diversity impact assessments for the years 2006/07 and 2007/08 in March 2009. The assessments indicated there was no significant variation of charging decision by the main ethnic group of the suspect, except that non-white suspects were marginally less likely to receive a decision to 'No Prosecution' on evidential grounds.

For the year 2006/07, the excellent data on age combined with good data on ethnicity enabled the CPS to analyse its charging activity in relation to ethnicity and age. However, there is only one year (2007/08) of valid and robust age data to analyse so far and there are still data issues in relation to ethnicity. Despite these challenges some conclusions can still be drawn. For example,

there were no significant differences in the type of charging decision, by ethnic background for young people aged under 18. The CPS will publish its impact assessment for 2008/09 early next year and will use this analysis to compare two years' data, taking appropriate action if there is evidence of disproportionality in relation to age and ethnicity at the national or local level. Work is also in train to improve CPS data quality.

Looking Forward

The MDS will continue to be rolled out over the current PSA period (up to March 2011). The roll-out programme includes workshops and visits to LCJBs that aim to build their capacity around data interpretation and report writing skills, as well as on action planning once issues of concern have been identified. The MDS aims to provide LCJBs with a sound evidence base to enable them to performance manage the CJS in their local area in terms of race, and the roll-out programme has been designed to enable them to achieve this objective.

The CPS is currently commissioning its 2008/09 equality and diversity impact assessment, which is due to be published early next year. Once the 2008/09 data is available, the CPS will be in a position to compare two years' data. More detail about any differences in charging activity in relation to young black people will be available next year.

Stop & Search Powers and Policing

Overview

The Government remains committed to eradicating any unfair disproportionality in Stop and Search. We want police forces to increase community confidence through the legitimate, accountable, efficient and effective use of Stop and Search, to ensure that any disproportionality in its use can be explained to the local communities it affects. By focusing on the appropriate use of the Stop and Search power we should be able to significantly reduce unjustified race disproportionality.

The Government set out in the Policing Green Paper the equality and diversity vision for the Police Service to have “a Police Service that has the trust and confidence of all communities and service that reflects the communities it serves”. The Green Paper also highlighted proposals for a three-year Equality, Diversity and Human Rights Strategy for the Police Service. The new strategy has been developed jointly by the tripartite partners – the Home Office, ACPO and the Association of Police Authorities (APA) – supported by the National Policing Improvement Agency (NPIA) and was launched at the ACPO Race and Diversity Conference in October 2009.

The focus of the strategy will be to ensure that equality, diversity and human rights, is mainstreamed and embedded into police forces’ ways of working. These include improving the connection between the police and all communities and effective and responsive policing such as the Neighbourhood Policing model and the Policing Pledge, which sets out national standards of service which people can expect from the police underpinned in

each area by a set of local priorities agreed by people in each neighbourhood. A shared vision and joint strategy will allow the development of a joined-up strategic approach to tackling barriers which prevent the promotion of equality, diversity and human rights and the creation of an inclusive police culture. Getting it right will increase public confidence in the police’s ability to engage with and have the trust of all the diverse local communities they serve and to deliver a responsive service that reflects those communities.

The new Policing Pledge and Neighbourhood Policing both firmly promote working with local communities to understand local priorities and to improve public participation. Therefore, it is through the Pledge and Neighbourhood Policing that the Home Office wants to promote equality and diversity at a local level and to understand the needs of every community. The Policing Pledge sets out a clear minimum standard of service and makes the police more visible, accessible and responsive to local communities. The pledge ensures that: the police understand and are dealing with local priorities; that the public have a voice in setting those priorities and know what action is being taken to address them; and that victims of crime are supported.

Update on progress to deliver recommendations

Recommendation 53: We recommend that existing measures to understand and combat disproportionality should be reviewed. We recommend that strategies for the use of stop and search should explicitly recognise the balance that needs to be struck between use of the power to prevent or detect crime and the negative impact

its use has on public co-operation with, and support for, the police. Such a strategy would focus on halting the increase and then reducing the proportion of stops and searches which detect no crime or criminal intent and whose impact is damaging. (Paragraph 301, Main Report; Paragraph 61, Conclusion & Recommendations)

We agreed with the Committee's recommendation. The 2008 Annual Report highlighted the introduction of the Practice Oriented Package (POP). POP was developed to assist police forces in identifying the causes of Stop and Search disproportionality, both justified and unjustified. POP requires police forces to discuss with local communities both their expectations of the use of the power and the causes of conflict in its use.

The existing diagnostic tool for Stop and Search has been used by a number of police forces. For example, Staffordshire Police has reduced disproportionality in the use of the power from just over 4:1 to just under 2:1 by adopting and using POP. But we must recognise that nationally, there has not been a decrease in Stop and Search disproportionality. The current POP tool does help police forces to better understand disproportionality, but it needs strengthening. The NPIA has been tasked to do this. Its development will be overseen by the Stop and Search Community Panel, chaired by Doreen Lawrence. This new package will be available for piloting in Spring 2010. Following evaluation and further development, the tool will be rolled out to eight police forces each year and will focus on those forces with high levels of race disproportionality in the use of the Stop and Search power or low levels of BME community confidence.

Recommendation 54: Clearly, the negative impact of stop and search on innocent young people can be greatly reduced if proper attention is given to the way in which the encounter is conducted. The evidence that we received suggested police efforts to improve the quality of the encounter have yet to be felt on the ground. Changes need to be made to the nature of the encounter to ensure that it is respectful, courteous and well explained. (Paragraph 302, Main Report; Paragraph 62, Conclusion & Recommendations)

We agreed with this recommendation. The 2008 Annual Report outlined the pilot scheme of removing the recording requirement for Stop and Account encounters. An evaluation was carried out by each pilot area with community groups and the results were made available to the Stop and Search Community Panel in December 2008. The evaluation indicated strong support for this streamlined recording process.

From 1 January 2009, PACE Code A requires that a record must be made only of the ethnicity of the person subject to an encounter. In practical terms, the reduced form-filling requirement has resulted in better communication between the officer and the person stopped and improved the overall quality of the encounter.

The NPIA has published research on the factors associated with public confidence based upon an analysis of the British Crime Survey (BCS).⁴⁹ Officers from the NPIA have attended and spoken at numerous conferences and force strategic groups to share the findings of local and national research, to support focused activity on what can be done to impact positively

49 Public Confidence in the Police, Myhill and Beak (2008), London: NPIA
URL: www.npia.police.uk/en/docs/public_confidence_in_the_police_summary.pdf

on the experience that people have with both public- and police-initiated contact. This research and activity has been summarised in the *Confidence: Evidenced Based Top Tips* document⁵⁰ produced by the NPIA and circulated to all police forces. Positive feedback about the usefulness of the document has been received from police forces. For example, Cambridgeshire Constabulary has used the guidance as a template for tips to help officers identify activity that can contribute to meeting Policing Pledge commitments.

Recommendation 55: Our witnesses made clear that in some cases, the benefits of stop and search might be outweighed by the negative consequences in terms of the willingness of young people to communicate with and trust the police. Stop and search is not a notably productive means of tackling crime, particularly if done on an uninformed basis. Alternatives to stop and search that might help the police engage better with young people should be considered. (Paragraph 303, Main Report; Paragraph 63, Conclusion & Recommendations)

As stated in both the Government's original response to the Committee and the 2008 Annual Report, the alternative to stop and search would be to arrest, which would be excessive and further impact negatively on trust and engagement with the police.

Recommendation 56: We recommend that all forces should provide as standard training on relating to local ethnic minority communities, both for probationers and on an ongoing basis as the ethnic composition of an area changes. Fairness and objectivity should be key performance measures against which individual officers should

be assessed when it comes to appraisal, and the police should prioritise these attributes when recruiting. (Paragraph 304, Main Report; Paragraph 640, Conclusion & Recommendations)

We agreed with this recommendation. The Police Race and Diversity Learning and Development Programme continues to be implemented and is being widely used by police forces, fundamental to the initial learning and 'up-skilling' of those in post. The first level evaluation, outlined in the 2008 Annual Report, was completed in March 2009 and has informed the new tripartite Equality, Diversity and Human Rights strategy.

Achievement of the National Occupational Standard, 'Promoting Equality and Valuing Diversity' also continues to be monitored. The target date for all members of the police service to have been assessed as competent against the National Occupational Standard is December 2010 and police forces are being encouraged to continue to assess competence.

The work by NPIA, outlined in the 2008 Annual Report, to evaluate the hallmarks of Citizen Focus following agreement by ACPO last year has continued. Visits to all 43 police forces have been undertaken to support forces' self-assessment against Hallmark I 'Understanding People'.⁵¹ This included an assessment of how the force maps its communities by age, gender and ethnicity; and whether there are processes in place to enable any lower satisfaction and confidence levels of particular groups to be understood and addressed. Learning and good practice in this respect has been captured for each police force visited and results are being collated to inform further development

50 URL: http://www.neighbourhoodpolicing.co.uk/doclib/doclib_view.asp?ID=1275

51 *Citizen Focus Policing Hallmarks: Summary Document* (2008), NPIA, London
URL: http://www.npia.police.uk/en/docs/citizen_focus_hallmarks_summary_document.pdf

work by the NPIA and ACPO. Good practice will be disseminated through the Community of Practice hosted on the IDeA website.

Recommendation 57: We recommend that more police forces should create local forums in which police and young people can come together to talk about issues affecting the community. These panels could identify local flashpoints or areas of tension and find solutions and may also prove useful for gathering intelligence about local needs and priorities. (Paragraph 307, Main Report; Paragraph 65, Conclusion & Recommendations)

We agreed. Mechanisms such as Youth Forums have given young people a platform to participate actively in society and represent their interests. Youth Forums regularly ask young people what they think about issues that affect them, from health to sport and music to the environment, and can provide information about fears and concerns and their knowledge of what is being done to deal with specific issues.

ACPO, DCSF, Home Office, NPIA and the YJB are currently developing a guide for Neighbourhood Policing Teams on youth crime prevention and early intervention. This is designed to support more effective engagement with young people with a focus on diverting young people from involvement in crime and anti-social behaviour. Good practice and successful multi-agency diversionary activities for young people are being identified through the Neighbourhood Management exemplar sites and shared through the Community of Practice on the IDeA website. There are many good examples of police forces engaging young people in the local community. For example,

in Milton Keynes the Thames Valley Police are working with primary and secondary schools and Neighbourhood Action Groups to identify and address local crime issues, to improve the local area and build confidence in the police.

The 2008 Annual Report stated that neighbourhood policing and the development of Citizen Focus hallmarks has led to a new way in which the police engage with local communities. The work on Hallmark 1, outlined in Recommendation 56, includes the gathering of information on how police forces are identifying and addressing gaps in their engagement with groups of people who choose not to engage through traditional routes (e.g. attending meetings). This is identifying how forces are engaging young people through initiatives such as targeting information in newsletters, texting, youth panels, active recruitment of young people as part of Key Individual Networks, as well as a renewed focus in some police forces on reinvigorating their Safer School Partnerships. The Hallmark 1 assessment process is also identifying how police forces are working to understand and narrow the satisfaction gap between BME and white victims, taking forward the results of the NPIA research into this issue.

In addition, the NPIA has been developing a national picture of Safer School Partnerships and good practice in police forces in order to share knowledge with the wider policing community. Good practice examples are included in the recently published Safer School Partnership guidance produced collaboratively between ACPO, NPIA, Home Office, Youth Justice Board and DCSF. In addition, these partners have set up a Community of Practice online forum, via

the IDeA website, in order to provide SSP officers with a forum in which to share SSP best practice and knowledge.

Supporting the implementation of the Policing Pledge by forces is a key element of Citizen Focus. This work includes identifying and sharing how police forces are making the Pledge relevant for young people, i.e. through text messaging services. The NPIA is working with one police force to produce the Pledge in language that is more resonant with young people and will make this available to other forces as a resource once finalised.

As outlined in the 2008 Annual Report, areas which receive funding from the Tackling Knives Action Programme have been asked to include youth engagement, such as local youth forums, as part of their plans to tackle serious youth violence. This remains the case.

Recommendation 58: We repeat the recommendation made by our predecessor Committee – we believe that the best way forward is through a combination of: (a) increased effort put into ‘positive action’, that is, promotional and outreach activities aimed at encouraging more members of minority groups to apply to join the police; and (b) the prioritising in recruitment certain abilities such as language skills and knowledge of cultural background, where relevant to policing needs in particular areas. A case can be made for doing this on a purely crime-fighting basis. (Paragraph 308, Main Report; Paragraph 67, Conclusion & Recommendations)

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

Latest published figures as at 31 March 2009⁵² show that the proportion of minority ethnic police officers further increased from 4.1% (2008) up to 4.4%. Minority ethnic police staff representation (including Police Community Support Officers (PCSOs) stands at 7.4%. The proportion of minority ethnic PCSOs accounted for 11.5%. Minority ethnic Special Constable representation in the police service is 9.6%.

As set out in the Policing Green Paper, police authorities are now responsible for setting ambitious local employment targets in agreement with forces and in consultation with local communities, police officers and staff. The Association of Police Authorities has published guidance for police authorities⁵³ which provides advice on setting appropriate targets on race and gender representation, and on consideration of targets relating to wider local diverse communities.

Police forces have been encouraged to consider their local area and issues to develop appropriate initiatives to help encourage applications from under-represented groups. In addition to the range of supporting materials that have been developed, referred to in the 2008 Annual Report, forces have introduced exercises at their recruitment events which provide attendees with a chance to undertake the assessment centre written exercises, after which feedback is provided. These exercises provide attendees with the opportunity to assess their own written language skills and direct them to appropriate areas which could assist with their development.

⁵² *Police Service Strength England and Wales*, 31 March 2009, Home Office Statistical Bulletin 13/09
URL: <http://www.homeoffice.gov.uk/rds/pdfs09/hosb1309.pdf>

⁵³ *Local employment targets for under-represented groups: Setting employment targets in local policing plans* (2009) URL: <http://www.apa.police.uk/APA/Publications/Employment+Targets+for+Under-Represented+Groups.htm>

Recommendation 59: An evaluation of existing 'positive action' – including targeted recruitment and other measures to increase the numbers of recruits from different backgrounds – should be undertaken. It would also be valuable to explore in more detail the reasons why the Metropolitan Police have been more successful in recruiting Community Support Officers from ethnic minorities than they have been in recruiting police officers. (Paragraph 309, Main Report; Paragraph 68, Conclusion & Recommendations)

We agreed with the Committee. The 2008 Annual Report stated that the NPIA had commenced a review of positive action initiatives undertaken by police forces relating to the recruitment, retention and progression of BME officers. That review is ongoing; it has already highlighted that many police forces have put in place positive action initiatives. The NPIA is seeking further examples in order to build a complete picture and to issue positive action guidance to forces.

The NPIA has had early discussions with the Equality and Human Rights Commission about the positive action-related provisions in the forthcoming Equality Bill, and will be working with police forces to ensure that they understand the provisions and are well placed to implement them effectively. A meeting of positive action officers has been held to encourage collaboration between police forces and the sharing of best practice.

The NPIA continues to support active talent management, both across the whole Police Service and also in areas where certain groups are under-represented. Specific examples include the Positive Action

Leadership Programme (PALP), which is open to all under-represented groups, including those from BME communities. Over 3,000 people have attended PALP since it was established in its current form in 2006. An evaluation of the longer-term impact of PALP is intended to be conducted next year.

Moving On: PALP for Senior Leaders is a new programme that will be delivered from April 2010 aimed at members of under-represented groups at Chief Inspector and Superintendent rank and police staff equivalent grades. The requirement for this programme was put forward by the ACPO Progression Group to improve the number of members of under-represented groups at Chief Officer level. *Moving On* complements the proposed work of the National Senior Careers Advisory Service (NSCAS) which has been involved in the consultation for it. The course is a development of the highly successful Leadership Development for Senior Women course delivered by the NPIA, which it now replaces and was piloted in October 2009.

The NSCAS is open to police officers and staff at Superintendent rank or equivalent and above. The NPIA was commissioned to extend this service to Chief Inspectors from BME backgrounds. NSCAS is therefore running *Releasing Potential*, a pilot programme that is the first tranche of delivery and will enable future programmes to be based on the experiences of working with officers at this level and input from participants. By mid-2010 the pilot programme will have been completed, enabling analysis of candidate experience to be conducted and the results used to inform future programmes.

NSCAS also undertakes positive action in regard to the assessment process for accessing its service, including events and one-to-one meetings with potential applicants, to ensure that BME officers and staff are able to make fully informed decisions and prepare themselves for the process. Similar activities are also undertaken for the revised High Potential Development Scheme assessment process with the aim of increasing the number of successful applications from BME officers.

Recommendation 60: We recommend that attention be given to improving perceptions of policing as a career option at school in ethnic minority communities. Forces should publicise work experience and internship programmes. Forces should demonstrate their commitment to the development of all employees by publicising their activities in this area to local communities and potential recruits. (Paragraph 310, Main Report; Paragraph 69, Conclusion & Recommendations)

We agreed with this recommendation. Promotion of policing as a career option within schools sits with local police forces, who are better placed to forge good relationships with the schools in their area. The police are in regular contact with young people as part of community engagement schemes, such as the Schools Involvement Programme run in all boroughs of the Metropolitan Police Service.

The NPIA has been asked to deliver a graduate recruitment scheme in 2010, which will involve both targeted recruitment of a small number of graduates with leadership potential, and a revised approach to marketing policing as a career to university

students. This work will include a focus on under-represented groups, including working particularly with universities with a high number of BME students.

The 2008 Annual Report also set out the NPIA's plans to develop a Trust and Confidence Toolkit. This work has been taken forward as part of the Citizen Focus and Neighbourhood Policing agendas – the toolkit, *Confidence: Evidenced Based Top Tips*, is referred to in Recommendation 54. This document has been rolled out to all forces. Some forces have, through community consultation, amended the guidance to reflect local force priorities and aligned it to the new Policing Pledge.

Looking Forward

The NPIA will continue to encourage, support and challenge police forces to deliver improvement in equality performance. The introduction of the Equality Standard for the Police Service will help assist this process. Forces will use the Standard as a continuous improvement tool to help them build on the considerable progress that has been made and help forces to increase their performance on equality and diversity.

The Standard will be one of the means of delivering the new tripartite Equality, Diversity and Human Rights Strategy. It will be a key driver to help achieve the Strategy's equality vision for the police service and the need to identify and eliminate unjustified disproportionality is a key theme. It provides a national framework for improvement, setting out three strategic themes in line with the Strategy: Operational Delivery, People and Culture and Organisational

Processes. These provide a framework for improving equality outcomes across all delivery areas and at every level of the Police Service.

It will also support delivery of other policing and Government priorities such as building confidence in policing, the Citizen Focus approach to delivering services according to need and the Policing Pledge. It will play a key role in helping police authorities to set local equality targets, in turn helping them meet their duty to promote equality and diversity.

The NPIA has consulted on a Talent Management Framework for the Police Service and presented the results to the Workforce Strategy Board. The consultation sought views from the Service with regard to how the NPIA can better support police forces in meeting their talent management challenges. This framework will be aligned with work around talent management strategies with ACPO and will be integrated into the ten-year workforce plan. Diversity is one of the key strands in this framework.

Working closely with ACPO, the Association of Police Authorities, police forces and the Home Office, the NPIA's aim is to broaden and share understanding of drivers and barriers to public confidence in the police and develop and share what works in improving it. This will include the development of further guidance in relation to local confidence surveys that will help police forces to use the data they collect to identify issues affecting public confidence locally and make service improvements. NPIA events for ACPO Citizen Focus leads, which will continue into 2010, will present opportunities to involve police leaders in the development of new initiatives and to

promote the work on public confidence being undertaken across the policing community.

NPIA will continue to share good practice identified from the Hallmark 1 visits, particularly in relation to understanding and addressing the satisfaction gap between white and BME victims and good practice in youth engagement.

A training needs analysis is currently underway to assess the learning and development needs of officers and police staff in order to understand and effectively improve public engagement and other service areas identified in the Policing Pledge. The Police Public Encounters Group will ensure issues of the quality of street encounters (i.e. stop and account) and engagement are incorporated into this scoping of learning and development needs.

Transition from Juvenile to Adult Estate

Overview

The National Offender Management Service (NOMS) and Youth Justice Board (YJB) aim to ensure that any young people who move from the youth to the adult estate make this transition successfully. Work is underway to implement an improved NOMS/YJB protocol to ensure that effective transition arrangements are put in place between the youth and adult justice systems. Alongside this, national standards for youth justice are currently being revised to strengthen and clarify expectations with regard to transfer of information between youth offending teams and probation.

Through its Wiring Up Youth Justice programme, the YJB wants to improve information-sharing across the YJS, the wider CJS and children's services. In 2009/10 the programme will focus on improving the flow of information that supports transition from the juvenile secure estate back into the community or on into the young adult prison service. Guidance has also been provided through regional implementation mechanisms on how to deal with the transfer of information between the risk assessment tools used by youth and adult systems respectively.

Update on progress to deliver recommendations

Recommendation 61: We recommend that support for young people should be tailored to individual need, rather than age, and should continue at least until age 25 where appropriate. Support should recognise the distinct needs of young adult offenders as a group within this. The Government told us they had been looking

at the transition from the juvenile to the adult criminal justice systems and said that an announcement was "imminent" We await this announcement with interest. (Paragraph 312, Main Report; Paragraph 70, Conclusion & Recommendations)

We agreed with this recommendation. The original Government response and the 2008 Annual Report set out our intention to pilot specialist provision for 18- to 24-year-olds at the new HMP/YOI Isis (formerly Belmarsh East). HMP/YOI Isis is scheduled to open in July 2010 as a male young adult establishment for sentenced offenders aged from 18 to 24. The regime profile has yet to be fully approved but will offer a range of services that meet educational, vocational, intervention and resettlement needs. The Isis Equalities Manager will be responsible for undertaking all Equality Impact Assessments (EIAs), and a review of the regime EIA will be completed within six months of the establishment being fully operational. The Director of Offender Management for the London region will be responsible for commissioning the planned three-year evaluation review.

NOMS has developed a case transfer protocol, the National Standards for Youth Justice Services, with the Youth Justice Board, which was published on 1 September 2009. This provides guidance to Youth Offending Teams and local Probation Areas/Trusts on the arrangements that should be in place to manage the transfer of cases between both agencies. This includes ensuring continuity of interventions in individual cases. It is intended as a model protocol for YOTs and Probation Areas to use as the basis of local agreements, and it is therefore possible for local arrangements to be made for YOTs to

retain responsibility for cases beyond the age of 18 in other circumstances, where this has been agreed by the YOT and local probation area. The national protocol also sets out a recommended process for case transfer which will enable risk to be managed appropriately and ensure all parties are clear on who has responsibility for a case and when.

Looking Forward

NOMS is currently scoping a review of existing policy for the management of young adults in custody, and options arising from this work are to be presented to the NOMS Board early next year. In this work, account will be taken of the needs of BME young people, and any proposed new policies will be assessed for their impact on race equality.

As outlined previously, the new regime will be piloted at HMP/YOI Isis from July 2010 and will be evaluated after three years in operation to assess the impact it has in reducing re-offending.

Reducing Fear of Crime Among Black Communities

Overview

Increasing public confidence in crime fighting agencies is vitally important if crime is to be tackled effectively and the public are to feel safer. Public attitude and feelings about safety have an impact on the quality of life for individuals and communities, as well the efficacy of the criminal justice system. Over the last ten years crime has fallen by over 30% but over 60% of the public believe that crime has continued to rise - it is very important that this 'perception gap' is tackled.

Confidence in the police and their partners to deal with crime and anti-social behaviour is increasing and it is important to fully understand what is driving the improvement and to ensure it continues. We also know that public confidence does vary according to different demographics including age, gender and ethnicity. Findings from the most recent British Crime Survey found that people from BME backgrounds were more likely to agree that the police and local authorities were dealing with crime and anti-social behaviour issues that matter in the local area than those from white backgrounds (54% compared to 48%). However, people from BME backgrounds are less likely than white persons to agree that the police would treat them with respect (81% compared to 84%). To understand more fully the reasons underpinning public confidence for different demographic groups (including young people and BME groups), ACPO and the APA are currently working with members of the public to identify what different demographic groups want from their local police and, specifically, what they think would improve their confidence.

The importance of public confidence is at the heart of the Policing Green Paper *From the Neighbourhood to the National: Policing Our Communities Together* which set out the Government's expectation that there will be a significant improvement in public confidence over the next three years. To achieve this, the Government have set a demanding target on this one measure for all police forces. The new target is a hard-edged measure about raising public confidence that the anti-social behaviour and crime issues that matter locally are being addressed. As a joint measure it deliberately promotes partnership working between the police and councils as that is what is needed to tackle local problems, such as the arrangement for local Crime and Disorder Reduction Partnerships (CDRPs) in England and Community Safety Partnerships (CSPs) in Wales.

An important tool that the CPS is using to help build community confidence is hate crime scrutiny panels. These panels examine finalised hate crime and domestic violence files in order to learn lessons for the future about handling such cases. The vast majority of panels look at all types of hate crime, including racist hate crime. Importantly, the panels are chaired by a member of the community. The majority of the 42 CPS Areas are now covered by either a single or a shared Hate Crime Scrutiny Panel. Each panel consists of 3- 6 community members largely drawn from organisations and people who have experience of supporting victims and witnesses of hate crime. Community members who sit on these panels are asked to disseminate information about the work they are doing with the CPS amongst their communities, thereby helping to build trust and confidence in the CPS within the wider community.

The Government wants to ensure that local CDRPs and CSPs have an in-depth understanding of the variety of circumstances and needs of their local communities, and that they engage with those communities and respond in ways which are effective and are accountable to those communities. The Government is rolling out a package of support for partnerships through the National Support Framework to enable them to do so.

The *Youth Crime Action Plan* also sets out our vision that young people: feel safer; understand what crime is, and that it is not acceptable; know how to get help if they need it; do not turn to crime in response to being a victim; and have a voice locally to influence decisions that affect them. To deliver this vision, over the next year we will ensure that more young people are aware that they are entitled to support and improve the support that is available to them in more areas.

The Government also wants to ensure that witnesses who are intimidated or vulnerable are provided with the right support to report crimes to the police and give their best evidence if required to attend court. The introduction of new legislation, which would enable witnesses to give information to the police anonymously during an investigation, strengthen Special Measures provisions for young people and ensure that they have more choice about the way they give evidence, should help ensure this is delivered.

Update on progress to deliver recommendations

Recommendation 62: The police and local Crime and Disorder Partnerships (CDRPs) need to directly address fear of crime among Black people, including fear of falling victim to other young people. The police and local agencies should regard all young people as potential victims, not just as potential offenders – even if they have been involved in crime themselves. (Paragraph 315, Main Report; Paragraph 71, Conclusion & Recommendations)

We agreed. The 2008 Annual Report stated that new statutory minimum standards had been introduced that required CDRPs/ CSPs to target community engagement to diverse groups and, to assist partnerships in delivering community-focused outcomes, a National Support Framework was being developed. Following an analysis of the gaps in capacity and capability for partnerships in delivering the minimum standards, the National Support Framework was introduced in May 2009. A range of tools and products were launched alongside the Framework to support partnerships in understanding their strengths and weaknesses and self-improving to address identified weaknesses. These tools, together with the annual strategic assessment process and place-based support with a range of local partnerships delivered through the Home Office and Government Offices for the Regions, will enable partnerships to better understand the nature and extent of local crime-related challenges and will support improved engagement with vulnerable or under-represented groups.

The five young victims pilot projects, announced in the *Youth Crime Action Plan* and highlighted in the 2008 Annual Report, are now complete and the projects have provided information to over 12,500 young people through school assemblies and workshops telling them about the dangers and consequences of crime, how to keep themselves safe and how to get help if they need it. The projects have also provided support for those who need it, including one-to-one sessions, activity breaks to share experiences with other young victims and simply referring young victims to existing local activities that will re-build self-esteem. Over 400 young victims have been supported in this way. Each of the areas (Derby, Lambeth, Lewisham, Norfolk and Oxfordshire) have developed and made pledges stating how they will support young people at each stage of victimisation from preventing victimisation in the first place and encouraging reporting to assessing victims' needs and providing appropriate support. These pledges will guide other areas across the country as they roll out similar services.

Work was also undertaken during the five pilots to provide young people with information on dangers and risks. A range of initiatives were used, from workshops, lessons and assemblies to practical, more in-depth one-to-one sessions with young victims. This work complements both the *Your Justice Your World* resource developed by the Ministry of Justice, outlined in Recommendation 25, and the wider Home Office campaign to tackle serious youth violence, *It Doesn't Have To Happen*, outlined in Recommendation 46.

The pilots have all been subject to independent evaluation; this formed the basis of the good practice guidance developed

and published in September, which will assist other areas to develop their own models of young victim support. The Youth Taskforce is now using the guidance to work with the 69 priority areas identified in the *Youth Crime Action Plan* to help improve services for young victims. Monitoring of this element of work in the YCAP areas began in December 2009.

Since January 2009, the British Crime Survey (BCS) has been extended to cover crime against children aged from 10 to 15. The first survey results for this age-group are due to be published in May 2010, after which further consultation will consider how best to integrate the under-16 survey into the main BCS.

We continue to ensure that vulnerable and intimidated witnesses are given the support they need to give evidence and help bring serious and violent crime to justice. Special measures continue to be in force across the country. Whilst we have no way of measuring their impact, independent research⁵⁴ (albeit published in 2004) found that one-third of witnesses would not have been willing or able to give evidence if special measures were not available and that 76% of young witnesses were satisfied with special measures.

The Coroners and Justice Act 2009 includes a range of provisions around the special measures for young witnesses. These include the removal of the rigid presumptions that young witnesses must give evidence via video-recorded statement and live link so as to give young witnesses more choice about the way they give evidence and the

54 Key findings from the Surveys of Vulnerable and Intimidated Witnesses 2000/01 and 2003, Hamlyn, Phelps and Sattar (2004)
URL: <http://www.crimereduction.homeoffice.gov.uk/victims/victims32.htm>

extension of the automatic eligibility for special measures to those aged under 18 and to witnesses in gun and knife crime offences. The Ministry of Justice will be looking at what further information needs to be provided to young witnesses on special measures following the introduction of the new legislation. Guidance will be developed once the special measures provisions of the Act are implemented in Spring of 2010.

Recommendation 63: We recommend that CDRPs, neighbourhood policing teams and, where they exist, Safer School Partnerships, should provide regular forums to communicate with young people and understand their primary concerns in terms of personal safety and crime. This could be done by way of a drop in session or surgery at school. Neighbourhood police officers should publicise a local telephone number that young people can call with information and to pass on personal safety concerns. In particular trouble spots, neighbourhood policing teams should encourage a visible police presence on routes to and from school. (Paragraph 316, Main Report; Paragraph 72, Conclusion & Recommendations)

We agreed and the 2008 Annual Report highlighted the positive impact of the neighbourhood policing model and Safer School Partnerships. Work to both strengthen these initiatives and to ensure good practice is shared and mainstreamed continues, as highlighted in Recommendations 37, 54, 56 and 57.

The *Youth Crime Action Plan* committed to increasing after-school police patrols and the £765,000 provided to each of the 69 YCAP areas was partly to support this

function. These provide increased visible police patrols during after-school hours on bus routes and transport hubs to tackle anti-social behaviour and disorder at school closing time and to reassure parents and pupils. The location of the patrols should be informed by the local community, schools and young people.

The *Youth Crime Action Plan* also encouraged the establishment of street-based teams, which should include police officers, youth workers, representatives from community groups and neighbourhood managers. These teams aim to engage disaffected young people on the streets in order to tackle youth offending and ASB, and provide advice and support for those young people.

Positive examples of police engagement with young people include the Ozbox programme, the winner of the Daily Mirror-sponsored People's Award at this year's Justice Awards. Ozbox is a community-based boxing initiative in Derbyshire which engages 12- to 19-year-olds at risk of becoming involved with gangs and criminality, provides positive diversionary activity and steers them away from crime and anti-social behaviour. More than 50,000 young people in Derbyshire have taken part in sessions at schools, behaviour support units and community venues.

Recommendation 64: At present, gun crime is a blight on some Black communities. We fully support the efforts of Operation Trident in this area and urge full and continued financial backing for this operation. We recommend that forces in other areas where levels of gun crime are high might consider whether other, similar initiatives are necessary. (Paragraph 317, Main Report; Paragraph 73, Conclusion & Recommendations)

We agreed with the Committee. The work on gangs carried out by the Tackling Gangs Action Programme has been subsumed into Phase 2 of TKAP, which focuses on all serious youth violence and includes work to tackle gangs across 16 police forces. The Home Office has provided a further £1 million in 2008/09 for the four TGAP areas to build on and maintain the successes achieved throughout the duration of TGAP. We have also announced £800,000 in 2008/09 and a further £800,000 in 2009/10 to expand risk management processes for gang members in TGAP areas. Recommendations 35 and 37 provide more detail about the Government's programme of work to tackle gun and knife crime.

Looking Forward

The Home Secretary has set intentionally stretching confidence targets for police forces which, when achieved, would mean that nationally, by 2012, 60% of people will be confident that the police and local council are dealing with the issues that matter locally – a 15% point increase from the national baseline published in July 2008 (based on six months of BCS interviews). To ensure the confidence target is met, a delivery plan has been produced that identifies five key themes that if done correctly, will improve confidence. These are:

- tackling anti-social behaviour and crime effectively;
- delivering a high quality service;
- developing and empowered, engaged and confident workforce;
- driving local and effective partnerships; and

- working with and for the public.

One of the key priorities within this plan is around 'Equality and understanding communities' because promoting equality, diversity and human rights is a crucial element of improving confidence in the police and partners.

The Home Office will continue to work closely with Government Offices for the Regions to identify gaps in the capacity and capability of CDRPs/CSPs, structured around the Hallmarks of Effective Partnerships. The National Support Framework is ongoing and further support and more products/tools will become available according to partnership need.

The range of measures to enhance the support provided to young victims of crime will continue to be developed. The good practice guidance will contain useful and practical ways for other areas to implement their own initiatives to improve provision for young victims. It is hoped that they will be able to use the lessons learned through the pilots and that the guidance will be used by anyone working with young victims, but also by the YCAP priority areas with whom the Youth Taskforce are working directly to help them develop improved services for young victims of crime. A sum of £500,000 has been allocated to support this and is part of the Government's National Offer which was announced at the YCAP One Year On event. Work will continue in the five pilot areas and the YCAP priority areas to deliver the National Offer, part of which is to commit to giving young people the information they need to keep themselves safe.

Leaving custody

Overview

While the frequency of youth re-offending has fallen by over 23% since 2000, the Government is committed to taking action to further reduce re-offending rates. Delivering effective resettlement support for those young people leaving custody is a critical part of our triple-track approach, set out in the *Youth Crime Action Plan*, to better prevention, non-negotiable support and tough enforcement to tackle youth crime and break the cycle of reoffending. Provision of this support will be mainstreamed within local authorities, ensuring a sustainable and effective approach to resettlement in the longer term.

The Government is clear that young people leaving custody are less likely to re-offend if they have access to the support and services that can help them to rebuild their lives. We want to build on the success already achieved by reducing the frequency of re-offending through work with the YJB and local agencies to develop strong packages of support for this group of young people. This needs to include help with education, employment, substance misuse and accommodation.

Update on progress to deliver recommendations

Recommendation 65: A renewed emphasis should be placed on the rehabilitation, resettlement and reintegration of all young people leaving custody. A review should be undertaken to ensure that provision for prison leavers is appropriate, accessible and beneficial to young people from all ethnic groups. On the basis of this review, it may be necessary to devise new

measures which should themselves be examined to ensure they cater to all groups. (Paragraph 318, Main Report; Paragraph 74, Conclusion & Recommendations)

We agreed with this recommendation. The *Youth Crime Action Plan* (2008), and *YCAP One Year On* (2009) set out how we are building on the work already in train, and we announced, in August 2009 £8.4 million to improve resettlement provision over the next two years. This funding will be used to develop integrated resettlement support in an additional 40-50 local areas with the highest custody rates, and to establish and facilitate two regional resettlement consortia. As part of this funding we will expect local authorities to develop the provision of comprehensive packages of support for young people leaving custody, as the Government believes that local authorities should take more responsibility for the prevention of offending and re-offending by young people.

Since YCAP was published the Government has also introduced new legislation to improve education and training for young offenders. Through the Apprenticeships, Skills, Children and Learning Act 2009, the Government proposes to make local authorities responsible for the education of children and young people in juvenile custody. Implementation is due to begin in 2010, with a phased roll-out, taking into account the nature and timescales of existing contracts. The legislation will bring the education of young people in custody under primary education legislation for the first time.

The Government has also strengthened the local response to the prevention of youth

offending and re-offending in England, for example through revisions to guidance on the role of Children's Trusts, the Children and Young People's Plan and guidance on the role of Lead Members and Directors of Children's Services. Learning from the consortia and comprehensive packages of support will be used to inform and spread best practice more widely across England and Wales. All these have been strengthened to include key *Youth Crime Action Plan* commitments, particularly as they related to local authority responsibilities for resettlement.

The Government is pleased to have been closely involved with the London Criminal Justice Board in developing London regional resettlement consortia. This includes the new resettlement Heron Unit in Feltham YOI. The 30-bed unit accommodates 15- to 18-year-old offenders from six pilot London boroughs who must have shown some motivation to change and have particular resettlement needs.

The proposed new regime, mentioned in Recommendation 60, will also contribute to improving the resettlement services offered to young people in custody to prepare them for release. The regime will introduce new or revised educational and vocational training, interventions such as treating substance misuse and wider resettlement needs

Looking Forward

The *Youth Crime Action Plan: One Year On* document sets out the Government's objectives for the next year. We will improve the support that young offenders receive in order to reduce their re-offending. In particular, we will ensure that local areas

take a more strategic approach to the commissioning and delivery of support for young offenders so that their needs are met by mainstream universal and specialist services.

To help us achieve this we will provide additional funding in 2009/10 and 2010/11 to improve resettlement support for young people leaving custody. The funding will be used to assist and develop integrated resettlement support in local areas with the highest custody rates. These local areas will be asked to develop local resettlement plans that focus on the provision of key practical priorities such as education, training and suitable accommodation. They will also need to demonstrate how YOTs, Crime and Disorder Reduction Partnerships, the secure estate, Children's Trusts/Children and Young People's Partnerships and local authorities will work together to ensure that this provision is sustainable. Plans submitted will need to show the active support of local strategic leaders such as the Director of Children's Services and demonstrate how the statutory partners of the YOT (such as health) and other partners, for example housing departments, will work together to improve resettlement planning and access to services for young people leaving custody.

As part of this funding we will expect local authorities to develop the provision of comprehensive packages of support for young people leaving custody. The YJB is currently in the process of designing and implementing two regional resettlement consortia to improve resettlement outcomes for young people in the North West and South West regions. The consortia will develop closer working across local authority boundaries, enabling enhanced

information sharing about individual young offenders who cross local authority boundaries and providing the opportunity for joint planning and commissioning of resettlement services. We will be providing funding to provide expert support for the consortia and to identify and evaluate the learning from this new approach so that it can be shared with other parts of the country so that resettling young offenders remains a local priority. Consideration will be given to piloting packages of care through these consortia. The relevant working group has agreed on the commitments each local authority will make to improving resettlement outcomes, which cohort of young people will be worked with and how accountabilities will be managed throughout the life of the project. Specific operational changes to delivery are to be confirmed at the steering group led by the newly appointed project manager.

The £8.4 million funding (£6 million new money plus £2.4 million in reinvested efficiency savings) has now been invested into a new approach to resettlement which will enable the above to go forward and the funding of enhanced resettlement activity in around 50 more YOTs in England. In Wales, we will work with the Youth Justice Board to pilot a multi-agency approach to providing comprehensive packages of support to those leaving custody.

The new regime to be piloted at the new HMP/YOI Isis establishment from July 2010 will be evaluated once it has been operational for three years, to allow effective analysis of its impact.

National DNA Database

Overview

The UK has been at the forefront of using DNA in the detection of crime for many years, and the National DNA Database (NDNAD) has played a key role in the conviction of numerous individuals for the most serious of crimes since its establishment in 1995. In 2008/09 alone, some 832 matches to the NDNAD were made in cases of murder, manslaughter or rape. The Government is determined that DNA should continue to play a key role in public protection and the prevention and detection of crime.

In December 2008, the European Court of Human Rights (ECtHR) judgment in the case of *S and Marper* found that the blanket retention of DNA profiles and fingerprints indefinitely on the UK DNA Database where there had been no conviction represented a breach of Article 8 of the European Convention on Human Rights. The Court also indicated that it agreed with the Government that the retention of fingerprint and DNA information pursues the legitimate purpose of the detection and, therefore, prevention of crime, but pointed to the need for “*an approach which discriminated between different kinds of case and for the application of strictly defined storage periods for data*”.

The Government undertook to give effect to the judgment and to amend domestic law accordingly. It published proposals in May 2009 in a Consultation Paper *Keeping the Right People on the DNA Database*.⁵⁵ The consultation period ended in August. Over 500 responses were received. In addition, meetings were held with key national stakeholders across the spectrum of policing judiciary, defence and human rights groups.

⁵⁵ *Keeping The Right People on the DNA Database: A Consultation Paper (2009)*, Home Office, London
<http://www.homeoffice.gov.uk/documents/cons-2009-dna-database/>

Following careful consideration of the consultation responses, the Government announced on 11 November its proposals for a new retention framework⁵⁶ to be introduced through the Crime & Security Bill, introduced in Parliament on 19 November 2009.

The Government’s objective has been to achieve an appropriate balance between privacy and public protection, in a way which satisfies the ECtHR judgment. It has sought to establish an evidence base which would help inform the creation of a proportionate DNA retention framework based on the potential of those arrested and not convicted who may go on to offend in the future. The proportion of age and ethnic groups on the NDNAD reflects the age and ethnicity of people arrested for a recordable offence. Arrest is an important threshold as arrest must be based on a reasonable suspicion that the person is involved in the offence.

Research evidence lends support to the public protection case for retaining the DNA of those who have been arrested for but not convicted of criminal offences. It indicates that the chance of re-arrest, following an arrest with no further action, of individuals with no previous convictions remains higher than the chance of arrest in the general population for six years following the initial arrest.

In relation to juveniles, whilst the evidence base does not support shorter retention periods for juveniles, the Government has given weight to the comments in the ECtHR judgment, the United Nations Convention on the Rights of the Child and the responses to the Consultation Paper.

⁵⁶ ‘*Keeping the Right People on the DNA Database: Summary of Responses Public Consultation 7 May – 7 August 2009*’ <http://www.homeoffice.gov.uk/documents/cons-2009-dna-database/wms-dna-fingerprints-2009>.

The proposals include shorter retention periods for juveniles who have a conviction for one minor crime and for juveniles arrested but not convicted of a minor crime. The Government believes that a limited retention period for a single conviction, with indefinite retention in the case of any further conviction, and a more lenient approach to juveniles who are arrested but not convicted, compared with those who do receive a conviction, strikes the appropriate balance.

Update on progress to deliver recommendations

Recommendation 66: We recommend that the Government should conduct a study to determine the implications of the presence of such a high proportion of the Black male population on the National DNA Database. (Paragraph 319, Main Report; Paragraph 75, Conclusion & Recommendations)

We agreed with the recommendation. The 2008 Annual Report set out that the NPIA were undertaking a Stage 2 Equality Impact Assessment (EIA) to identify any potential adverse effects contained within the NDNAD. All the recommendations arising from the Stage 1 EIAs have been considered and a number have been implemented. The other recommendations have been carried through to the Stage 2 EIA. A number of the other recommendations are linked to the future development of the NDNAD. To set this in context, responsibility for the NDNAD is scheduled to transfer into the NPIA by early December 2009 – its day-to-day operation and services having previously been provided under contract by the Forensic Science Service. This transition

will create a more resilient database platform for the future. Following this transition, it is planned to commence the Phase 2 development stage to restructure the NDNAD and consider new strategic application changes and new management information requirements for the future.

Following on from the initial Stage 1 EIAs in 2007, a Stage 2 EIA of the NDNAD and ACPO DNA Good Practice Manual has been conducted. The Stage 2 EIA looks in greater depth at any equality issues which are identified in the initial Stage 1 EIAs and any issues that have come to light since the initial Stage 1 EIAs. The EIAs highlight areas that may have an adverse impact on different under-represented groups and contain recommendations about how to address any such impact. Copies of the Stage 1 EIAs and the Stage 2 EIA have been published on the NPIA website.⁵⁷ The Stage 2 EIA is currently updated quarterly. The NDNAD EIA Working Group meets quarterly to review progress and update the Stage 2 EIA.

The NDNAD produces a range of routine monitoring reports. These have been reviewed to ensure that wherever possible such data reports include a breakdown by gender, age and ethnic appearance. Data on the number of profiles removed from the NDNAD under the exceptional case procedure will in future be reported by ethnic appearance, providing more comprehensive information on profile removals.

The NDNAD Strategy Board continues to review the management information produced by the NDNAD to ensure all data are produced in a consistent way

⁵⁷ URL: <http://www.npia.police.uk/en/11403.htm>

and give figures by gender, age and ethnic appearance wherever possible. It is also looking at whether the demographic data could be obtained in the future from the Police National Computer (PNC). The ongoing review will also consider further areas in which information is required. The EIA recommended that data on 'replicate profiles' should also be made available by gender, age and ethnic appearance. A replicate profile is a second or further DNA profile held on the NDNAD for a specific individual. Replicate profiles may arise for a number of reasons, for example as a result of repeat sampling of an individual. He/she may be arrested again on a later occasion and give a different name or version of their name on the second arrest. The second sample would then be analysed and the resulting DNA profile loaded to the NDNAD. It is not currently possible to provide data on replicates by gender, age and ethnic appearance, but it will be incorporated into the management information requirement being developed for the new enhanced NDNAD platform.

The 2008 Annual Report outlined the NPIA's anticipated analysis of the profiles submitted to NDNAD by police forces to identify if forces are taking samples and submitting profiles disproportionately. To date, the NPIA has compared for the year 2005-2006 the number of subject profiles loaded onto the NDNAD against the number of 'arrest events' by ethnicity using the ethnic appearance system of classification. The results indicated that the ratio of subject profiles added to the database to arrest events based on these data was very similar for white persons and black persons across all police forces in England and Wales. 49,199 profiles of black persons were added to

the NDNAD from 130,781 arrest events involving black persons (0.38 profiles added for every arrest event); and 461,858 profiles of white persons were added from 1,197,657 arrest events involving white persons (0.39 profiles added for every arrest event).

A similar analysis was carried out using data for the Metropolitan Police in view of the high proportion of persons from different ethnic backgrounds in the Metropolitan Police area. This analysis also indicated that the ratio of subject profiles loaded to arrest events was very similar for black persons (0.39) and white persons (0.41). 25,760 profiles of black persons were added to the NDNAD from 65,993 arrest events involving black persons; and 44,404 profiles of white persons were added from 107,306 arrest events involving white persons.

Although there are a number of limitations to this analysis (set out below), it appears to suggest that there is little bias in police force sampling of arrested persons nor the loading of DNA profiles from arrested persons to the NDNAD. However, it should be noted that a number of caveats need to be applied to the data:

- i. the data on arrests relate to arrest events not individuals. A person is counted more than once if arrested on more than one occasion during the year, therefore the number of individuals arrested in a given year is likely to be fewer than the number of arrest events. In addition, as with any data collection system, differences in recording practice (over time and across police force areas) can lead to an unknown degree of error;
- ii. the number of profiles loaded to the

NDNAD mainly relate to individuals although it will include a proportion of replicate profiles, for example, where a profile has been taken from an individual and loaded on more than one occasion. This may be because the person gave a different name, or different versions of their name, on separate arrests;

- iii. there is a high proportion of both arrests events and subject profiles with unknown ethnic appearance.

To explore this area further and to overcome some of the limitations in the analyses conducted to date, the NPIA is planning to undertake analyses looking at persons whose profiles are loaded on to the NDNAD and whether they have been convicted of an offence by gender, age and ethnic appearance. As data on convictions is not available on the NDNAD, work is in hand to obtain this data from the PNC to fulfil the research requirements.

An update of the ACPO Good Practice Guide was expected, but this has not yet been completed. The review will be taken forward by an Expert Group co-ordinated by the NPIA and will take account of the Government's final proposals for a new retention framework for DNA in light of the ECtHR judgement in the *S and Marper* case, which were published on 11 November.

Recommendation 67: Whilst many of our recommendations will be relevant to this group [mixed race young people], we urge the Home Office, the Ministry of Justice and the Office of Government Statistics to undertake further work to identify whether any additional actions are required. (Paragraph 320, Main Report; Paragraph 76, Conclusion & Recommendations)

We agreed. As set out in the 2008 Annual Report, the implementation of the MDS ensures that CJS agencies use the 16+1 ethnicity classifications. A number of mixed-race categories are identified and will enable us to better understand the experience of mixed-race people in the CJS.

Data from those LCJBs who have already introduced the MDS indicates that young mixed-race people experience similar outcomes as young black people in the CJS. As Recommendation 2 sets out, LCJBs are required to produce action plans setting out what they will do to address identified race disproportionality where it cannot be objectively justified.

Looking Forward

As outlined above, the Home Office published its final proposals for a new retention framework for DNA on 11 November. Once a new framework is implemented, it will impact on the composition of the NDNAD over time. The profiles of persons who have not been convicted of an offence will be removed from the NDNAD in line with the new retention provisions and will affect persons from each ethnic appearance group.

The NDNAD Strategy Board has undertaken a complete review of volunteer sampling following recommendations made by the NDNAD Ethics Group. The review will result in the issuing of new DNA elimination sample kits and new forms to ensure that the issue of consent is much clearer. The Strategy Board is also undertaking a review of the police elimination database in order to ensure that it is as effective and fair as possible.

The NPIA is planning a project to look at the feasibility of removing demographic data from NDNAD subject sample and profile records. This will form part of the NDNAD restructuring project following the transfer of the NDNAD from the Forensic Science Service into the NPIA.

The NPIA will also be looking to work better with members of the community to identify any further areas of concern about the NDNAD. This work will also support a wider remit of informing the public about the NDNAD and making information more accessible via the NPIA website.

Work on the NDNAD EIA recommendations will continue. It will also address any further issues arising following the implementation of the new DNA retention framework in conjunction with the NDNAD Strategy Board to ensure that equality issues are identified and considered as early as possible.

Government's Response to the Committee's Annex:

Recommendations relating to data and research on young Black people's over-representation in the Criminal Justice System (CJS)

Overview

The Committee reported that in order to understand young BME people's over-representation in the CJS, and to develop a strategy to reduce it, a full and accurate picture of over-representation was vital. In the Annex of its Report, the Committee made a further 24 recommendations to the Government on data and research.

Recommendations 1-6 provide details of how the Minimum Data Set (MDS) is driving Local Criminal Justice Boards' analysis of disproportionality in these areas and is helping them to develop robust evidence-based action plans in order to address disproportionality where it is identified.

Update on progress to deliver recommendations

We are encouraged that the Home Office has recently commissioned the development of advice and guidance on the collection and use of a minimum dataset on race statistics. We recommend that further action on statistics on race and the criminal justice system should include the following measures:

Recommendation (a)

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

We agreed. 21 LCJBs have rolled out the MDS, and by the end of 2009/10, 29 LCJBs will have done so.

Recommendation (b)

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

We disagreed with the Committee's recommendation, instead stating that the YJB would ensure future data from YOTs could be disaggregated by both gender and ethnicity simultaneously.

To date, 155 YOTs have full access to the Youth Justice Management Information System (YJMIS). All YOTs have the ability to submit one of the two types of required data (summary-level data), and all but two had done so. Approximately 125 YOTs had the ability to submit the second type of data (case-level), and about 115 had done so. This will allow a much more powerful analysis of disproportionality.

Recommendation (c)

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

We agreed and highlighted that data on victimisation were already available. We also stated that the collection of data on the victims of racist offences has been part of the police Annual Data Requirement since 1 April 2008, but was collected on a voluntary basis by forces prior to that. On the basis of returns received so far for quarters 1 to 3 2008/09 there are significant concerns over data quality and completeness of the returns. Guidance has been drafted by OCJR to ensure that subsequent returns are of an improved quality.

Recommendation (d)

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

We agreed with this recommendation. Recommendation 52 sets out the work of the CPS to undertake equality and diversity impact assessments of its charging decisions.

Recommendation (e)

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

Recommendation (f)

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

We agreed with these recommendations.

Arrest outcome data are collected locally as part of the MDS. As mentioned in Recommendation 3, a diagnostic tool on arrests has been developed by West Yorkshire Police that focuses on cases where there is a high degree of discretion on the part of the arresting officer, and has been piloted in three police force areas.

Charging decisions taken by the CPS, and police bail decisions, are included in MDS also.

Recommendation (g)

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

We agreed in principle with this recommendation. A protocol covering the recording and transfer of ethnicity data by the police and courts was drafted by OCJR and agreed with NPIA and HM Courts Service (HMCS). In April 2009 it was disseminated to police forces, HMCS Area Directors and LCJB Chairs with an implementation date of 1 July 2009. The roll-out will be evaluated by establishing whether data quality has improved in both magistrates' and the Crown Court using data from the Criminal Court Proceedings Database.

The first evaluation report discussing data quality over 2007, 2008 and the first quarter of 2009 has been presented to the Race Disproportionality Delivery Board, and establishes a baseline for assessing the success of the protocol as well as improvements as a result of the roll-out of the Libra IT system and the Standard Prosecutor Interface, which automates the link between police and magistrates' courts. Reports on data quality in quarters 2-4 of 2009 will be available in September 2009, December 2009 and March 2010 respectively. Quarter 3 of 2009 will provide the first conclusive evidence of the success of the protocol.

Recommendation (h)

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

We agreed and highlighted in the original Government response that these data are already published.

Recommendation (i)

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

We agreed with the recommendation. In January 2009 we reinstated publication of the full Section 95 *Statistics on Women and the CJS* report.

Recommendation (j)

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

We agreed. The Home Office wrote to all anti-social behaviour co-ordinators on 10 February 2009 informing them that ethnicity data must be collected from April 2009 and that the data will be requested in 2010 for monitoring purposes. This information should enable anti-social behaviour co-ordinators to monitor effectively the impact of these measures on different ethnic groups. Following validation of the data, the Home Office anticipate publishing the collected information. The co-ordinators have also been requested to raise with the Home

Office any case where it is felt discrimination and/or unfairness exists. It is reported that no such cases have yet been raised.

Recommendation (k)

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

We agreed with the recommendation. Data provision is monitored by central departments on receipt of returns from local data owners (for example, police forces, courts, YOTs). Data quality on key data items is also monitored by the Race Disproportionality Delivery Board, which oversees delivery of PSA 24 Indicator 4, on a quarterly basis. In addition, the five CJS Inspectorates have a remit to inspect agencies' compliance with equality legislation and to assess whether services are delivered in a fair and equitable way.

Recommendation (l)

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

We agreed with the Committee. Our responses to Recommendation 52 and Recommendation (d) of this Annex refer.

In addition to further statistical data, there is a need for further research to help interpret the statistics and pinpoint effective solutions. In particular, there is a need to understand how existing interventions impact on young people of different ethnic minorities. We understand that the Youth Justice Board is planning to commission research into the

needs of BME young people and young women generally and how these are met by criminal justice agencies, and into the interventions for young people who have committed racially-motivated offences. We also understand that the Commission for Racial Equality and the Economic and Social Research Council (ESRC) are planning research into the causes of ethnic minority young people's experience of the CJS. We suggest that the Government and, where appropriate, the Economic and Social Research Council should also consider commissioning research into:

Recommendation (m)

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

Recommendation (n)

The progress of different ethnic groups through the criminal justice system through arrest and charge to prison, probation and aftercare. This should be a comprehensive study with qualitative and quantitative elements;

Recommendation (o)

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

Recommendation (p)

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

Recommendation (q)

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

Recommendation (r)

Alternatives to use of stop and search by the police;

Recommendation (s)

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

Recommendation (t)

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

Recommendation (u)

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

We agreed with these recommendations. As set out in the original Government response and the 2008 Annual Report, the implementation of the MDS will lead to improved collection and analysis of ethnicity data at a local and national level.

Recommendation (v)

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

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

We agreed this recommendation.

Following Recommendation 24 of Sir Ronnie Flanagan's Review of Policing (2008) and extended under the Tackling Knives Action Programme, a number of forces were allowed to scrap the lengthy and bureaucratic Stop and Account form. Instead of increasing accountability and reducing disproportionality as originally intended, it was seen by officers as overly bureaucratic and by communities as intrusive. Legislation was changed on 1 January 2009 to enable all police forces to only record ethnicity as a result of a Stop and Account. The Police Service is moving away from paper forms to make greater use of Airwave radios and mobile devices to capture stops electronically.

All police forces in England and Wales received capital funding in 2008/09 to introduce mobile working. This significant investment is supporting police forces to change and improve working practices enabled by the introduction of 21st century technology. To date, 28,181 additional

frontline officers have received a mobile device to support their operational duties. The programme is on schedule to equip 30,000 frontline officers by March 2010.

Sixteen police forces are recording the majority of Stop and Accounts electronically; six forces are recording the majority of 'stops' (Stop and Account and Stop and Search) electronically. It is expected that the majority of 'stops' will be captured electronically by the end of 2011 for those officers that have a device.

Looking Forward

The roll-out of the MDS underpins the significant work that the CJS is doing to better collect and understand data on race disproportionality. Recommendations 1-6 detail the MDS programme.

Glossary

ACPO	Association of Chief Police Officers
APA	Association of Police Authorities
ASB	Anti-Social Behaviour
ASBO	Anti-Social Behaviour Order
ASDAN	Award Scheme Development and Accreditation Network
BCS	British Crime Survey
BME	Black and Minority Ethnic
CAF	Commons Assessment Framework
CDRP	Crime and Disorder Reduction Partnership
CJS	Criminal Justice System
CLG	Department for Communities and Local Government
CPS	Crown Prosecution Service
CSP	Community Safety Partnership
CYPP	Children and Young People's Plan
DCMS	Department for Culture, Media and Sport
DCSF	Department for Children, Schools and Families
DfES	Department for Education and Skills
DIP	Drug Intervention Programme
DRE	Delivering Race Equality in Mental Health Care
DSEF	Drug Strategy Equality Forum
EHRC	Equality and Human Rights Commission
EIA	Equality Impact Assessment
EMF	Equality Measurement Framework
FIP	Family Intervention Project
GEO	Government Equalities Office
HMCS	Her Majesty's Courts Service
IDeA	Improvement and Development Agency
IOSS	Improving Opportunity, Strengthening Society
KCPP	Knife Crime Prevention Programme
LCJB	Local Criminal Justice Board
MDS	Minimum Data Set

NAPP	National Academy of Parenting Practitioners
NatCen	National Centre for Social Research
NDNAD	National DNA Database
NDPB	Non-Departmental Public Body
NEET	Not in Employment, Education or Training
NOMS	National Offender Management Service
NPIA	National Police Improvements Agency
NSCAS	National Senior Careers Advisory Service
NSF	National Service Framework
OCJR	Office for Criminal Justice Reform
OTS	Office for the Third Sector
PACE	Police and Criminal Evidence Act
PALP	Positive Action Leadership Programme
PAYP	Positive Activities for Young People
PCSO	Police Community Support Officer
PEIP	Parenting Early Intervention Programme
POP	Practice Oriented Package
PRU	Pupil Referral Unit
PSA	Public Service Agreement
PSHE	Personal, Social and Health Education
SSP	Safer School Partnership
TGAP	Tackling Gangs Action Programme
TKAP	Tackling Knives Action Programme
UKDPC	United Kingdom Drug Policy Commission
YCAP	Youth Crime Action Plan
YIP	Youth Intervention Programme
YISP	Youth Inclusion and Support Panel
YJB	Youth Justice Board
YJMIS	Youth Justice Management Information System
YOT	Youth Offending Team



