

Safeguarding children and young people who may be affected by gang activity



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Foreword

We are pleased to introduce guidance on safeguarding children and young people at risk of harm from gang activity. Young people in gangs are often vulnerable individuals who can be both perpetrators and victims of harm. Work is required to prevent children from joining gangs in the first place and to safeguard children already involved or at risk of harm from gang activity. The actions of frontline practitioners across children's services and key agencies have the power to transform the futures of those children and avoid the damaging effects of gangs.

Most children are never involved in gangs, and not all groups of children should be viewed or labelled as gangs. That is why it is important to continue to recognise the positive contribution that children make to society. As set out in the Every Child Matters programme, the Government believes that all children have a right to stay safe, be healthy, enjoy and achieve, make a positive contribution and achieve economic well-being. Gangs can undermine a child's development in all of these areas.

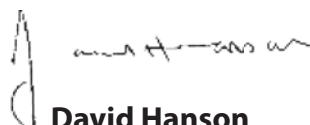
This guidance is intended for frontline practitioners in voluntary and statutory services across the children's workforce, whether in social care, crime prevention, the police, prisons, probation, health or education. It should help you to understand the nature of risk that gang activity poses to children, how signs of gang involvement may manifest themselves and provide guidance on dealing with these issues.

We encourage you all to take inspiration from the exceptional work already going on in many local areas across organisational and professional boundaries to develop effective approaches to this issue, some of which is highlighted in this document.

We hope you will find this guidance useful in carrying out your valued work to safeguard our children and young people.



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Introduction

1. There are a number of areas in which young people are put at risk by gang activity both through participation in and as victims of gang violence. Safeguarding procedures can provide a key tool for all agencies working with young people to assist them when working together to prevent young people from being drawn into gangs, to support those who have been drawn into the margins of gangs; and to protect those who are at immediate risk of harm either as members or victims of gangs.
2. This practice guidance is addressed to those who work in voluntary and statutory services across the children's workforce, social care, crime prevention, the police, prisons and probation, offender management, health, education and all others whose work brings them into contact with children and young people.
3. This non-statutory practice guidance is supplementary to, and should be used in conjunction with, the Government's statutory guidance *Working Together to Safeguard Children* (2010).¹ The processes outlined in *Working Together* should be followed at all times. This guidance is also supplementary to the package of guidance for schools, multi-agency partners and parents produced under the Government's Tackling Gangs Action Programme.
4. The majority of this guidance applies to England only, as matters surrounding child health and welfare are devolved to the Welsh Assembly Government in Wales. However, matters of criminal justice are non-devolved, and will therefore apply to England and Wales equally.
5. This guidance is intended to help agencies and practitioners respond effectively to the needs of children and young people – girls and young women, as well as boys and young men – who are at risk of gang-related violence and harm. To that end, the guidance outlines factors for agencies and practitioners to consider and processes to follow in terms of identification, referral, and assessment and support for young people who may be affected by gang activity.
6. The guidance looks at the reasons that young people become involved in gangs, the particular risks associated with gang membership for the young people and the risks of being affected by gang activity in other ways (e.g. victims of gang-related violence; having siblings who are gang members). The risk posed by gangs varies across the country. Establishing an evidence base, putting in place local protocols for information-sharing

¹ *Working Together to Safeguard Children: A guide to inter-agency working to safeguard and promote the welfare of children* (HM Government 2010).

and effective multi-agency working will be key to preventing young people suffering harm in the gang context. The guidance addresses these issues as well as providing case studies of areas which have already started to establish these processes.

7. All references in this guidance to children or young people mean those under the age of 18, as defined in the Children Acts 1989 and 2004.²

Key Principles

8. This practice guidance fits within the framework of *Every Child Matters* and the existing legal framework, which requires relevant agencies to take responsibility for safeguarding and promoting the welfare of every child to enable them to:
 - be healthy;
 - stay safe;
 - enjoy and achieve;
 - make a positive contribution; and
 - achieve economic well-being.
9. Addressing the problem of gang involvement is a multi-agency issue. Partnership working and information-sharing will be key to safeguarding young people at risk of gang-related harm and helping them achieve the five *Every Child Matters* outcomes.
10. The following principles, which build on those in *Working Together*, should be adopted by all agencies identifying and responding to young people at risk of or being affected by gang activity:
 - the safety and welfare of the child is paramount;
 - children who harm others are both victims and perpetrators;
 - all decisions or plans for children should be based on good quality assessments and actions taken proportionately and in the best interests of the child or young person;
 - everyone working with or in contact with children and young people has a responsibility to recognise and know how to act on evidence, concerns or signs that a child's health, development or safety is being impaired or is at risk of being impaired; and

² Children Act 1989, section 105; Children Act 2004, section 65.

- all agencies and practitioners should work in partnership with others, including members of the local community, to make well-informed assessments and put in place the best support to safeguard young people.
11. The role of safeguarding and child protection in relation to gangs should be both preventative and responsive – responding to the needs of those young people who are involved in gangs and at risk of harm as well as addressing the risk factors of other young people being drawn into gangs in the future.
 12. Overall, children particularly vulnerable to suffering harm in the gang context are those who are:
 - not involved in gangs, but living in an area where gangs are active, which can have a negative impact on their ability to be safe, healthy, enjoy and achieve, make a positive contribution and achieve economic well-being;
 - not involved in gangs, but at risk of becoming victims of gangs;
 - not involved in gangs but at risk of becoming drawn in, for example, siblings or children of known gang members; or
 - gang-involved and at risk of harm through their gang-related activities (e.g. drug supply, weapon use, sexual exploitation and risk of attack from own or rival gang members).
 13. Young people who become involved in gangs and commit violent crime as a result of this involvement have significant needs themselves. They should be held responsible for their actions and harmful behaviour but practitioners also have a responsibility to safeguard and promote the welfare of these young people and to prevent further harm both to themselves and to other potential victims.

Victims and offenders are often the same people. When adults treat a young person as just a victim or just an offender, they are not taking into account the complex, cyclical nature of the victim-offender link and the factors that influence young people's lives.³

14. As some young people involved in gangs are likely to have a dual victim and perpetrator status it is vital that practitioners assess the needs of young people and provide them with support alongside assessing and responding in a criminal justice capacity if appropriate. Close partnership working and shared intelligence between local authority children's social care and law enforcement and public protection agencies will be vital to achieve the right balance of support and criminal justice whilst safeguarding the child's welfare.

³ Hoodie or Goodie? The link between violent victimisation and offending in young people (2007), Victim Support.

Section 2: Background and Context

Policy Context

15. Whilst the focus of this practice guidance is on how the child protection system can be used to help young people at risk of gang-related harm, it must be recognised that preventative measures and the risks associated with gang activity need to be addressed within a broad safeguarding context with a focus on multi-agency safeguarding arrangements that can be used to help those young people at risk of gang-related harm. A great deal of work is being undertaken by practitioners and across Government to tackle the problem of gangs, both from a wider preventative perspective and a public protection angle.
16. Cross-Government efforts to tackle gangs are focused on these main areas:
 - a. tackling the supply of guns and ammunition for criminal use;
 - b. reducing the level of glamour associated with gang membership and the use of weapons, including knives;
 - c. supporting families in making gang membership less attractive and supporting parents to develop resilience in children and young people;
 - d. providing alternative activities to make gang membership less attractive;
 - e. increasing the confidence of communities affected by gang-related crime that the problem is being properly addressed;
 - f. increasing the willingness of potential witnesses to come forward to give evidence or information to the authorities;
 - g. ensuring effective engagement and cross-agency risk management of gang members and those at risk of becoming involved in gangs;
 - h. increasing the sustainability of funding of initiatives and projects which tackle gangs;
 - i. encouraging effective partnership working and information-sharing, including when children are in transition from local authority-provided services to services for young adults; and
 - j. improving the evidence base relating to causal factors and what works in tackling gang and gun crime.

17. The Tackling Gangs Action Programme (TGAP) was launched by Government in September 2007 to focus on gang problems in London, Manchester, Birmingham and Liverpool – the four areas of the country which have been identified by the police as suffering disproportionately from problems with street gangs. TGAP ran until March 2008 and produced a guide for local authorities, partnerships and police forces which sets out the lessons learnt from the Programme. This guide is available on the Crime Reduction website: <http://www.crimereduction.homeoffice.gov.uk/violentstreet/violentstreet012.htm>.
18. The Youth Crime Action Plan (YCAP)⁴, published in July 2008, is the cross-Government strategy to tackle youth crime and anti-social behaviour. YCAP emphasises along with enforcement, the importance of prevention through early intervention and non-negotiable support to combat youth crime.
19. Two particular proposals in the plan that will help agencies safeguard young people involved in gangs are:
 - a. improving local authority systems so that the needs of families are better identified, engaged and assessed and that children's and adults' services work together to meet the needs of all family members (Think Family reforms); and
 - b. expanding intensive family intervention projects for the most vulnerable and chaotic families with children at risk of offending, with non-negotiable elements that may carry sanctions for failure to engage.
20. In addition, two initiatives being deployed under YCAP are particularly relevant: Operation Staysafe and Street Based Teams. For more information on these, refer to the Youth Crime Action Plan: Handbook for Practitioners.⁵
21. Reducing gang-related crimes and violence will mean children and young people are safer and at the same time contribute to improved performance across a range of national indicators to do with crime and disorder, public perceptions of the area etc.
22. Multi-agency working and any local protocols on child protection and gangs should be part of the wider preventative agenda. Support services that exist specifically to prevent young people from joining gangs, such as peer mentoring and voluntary and community organisation activities can be useful as part of this wider preventative work as well as a source of support put in place following assessment. Crime and Disorder Reduction Partnerships (CDRPs) and other agencies may already be operating targeted preventative programmes which could also be used for this purpose.

⁴ <http://www.homeoffice.gov.uk/documents/youth-crime-action-plan/>

⁵ <http://www.crimereduction.homeoffice.gov.uk/youth/youth085.htm>

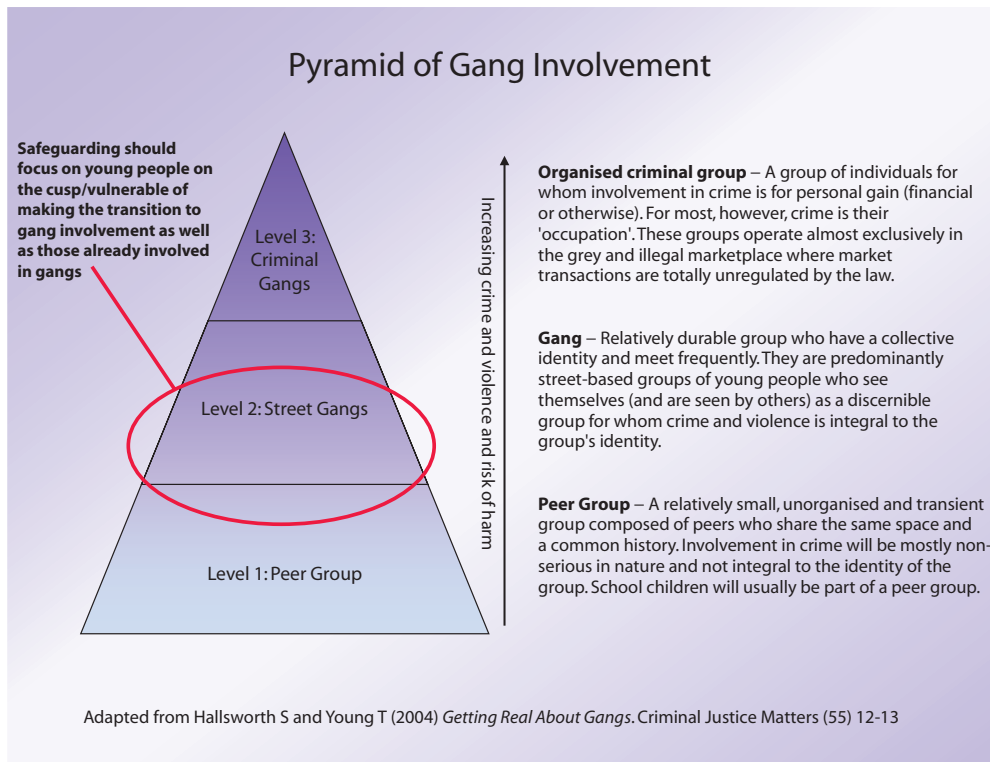
23. Any decision to move a child to a place of safety must be based upon an assessment of the likelihood of the child or young person suffering harm, shared primarily between the police and local authority children's social care services. The police should use child protection legislation only in circumstances agreed with the local authority and in accordance with agreed local protocols, which are sensitive to the particular challenges of protecting children and young people in such circumstances. In developing local protocols, Local Safeguarding Children Boards (LSCBs) and Children's Trust Boards must consider the safeguarding issues which arise when young people are drawn into gangs and be prepared to apply them in relation to individual cases, including with the siblings of gang members.
24. Respondents to the DCSF Staying Safe consultation raised concerns about gang, gun and knife crime. Some respondents felt that LSCBs had a role to play in this area, but other LSCB representatives were concerned that they did not have the expertise or resources to deal with this issue.⁶ This guidance sets out a framework for addressing gangs through safeguarding procedures. Annex C also includes links to further expert advice and resources.

Definition of a Gang

25. Being part of a friendship group is a normal part of growing up and it can be common for groups of children and young people to gather together in public places to socialise. Belonging to such a group can form a positive and normal part of young people's growth and development. These groups should be distinguished from 'street gangs' for whom crime and violence are a core part of their identity, although 'delinquent peer groups' can also lead to increased antisocial behaviour and youth offending. Although some group gatherings can lead to increased antisocial behaviour and youth offending, these activities should not be confused with the serious violence of a gang.
26. The diagram opposite sets out a tiered approach to defining gangs. This guidance is focused on those young people on the periphery of becoming involved with street gangs and those young people already involved in some way with:

A relatively durable, predominantly street-based group of young people who see themselves (and are seen by others) as a discernible group for whom crime and violence is integral to the group's identity.⁷

⁶ Department for Children, Schools and Families (2008), *Staying Safe: Action Plan*, www.dcsf.gov.uk/everychildmatters/stayingsafeactionplan.
⁷ Hallsworth and Young (2004) *Getting Real About Gangs*. Criminal Justice Matters (55) 12-13.



27. There is often a distinct but fluid hierarchy in gangs, with individuals moving up and down the structure over time. Seniority often comes from long 'service' in the gang. Terms vary in different areas but names which are often used for different roles within a gang include gang leaders; core members; elders; wanabees; associates; youngers; tinys; soldiers; and fantasy members. Rather than specifying what role a young person is playing in a gang, the guidance refers to those already involved in gangs (i.e. in any role) and those at risk of becoming involved in gangs or being affected by gang-related activity.
28. This guidance focuses on Level 2 – street gangs and group offending. At the top level (Level 3) of this model are organised criminal gangs, composed principally of adult men. At the bottom level (Level 1) are peer groups. Both these types of group (criminal gangs and peer groups) are largely outside the scope of this guidance.

Evidence of Gangs

29. The nature and characteristics of gangs vary from area to area. The use of intelligence and analysis by all local agencies, effectively shared, is vital in building a local profile of gangs. This is needed to understand the issues and to ensure appropriate responses are made. Analysis of gang members across London, Liverpool, Birmingham and Manchester has provided evidence of the typical characteristics of people involved in gangs in these major inner cities;⁸ characteristics of gangs may be different in other areas:
 - a. predominantly young, with an average age of 20 years. 97 per cent were aged under 30. Ages ranged from 13 to 42;
 - b. predominantly male – 98 per cent;
 - c. have extensive criminal histories. Of 714 gang members who were matched to Police National Database information, 655 had criminal histories and were responsible for over 7000 known offences. Only 59 had no known criminal history; and
 - d. begin offending early, often in their early teens. The average age of a first conviction was 15 years. By age 18, 82 per cent had been convicted for an offence.
30. The nature of gangs varies between areas. Gangs are often territorially based – with a particular postcode or group of streets which may define their name or identity. Some gangs are based on a particular estate and their ethnic make-up reflects the ethnic make-up of that estate. In some cases membership appears to be based on religion or people who associate with each other due to a common religion.
31. The TGAP found that there has been a noticeable and significant lowering of the age profile of recognised gang members. These young gang members are often motivated by issues of respect, territory and gang identity. They may engage in a lower level of criminality to begin with, and in a more disorganised way, including street robbery, burglary, assault and anti-social behaviour.

Section 3: Gang-Related Activity – What is the Risk?

32. The particular risks that young people face because of gang involvement differ from area to area. Not every gang is involved in the same activities – there is limited evidence of the use of initiation rituals or transactional sex for example but anecdotally these activities do occur, although prevalence varies across the country.
33. Local evidence-gathering and profiling of local gang problems will be needed to establish what the risks are in a particular area. The TGAP practice document offers an easy to follow guide on ways to profile problems with gangs in local areas.⁹ However, when profiling local gangs and assessing risks to individual young people, practitioners should be aware of particular risks to young people involved in gangs from violence and weapons; drugs; and sexual exploitation.¹⁰

Violence and Weapons

34. Young people who are involved in gangs are more likely to suffer harm themselves, through retaliatory violence, displaced retaliation, territorial violence with other gangs or other harm suffered whilst committing a crime. Many studies¹¹ suggest that being exposed to violence, either as a witness or victim, increases a child's propensity to violence later in life.
35. Gang membership increases both the rate and seriousness of adolescent offending, particularly serious crimes associated with guns, knives¹² and the supply of drugs.
36. Young people involved in gangs are more likely to possess and use weapons, both knives and guns, than non-gang members. Evidence shows that those carrying weapons¹³ are themselves more likely to become victims of weapon attacks. The risk of serious injury or death whilst defending oneself or fighting is increased when carrying weapons, and the risk of using a weapon, and of being seriously injured, increases in group situations. While the use of weapons varies across the country, there is some evidence of younger children carrying or using guns and of girls and young women carrying guns on behalf of gang members.

⁹ <http://www.crimereduction.homeoffice.gov.uk/violentstreet/violentstreet011.htm>

¹⁰ *Safeguarding Children and Young People from Sexual Exploitation* (HM Government, 2009) – this guidance provides practitioners across all relevant agencies and the voluntary and community sector with information about different forms of sexual exploitation to help them identify and safeguard children and young people who are at risk of sexual exploitation, or who are being sexually exploited.
<http://publications.everychildmatters.gov.uk/default.aspx?DCSF-00651-2009>

¹¹ Kratcoski, 1982; Lewis and Balla, 1976; Prino and Peyrot, 1994; Kaufman and Cicchetti, 1989; Paschall, 1996.

¹² Some knives/weapons are illegal and there is no lawful excuse for possession – they are offensive weapons. This includes swordsticks, stealth knives e.g. those items with a sharp blade or point and made to avoid detection and disguised knives e.g. knives made to look like pens, combs, telephones, lipstick etc.

¹³ See Lemos G. 2004 for research evidence of some associations between violence, weapon carrying and experiences of previous victimisation.

Knives – What is and is not legal

- It is illegal for any shop to sell a knife of any kind (including cutlery and kitchen knives) to anyone under the age of 18.
- It is generally an offence to carry a knife in public without good reason or lawful authority (for example, a good reason is a chef on the way to work carrying their own knives).
- Knives which have a blade that folds into the handle, for example, a Swiss Army knife, are not illegal as long as the blade is shorter than three inches (7.62 cms)
- If a knife is used in a threatening way (even a legal knife, such as a Swiss Army knife), it is regarded as an 'offensive weapon' under the law. This is also the case with items such as screwdrivers – once used in a threatening manner, they are treated as offensive weapons. It is an offence to carry an offensive weapon in a public place, without a reasonable excuse.

The police's 'Stop and Search' powers

- Under section 1 of the Police and Criminal Evidence Act (PACE) 1984 and section 60 of the Criminal Justice and Public Order Act 1994, police officers have the right to search any person they suspect of an offence – including carrying an offensive weapon.

37. In the wider context, gangs and gang members use violence to assert their power and authority in their local area, on the street or estate. Gangs may have to assert their power and gain respect in relation to other gangs in the area. This is why so much gang-related crime and violence is perpetrated against other members of gangs or relatives of other gangs' members and rarely against police or other state sector employees.
38. The concepts of collective responsibility and collective "honour" mean that violent conflict can quickly escalate from inter-personal disputes to collective violence, with some or even all of the individual gang members identified as potential targets.
39. In some cases violence may also be directed against, or required of, a gang's own members as a part of belonging to that group. Relationships within gangs and between members of different gangs will vary considerably in each case and will not remain static over time. Local knowledge and understanding are therefore important in developing effective approaches to gang activity.

Drugs

40. Many gang members also deal in drugs as a way to make money, either to fund their own use of drugs or for financial gain in its own right. The use of drugs by gang members again varies from area to area, with some gang members selling drugs but not using them themselves. This again brings gang members into contact with organised crime and can increase the threat of violence and violent situations to which members are exposed.

Female Gang Members

41. The majority of gang members are male, although there are a number of female gang members or female gangs. Girls tend to be less willing than boys to identify themselves as gang members but tend to be drawn into male gangs as girlfriends of existing members. In such cases girls are more likely to be marginal, often being used to carry or stash weapons and drugs. It is not known the extent to which girls in gangs are subject to violence or pressure to have sex, although girls may be particularly vulnerable in some contexts.
42. There is often pressure for girls associated with young boys in gangs to 'link' with gang members to attain status, for their own protection and perhaps to benefit from a criminal lifestyle. Some girls may adopt an antagonist role within gangs, in order to maintain status by 'linking' with opposing gang members, or with more than one boy within their own group which can lead to conflict between gangs or inter-gang conflict.
43. The recent study¹⁴ conducted by the Female Voice in Violence has highlighted the growing involvement of females in gangs. Although there is a real need for better understanding of what is happening, it is important that schools, the police and other agencies are aware that this is an issue that needs to be tackled now.

Sexual Exploitation

44. Safeguarding principles should be a priority for girls who are sexually exploited and abused.¹⁵ This can be a particular risk for girls associating with or targeted by gang members, but may also affect male gang members. The risk of sexual exploitation and abuse has been highlighted in some local areas and should always be considered as a risk when assessing individuals and when developing a local profile of gangs.
45. Rape by gang members, as a form of retaliation or as an act of violence in itself, is said to occur quite frequently in some areas and reports to the police are rare due to fear of intimidation or reprisal.

¹⁴ Race on the Agenda, Female Voice in Violent Project – *A study into the impact of serious youth and gang violence on women and girls* (February 2010).

¹⁵ *Safeguarding Children and Young People from Sexual Exploitation* (HM Government, 2009). This guidance aims to provide practitioners across all relevant agencies and the voluntary and community sector with information about different forms of sexual exploitation to help them identify and safeguard children and young people who are at risk of sexual exploitation, or who are being sexually exploited.
<http://publications.everychildmatters.gov.uk/default.aspx?DCSF-00651-2009>

One of my Year 10 students was recently gang-raped by some gang members. I talked to her and her mother. They are obviously frightened and the mother insists that it was consensual. The girl won't come to counselling because she is afraid of being seen to talk to anyone in authority about it.¹⁶

46. Female relatives of gang members could also be at particular risk of either being under pressure to have sex with gang members or of being the victim of sexual violence by another gang. Siblings are particularly at risk but other members of the wider family may also be exploited in this way.

Violent Extremism

47. Safeguarding principles should be a priority for children and young people at risk of exposure to or involvement with groups or individuals who condone violence as a means to a political end. Violent extremist causes range from animal rights to far right politics to international terrorist organisations such as Al Qaeda. Children and young people can be drawn in to violence themselves or they can be exposed to messages if a family member is involved in an extremist group.
48. Experience suggests that young people from their teenage years onwards can be particularly vulnerable to getting involved with radical groups, through direct contact with members or, increasingly, through the Internet. This can put a young person at risk of being drawn in to criminal activity and has the potential to cause significant harm.
49. The cross-Government strategy to tackle this threat is known as 'Prevent'¹⁷ and aims to stop people becoming or supporting terrorists or violent extremists. One strand of the strategy is to support vulnerable individuals and there are a number of local projects across the country that contribute to this aim. All local authority areas should have an agreed process in place for safeguarding vulnerable children and young people susceptible to violent extremism. All staff should understand the nature of the risk and how to respond.
50. Levels of risk vary across different areas so LSCBs/safeguarding adults boards and children's services practitioners should ensure they are informed of the particular risks in their area. Most local authority areas have a Prevent partnership group that is responsible for coordinating work on this agenda across all agencies. Children's services departments should be involved in this partnership group to ensure services that support children and young people are contributing to Prevent.

¹⁶ Pitts, John (2007), p. 40.

¹⁷ For more information on the Prevent Strategy, visit www.dcsf.gov.uk/violentextremism. The DCSF toolkit for schools, *Learning together to be safe: a toolkit to help schools contribute to preventing violent extremism* (DCSF 2008) available on the website, has a section on 'understanding the issues', which will be useful for practitioners.

51. All children and young people's partnerships should have an agreed process in place for safeguarding vulnerable individuals, including children's, transition and vulnerable adult services. In some areas, there is a bespoke multi-agency process known as 'Channel', which is an agreed mechanism for referring those at risk and providing support. Channel guidance states that if a referred individual is under the age of 18,¹⁸ the Channel co-ordinator must liaise with the Common Assessment Framework (CAF) co-ordinator/manager or social care office in children and young people's services (who should be represented on the Prevent partnership and multi-agency Channel panel) to agree how best to handle the case. Following initial discussion, a decision needs to be made on how to progress the case (e.g. as a safeguarding issue, under Channel, CAF, or another support process) and establish how this will be reviewed. This decision should be taken on a case by case basis or a decision can be made by all local partners to use one particular system for the referral of all under 18s. If an area does not have Channel, local areas should incorporate referrals of under 18s within existing safeguarding procedures.

Victims

52. Research has shown that victims of crime can become offenders because of their experience.¹⁹ Often those young people who become offenders in gangs following victimisation have similar risk factors to those who become involved in gangs more generally. Causes of the leap from victimisation to offending can include a retaliative attack on the offender or gang, joining a rival gang to seek revenge, or making friends or joining the offending gang or other gang to seek protection.
53. Violence committed by victims is not always associated with the attackers but can take the form of violence displaced onto another victim. This can be the case if the original perpetrator is perceived as too powerful or strong for the victim to successfully attack. Displaced retaliation can also make the young person feel that they have achieved revenge and justice in some way, even though the violence was not committed against the original perpetrator.
54. Respect and recognition can also be a factor in the progression from victim to offender, with young people striving to regain respect in their social group or area following an attack. Carrying a weapon following an attack can help the young person rebuild that respect, as well as offering the victim a feeling of personal protection.
55. Practitioners should bear these points in mind when assessing either victims or perpetrators of crime and should be aware of the potential for young people to become involved in gangs and gang-related violence as a result of being a victim of violent crime.

¹⁸ The Channel guidance also makes clear that children and young people's services may have responsibility for care beyond the age of 25 if additional vulnerabilities are present such as for looked after children, care leavers or disability.

¹⁹ *Victim Support, Hoodie or Goodie? The link between violent victimisation and offending in young people.*

Section 4: Identification and Risk Factors

Who is Vulnerable to Gang Involvement?

56. All practitioners who have contact with children and young people should be able to recognise when a child is vulnerable to, or at risk of harm from, gang involvement or activity.
57. Most young people do not become involved in gangs and can resist the forces that may draw them into association with these groups. Often they are able to overcome these forces due to the presence of other protective factors in their lives – such as the influence of their parents and conditions in their environment or in the individuals themselves that moderate the effects of risk factors or increase resistance to them.
58. There are particular risk factors and triggers that young people experience in their lives that can lead to them becoming involved in gangs. Many of these risk factors are similar to involvement in other harmful activities such as youth offending more generally or violent extremism.
59. The list below identifies the particular risk factors for a young person becoming involved in gangs. It ranges from those factors which are strong indicators of future involvement in gangs and medium and lower level risk factors that increase the likelihood for future involvement in gang activity. This is based on the assessment triangle set out in *Assessment of Children in Need and their Families*²⁰ with specific risk factors grouped under the three headings of child development, parenting capacity and family/environment.
60. Practitioners may wish to use this as a tool to aid them in the identification of young people who are involved in gangs, or likely to become involved in gangs, and in the assessment of young people for whom concerns have been raised. Many agencies already use risk assessment tools in relation to gangs, and practitioners should think about aligning these processes, taking into account the particular risk factors for young people identified below.
61. This is not an exhaustive list, and these risk factors should not be looked at in isolation – a multiplicity of risk factors is likely to exist for a child who is vulnerable to gang involvement. The list should be used as a guide to aid professional judgement in identification, referral and assessment of young people.
62. When developing a local protocol or applying this guidance in the local context, agencies may wish to amend the list in the light of local data and local knowledge of the risk factors in their area. Manchester Safeguarding Children's Board has developed its own assessment tool which can be found at <http://www.manchesterscb.org.uk/prof-specific.asp>.

Risk factors for a person becoming involved in gangs

HIGH RISK FACTORS

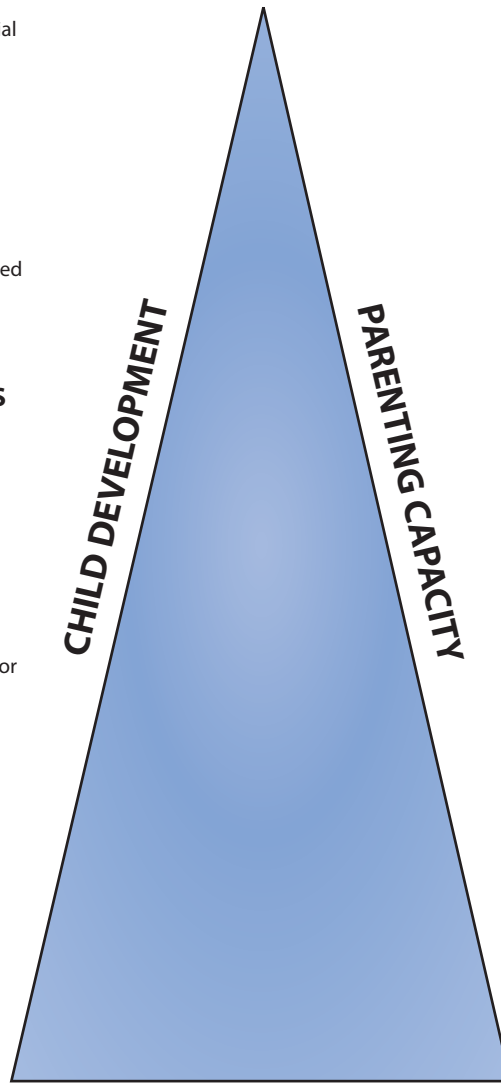
- Early problems with antisocial and criminal behaviour
- Persistent offending
- Unable to regulate own emotions and behaviour
- Physical violence and aggression
- Permanent exclusion from school
- Friends condoning or involved in antisocial and aggressive behaviour
- Alcohol and drug misuse

MEDIUM RISK FACTORS

- Mental health problems
- Aggression, behavioural problems
- Depression
- Truancy and unauthorised absence from school
- Bullied or bullying others
- Medical history of repeated injuries or accidents
- Child in local authority care or leaving care

LOW RISK FACTORS

- Aggressive bullying by siblings
- Lack of ethnic identity
- Peer rejection
- Not involved in positive activities
- Few social ties
- Exposure to violent media



HIGH RISK FACTORS

- Historically involved with or known to social services
- Lax parental supervision
- Lack of parental attachment to child
- Conflict and violence in the home
- Parental abuse
- Parents aggressive towards or unwilling to engage with statutory agencies
- Child is not protected from significant harm or danger, including contact with unsafe adults

MEDIUM RISK FACTORS

- Lack of emotional care
- Allowing child to associate with known troublemakers
- Violent discipline
- Lack of parental discipline
- Inconsistent or minimal boundaries

LOW RISK FACTORS

- Parents don't model positive and responsible behaviour
- Absent parent
- Unstable family environment
- Child left with multiple or unsuitable carers
- Parents unable to communicate effectively with children
- Parent-child separation

FAMILY AND ENVIRONMENT

HIGH RISK FACTORS

- Family members involved with or associated with gangs
- Wider family involved with gangs
- Community norms that tolerate crime
- Local tensions between ethnic/cultural/religious gangs
- Known gang recruitment at school
- Presence of gangs in community
- High level of local crime including drugs market

MEDIUM RISK FACTORS

- Availability and use of drugs
- Criminal conviction of parents or siblings
- Witness or victim of domestic violence

LOW RISK FACTORS

- Lack of positive role models in the community
- Transient families
- Lack of age-appropriate, safe play facilities or diversionary activities for young people in the area
- Financial difficulties affecting child Little interaction with neighbours and community
- High unemployment
- Sustained poverty
- Lack of reliable support from wider family
- Limited access to conventional careers

63. As mentioned above, siblings of gang members can be at particular risk of being drawn into gang activity, whether as an active member (including delivering drugs or concealing weapons) or being attacked by other gangs. There is a particular risk for sisters of gang members of being sexually exploited or abused. In some cases other members of the family can also be drawn into gang feuds.
64. It is important that LSCBs understand the needs of, and have an open dialogue with children and young people in order to identify risk factors and seek innovative ways of effectively tackling and preventing gang activity.

Case Study – Liverpool Safeguarding Children Board (SCB)

Supporting youth participation:

Liverpool has in place a Joint Commissioning Strategy for gun and gang crime. There are several streams of work being carried out by Liverpool SCB member agencies which address children and young people's involvement in gangs across the city.

Liverpool SCB's communication strategy includes the need for active dialogue with the local community, including talking about gun and gang activity. The Board has, therefore, appointed a youth participation officer to work directly with young people to engage them in the local safeguarding agenda.

The aim of the participation officer's role is to gather and report on young people's concerns and ideas and talk to them about how to stay safe in the city. This is done through an on-the-ground approach, for example, through schools. By employing a participation officer with an understanding of social services, the LSCB hopes to ensure a proactive and interactive way of understanding young people's thoughts on safeguarding, including the risk of harm from gang activity.

Further information on this case study and others can be found at:
www.dcsf.gov.uk/everychildmatters/resources-and-practice/IG00332.

65. In the assessment of a young person, agencies will want to be aware of potential 'telltale' signs of involvement in gangs. Many of these factors are normal adolescent behaviour and, indeed, many gang symbols and patterns of speech have been adopted more widely by young people who are not in gangs, but they may be useful in identifying concerns prior to referral and should be taken into account during a robust assessment. Parents or other practitioners involved with the family may be best placed to recognise these signs. These may include:

- child withdrawn from family;
- sudden loss of interest in school. Decline in attendance or academic achievement;
- started to use new or unknown slang words;
- holds unexplained money or possessions;
- stays out unusually late without reason;
- sudden change in appearance – dressing in a particular style or 'uniform' similar to that of other young people they hang around with, including a particular colour;
- dropped out of positive activities;
- new nickname;
- unexplained physical injuries;
- graffiti style 'tags' on possessions, school books, walls;
- constantly talking about another young person who seems to have a lot of influence over them;
- broken off with old friends and hangs around with one group of people;
- increased use of social networking sites;
- started adopting certain codes of group behaviour e.g. ways of talking and hand signs;
- expressing aggressive or intimidating views towards other groups of young people, some of whom may have been friends in the past;
- scared when entering certain areas; and
- concerned by the presence of unknown youths in their neighbourhoods.

Section 5: Referral and Assessment

66. The CAF may be crucial in the early identification of children and young people who need additional support due to risk of involvement in gang activity. The CAF is a shared assessment tool for use across all children's services and all local areas in England. It aims to help early identification of need and promote co-ordinated service provision. This can be particularly useful in the case of gangs where multiple agencies may be involved or aware of risks to a child.
67. Any agency or individual practitioner who has concerns that a child may be at risk of harm as a consequence of gang activity (either through their participation in activity or as a victim) should follow the guidance set out in *Working Together to Safeguard Children* (2010) and *What to do if you're worried a child is being abused* (2006).²¹ In such cases, they should contact the local authority children's social care or the police in the area where the child is ordinarily resident. If, however, there are **immediate** concerns for a child's welfare, they should contact the local authority's children's social care services or local police for the area in which the child is currently located.
68. The flowchart on page 26 of this guidance sets out the process that practitioners should follow when concerns have been raised that a child is:
- not involved in gangs but vulnerable to, or at risk of, becoming involved in a gang
 - non-gang-involved and at risk of harm from gang members
 - gang-involved and at risk of harm through their own gang-related activities.
- The flowcharts in *Working Together*, pages 187–190 should be followed by practitioners at all times.
69. It is important for agencies working with young people to be aware that there is an available referral mechanism for young people affected by gangs. Explaining the principles of a CAF to teachers, youth workers etc. and enabling them to consider initial screening assessments may be beneficial.

Referral

70. Local authority children's social care should clarify with the referrer what their concerns are. They need to find out why the referral was made, and, what led the referrer to believe the child may be at risk of harm as a result of involvement in gang activity. The referrer should be asked to put their concerns in writing to ensure an accurate and clear audit trail is maintained. Where there are concerns that a child is at immediate risk of suffering serious harm the police should be notified without delay.

21 What to do if you're worried a child is being abused (HM Government, 2006), www.dcsf.gov.uk/everychildmatters/resources-and-practice/IG00182/

71. It may be that informal intelligence leads to police or social care concerns about a child, and it might be necessary in that situation to verify the accuracy of the intelligence. The welfare and safety of the child should be the foremost concern in these situations.

Assessment

72. The initial assessment should be led by a qualified and experienced social worker. It should be carefully planned with clarity about who is doing what, as well as when and what information is to be shared with parents and carers. It may be appropriate for the social worker to be embedded in, or work closely with, a team which has access to 'real-time' gang intelligence in order to undertake a reliable assessment.
73. Parents may be a useful source of information to assess the risk of harm. They are most likely to have observed behaviours and signs of a gang's influence on their child. If it is appropriate to engage them, it is important to be clear that this concerns the safety and welfare of their child. Parents may not be aware of their child's involvement and can be shocked into action by being made aware of the dangers of gang involvement and become active participants in preventing their child being or becoming involved in gangs.
74. Careful involvement of parents and carers may be required as they may not know how to react to the situation or may in some cases condone their child's involvement in gangs.
75. The term 'gang' and associated language can be quite alarmist. It is necessary to try and take away the media hype and glamorisation of gangs and to understand what it is that a child is attracted to, or pushed towards. Local areas will need to agree a definition that best describes the gang problem in their area.
76. Evidence and information-sharing is key to ensuring that a robust assessment is undertaken and that the most appropriate support is put in place for the individual child. Agencies need to be aware of the extent to which a young person is involved in gangs or likely to be involved in or affected by gang activity. The police, Youth Offending Teams (YOTs), social care practitioners and other agencies need to work together to ensure that all agencies are aware of how gangs or other relevant factors may impact on the young person's welfare.
77. Practitioners should be aware that children who are being looked after by the local authority can be particularly vulnerable to becoming involved in gangs. An assessment should be undertaken to identify any risk of a child becoming involved in gangs, or suffering harm as a result of gang involvement. There may be a need to review their care plan in light of this information and to provide additional support to the child specifically targeted at their potential or current involvement with gangs.

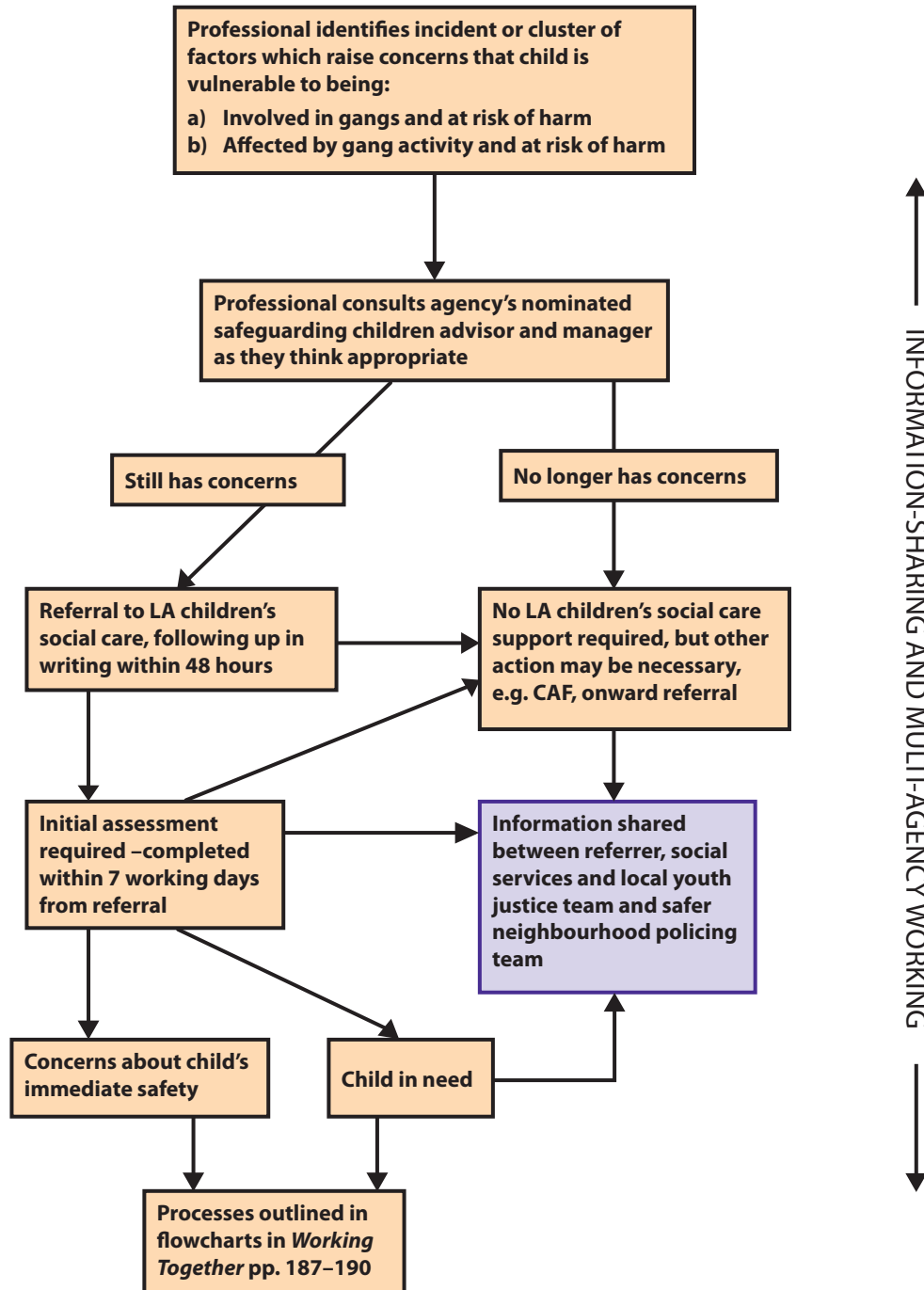
Immediate Safety

78. If there is a risk to the life of the child or a likelihood of serious significant harm, agencies should secure the immediate safety of the child. Agencies with statutory child protection powers (local authorities, the police and the NSPCC) should act quickly to safeguard the child from immediate harm.
79. Where there is a risk to the life of a child or the likelihood of significant harm, emergency action might be necessary to secure their immediate safety. The need for emergency action may become apparent only over time as more is learned about the circumstances of a child's involvement in gang activity. When deciding whether emergency action is required, consideration should be given to whether action is also required to safeguard and promote the welfare of other children in the same household.
80. It may be necessary to ensure either that the child remains in a safe place or is removed to a safe place, either on a voluntary basis or by obtaining an Emergency Protection Order (EPO). The police have powers to remove a child to suitable accommodation in cases of emergency.²² If it is necessary to remove a child, a local authority should, wherever possible, and unless a child's safety is otherwise at immediate risk, apply for an EPO. Police powers should only be used in exceptional circumstance where there is insufficient time to seek an EPO or for reasons relating to the immediate safety of the child.
81. A strategy discussion including all relevant local agencies should take place as soon as possible after any emergency action is taken to plan next steps. Legal advice should normally be obtained before initiating any legal action, in particular when an EPO is to be sought. It is important to recognise that emergency action addresses only the immediate circumstances of the child. Any emergency action should be followed up quickly by the agencies involved working with the child and family to assess the needs and circumstances of the child in the longer term.
82. It is important to ensure that girls and young women who have been sexually abused or exploited by gang members have access to appropriate support and counselling, in an environment where they feel safe and secure.
83. An Osman Warning (a warning given following intelligence received about a threat to life) is so named after the *Osman v United Kingdom* (23452/94) ECHR 101 (28 October 1998) which placed a positive obligation on the authorities to take preventative measures to protect an individual whose life is at risk from the criminal acts of another individual. In the context of gangs, this may occur as a result of gang rivalry or because of an incident occurring within a young person's own gang (for example, threatening to leave or refusing to commit an act of violence).

²² Section 46 of the Children Act 1989 provides for the removal and accommodation of children by police in case of emergency.

84. There is evidence that so-called Osman Warnings have sometimes been delivered by the police to young people without any further interventions being triggered. LSCBs should amend their processes so that any Osman Warning results in an automatic referral to local authority children's social care services and the initiation of a strategy discussion, or may trigger the need to consider taking immediate safeguarding action depending on the nature of the threat to the child's life. **This should be done in all circumstances in the first instance unless it is considered that to do so would put the child at greater risk. In these cases the decision should be actively reviewed to allow a referral to children's services at an appropriate stage.**

Identification and Referral Flowchart

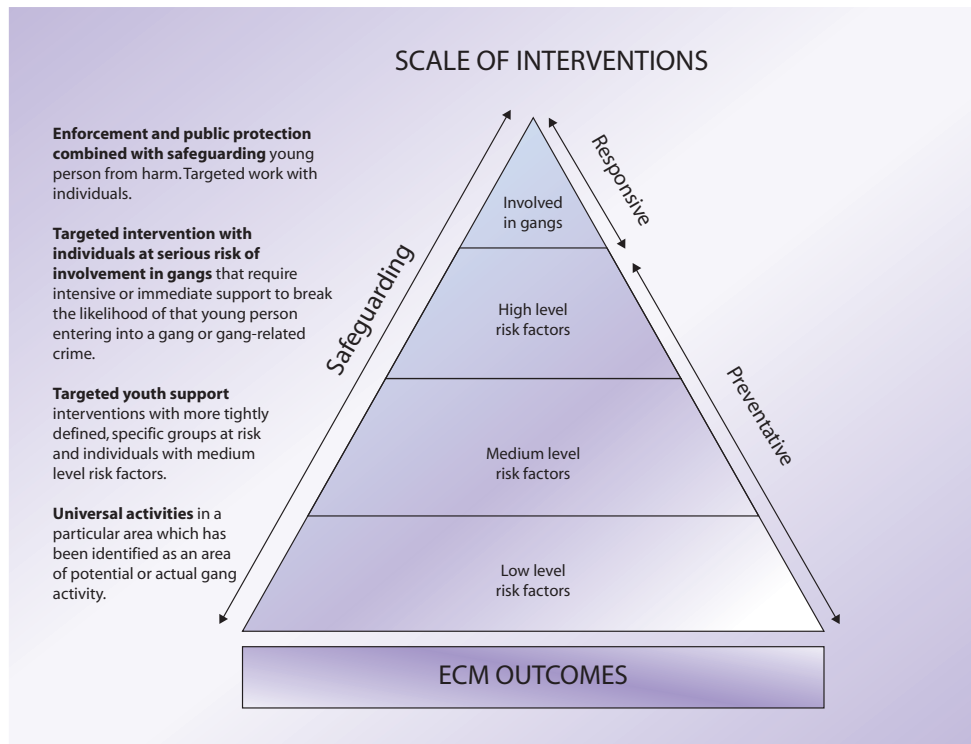


Section 6: Support and Interventions

85. The outcomes of the initial assessment should always be shared between children's social care, the referrer, the police and the YOT. Information-sharing should happen at all stages of referral, assessment and ongoing case management.
86. Every effort should be made to hear the young person's voice throughout identification, assessment and intervention. Children who are involved in gangs may be reluctant and wary of talking about it. If the child is willing to talk about gang involvement practitioners should always take seriously what the child says. Any information they gather from the child should be taken into account in the assessment and subsequent support put in place.
87. Most victims of gang crime will know the perpetrators but may fear the consequences of speaking out and may be reluctant to talk to practitioners about their experiences. Use of an intermediary, such as a parent or mentor, may be useful to help the young person talk about their experience.

Support

88. As with all young people, support and interventions should be proportionate, rational and based foremost on the child's needs identified during an assessment. There will be a scale of interventions that might be considered appropriate according to the child's needs, from use of preventative support related to gangs and reduction of the risk factors to the application to a family court for a care order under section 31 of the Children Act 1989. Provided that local areas meet statutory requirements, it is for them to decide how to deliver appropriate support.
89. The diagram below sets out the areas of intervention for the different tiers of need based on the risk factors identified in section 4, from universal services and activities for those with low level risk factors, moving up to targeted youth support and then targeted individual interventions and enforcement.
90. Whole-family approaches to identify and tackle the risk of young people being involved or affected by gang activity can be very powerful in reducing the risk of harm to a child and the wider family. Existing provision of family-based interventions within a local authority may be appropriate, such as family group conferencing and family intervention projects (FIPs). Support should also be put in place to tackle specific risk factors in the family environment such as domestic violence or family members' involvement with gangs.



91. FIPs provide intensive support to turn around the most chaotic and dysfunctional families. Projects deliver a multi-agency support package, led by a key worker, which addresses the needs of the whole family. Projects provide help with parenting, life skills, housing, mental health, drug and alcohol problems and getting children back into school.
92. Some projects specifically target families with young people involved in gangs, or considered to be at risk of getting involved in gangs. For example, Liverpool FIP is targeting families that are involved in gun and knife crime. Good links have been established with the police, with two policemen based at the project, and a protocol has been established with social care and health about referrals made to the project and the sharing of information. The families are known to a number of services and are known to be difficult to engage with due to the 'no grass' culture of the families.
93. Individual safety plans may be appropriate to ensure a young person's safety in the short term, for example ensuring that the young person travels to and from school safely, particularly if walking through a rival gang's territory.
94. As well as family-based interventions, support services targeted at individual young people, such as youth projects, peer mentoring, positive activities and access to advice from a respected, trusted adult have been found to be effective in some areas. Targeted interventions could include challenging

specific myths surrounding gang lifestyles in relation to possessing firearms, drug dealing and money. Such provision may already exist across the local authority. Voluntary and community organisations can be useful sources of this kind of support and may be better received by young people. Youth Inclusion Projects (YIPs) and Youth Inclusion and Support Panels (YISPs) may already have in place programmes that social care practitioners could refer young people to that will reduce the likelihood of young people committing offences.

95. There are likely to be a number of young people who do not meet the thresholds for statutory children's services intervention, or who are not under the remit of the YOT. It may be concluded that the child is not a child in need, or at particular risk of harm as a result of gang activity, but that some involvement, or potential involvement, in gangs is still of concern. It may be appropriate to refer the young person to other support for gang prevention at that time. LSCBs should ensure that such children are monitored and that suitable support is provided for them.
96. In some cases the appropriate intervention advocated by a multi-agency team could be some sort of civil order such as an anti-social behaviour order (ASBO), parenting order or other intervention such as use of an acceptable behaviour contract (ABC) or parenting contract or referral to a FIP.

Risks of Harm to Practitioners

97. Practitioners should be aware of any potential threats to a social worker's safety during interaction with a child before, or during, the undertaking of enquiries under section 47 of the Children Act 1989 and should make a decision on the suitability of a home visit. It may be more appropriate to interview the child and/or parents and carers in a neutral setting.
98. The risk of harm may also exist for other practitioners, who may be visiting a household without knowledge of the gang context, or to follow up concerns about a child's involvement in gangs. Information-sharing about high-risk families and individuals (such as those who carry lethal weapons) should be considered across all agencies that might have interaction with that individual, such as health, children's social care and the police.
99. Local authorities may also want to consider putting in place protocols for managing risk of harm to practitioners in this context. Many agencies will already have standards of practice for home visits, such as the national standards in place for probation practitioners. All practitioners should have access to competent and consistent risk management advice. It may be appropriate for security measures to be taken, such as ensuring practitioners can access panic alarms and mobile phones, as well as conflict resolution training for frontline staff.

Section 7: The Role of the LSCB

Protocols

100. LSCBs should ensure that local procedures and multi-agency protocols are in place for children at risk of harm through gang activity in their area. Clear protocols can help to create a seamless, collective response to meet the needs of children and young people. The protocols can be part of, and should be consistent with, wider LSCB policies and procedures for safeguarding children and other relevant protocols in the local authority, for example on youth offending. The identification of a child at risk of harm related to gang involvement should trigger the agreed local procedures.
101. It is important to establish a sound local evidence base, including informal intelligence and anecdotal reports, to use as a starting point for developing local protocols and procedures on gang activity. As noted earlier in the guidance, characteristics and activities of gangs differ widely across the country and local intelligence will be needed to develop a robust evidence base.
102. Police, in particular safer neighbourhood and community policing teams, may be particularly useful in pulling together local knowledge and local perspectives to inform procedures. Voluntary and community organisations, as well as local neighbourhood management teams, registered social landlords and other 'frontline' workers, will have 'soft' intelligence and knowledge of what is happening on the ground. Schools and other educational establishments can also be useful contributors to evidence gathering.
103. Young people should be involved, where possible, in building intelligence on gangs, including identifying appropriate solutions and support. Youth inclusion projects and projects run by voluntary and community organisations may be particular methods used to engage young people from a variety of backgrounds to talk about their experiences of gangs, whether involved in one or not. Gang members, who have been convicted, and reformed gang members may be particularly accessible and willing to talk about their lives and local gangs.
104. LSCBs should make use of this evidence base to determine whether safeguarding young people at risk of harm in a gang context is a local priority. Where evidence gathered indicates that gangs are not a problem in a local area, then it may be useful in identifying other young people at risk of harm through youth offending or violent extremism as well as in identifying young people with other specific risk factors such as domestic violence.
105. Protocols and local procedures should be developed in a local context but sharing practice and knowledge with other local authorities with similar problems may also be useful in establishing procedures.

106. Particular areas that protocols may need to cover are recognition, referral, multi-agency decision-making, information-sharing and ongoing case management. In developing protocols it is essential that there is a common language shared by partner agencies working with children so that the meaning of these terms in the local context is clearly understood.
107. The LSCB should consider how to ensure effective implementation of any local protocols and procedures about gangs. Regular reviews of the protocols and outcomes may be useful, as well as evaluating how many young people are being referred because of concerns about gangs, on what basis they are being referred and the action taken. Local or regional evaluation should assess whether young people involved, or at risk of being involved with gangs, who were previously not receiving support, are being supported.
108. Securing support from senior management in the local authority for early intervention and safeguarding in relation to gang activity will help facilitate multi-agency working and help build agreement that the issue of gangs and young people is one for prevention and early intervention as well as enforcement.

Multi-Agency Working and Information-Sharing

109. There is likely to be a group of young people known to a number of agencies as being at risk of becoming involved in gangs and who, without intervention, will probably go on to join a gang and be at risk of harm as a result of this. Effective information-sharing can help prevent these young people from entering into gang culture and can lead to these young people being referred to social care practitioners. 'Real time' information-sharing is important to avoid missing critical intelligence which could reduce harm and manage risk of young people becoming involved in gangs.
110. Protocols should be used as a means of developing and maintaining a consistent and informed multi-agency approach. A particular focus on effective information-sharing between practitioners and agencies will be necessary to ensure successful referral and support of young people involved in gangs.
111. The LSCB can play a role in developing a consensus and understanding of the role of safeguarding children and young people in relation to gangs, informed by this practice guidance. Local evidence and risk factors should be commonly understood by practitioners and the processes for referral and information-sharing clear and followed by all. The Government's guidance on information-sharing²³ should be used to support this.
112. LSCBs may want to consider putting in place a multi-agency group to focus on gang activity or becoming involved in an existing group within the local authority. The role of this group would be decided at a local level.

It could be convened to support information-sharing, preventative work across the local authority or have an overview of threshold levels across different agencies and the use of specific risk assessment processes. The development of risk management panels or similar multi-agency fora can also be useful in the ongoing case management of those at risk.

113. As highlighted throughout this guidance, key to tackling gang activity is a sharply focused multi-agency approach driven by intelligence-based evidence and involving the police, CDRPs, children's services and any other relevant stakeholders. This multi-agency approach to information-sharing and tackling gang activity in local areas also allows for joint partnership working in tackling the difficult decisions and choices that local authorities and agencies have to face when considering how best to prevent children from becoming involved in gang activity. It should include systematic identification of individual children at risk, including the younger siblings of known gang members, rigorous tracking of those children and a planned programme of interventions and diversions, including work with parents to protect the children, and help prevent them being drawn back into gang activity.

Case Study – Nottingham City Safeguarding Children Board (NCSCB)

Nottingham recognises that the local gang culture is changing with a changing pattern of children and young people's involvement. Increasingly younger children are recruited into gangs and a diverse range of communities are affected.

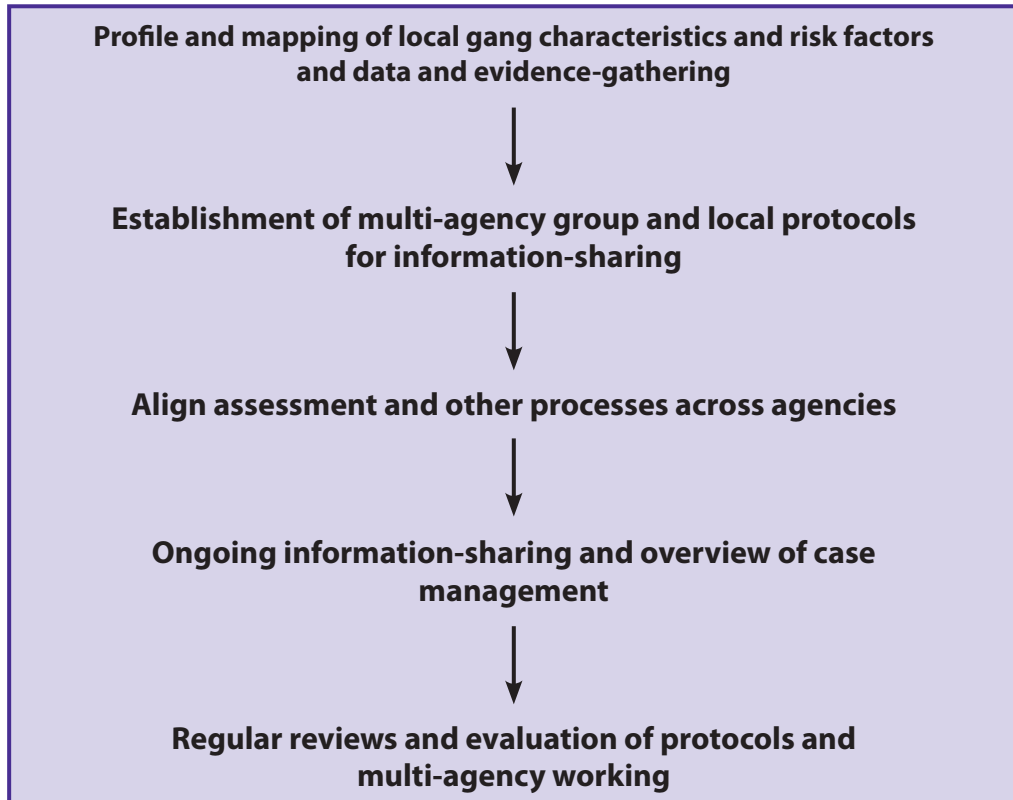
The development of a clear strategy and protocol by NCSCB and its partners is planned within the current three year Business Plan and will help to create a seamless and collective response to tackling gang activity – one in which agencies are responding appropriately and consistently, no matter with which agency the children, young person or family member gets in touch. Use of the Common Assessment Framework and NCSCB Child Protection Procedures will be implicit within the process, which will aim to promote mutual understanding between the partnerships in dealing with the related problems of gang and gun culture.

The NCSCB also addresses issues of inter-agency working by improving the relationships between Crime and Drugs Partnership (CDP), NCSCB and the YOT through agreeing/setting out shared practice and assessment guidelines and training requirements, in recognition of the fact that the majority of the work will be delivered by people doing street work with children and young people at risk. An area where the multi-partnership approach has been successful in bringing together different agendas is the link between NCSCB and Multi-Agency Public Protection Arrangements (MAPPA) where the head of Safeguarding for Nottingham City is a member of the MAPPA panel. The police, as a member of NCSCB, have seconded a police inspector to the MAPPA co-ordinator and have developed multi-agency training.

Further information on this case study and others can be found at: www.dcsf.gov.uk/everychildmatters/resources-and-practice/IG00332.

114. Local Strategic Partnerships (LSPs) should be seen as the overarching strategic level partnership for an area, which other themed partnerships such as CDRPs and Children's Trusts support. Children's Trust Boards should play their part in ensuring good relations and buy-in from key partners. This will facilitate the formation of multi-agency groups that can make good use of existing expertise on gangs and bring together that expertise with other practitioners' knowledge and experience of child protection and safeguarding. Particular organisations that it may be useful to involve in such a group are:
- local authority children's social care staff/social worker teams
 - family and parenting support teams
 - safer neighbourhood policing and community policing teams
 - antisocial behaviour action teams
 - YOTs and YISPs
 - local authority education services, head teachers and other education leaders
 - social inclusion teams
 - school attendance improvement services
 - health practitioners
 - voluntary and community organisations
 - police intelligence or local police firearms staff
 - probation service
115. It will be particularly important to establish good relations and buy-in from the CDRP and to balance the need for law enforcement with the need for safeguarding and prevention.
116. If the remit of multi-agency meetings covers individual case management, then agencies currently involved with the child or family, and who have appropriate contributions to make, should be involved in the discussion about that particular young person.
117. Multi-agency partnerships can maximise the chances for successful prevention across an area and successful intervention with individual young people, through effective information-sharing and the potential pooling of resources, to help agencies to have the capacity to respond appropriately.

The diagram below sets out the process that LSCBs are recommended to follow, including when working in partnership with other LSCBs across area boundaries:



Prevention

118. Preventative work in relation to gangs should be a key part of LSCB strategies. The LSCB should link up with other preventative work in the area, establishing strong partnerships with social exclusion teams, CDRPs, the police and other agencies.
119. LSCBs should have an overview of the work of agencies in the area, such as the police, local authority children's services and the voluntary and community sector, to minimise the risk of other children becoming involved in gang activity. Knowledge of local and national prevention schemes should be shared with social care practitioners and other practitioners so that appropriate support services are put in place for young people.
120. The LSCB or multi-agency group on gangs could play a role in tracking all children referred to local authority children's social care due to gang-related concerns. In particular, the LSCB could map where and why young people have been referred. Lessons learnt from this overview should be shared with other practitioners and agencies to inform wider preventative work and build up a profile of gangs and young people in the area.

121. Preventative work should pay particular attention to engaging with young people at high risk of becoming involved in gangs through targeted activity and consultation. Schools and voluntary and community organisations can be well placed to do this, through workshops, poster campaigns and communications, sport and other positive activities. Information from these sessions can be useful in understanding the issues in a local area, including why young people are becoming involved in gangs, and should feed back into the local protocols and evidence base.

Case study – Greater Manchester Police Operation Cougar

Operation Cougar is aimed at combating and reducing gang-related tensions within specific areas in Manchester. Within these areas it has become evident that children as young as 14 are now recognised gang members, and that 12 year olds are seen associating with gang members.

The risk posed to these children is predominantly caused by their general behaviour, including who they associate with (known gang members), the areas they frequent ('gang hangouts'), and their general conduct. Whilst this general behaviour is not criminal and does not make them gang members, the perception of other persons, particularly opposing gangs, means that they are likely to be branded as gang members.

In order to highlight the risk their general conduct is putting them at, a 'letter of concern', has been devised to serve on both the young person at risk and their parent(s) or guardian. Each letter is personalised to reflect precisely what it is about that child's conduct or behaviour that is putting them at increased risk.

The letters are served in person by members of the police. The response of parents and guardians to this approach has been extremely positive and supportive of the police action. The issuing of the letter of concern automatically triggers a referral to MMAGS (Manchester Multi Agency Gang Strategy) who visit the family, normally within 24 hours of the letter being issued.

Further detailed information on Operation Cougar can found at **Annex A**.

Training

122. LSCBs are responsible for ensuring that single agency or inter-agency training of those who work with children, or in services affecting the safety and welfare of children, is provided in order to meet local needs. Training may need to be delivered to practitioners to raise awareness of local protocols, increase their confidence in making referrals related to gangs and to enable them to be comfortable with local preventative programmes relating to gangs as support services for young people. Training on safeguarding young people from gang violence should be made available to all relevant agencies.

123. There may be existing activity in the area aimed at raising awareness of the risk factors associated with gangs, for example in local schools or police. The LSCB will want to make the necessary links with this work and ensure that safeguarding young people in relation to gangs is a core part of other local work on gangs.

Child Death Panels and Serious Case Reviews

124. In accordance with *Working Together* (Chapters 7 and 8), LSCBs undertaking serious case reviews and child death review processes in relation to individual incidents, and where gang activity is a factor, should consider the safeguarding needs of any siblings in the victim's family, or those of other associated children and young people, and, where appropriate, take action to safeguard their welfare.
125. LSCBs may want to revisit previous serious case reviews on children who have been involved in gangs to harness learning and enhance the local evidence base before developing local protocols. They should continue to update their evidence base with any findings from relevant serious case reviews or child death reviews.

Section 8: Other Agencies' Roles and Responsibilities

126. The statutory duties of a range of bodies and practitioners are explained in the Government's guidance *Making arrangements to safeguard and promote the welfare of children under section 11 of the Children Act 2004* (2007).²⁴
127. If a professional or volunteer has concerns about the safety or welfare of a child because of their involvement with a gang, they should follow the guidance set out in Chapter 5 of *Working Together to Safeguard Children* (2010).

Police

128. The police have a particular role and responsibility in identifying and referring young people to local authority children's social care. Police, especially safer neighbourhood policing and community safety teams, should know how to use risk assessment processes and should be involved in developing and agreeing local protocols.
129. The police play a key role in sharing information with other practitioners, in particular with children's social care staff. They should ensure that intelligence on young people's involvement with gangs and any risk that they might face is shared with social workers. Relevant police Stop and Search information, for example, offers useful insight into young people's lifestyles and behaviour. Teams within the police, e.g. child abuse investigation teams and safer neighbourhood policing teams, should share information as appropriate.
130. The police should be particularly aware of any siblings or other children living in households which are connected to gangs in some way, and should share intelligence on this with social workers where they have concerns about the safety and welfare of these children.
131. Intelligence on high risk, dangerous households and individuals should be shared with other practitioners who may be in contact with the household in another capacity, such as health and probation practitioners and social workers, so that the risk to practitioners' safety can be properly managed. The identification of high risk, dangerous households and dangerous individuals should be based on an assessment of risk shared between the police and the local authority.
132. Police officers who attend child protection conferences should ensure that they are fully informed about the case and experienced in assessments and the subsequent decision-making processes.

133. Under section 46 of the Children Act 1989, if the police have reasonable cause to believe that unless they take action the child is likely to suffer significant harm, they may use their powers to either remove a child to a safe place or prevent the child's removal from a safe place. As noted above (paragraph 84), if the police give an Osman Warning to a young person they should inform children's social care and consider if there is an immediate threat to the young person's safety.

Youth Offending Teams and Offender Management

134. Staff working in Youth Offending Teams (YOTs) and the National Offender Management Service (NOMS) are likely to come into contact with many children who are involved in gangs or at risk of involvement in gangs. If a YOT or NOMS has concerns for the safety and welfare of a child that they come into contact with, safeguarding procedures should be followed immediately and the local authority children's social care and police should be contacted. If possible, the YOTs should not simply work with the young person but also with the child's family.
135. YOTs and NOMS, including prison and probation staff, should share information about involvement with gangs with children's social care services and other relevant partner agencies such as schools and Connexions so that this can be taken into account in making assessments and in putting in place appropriate support for the child. In addition, YOTs will conduct an internal screening process which will assess the level of MAPPA management that is required for each child, taking into account the needs of the child or young person as well as the potential risk of serious harm they present.

Schools and Educational Establishments

136. DCSF has published guidance for schools on gangs and group offending. It provides information on the prevalence and characteristics of gangs, advice on prevention within school, advice on incident management, and guidance on working with external partners and agencies. The guidance includes advice for schools on using safeguarding procedures for young people at risk of harm from gangs. It can be found at, <http://www.teachernet.gov.uk/docbank/index.cfm?id=12639>.
137. Schools affected by gang issues will need to work in partnership with practitioners, including those from the police, YOTs and local authority children's social care services. Safer School Partnerships between schools and the police can be an effective forum for this multi-agency working. Guidance²⁵ on Safer School Partnerships was issued in May 2009.

138. Where schools or other educational establishments, such as colleges, have concerns about the safety or welfare of a child in relation to gangs, they should inform the senior member of staff with designated responsibility for child protection and ensure that the police or local authority's children's social care services are contacted. Schools can be well placed to pick up signs of gang activity and identify those at risk of harm from gangs, including siblings of gang members and children and young people at risk of sexual exploitation and abuse by gang members.
139. Schools should also be active in supporting the well-being of children at risk of gang activity, both through the curriculum and around the school day, through provision of a range of extended services and access to positive activities. Within the curriculum, Personal, Social, Health and Economic (PSHE) education is a key area of focus.
140. A number of the skills taught in PSHE education are relevant to relationships with partners, friends and family, thus promoting harmonious relationships. PSHE maintains that through the four key stages, pupils should be taught to be aware of different types of relationships. Social problems like domestic and gang violence are discouraged in PSHE education through the active development of social skills such as anger management, being able to recognise how others see them, and being able to give and receive constructive feedback and praise. In addition, PSHE can enable children to deal with the pressure to join gangs through developing social skills, reasoning abilities and empathy.
141. Schools will also need to work closely with multi-agency partners to protect children at risk. The role of the school should include the close monitoring of a child's attendance, and offering extended activities as part of a programme of work that is agreed directly with parents, and communicated regularly with any key worker and the multi-agency team.

Searches in schools and colleges

School staff in England have the power to search, without consent, any pupil they suspect of carrying a knife or other weapon in school, or on an educational visit. Schools can also screen pupils at random, using a screening arch or an electronic 'wand'. Schools are not required by the law to inform a parent before performing a search, or to get parental consent. It is a criminal offence to bring a knife or other offensive weapon into school.

The power to search pupils without consent is being extended to cover controlled drugs, alcohol and stolen property. School staff routinely search pupils for these, and other items, with their consent. The widened powers are contained in the Apprenticeships, Skills, Children and Learning Act 2009 and are expected to come into force in September 2010.

142. Where schools have concerns about gang-related issues, they should review their safeguarding arrangements and the training provided for staff and ensure that processes and procedures are in place which reflect gang-related risks. This is particularly important when the child is off site, for example if they are participating in provision which takes place within a further education college.
143. NASUWT has produced guidance on gangs and schools: www.nasuwt.org.uk/TrainingEventsandPublications/NASUWTPublications/Publications/GangsandSchools/index.htm.
144. DCSF and ACPO have paid for the Watch Over Me DVD materials, produced by The Kids Taskforce, to be freely available for all schools to access. This resource covers a wide range of safety issues, including extremism, gangs and peer pressure. Training on using the materials, which focuses particularly on preventing violent extremism, is also available.

Health

145. Health practitioners may become concerned about a child's involvement in gangs, for example from visiting a family home, receiving a disclosure of a crime from a family member, witnessing criminal activity or unwittingly seeing firearms or weapons during a visit. They should contact the police or local authority children's social care where they have concerns for a child's safety or welfare as well as being alert to any risk of harm they may face themselves.
146. Practitioners should be particularly alert to stab wounds and injuries caused by sharp instruments or knives. NHS Trusts may want to consider having procedures in place for these occurrences, such as increased security in A and E and information-sharing protocols between health practitioners, the police and children's social care.
147. In 2009, the General Medical Council produced updated guidance to medical professionals on the role of professionals in reporting gunshot and knife wounds: http://www.gmc-uk.org/static/documents/content/Confidentiality_reporting_gunshot_wounds_2009.pdf.
148. This includes a specific section for young people aged 0-18 who present with knife or gunshot wounds, the presumption being that a report should be made to an appropriate person responsible for child protection.
149. Health practitioners may also come into contact with girls whom they suspect may have been sexually exploited or abused, perhaps through genito-urinary medicine (GUM) clinics, sexual health services and GP practices. Practitioners should be alert to a child's likely reluctance and fear of discussing this and should contact the local authority children's social care services.

150. Further information on the role of health services in safeguarding children can be found in Chapter 2 of *Working Together to Safeguard Children* (2010).

Voluntary and Community Organisations

151. Voluntary and community organisations can have good knowledge of local community issues, young people and families involved in gang activity and the risk factors of children being affected by gang violence. Because of their knowledge and experience in working with some of the most vulnerable children and young people in communities, these organisations can be best placed to reach children who are at risk of gang-related harm, engaging them in positive activities and providing support to families.
152. These organisations can be particularly helpful in building a local evidence base on gangs and of appropriate reactions in a local context. They can help overcome the media hype and myths surrounding gangs and provide 'soft' intelligence to help build up a profile of gang activity in the area. They should be encouraged to share information with the police and local authority's children's social care to safeguard individual children from harm.
153. Volunteers and professionals in these organisations often provide vital support for prevention or rehabilitation from gangs as well as support to victims of gang-related crime and children who have suffered from sexual exploitation or abuse related to gangs. These can be trusted organisations in communities that may have a high level of distrust of state sector bodies.
154. Community groups and voluntary organisations should make their staff and volunteers aware of their responsibilities for safeguarding and promoting the welfare of children, and how they should respond to child protection concerns in line with *Working Together to Safeguard Children* (2010). They need to work effectively with LSCBs and be confident of the risk factors related to gang involvement or being affected by gang violence.

Annex A: Case studies

1. Greater Manchester Police Operation Cougar

Operation Cougar provides a case study on the development of strong information-sharing and multi-agency work to tackle gang activity within a local area, and raise the awareness to children of the dangers of being involved in gang activity.

The objectives of Operation Cougar are:

- Protect and preserve life of the public, police, emergency responders, potential victims and subjects.
- Proactively identify young persons, who by virtue of their behaviour or location or time of day (for example, out on the street in the early hours) may be at increased risk of falling victim to gun crime.
- Prevent escalation in firearms discharges and tensions.
- Ensure effective joint working between all police and partner agencies and, specifically, Manchester Multi-Agency Gang Strategy (MMAGS), CDRP, local authority, LCJB/G, children's services, social services and, where appropriate, the wider community; and any other organisation or agency deemed necessary and appropriate.
- Develop a better understanding of current tensions through improved intelligence analysis and assessment via weekly threat/risk assessment.
- Arrest and prosecute subjects using any legislation.
- Reassure and engage with the wider community and elected members.
- Develop a robust media strategy with key messages, highlighting successes during the last two financial years.

Implementation

The following paragraphs explain how Operation Cougar set about achieving the objectives set.

Protection of Life

The protection and preservation of life as with any police operation is of paramount concern. Increased numbers of police officers both in uniform and in plain clothes were deployed in the areas of concern. Detailed risk assessments for officers deployed were conducted which included direction that officers in plain clothes can only stop suspects with uniformed support present.

Young People at Risk

It has become evident that gang members in the area are becoming younger. Boys as young as 14 are now recognised gang members, and boys of 12 years are seen associating with gang members.

From intelligence gained by officers from the Xcalibre Task Force, (whose sole responsibility is to deal with gangs in the South Manchester area), 20 children were initially identified as being most at risk. The risk posed to these children was predominantly caused by their general behaviour, including who they were associating with (known gang members), the areas they frequented (locations known as 'gang hangouts'), and their general conduct. Whilst this general behaviour was not criminal and did not make them gang members, the perception of other persons, particularly opposing gangs, would be likely to brand them as gang members.

Letter of Concern

In order to highlight the risk their general conduct was putting the children in, a 'letter of concern' was devised to serve on both the young person at risk and their parent(s) or guardian. The purpose of the letter was to highlight the risk to that child that the police perceive them to be under. Each letter is personalised to reflect precisely what it is about that child's conduct or behaviour that is putting them at increased risk.

It is important to note that this conduct may not in any way be criminal, but simply because of either who they were associating with, or where they were frequenting, and the time of day, they were placing themselves (often unwittingly) at risk.

The letters were served in person by members of the Task Force. The response of the parents and guardians to this approach was extremely positive and supportive of the police action. The issuing of the letter of concern automatically triggered a referral to MMAGS, who normally visited the family within 24 hours of the issuing of the letter.

As well as the initial 20 young people identified as at risk, a further 36 vulnerable young people were identified (and served with letters of concern), as the operation progressed.

Partner Agency Intervention

A MMAGS representative attended the family address of each child issued with a letter of concern. They talked to the family about the general dangers of gangs, what help is available to avoid the child becoming ensconced in gang activity, and conducted an assessment of the child's vulnerability.

As a result of the MMAGS assessment, if the threat was deemed significant enough, the young person was referred to the Manchester and Trafford Violent Gangs Board. The board is made up of representatives of all partner agencies involved in child welfare issues in the area. This referral resulted in a meeting where the risk to the child would be assessed by each representative, and a comprehensive action plan put into place to reduce the risk to that child. The action plan was constantly reviewed and amended, where appropriate, via regular follow-up meetings.

Use of Emergency Protection Orders

Where children continued to put themselves at risk by continuing to associate with gang members or in areas where there is increased gang activity there is a need for further action to protect the child. Ultimately this is in the form of emergency protection orders (EPOs).

Where a child is identified as falling within this category, an initial assessment of the threat level posed to that child is undertaken. If it is deemed that the child is in significant danger, an EPO will be used to protect the child.

The use of an EPO will trigger immediate section 47 enquires and a care assessment by all partner agencies.

Co-operation

Co-operation both between police divisions and departments, and between partner agencies, is fundamental to the success of the operation.

Task Force staff engaged on the operation are required to compile a comprehensive summary of all intelligence and events that occurred that evening which is circulated to senior management before the officers retire from duty. This presents an accurate and up-to-date intelligence picture of the current threat levels. This in turn enables the Operation Cougar management team to effectively assess the current threat level and to decide on staffing levels and tactics for the following days.

After being sanitised, the summary is circulated to all partner agencies. This gives these agencies an accurate, up-to-date picture of people actively involved in gang activity, many of whom are already the subject of referrals to these agencies. This allows early intervention and early identification of risks.

Regular consultation is kept with partner agencies. For this process to be successful it is imperative that all agencies involved 'buy in' to the process fully.

Is Cougar a Success?

During the 76 days of the first operation there were no gang-related firearms discharges. There had never been a calendar month without at least one gang-related firearms discharge.

Between 14 February and 30 September 2008, Operation Cougar has been deployed on 126 occasions. In this seven-and-a-half-month period there were 15 confirmed firearms discharges in the areas affected by the gang problem, of which three were gang-related. In the corresponding period in 2007, there were 47 confirmed firearms discharges, of which 29 were gang-related. This represents a 68 per cent decrease in firearms discharges overall, and a 90 per cent decrease in gang-related firearms discharges.

Initial evaluation suggests this significant decrease is due largely to:

- Effective targeting of known gang members which has led to a reluctance for gang members to carry firearms and frequent areas where they will be targeted.
- Discouragement of gangs to gather in public areas which has taken away potential targets.
- Continuous targeting of gang members and those associating with them, and the removal of children seen frequenting with gang members, which has led to a reluctance for those on the periphery of gang activity to become involved.

There have been 200 arrests for various offences, and nine section 1 or 5 firearms recovered.

Thirty-six vulnerable young people have been identified and referred to partner agencies and four EPOs have been invoked.

1437 stop searches have taken place, and to date not one formal complaint has been made against the police.

Conclusion

Much of the success of Operation Cougar can be credited to effective partnership working.

The operation itself has been tailor-made to tackle the specific gun and gang problem in the South Manchester area, and whilst many of the tactics may be successful in other areas, other tactics may not.

Fundamental to Cougar's success is the manner in which it evolves and develops to meet the changing threat posed by the gangs. Many of the tactics now employed on Cougar have been developed by officers engaged in working on Cougar on a day-to-day basis. This hands-on knowledge is the cornerstone to the operation and has allowed Cougar to keep one step ahead of the gangs over what is now a significant period of time.

2. The Nia Project, Safe Choices

Lisa:

(Please note: names and details have been changed to protect the identity of the young woman)

Background

Lisa is 15 years old. At 13, she was taken into local authority care and has had various foster placements since. She was taken out of the family home due to witnessing extreme domestic violence on a daily basis, including witnessing her father rape her mother on several occasions.

The court issued an injunction on both parents and Lisa is not allowed to see either of them, due to the high levels of sexual and domestic violence present in the home. Lisa's younger brother has also been taken into care and Lisa currently has little contact with him. This creates great vulnerability for Lisa, as she has limited networks of support.

Safe Choices

Lisa was referred to Safe Choices by a voluntary organisation where staff had serious concerns regarding her violence towards others and her gang connections. She was seen to be very vulnerable.

When we first met Lisa at our Safe Choices young women's group, she was very withdrawn, she did not engage or speak openly in the group. At week three Lisa became very vocal and opinionated around the topic of safe and unsafe relationships, expressing views that seemed to highlight her experiences and possible normalisation of unhealthy relationships and violence. She expressed views such as, 'having friends, especially a boyfriend in a gang, was a safe relationship, as no harm would come to you'. Lisa had said in one session that she would hold a gun for her gang friends and did not see the dangers of doing so.

We explored this topic further through our Progressive Risk Scenario exercise (a tool used to assess young people's ability to identify unsafe/unhealthy relationships). Lisa still seemed unwilling, or unable, to identify unhealthy and risk-laden dynamics of certain relationships, she was of the view that only '*stupid girls*' would get themselves into a predicament where they were experiencing abuse or exploitation. We often experience this kind of defensive attitude from young women who are in fact very vulnerable; who may have experienced levels of exploitation themselves, and want to distance themselves from being seen as vulnerable.

Through our initial assessment process, it was established that Lisa was at very high risk of being involved in the youth justice system. Through our face-to-face work we also felt that her current context posed numerous risks for her potential to be involved in violent offending (in other words experiences of abuse and

domestic violence, experience of 'gang' culture and complex needs regarding relationships).

Through the Safe Choices young women's group we began to explore 'more hard hitting' topics including risks for young women in the context of group offending, staying safe, sexual exploitation and also issues around personal identity and gender expectations. Lisa became more and more animated and engaged in group discussion, attending every week, even when she declared she didn't like the issues addressed the week before. It seemed that Lisa was taking benefit from having an all female space where she could safely express her views, where she would be supported and encouraged in doing so and where she would be respected and valued. Lisa has now begun promoting Safe Choices to her friends!

Lisa continues to attend the Safe Choices young women's group and she continues to engage, reflect and challenge issues arising from the sessions relating to her own experiences. She seems to be transferring the knowledge developed in the group setting into her day-to-day life in regard to her decision-making and risk-taking. In one session she decided that she would 'make sure she always had credit on her phone and call a trusted adult if she was in danger' and 'that she would not approach and engage with men that drove around in cars with blacked out windows'.

When Lisa completed the 'My Choice' (a personal assessment tool to measure 'distance travelled'), she was able to reflect on her progression and record her development throughout her time on the project. This process of self-reflection seemed to bring about a keen sense of empowerment and achievement which has spurred Lisa on to engaging further in the project. We continue to work with Lisa and see evidence of her development.

3. Trafford: using safeguarding to protect young people in the context of gangs

Strategic Approach

The Safer Trafford Partnership and Trafford Children and Young People's Service view the involvement of children and young people in violent gangs primarily as a safeguarding issue.

This view is reinforced by the fact that the Director of Children's Services is the chair of the multi-agency Violent Gangs Strategic Steering Group.

This has led to the development of a safeguarding protocol which ensures that vulnerable young people and their families are supported appropriately.

Trafford has also worked jointly with the Greater Manchester Police (GMP) and Manchester City Council to jointly facilitate the use of safeguarding legislation for young people in vulnerable situations within their community; and has also supported the targeted use of Osman Warnings and safeguarding letters which

warn parents and children of the potential risk they are in, and provide advice on how to mitigate this risk.

The protocol is applied in all individual cases where the referral criteria are met, whether this is through professional concerns, the issuing of a safeguarding letter, the serving of an Osman Warning or the young person being the subject of an Emergency Police Protection Order.

Specific cases are quality assured and reviewed at a CYPS Violent Gangs Priority Group, which is held every four weeks and is chaired by the Director of Children's Services. This meeting identifies a 'Top 5' priority vulnerability group and develops (or reviews) safeguarding/child protection plans for them. This is a multi-agency meeting attended by all relevant partners.

How Does it Work?

On a daily basis, the GMP XCalibre Taskforce provides a written intelligence briefing to the Trafford Council Strategic Co-ordinator for Community Safety which is then distributed across all agencies with a potential safeguarding remit, often with actions attached.

In recent months, CYPS has also become involved in the delivery of joint operations targeting known gang members with GMP. During these operations, CYPS would be involved in the pre-planning to assess the potential impact upon children at the addresses and would provide families and children with support following police raids, whether this takes the form of safeguarding, prevention or intervention.

As well as this targeted prevention work, a wide range of interventions are available to support families to reduce vulnerability including family support projects, direct interventions with 'at risk' young people, and school-based preventative projects.

Examples of how Young People have been Safeguarded in Trafford

One case example involved a family who lived within Old Trafford and had two older sons actively involved in gangs and firearms offending, and two younger children at the address. The address became a target for numerous discharges which put the children at the address, and other children in the vicinity, at significant risk. In this case, the family were challenged about these risks and child protection legislation was used as a means of encouraging this family to relocate. This occurred voluntarily, with a range of support from partners and led to a significant reduction in activity within the vicinity of their previous home address. The problems did not follow them to the new address, thus ensuring the safety of the younger children.

A further case example was of a 14-year-old who was regularly sighted in a car with known gang members, one of whom was shot at the time this was happening, in an area mainly associated with rival gang members. The 14-year-old also began wearing body armour to school and in the community. This information came via the YOS and the XTF intelligence reports. Support was offered to his guardian (which was accepted and is ongoing) and he was offered a range of support and intervention options. He was also placed onto the “Top 5” list and it was agreed that should he be seen in the car again, GMP would undertake an emergency PPO, such were the concerns about this acutely vulnerable situation. Specialist staff also raised concerns with the older males driving the car and warned them of the potential consequences for themselves (including increased police disruption tactics) should they continue to have him in the vehicle. These actions stopped the concerning behaviour from occurring, thus significantly reducing the acute risk posed to this young man.

Annex B: Legal Framework

Children Act 1989

155. A child is defined as ‘in need’ by **section 17(10)** of the Children Act if:
- s/he is unlikely to achieve or maintain, or to have the opportunity of achieving or maintaining, a reasonable standard of health or development without the provision for him/her of services; or
 - his/her health or development is likely to be significantly impaired, or further impaired, without the provision for him/her of such services; or
 - s/he is disabled.
156. **Section 20** placed a duty on the local authority to provide accommodation for any child in need within their area who appears to them to require accommodation as a result of:
- There being no person who has parental responsibility for him; or
 - His/her being lost or having been abandoned; or
 - The person who has been caring for him/her being prevented (whether or not permanently and for whatever reason) from providing him with suitable accommodation or care.
157. **Section 20(3)** of the Children Act 1989 provides that every local authority shall provide accommodation for any child in need within their area who has reached the age of 16 and whose welfare the authority considers is likely to be seriously prejudiced if they do not provide him with accommodation.

The Concept of Significant Harm

158. The Children Act 1989 introduced the concept of significant harm as the threshold for compulsory intervention in family life, requiring the courts to consider the child's welfare as their paramount consideration in any application made under the Children Act 1989. A court may only make a care order (committing the child to the care of the local authority) or supervision order (putting the child under the supervision of a local authority) in respect of a child if it is satisfied that:
- The child is suffering, or is likely to suffer, significant harm; *and*
 - That the harm or likelihood of harm is attributable to the care being given to the child, or likely to be given if an order is not made, not being what it would be reasonable to expect a parent to give, or to the child being beyond parental control (**section 31**).
159. Where a local authority has reasonable cause to suspect that a child who lives, or is found, in their area is suffering, or is likely to suffer, significant harm, the authority shall make, or cause to be made, such enquiries as they consider necessary to enable them to decide whether they should take any action to safeguard or promote the child's welfare (**Section 47 (1)(b)**).
160. 'Harm' is defined as:
- Ill treatment, or the impairment of health or development (which includes for example impairment suffered from seeing or hearing the ill treatment of another);
 - Ill treatment includes sexual abuse, and forms of ill treatment which are not physical, for example emotional abuse;
 - Health means physical and mental health; and
 - Development means physical, intellectual, emotional, social or behavioural development.
161. This may include seeing or hearing the ill treatment of another (section 31 of the Children Act 1989 as amended by the Adoption and Children Act 2004).
162. Other legislation which may be useful in the context of gangs:
- Criminal Justice Act 1988.
 - Crime and Disorder Act 1998
 - Criminal Justice and Police Act 2004

Annex C: References and Useful Links

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