



**the policefoundation**  
improving policing for the benefit of the public

Sponsored by  
**SUNGARD®**  
PUBLIC SECTOR

Oxford  
Policing  
Policy  
Forum

Are young  
people over-  
policed and  
under-  
protected?

Report of the ninth Oxford Policing Policy Forum.  
6 December 2010

All Souls College,  
Oxford

# POLICING POLICY FORUM

Sponsored by  
**SUNGARD®**  
PUBLIC SECTOR

## GUEST LIST

Monday 6<sup>th</sup> December 2010

Ms Sue Akers QPM	Deputy Assistant Commissioner	Metropolitan Police Service
Ms Rachel Atkinson	Deputy Director, Head of Youth Justice Policy Unit	Ministry of Justice
Dr Jeremy Crump	Visitor	Oxford Internet Institute
Mr Malcolm Dean	Guardian Fellow	University of Oxford
Dr Marian FitzGerald	Visiting Professor of Criminology at Kent Crime and Justice Centre	University of Kent
Mr Philip Geering	Director of Strategy and Communications	Independent Police Complaints Commission
Ms Sally Gimson	Head of Public Policy	Victim Support
Mr Roger Graef OBE	Chief Executive	Films of Record
Mr John Graham	Director	The Police Foundation
Mr Eddie Isles	Manager	Swansea Youth Offending Service
Mr Paul Jobbins	Director Public Sector Business Unit	SunGard Public Sector Ltd
Dr Jacqui Karn	Research Fellow	The Police Foundation
Professor Ian Loader	Director, Centre for Criminology	University of Oxford
Ms Abie Longstaff	Legal and Policy Analyst	The Police Foundation
Mr Ian McPherson	Assistant Commissioner for Territorial Policing	Metropolitan Police Service
Professor Rod Morgan	Visiting Professor at the Police Science Institute	University College Cardiff
Sir Charles Pollard QPM	Chairman	Restorative Solutions CIC
Professor David Smith	Honorary Professor	University of Edinburgh
Mr David Utting	Commission Secretary	Youth Justice Inquiry
Mr Edward Vincent	Intern	The Police Foundation
Mr Nigel Whiskin MBE	Director Business Development	Restorative Solutions CIC

## **The Oxford Policing Policy Forum**

The Oxford Policing Policy Forum is a joint initiative of the Police Foundation and the Centre for Criminology at the University of Oxford. The Forum provides an opportunity for a wide range of stakeholders interested in policing to discuss fundamental issues under Chatham House rules. The main purpose is to encourage informal debate rather than inviting an audience to listen to formal presentations. Participation is by invitation only (see guest list).

### **Background**

The relationship between the police and young people is important. Young people experience crime, as perpetrators and victims, more than any other sector of the population, with the most persistent offenders often those most at risk of victimisation. However, despite the importance of this relationship, government and policing policy has tended to focus on young people as offenders and, perhaps as a reflection of this, young people are now less likely to have confidence in the police than other age groups.

In July 2010 The Police Foundation published the results of the Independent Commission on Youth Crime and Anti-social Behaviour and the ninth Oxford Policing Policy Forum met on the 6<sup>th</sup> December 2010 to discuss the policing of young people as offenders and as victims of crime, asking: 'Are young people over-policed and under-protected?' The Forum was chaired by Roger Graef and a presentation setting out the key issues was given by Ian Macpherson, Assistant Commissioner at the Metropolitan Police and ACPO lead on children and young people. Ian was also a member of the Independent Commission hosted by the Police Foundation.

### **Presentation**

Ian began by outlining the complexities of policing youth crime, the changing nature of 'youth' and how young people have developed their own separate but conspicuous culture, with its own norms and values. For the police, this culture can be difficult to understand and connect with; police officers are generally older than they used to be and many policing strategies over the last ten years have distanced police officers from the local communities they serve and where young people live. With the emergence of a readily available virtual world, young people now spend a lot of time alone, indoors, on the internet or playing computer games, making both connection with and policing of their world more difficult. Ian referred to research<sup>1</sup> which suggests a rise in behaviour such as lying, stealing and disobedience, as well as aggression and violence, although crime overall has steadily declined since the mid 1990s. Nevertheless, young people continue to be susceptible to peer pressure and can easily be drawn into crime.

Alongside these changes, Ian spoke of the political 'arms race' on custody and punishment which has resulted in persistent young offenders, who often come from very difficult

---

<sup>1</sup> Nuffield Foundation's Programme "Changing Adolescence"



backgrounds and are often victims themselves, being criminalised rather than supported or educated. Children from disadvantaged backgrounds tend to be 'recycled' through the criminal justice system, with three in four young people reoffending within a year – a costly and ineffective approach. Furthermore, young people seem to have less confidence in the police and are particularly reluctant to come forward as witnesses or to engage actively with the police.

Ian pointed towards positive changes being made in policing, for example the Safer Neighbourhood teams that engage well with local communities. He also praised Police Cadets – the scheme for young people to learn about policing and involve themselves in non-confrontational policing. New partnerships are being set up to exchange information and programmes are being developed such as the 'Growing against gangs' programme in Lambeth, which provides educational and preventive interventions linked to the issue of 'gang culture'.

Ian emphasised the three principles outlined in the Independent Commission on Youth Crime and Antisocial Behaviour: prevention, restoration and integration. On prevention, he emphasised the need to invest more resources – both time and money - in preventing youth crime, building relationships with young people and supporting them to develop. Diversion and prevention is far more cost effective than the usual consequences of violent crime: hospitalisation, court proceedings and custody. He emphasised the need to intervene at a very young age, citing research by the Wave Trust<sup>2</sup>, which shows that the part of the brain governing emotions is 20-30% smaller in children who have been abused. He also reinforced the need to explore greater use of restorative justice, whereby young people are held to account for their behaviour, and to allocate more resources to the integration of young offenders. In relation to the latter, Ian cited Project Heron, a post-custody resettlement initiative based at Feltham Young Offenders Institution, which has had substantial success in reducing reoffending rates.

## **The Discussion**

Participants raised concerns about the way in which the previous government had effectively co-opted the police into criminalising young people, which had led to them losing sight of the vital role the police play in protecting young people and in dealing with young people as victims. In an incident of domestic violence, for example, the investigating police officer may be the only person who knows that a child has witnessed or been involved in something traumatic, which in turn may have led to the child misbehaving in school the following day. In such circumstances, rather than being dealt with as disruptive, it is important to see the child as a victim and respond to their behaviour as such. Young people need to feel the police are on their side, as their protectors, rather than just seeing the police as law enforcers or, worse still, 'on the other team'.

---

<sup>2</sup> Available at <http://www.wavetrust.org/our-approach/6-core-messages/3>

There are many challenges facing the police in seeking to shift the emphasis away from criminalisation and more towards support. One barrier to change is the attitude of some frontline officers, which tends to become more cynical with time served. Senior officers need to set a tone of optimism and encourage their officers to be polite and respectful to young people (not just adults) and to uphold appropriate standards. Another difficulty raised was the insufficient numbers of BME officers in areas such as Haringey, where 70% of robberies are black on black.

Two policing strategies were discussed as particular causes for concern in the context of the relationship between police and young people - stop and search and the policing of protest.

### *Stop and Search*

Section 60 of the Criminal Justice and Public Order Act 1994 allows the police to stop and search a person in an authorised area for an offensive weapon without suspicion. Although this was considered to be a potentially useful tool for tackling knife crime, Section 60 has frequently been deployed disproportionately and unfairly and, despite the high number of people searched, has resulted in an arrest rate of only 4%, with weapons discovered in only 1% of searches. Participants believed that the random nature of stop and search alienates communities and that the measure is, in part, a way to make police appear to be 'doing something' rather than an effective strategy for reducing crime or maintaining order.

### *Policing Protest*

Due to the current financial crisis, which is resulting in cuts to public services and rising unemployment, it was felt that young people are likely to be increasingly caught up in public order incidents. The policing of demonstrations, such as the recent student protests against the rise in tuition fees, is therefore likely to become a key issue over the next few years. How the police deal with growing public anger and protest is important as it sends a signal about the kind of society we live in and impacts on how the next generation views the police.

Confidence and trust are crucial to the relationship between the police and young people, yet the Forum agreed that some groups of young people do not trust the police sufficiently, viewing them more as the enemy or at best as indifferent to their needs. Weapons, for example, are carried by some young people because they do not feel safe and do not think the police will protect them. Participants expressed strongly the need to increase young people's trust and confidence in the police, although it was accepted that this will first require a step-change in the way they perceive one another.

## **The Influence of Politics**

Participants referred to the problem created by the political 'arms race', where political parties took populist, short-term viewpoints on law and order issues to service their self interests as politicians rather than the wider aspiration of achieving social justice. In this context, children are seen as a problem rather than as an opportunity. The punitive approach and tick box culture which has influenced policing over the last fifteen years will be difficult to reverse. It was felt that the new government should adopt a long term strategy for developing better relations between the police and young people.

As has been commented on in previous Forums, participants were of the view that Government does not always pay sufficient regard to the evidence in developing policy. There is now considerable research evidence on the effectiveness of restorative justice, for example, yet until recently Government has been reluctant to embrace restorative principles. The recently published Ministry of Justice Green Paper, *'Breaking the Cycle: effective punishment, rehabilitation and sentencing'*<sup>3</sup>, which was published shortly after the OPPF, does however contain proposals for expanding restorative justice, similar to recent developments in Northern Ireland where they have introduced Youth Conferencing.

The question of the potential impact of elected Police and Crime Commissioners was raised. Concerns were expressed that Commissioners' policies will be unduly influenced by certain sections of the electorate – those who shout the loudest – rather than those whose needs are the greatest. This applies in particular to young people under the age of 18, who are not eligible to vote and whose voice is often overlooked. A concern was also raised that the populist vote would effectively lead Commissioners towards embracing policies that exclude or criminalise young people, or are overly punitive. However, some participants felt elected Commissioners would ensure local issues are kept local and that devolved resources could provide opportunities for communities to address real problems, including those experienced by young people.

## **What can be done?**

### *Restorative Justice*

On the whole participants spoke positively about the use of restorative justice in the context of youth crime. The process allows offenders to engage with and understand the effects of their crime on others, especially the victim. It enables a range of interested parties, such as the police, youth workers, the community, the victim's family and the offender's family, to mediate between the offender and the victim; when used correctly, it was felt that restorative justice could be transformative, making both the offender and the victim see things differently. Furthermore, the restorative justice process does not have to

---

<sup>3</sup> HMSO December 2010 CM 7972

be limited to trivial crimes; as stated by one participant, research seems to suggest that the more serious and personal the crime, the more successful restorative justice can be.

Restorative justice proceedings do however need to be carefully managed and monitored. The offender and victim need to be closely supervised and supported to ensure that each understands the process and can therefore fully consent to it. Restorative justice can be very intense and it is important not to persuade young people to engage in a potentially highly emotional process against their will. Successful restorative justice requires both a backwards and forwards facing element – to be effective it must be a process of justice as well as one of education. The offender must understand what s/he has done and the consequences of his/her actions. S/he must be taught to think in moral not just legal terms, which is particularly important in terms of credibility and public confidence in the process.

The future of restorative justice is not certain. Although the Ministry of Justice Green paper proposes to increase its use, there was a feeling that the government is not convinced by the evidence on whether restorative justice works, although as one participant pointed out, restorative justice is being asked to reach an evidential bar that no other form of criminal justice, including the current system, has had to meet. In terms of expanding pre-court restorative justice, participants were concerned that the police avoid inconsistency, with the decision to prosecute or divert to a pre-court restorative conference needing to be consistent rather than a lottery. This will be particularly important once Police and Crime Commissioners are elected and policing policy is effectively decided locally.

### *Crime Prevention*

The Forum agreed that one of the most effective ways of challenging youth crime is to focus on prevention. The prevention of crime shouldn't however be seen as a purely police issue. Crime is caused by a combination of complex factors, many of which fall outside policing, such as social services or health. There is evidence to show that children from families with poor parenting skills are more likely to become offenders and that babies brought up in violent families can suffer permanent damage to the limbic (emotional) part of their brain<sup>4</sup>. One participant advised that prevention efforts should centre on children under the age of ten years old, starting even at pre-conception by educating teenagers better about the potential risks of unplanned pregnancies. Parenting classes should also be more widely available. The example was given of Sweden, where there is a heavy focus on childcare and early intervention and, not necessarily coincidentally, a lower crime rate than in the UK.

The role of the police in crime prevention needs to be carefully considered to ensure that policing does not end up taking on the work of other, equally relevant agencies, such as health and social services. The police are playing an increasingly important part in

---

<sup>4</sup> <http://www.wavetrust.org/our-approach/6-core-messages/3>



preventing youth crime, especially through community policing, and it was suggested that maybe the time had come to make crime prevention a policing specialism, with its own dedicated training and career progression.

One specific area of youth crime prevention that was discussed was the prevention of gang related crime. Participants emphasised the need to identify problem hardcore gang members in order to better target their resources on these groups. Gangs draw children in, using immense peer pressure to ensure conformity. They tend to reject any police involvement and, rather than contacting the police, tend to resolve crime and protection issues themselves. This makes gang crime very difficult to police. It requires a strong intelligence-led focus, with joint intelligence shared confidentially across the police, social agencies, councils and hospitals. One participant raised the issue that there are not enough trained under-cover police operatives to infiltrate hardcore gangs and provide the crucial intelligence required. It was also seen as important to distribute police resources appropriately. A small percentage of the population is currently suffering a disproportionate amount of crime – the figure was given of 464 knife crimes occurring per month in Southwark, but 44 in Richmond – so resources need to be targeted on the highest crime areas or hot-spots.

#### *Alternative strategies: Co-Production and Diversion*

Co-production is a process in which users and service providers work together towards the achievement of a common aim. It attempts to use the life experience and skills of people to improve and support the delivery of public services and products. In the context of youth offending, offenders and victims are both service users and co-production views both of these as assets whose knowledge can be tapped to tackle problems. So, for example, this process might advocate asking those who have been in gangs to dissuade others from joining gangs.

Resources also need to be invested in diversion rather than falling back on (more expensive and not necessarily more effective) court processes. The example was given of the Boston Ceasefire Project – a gang violence abatement strategy which applied a problem solving approach by introducing strong penalties for violent crime alongside intervention strategies to encourage gang members to leave their gangs. The contact the police have with young people when they are arrested or assaulted was seen as being a prime opportunity to provide effective victim services, or an intervention to prevent further offending.

Whether diversion or co-production is adopted as the way to fight youth crime, it was agreed that policing needs to consult the views of young people. The police need to look at crime prevention and detection through the eyes of children and young people themselves if they are to attract the trust and confidence they need to maximise the reporting of crime.



## *The Recession*

One issue which tested Forum participants was the practical issue of how to find new resources for processes such as restorative justice or diversion during the current climate. Any savings made from reducing the use of custody, for example, are handed to the Treasury not the Ministry of Justice, so there is little scope for new money, at least in the short-to-medium term. The upfront costs of, for example, expanding restorative justice are therefore simply not currently available. The discussion was nevertheless considered to be very useful in terms of building a case for justifying initial investment in alternatives to court proceedings, particularly in the context of devolved budgets.

## **Conclusion**

The relationship between the police and young people is particularly sensitive - many young offenders come from fractious homes where a hostile environment affords little opportunity to learn important lessons of empathy, good behaviour and socialisation. While no child is unreachable, there seems to be a diminishing return on the opportunities to intervene as a child gets older and behaviour becomes more 'hard-wired.' Yet it is important to get the police/youth relationship right, so that children and young people can be properly protected and effectively policed. We need young people to put their trust and confidence in the police so they come forward for protection, as witnesses and to seek justice. The key to this relationship is community policing, and, in particular, how the police interact with young people in their local communities. Resources need to be focused more on prevention and diversion rather than on chasing down criminals. There are however some encouraging signs. The Ministry of Justice Green Paper places greater emphasis on alternative approaches such as out of court disposals and restorative justice and there are a range of new policing initiatives which focus on viewing young people as assets and working with other agencies to assist, rather than criminalise, troubled young people.