

# On our side?

Young people and the police:  
Can the police and crime commissioners lead the  
way for change?



*[Police] need to work for the community. Not all young people are criminals, not all black people are drug dealers, not all Muslims are terrorists; if you don't know the community then you can't work with them."*

*Young person, 18*

*"They should have more understanding of the issues that young people face and should be more supportive and not just trying to punish us all the time, as people just keep getting into trouble so what they do can't be working."*

*Young person, 13*

*"It all needs changing, not just the officers but all of it and the ones at the top need to know what the officers on road are doing and how they are acting. "*

*Young person, 13*



# Summary

- U R Boss is the Howard League's youth participation project for young people in the criminal justice system. We work with young people to tackle their concerns through legal support and policy and campaigning work.
- We have worked with young people across the country who have had varying levels of contact with the police. Participation work has been carried out with young people's community groups, youth offending teams (YOTs) and young people who are currently or have been in prison. There have been common attitudes, opinions and concerns amongst all the young people we have worked with.
- U R Boss has highlighted a number of serious concerns about the police. Some young people find that the police are seen as not caring about young people and some young people experience racism or serious bad practice. Young people are also concerned about being identified as 'the usual suspects' and experience inappropriate and intrusive stop and search practices.
- We want to improve the purpose and quality of interactions between young people and the police, built on a base of mutual respect. Key to improving relationships is the need for regular and meaningful engagement with young people.
- The landscape for policing is changing dramatically with the introduction of Police and Crime Commissioners (PCCs). This is a unique opportunity to make sure community voices, especially those of young people in contact with the criminal justice system, are heard, listened to and acted on to improve practice.
- As gatekeepers for much of the criminal justice system, the police occupy a unique position to use their discretion, innovation and intelligence-led policing to use more direct and proportionate responses. A time of austerity and forces facing cuts to their budgets offers an opportunity to reassess the most effective way that resources can be used.
- We are asking local PCC candidates to pledge to consult with young people in contact with the criminal justice system when developing their police and crime plans.
- We are working with police at all levels to improve practice in their contact with young people. During the campaign, we are building on this by working with young people to identify and collate examples of good practice in policing. After the elections we will offer to work with successful candidates to develop meaningful ways of consulting young people and embed good practice.

# Who we are

## Who are we?

The Howard League for Penal Reform is the oldest penal reform charity in the world and campaigns for less crime, safer communities and fewer people in prison. The Howard League is a national charity entirely independent of government. Evidence shows that too much money is spent on a penal system which does not make our communities safer and fails to reduce offending. This is what the Howard League aims to transform through its work and campaigns.

## What are we doing?

For the first time ever the government is introducing elected officials, Police and Crime Commissioners, to be the voice of the people and hold police forces to account. Elections will take place across the 41 police force areas in England and Wales outside London on 15 November 2012 to appoint PCCs in each police force.

Successful candidates in the PCC elections will need to set out five year police and crime plans that determine local policing priorities. We want PCC candidates to pledge that they will consult young people when they develop these plans and run a clean campaign that avoids stigmatising young people. It is vital that no young person is forgotten and that every effort is made to consult with young people in the criminal justice system.

After the elections we will offer to work with successful candidates to develop meaningful ways of consulting young people and embed good practice in policing.

## We are asking local PCC candidates to sign a campaign pledge:



*I will run a clean campaign, which avoids stereotyping or using negative language about young people. If elected, I will consult young people when developing my police and crime plan, especially those with direct experience of the criminal justice system.*



# Why are we doing it?

## Why are we doing it?

In 2009 the Howard League launched U R Boss, a unique national participation project for children and young people in contact with the criminal justice system funded by the Big Lottery. We believe young people are the experts in their own experiences; we support them to secure their legal rights and to have an impact on policy, practice and the services that support them. The overriding issue raised by young people participating with the U R Boss project is the quality and purpose of police contact with children and young people.

Over the past three years we have worked with children and young people at all stages of contact with the criminal justice system. We have carried out two key pieces of work, *Life Inside (2010)* and *Life Outside (2011)* which were participation-led reports that respectively examined children's experiences of custody and of being on licence when released. The overriding message was that the youth justice system is not working.



Children and young people we work with think that the justice system is failing. This is substantiated by reconviction rates: 72 per cent of children are reconvicted within a year of their release from prison (Ministry of Justice, 2011).



To date, we have worked with over 100 young people across the country, specifically finding out about their perceptions and experiences of the police. Some 92 per cent of comments from the young people we have spoken to are overwhelmingly negative.

## What are the issues for young people?



Using participation methods to work with young people in contact with the criminal justice system, U R Boss has highlighted a number of serious issues. These have been raised by young people repeatedly from many different areas across the country.

## What young people say:

 *Before I came into the justice system I didn't really care about it. Now I'm in it some bits are ok, but more of it is disgraceful and people have no idea.* 

 *"There should be a way that the police have to answer for what they do."* 

Young person, 17


 *"There isn't any positive reason to come into contact with the police."* 

Young person, 16



# Quality of relationships

**The police are not seen as caring about young people at all and/or not respecting them.**

 *It's the way they act, they look down on you like you're a disgrace to the country."*

*Young person, 16*

*"They have no respect for us, so we have no respect for them."*

*Young person, 16*


*"They don't care about us, they just like to show they have power, it's an ego thing."*

*Young person, 15*

*"They are just there for the money, don't care about people, they make money off us they keep money or drugs or whatever they can, they are bigger criminals than most people behind bars."*

*Young person, 17*

**When asked how the police could improve relationships, young people came up with a variety of suggestions that are typified by:**

 *I think they just need to know how to treat people as people."*

*Young person, 18*

*"They show you a bit of respect, have some manners then you['re] not rude back and [it] doesn't get out of hand."*

*Young person, 16*

*"They need knowledge of that area so maybe before they join they should have to do youth or community work in that area. Then they may understand the problems people face and not just judge on people's actions."*

*Young person, 13*

# The 'usual suspects'

The young people we have worked with felt that once they had been in contact with the police they became labelled as the 'usual suspects'. Young people then said they felt targeted and harassed.



*"They never leave me alone, they have nothing better to do. Once they know who you are they just make life hard for you."*

*Young person, 17*

*"I was definitely younger, 10, and was in the park where some of the older ones had a mini motorbike and the police overreacted and about three or four cars come down and started questioning everyone, getting names and since that day they've always been on me."*

*Young person, 18*

*"Once you have a record everything is against you, can't get a job, go to college, the police always try to get you back into trouble by stopping you and want you to react so they can put something else on you. They never forget who you are and just harass you."*

*Young person, 18*

The RSA has produced research (2012) that substantiates young people's experiences of being labelled and victimised. Their report concludes that the Police Service has experienced years of target culture, which, combined with strict adherence to protocol, rank structure, and risk aversion encourages 'group think' that has a detrimental effect on the relationship between the police and the public.

This target culture was perhaps most evident when the 'offences brought to justice' target was being used between 2002 and 2007. There is evidence that police activity focused on the 'low hanging fruit' and that police activity was disproportionately focused on the very youngest age groups: at its high point in 2007 over 240,000 young people were sanctioned (Newburn, 2011). This coincides with the child prison population increasing to over 3,000 in 2007. Since the targets have been dropped there has been an overall decline in the number of children in custody from those record highs.

Steps away from such centralised quantitative rather than qualitative measurements are welcome. In particular, proposals in the Legal Aid Sentencing and Punishment of Offenders Act (2012) to introduce more discretion and restorative justice are steps in the right direction.

PCCs can build upon this progress by encouraging innovative, flexible and discretionary policing, moving away from what Professor Ian Loader has described as the 'political arms race' on custody and punishment which has resulted in young people being criminalised rather than supported or educated (Police Foundation, 2010). First, young people must be listened to in order to restore trust and improve practices that remain as a hangover from the centralised years.

# Racism and stop and search



*They are racist. Look how many times do we get stopped? If we were white in Richmond they wouldn't trouble us but they see us and think we must be up to something all the time. I've never robbed anyone or sold drugs but they act like I'm some big gangster."*

*Young person, 15*

*"The police have called me bare names, 'black c\*\*t', 'darkie', when with friends one said to us 'you black c\*\*ts make me feel sick'."*

*Young person, 16*

*"They are all racist. If you are not white and driving a nice car etc., then you become a target as they will think you are selling drugs."*

*Young person, 18*

The cloud of institutionalised racism has hung over the police for many years. In spite of some progress, it is hard to counter that people of black and minority ethnic origin have more negative experiences with the criminal justice system, with stop and search practices at the centre of concern. An analysis undertaken by the London School of Economics and the Open Justice Initiative found that a black person is now 30 times more likely to be stopped and searched – a rise from 26.6 on the previous year (Townsend, 2012). Allegations of racism against the police have doubled in the last 10 years (Brady, 2012). This issue needs little extrapolation: it has to be addressed.

As well as being linked to perceptions and evidence of racism, stop and search is a key issue in its own right. Other organisations, most notably the action group StopWatch, specialise in campaigning for reform of stop and search practices (StopWatch 2012). Our U R Boss project is working in partnership with StopWatch and others to highlight this important issue and its impact on young people.



*They stop us cos we are Asian. Sometimes they will search us but our white friend with us will not get searched or treated the same way."*

*Young person*



# Extreme examples of bad practice



*They drove me to a forest and dropped me there and I had to walk back and didn't know where I was."*

*Young person, 16*

*"They take you on a half hour trip before they take you to a station and batter you; they do it with a wet towel so that it doesn't mark."*

*Young person, 17*

*"They strip-searched me in the back of a wagon with the doors wide open so everyone could see."*

*Young person, 17*

Young people also spoke of being dropped off by police in rival gang areas, where the police knew they would be at risk if other, sometimes gang-affiliated, young people saw them. It may be simpler to dismiss such accusations as fabrications and exaggerations of the young. However, the use of such tactics and abuses has been corroborated by youth offending team workers and third sector organisations that the Howard League has spoken with. The blame for such practices may be due to a few rogue police officers, but they must be rooted out and investigated as they discredit whole police forces.

# Child arrest rates

**Figure 1: Number of children arrested by Police Service, 2008–2010**

Police service	Number of children under 16 arrested by year		
	2008	2009	2010
Avon and Somerset	9,169	7,479	7,255
Bedfordshire	*	*	*
Cambridgeshire	4,054	3,795	3,440
Cheshire	2,537	2,037	1,870
City of London	274	251	273
Cleveland	4,882	4,735	4,367
Cumbria	1,964	1,676	1,274
Derbyshire	5,608	4,513	4,194
Devon and Cornwall	5,495	4,757	4,132
Durham	4,594	4,116	3,658
Dyfed Powys	2,974	2,610	2,307
Essex	10,763	10,006	7,739
Gloucester	3,035	2,435	1,516
Greater Manchester	*	*	*
Gwent	3,185	2,871	2,503
Hampshire	10,458	9,446	8,267
Hertfordshire	5,366	4,995	3,948
Humberside	6,607	6,272	5,751
Kent	10,157	10,089	7,505
Lancashire	11,115	10,511	9,779
Leicestershire	3,752	3,603	3,322
Linconshire	*	*	*

Police service	Number of children under 16 arrested by year		
	2008	2009	2010
Merseyside	11,330	11,001	10,197
Metropolitan	49,292	46,546	46,079
Norfolk	3341	2772	2510
North Wales	5,559	4,567	3,420
North Yorkshire	6,240	5,269	4,566
Northamptonshire	3,069	2,757	2,594
Northumbria	16,460	13,717	11,407
Nottinghamshire	7,008	6,114	5,743
South Wales	4,253	3,277	4,286
South Yorkshire	8,974	7,439	6,235
Staffordshire	5,219	4,438	4,163
Suffolk	4,840	4,376	3,716
Surrey	2,913	2,287	1,955
Sussex	7,081	6,653	5,779
Thames Valley	12,288	10,297	8,012
Warwickshire	2,147	1,774	1,419
West Mercia	*	*	*
West Midlands	23,105	18,397	14,387
West Yorkshire	19,706	16,233	12,947
Wiltshire	*	*	*
Total	298,086	263,220	232,177



# Assessing practice, addressing relationships

## Assessing practice, addressing relationships

The election of the PCCs provides a unique opportunity to address the relationships between young people and the police. As the Police Foundation has stated:

*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.*

(Police Foundation, 2010)

Key to improving relationships is the need for regular, meaningful and long-term engagement with young people rather than one-off and tokenistic efforts at consulting. Amongst their responsibilities, as listed by the Home Office (2012), PCCs will be 'invoking the voice of the public, the vulnerable and victims'. This is described as meaning that PCCs will ensure 'that public priorities are acted upon, victims are consulted and that the most vulnerable individuals are not overlooked'. Few in society are as vulnerable as children who come into contact with the criminal justice system, whose lives are frequently characterised by social and economic deprivation, neglect and abuse.

In England and Wales, children can come into contact with the penal system from the age of ten. This low age of criminal responsibility has been criticised by the United Nations Committee on the Rights of the Child (2008) and is the lowest in Western Europe.

Information obtained by the Howard League under freedom of information requests indicates that over 250,000 children are arrested each year. However, only 81,500 children under 18 were sentenced by a court in 2009, suggesting that approximately 170,000 were needlessly put through the trauma of being arrested.

Figure 1 (p.10) shows the number of arrests by year of under 16 year olds by individual police services who responded to the freedom of information requests. These figures show that between 2008 and 2010, child arrests dropped by just over 22 per cent. The excessive use of arrest puts a huge burden on the police officers who have to complete all the paperwork, spending valuable time and money dealing with children when they could be dealing with more serious offences.

As gatekeepers for much of the criminal justice system, the police occupy a unique position to make a difference in a young person's life. More examples of innovative practice are emerging where police forces use their discretion, innovation and intelligence-led policing to divert young people from the criminal justice system at an early stage. As McAra and McVie (2007) concluded in a landmark study, the deeper a child penetrates the formal criminal justice system, the less likely he or she is to desist from offending. Prisons fail us all: 72 per cent of young people are reconvicted within a year of their release (Ministry of Justice, 2011). The key to reducing reoffending lies in minimal intervention and maximum diversion.

The government consultation *Policing in the 21st Century: reconnecting police and people* (Home Office, 2010) made it clear that the key priority is to cut crime but that this can only happen with public consent and active cooperation. A less centralised, more localised approach to criminal justice may well be more successful at not only reducing crime and

reoffending but in creating safer and more confident communities. There has been a tendency for criminal justice services to draw a broader group of young people into the criminal justice system over time. This is not in the interest of young people or the wider community. This trend should be reversed by PCCs through listening to local people, especially young people in the criminal justice system, and promoting innovative services that should be delivered by and for the wider community.

### **Case study: Pre-reprimand disposal (PRD) County Durham youth offending service (YOS)**

With commitment of colleagues in County Durham YOS and Durham Constabulary, a creative solution to improve outcomes for children and reduce the number of first time entrants to the youth justice system has been developed and implemented: the pre-reprimand disposals (PRD). PRD was developed to improve children's chances by ensuring their needs are identified and met. As a consequence, they avoid being criminalised. The programme is voluntary and offered to children who commit their first offence and who otherwise would receive a police reprimand. Interventions are aimed at preventing further offences being committed by providing early intervention to address identified need and range from addressing welfare need to offering family support.

The unique elements of PRD include: the use of police bail until PRD is completed; the integrated approach of assessment and delivery of intervention with partners; restorative justice; and robust leadership and monitoring arrangements.

The programme was awarded runner-up in the Children and Young People category of the Howard League for Penal Reform's Community Programme Awards.

### **Case study: Triage and community resolution Northumbria police force**

Northumbria police have committed to working in partnership with other services to reduce both unnecessary arrests and otherwise first time entrants to the youth justice system.

All officers have had training on community resolution and this is now fully integrated into force procedures and protocols. In addition, a triage approach operates in all Northumbria custody suits for child arrests. Here youth offending service (YOS) based police officers review all young people bailed for 'youth surgeries' and, where appropriate, ensure a restorative justice approach is undertaken rather than a reprimand/warning. This system also allows interventions and referrals to appropriate pathways to be proactively considered at an early stage.

Development work is now being undertaken with the YOS in Newcastle where all community resolutions involving a young person are assessed for their suitability for additional positive interventions.

The use of triage and community resolution has dramatically cut arrests of girls from 5,100 in 2006 to 1,863 in 2011 – a total reduction of 63 per cent. In the same period, the arrest rate of boys has fallen by 55 per cent.



The Howard League has supported the work of an All Party Parliamentary Group inquiry to draw attention to the problems associated with involving increasing numbers of girls and young women in the criminal justice system. Though relatively broad in its scope, the role played by police forces in bringing girls and young women into contact with the criminal justice system has emerged as a key issue. Police forces have the ability to exert considerable downward pressure on arrest rates – and therefore have an impact of reducing young people’s presence throughout the penal system from community orders to custody.

## **Case study: Restorative disposals and professional discretion Hampshire and Gloucester police forces**

The inquiry into girls in the criminal justice system undertaken by an All Party Parliamentary Group, supported by the Howard League, took evidence from two police forces working towards diverting children away from the youth justice system.

Hampshire and Gloucester police forces are both implementing a cultural change, whereby officers are encouraged to use their professional discretion and resolve matters informally in the community. This can be through the use of restorative disposals as pre-court options and a more proportionate approach to deal with low level offending. This means that officers can be innovative whilst children do not suffer the negative consequences of getting a criminal record or becoming entangled in the criminal justice system.

This approach has resulted in significant reductions in the numbers of children arrested and charged, whilst at the same time maintaining public safety and enhancing confidence in the police.

At a time of fiscal austerity a one-size-fits-all approach to children and young people in the criminal justice system is not just damaging to the young people themselves, but also stretches the police’s ever shrinking resources and diverts police away from crimes that have real negative impacts on communities. Police budgets are set to be reduced dramatically by a projected 20 per cent by 2015 (HM Treasury, 2010), whilst it is estimated that preventing just one in ten children from ending up in custody would save over £100 million a year (Audit Commission, 2004).

## **Conclusion**

The Howard League’s U R Boss project has spent three years working with young people in contact with the criminal justice system and the overarching issue raised time and time again was their perceptions and experiences of the police. Much of what young people told us was negative and the poor relationships they report are in nobody’s interest. More positive models of policing will create less tension and result in more effective responses when young people are in trouble.

As has been described in this briefing, the policing of young people – and in particular children – has seen some positive change in recent years, in particular around the rate of arrests. Where police forces have moved away from target-driven policing, officers have been encouraged to use their professional discretion and resolve matters informally in the community through the use of restorative disposals as a more proportionate approach to deal with low level offending. It is important that this direction of travel is protected and that relationships between young people and the police see further improvements.

Constant, active engagement with young people, including those in contact with the criminal justice system, is the foundation for success in diverting young people to positive futures and creating safer communities. PCCs have an opportunity to engage with, listen to and implement solutions from young people themselves.





# References

- Audit Commission (2004) *Youth justice 2004: a review of the reformed youth justice system*. London: Audit Commission.
- Brady (2012) *Police 'in denial' over rise in racism complaints*, *The Independent*. Available at: <http://www.independent.co.uk/news/uk/crime/police-in-denial-over-rise-in-racism-complaints-7717639.html> [Accessed August 2012].
- HM Treasury (2010) *Spending review 2010*. London: HM Stationary Office.
- Home Office (2012) *Police and crime commissioners: what partners need to know*, London: Home Office.
- Home Office (2010) *Policing in the 21st Century: reconnecting police and people*. London: Home Office.
- Howard League for Penal Reform (2010), *Life Inside*. London: Howard League for Penal Reform.
- Howard League for Penal Reform (2011) *Life Outside: collective identity, collective exclusion*. London: Howard League for Penal Reform.
- Legal Aid Sentencing and Punishment of Offenders Act (2012). Available at <http://services.parliament.uk/bills/201011/legalaidsentencingandpunishmentoffenders.html> [Accessed August 2012].
- McAra L and McVie S (2007) *Youth Justice? The impact of system contact on patterns of desistance from offending*. *European Journal of Criminology* 4 (3) pp. 315–45.
- Ministry of Justice (2011) *Statistics bulletin: reoffending of juveniles: results from the 2009 cohort, England and Wales*. London: Ministry of Justice.
- Newburn (2011) *Policing youth anti-social behaviour and crime: time for reform?* *Journal of Children's Services* 6 (2) pp. 96–105.
- Police Foundation (2010) *Oxford policing forum: are young people over-policed and under-protected*. London: Police Foundation.
- RSA (2012) *Reflective Coppers: adaptive challenges in policing*. London: RSA.
- StopWatch (2012) *StopWatch: Research and action for fair and accountable policing*. Available at: <http://www.stopwatch.org/uploads/StopWatch%20factsheet.pdf> [Accessed August 2012].
- Townsend (2012) *Stop and search 'racial profiling' by police on the increase, claims study*, *the Guardian*. Available at <http://www.guardian.co.uk/law/2012/jan/14/stop-search-racial-profiling-police>. [Accessed August 2012 ].
- United Nations Committee on the Rights of the Child (2008), *Forty-ninth session, concluding observations: United Kingdom of Great Britain and Northern Ireland*. Geneva: United Nations Committee on the Rights of the Child.



## the Howard League for Penal Reform

1 Ardleigh Road  
London  
N1 4HS

**t** 020 7249 7373  
**e** [info@howardleague.org](mailto:info@howardleague.org)  
**w** [www.howardleague.org](http://www.howardleague.org)

Registered charity  
No. 251926  
Company Limited by  
guarantee No. 898514

ISBN 978-1-905994-55-7



9 781905 994557 >

ISBN 978-1-905994-55-7