



**RESPONSE TO: TOGETHER. STRONGER. SAFER.
COMMUNITY SAFETY IN NORTHERN IRELAND: A
CONSULTATION PAPER**

*“you should leave young people alone, you only pick on young
people”*

February 2009



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EXECUTIVE SUMMARY

Introduction

While we wholeheartedly support the overall aim ‘to make Northern Ireland a safer place to live, work and socialise’, we are extremely concerned about many aspects of the strategy. Regrettably we believe that many aspects of the strategy are misdirected and ill thought out, and if some aspects of it are introduced, could potentially set the good work that is being undertaken with families and young people at risk back drastically. The document claims to be working in a way which will promote partnership working with all aspects of society but it is clear from the general tone that this is not a strategy which sees children and young people as partners. In the course of preparing this response we have consulted with practitioners and with young people from the Young Voices Project.

General Comments

We are deeply concerned that the strategy appears to unfairly single out children and young people as the main threat to community safety.

We are concerned about the timing of the release of the strategy for a number of reasons. Firstly, as we are on the cusp of the devolution of policing and justice we believe that now is not the time to push through such a strategy which has a dramatic impact on local communities. Locally elected politicians must be given an opportunity to lead this important debate. Secondly, there are a number of policies and strategies currently being implemented which have an impact on community safety and we believe it is imperative that we wait for these various policies and strategies to take effect and to gauge what impact they may have before decisions are made with regards to other measures that may be necessary.

The pre-consultation for the document was not comprehensive enough and failed to fully engage with relevant sectors such as parenting organisations and children and young people. We are concerned that a children’s version of the document was not released, given the fact that they are the group most likely to be impacted on by many of the suggestions. We were unable to use the Easy Read version when working with young people and parents as it was not comprehensive enough.

We are concerned that the NIO does not make a commitment to carrying out the required screening process or an Equality Impact Assessment of the potential adverse impacts that the introduction of the strategy will have on any of the nine groups detailed in Section 75.

Specific Comments

Creating Safer Neighbourhoods

The document serves to feed into an unjustified “fear of crime” within the community, in particular in relation to the children and young people. The suggestions are punitive and sensationalist and reinforce negative media and public representation of young people. Dispersal Zones are directed more towards young people and in particular young males and

thus are discriminatory on the grounds of age and sex with scant regard to due process and human rights. If implemented they will further increase the likelihood of criminalisation of young people. We are also concerned about the proposed new power which the PSNI and NIHE may have to ask people from an area to leave and not return for 24 hours and also to take a child under the age of 16 home or to another safe place between the hours of 9pm and 6am. It will potentially result in children who are doing nothing more than being out of their homes past 9pm being classed as criminals. We believe such actions if implemented would be in breach of human rights legislation.

We are disappointed that the Community Safety Strategy does not make more of a link between the provision of play and leisure facilities and the prevention of offending. We believe that this failure to make the connections between, and address issues concerning, the often absence of safe, age-appropriate provision and space for older children to play within communities and the wider politicised issues of anti-social behaviour, fear of crime, youths causing annoyance etc. is a missed opportunity.

Focus on Families and Young People

We are concerned that Individual Support Orders will be disproportionately used against young people and by their very nature will impose further requirements on children, increasing the likelihood of breaches of Orders and widespread criminalisation of children and young people. Include Youth does not support the introduction of Parenting Support Orders to NI. We believe rather than reducing offending and ‘anti-social behaviour’ they will actually increase hardship for many families and young people and further demonise children, young people and parents who are already struggling to cope in exceptionally difficult circumstances.

Punitive measures will not reduce offending. What is needed is an overarching response which meets people’s needs across the board, in relation to poverty, health, housing and employment. So we wholeheartedly support the move to increase assistance to families contained within the community safety strategy. The young people themselves see the need for it and those working in the voluntary and community sector can see what a positive impact correctly delivered programmes can make to families. However, we believe the strategy underestimates the complexities of delivering this provision and does not acknowledge the importance of quality control in relation to it. Furthermore, we completely oppose the notion of enforcement as we feel this runs contrary to the ethos of positive parenting.

Parental Compensation Orders are in contravention of the UNCRC and other relevant international standards, as it imposes fines and criminal sanctions for acts that are carried out by children who are legally presumed to be incapable of ‘offending behaviour’ thereby making any evidence impossible to obtain. This measure has the effect of lowering the age of criminal responsibility through the “back door” and Include Youth is appalled by this proposal. Imposing fines on parents who are already struggling financially will simply deepen the extent of poverty in Northern Ireland.

Rather than suggesting a knee jerk and punitive approach the community safety strategy must work alongside young people, their families and communities, relevant government departments, and voluntary and community representatives to address issues which impact on health, education, family life, media representation, policing, domestic violence, play and leisure and alcohol and drug misuse.

Building Strong Confident Communities

We believe it is imperative that children and young people are seen as partners in the fight against the causes of crime. Include Youth recommends that the NIO should engage in a programme of information gathering, outreach and engagement with children and young people, families and communities. Our experience is that young people in conflict with the law have considerable, pertinent experience which they are eager to share when they feel listened to, valued and treated with respect. We are concerned about the amount of under-reporting of crime against children and young people and would like the community safety strategy to acknowledge this level of under reporting and to include an objective to address it. In addition, the document does little to acknowledge the fact that many children and young people are extremely vulnerable and are more likely to be the victims of crime than the perpetrators.

Conclusions

We would guard against the adoption of a Community Safety Strategy that is reactionary and punitive and encourage the NIO to think again about the measures within it and rather than punishing our young people, seek to understand the reality of their lives. They are a vital part of our community but they have no positive role to play within this current strategy.

Include Youth

February 2009

Introduction

Include Youth promotes best practice with young people in need or at risk of social exclusion. We achieve this through the development and promotion of resources, the provision of training, information and support of practitioners and organisations. We also undertake activities aimed at influencing public policy and policy awareness – both locally and nationally.

Amongst the young people at risk with whom, and on whose behalf, Include Youth works are young people from socially disadvantaged areas, those with a learning disability, those with special needs, those who have been truanting, suspended or expelled from school, those from a care background, those who had a negative parenting experience, young people who have committed or are at risk of committing crime, misusing drugs or alcohol, undertaking unsafe sexual behaviour or other harmful activities, or of being harmed themselves.

Include Youth runs the Young Voices project, a participation project for young people who have been involved or are at risk of becoming involved in the criminal justice system, with the aim of supporting these young people to become involved in decision-making processes which impact on their lives. Young Voices runs group in custody (JJCNI – Woodlands and Hydebank Wood YOC) and in the community, particularly North Belfast. Include Youth manages the LACE (Looked After Children in Education) Project which is a multi-agency partnership with the aim of promoting better educational outcomes for children and young people in care.

The Give and Take Scheme aims to improve the employability and increase the self esteem of young people in need or at risk from across Northern Ireland. The Scheme works with approximately 150 young people from a care or criminal justice background. The Scheme aims to support young people to overcome particular barriers that prevent them from moving into mainstream training or employment and towards independent living

In addition, Include Youth runs the YOYO Practitioners Forum, which draws together professionals from a range of statutory, voluntary and community organisations working directly with young people in need or at risk, and meets on a quarterly basis.

General Comments

Include Youth welcomes the publication of ‘Together. Stronger. Safer’, and is pleased to have this opportunity to make this response. While we wholeheartedly support the overall aim ‘to make Northern Ireland a safer place to live, work and socialise’, we are extremely concerned about many aspects of the strategy. While working as advocates for young people who have come into contact with the criminal justice system we are not blind to the need to tackle crime and to reassure and protect those people who live in fear of being victims of crime on a daily basis. We agree that more must be done to tackle the causes of crime and anti-social behaviour and we welcome the call for early intervention and more targeted work with families, children and young people contained within the strategy. We also welcome the acknowledgement that there needs to be a unified and holistic approach to achieving community safety across all government departments. There are few government departments who do not have a role to play in tackling crime – all are touched in some way by it and all have a responsibility to tackle it.

Regrettably we believe that many aspects of the strategy are misdirected and ill thought out, and if some aspects of it are introduced, could potentially set the good work that is being undertaken with families and young people at risk back drastically. The document claims to be working in a way which will promote partnership working with all aspects of society but it is clear from the general tone that this is not a strategy which sees children and young people as partners. We believe that young people are clearly identified as the problem group for this strategy and are unfairly and unjustifiably singled out as the main threat to community safety.

Furthermore, we are concerned about the timing of the release of the strategy. While the strategy does acknowledge that devolution and the Review of Public Administration will impact on community safety structures, it does not go far enough to give locally elected politicians an opportunity to drive and lead this important debate. We believe that it is incongruous that a non-devolved department is attempting to push through this strategy, which will have a massive impact on the local community, when we are on the cusp of devolution of policing and justice finally enabling local politicians to submerge themselves in local issues. The consultation document states that:

‘The Government remains committed to local problem solving on community safety issues, and to working in partnership to respond to the issues that matter most to local people.’

If this is the case, we believe that the matter of a community safety strategy must be left for local politicians to decide.

We would also wish to highlight the various strategies and policies which are currently being implemented which will undoubtedly impact on aspects of community safety particularly as they relate to families, these include the Play Strategy, Family Matters and the NI Anti-Poverty Strategy. These important policies are not referenced within the proposed Community Safety strategy and we believe it is imperative that we wait for these various policies and strategies to take effect and to gauge what impact they may have before decisions are made with regards to other measures that may be necessary. Furthermore, we are of the opinion that many aspects of the proposed community safety strategy are in contradiction to the principles contained within these various strategies. For example, whilst, the NI Assembly has made a commitment to tackle poverty and disadvantage and to support those who are at the margins of society the NIO’s contribution to this aim is to place fines on those families who are often likely to be the least able to pay them through the guise of parental compensation orders.

While we acknowledge that there was an element of pre-consultation in the development of Together. Stronger. Safer, we do not think this went far enough to fully engage relevant groups, and in particular those who would be most effected by aspects of the strategy. Indeed Include Youth has been named as being involved with the pre-consultation – we must state that at no time were we ever made aware of the measures that have been included in this strategy.

We know that there was discussion across various government departments and with the NIO’s key groups but this was not a comprehensive consultation and omitted important voices within the debate. For example, no parenting groups were consulted at the initial stages. Given the importance placed on the introduction of Parenting Support Orders within the strategy, this is a glaring omission and one which sets alarm bells off with regard to how well thought out certain aspects of the strategy are.

We would also question the amount of engagement with children and young people. Given the fact that much of the strategy will impact directly on them it is paramount that they have an opportunity to engage at all stages of the community safety debate.

In the course of preparing our response to the consultation, we held a number of consultations with young people from the Young Voices Project. We have used the young people's comments (in italics) to inform our response to the specific consultation points in the policy document. We also consulted our practitioners' forum – YOYO.

Image of Young People

As an organisation working with children and young people at risk Include Youth attempts to promote the reality of children and young people's lives and our close working relationship with these young people enables us to tackle the widespread misperception that exists about them which may well be exacerbated by this strategy. Many people's knowledge of young people often comes from the media and hearsay and not based on direct experience. Resulting with young people being perceived as a threat to their safety and generally up to "no good". We are not naïve enough to believe that all young people are not a threat to society and clearly there is a small minority who do pose a threat and a danger to themselves and others. Where we do take exception is the portrayal that many young people are a threat and measures must be introduced to curb their behaviour even when neither a threat nor criminal.

Young people are not immune to the harm that this general demonisation can do. There is a real danger that this discourse becomes self perpetuating serving only to marginalise an already disaffected group in our community.

'All my life people have had a bad opinion of me. People's Ma's were always saying: "don't go near him, he's bad". All you have to do is get in trouble once or twice and that's you for life – you're stuck with a bad reputation.'

'You walk past people in the street and they just look at you and shake their head. You know what they're thinking. They think that they're better than you. Like they're better educated, or they've got more money.'

'It makes you angry – it makes you want to do things (offences) again – to put one over on them, to prove they weren't going to beat you. Like you'd go and shoplift.'

'It makes you feel angry and crap and sad and depressed and down. Then you get a few drinks in you and you go mad.'

'It makes you feel bad cos they think they're better than you – you feel crap, cos they've got a better education, a better future, a better life'

In 2003, Children's Ombudspersons in 21 European states recorded that they were "very concerned at the tone of political and media debate and the direction of public policy and legal changes concerning juvenile offenders in many of our countries" (ENOC, 2003:1).

Following its recent examination of the UK Government, the UN Committee on the Rights of the Child raised concerns about:

"The general climate of intolerance and negative public attitudes towards children, especially adolescents, which appears to exist in the State party, including in the media, and may be often the underlying cause of further infringement of their rights."

The Committee recommended that the Government take:

"urgent measures to address the intolerance and inappropriate characterisation of children, especially adolescents, within the society, including the media"

This reinforces the need to challenge negative stereotypes and assumptions about young people, and the recommendation that the mass media "should be encouraged to portray the positive contribution of young persons to society" (Riyadh Guidelines, 1990).

'No adults treat young people with respect – I wear a hood, I am a hood.'

'Young people are not valued in our society. We are all labelled as bad news, as trouble, nagged at.'

This proposed Strategy runs the risk of reinforcing this negative media and public representation.

Response to the Draft Strategy

1. Creating Safer Neighbourhoods

While the document acknowledges that recorded crime has reduced in Northern Ireland, it none the less goes on to suggest a range of procedures which will simply feed into people's unjustified fear of crime. Include Youth recognises the debilitating effect of the "fear crime" however instead of attempting to support people to gain an accurate picture of crime and how it may impact on them this strategy runs the risk of feeding this fear particularly as it relates to young people. The document states that:

'We cannot expect communities to have confidence in the ability of authorities to address serious violent crime if we cannot demonstrate an ability to deal with low level crime and anti-social behaviour.'

In an attempt to demonstrate to the public that they are addressing their fear of crime, we would contend that the NIO is over zealous in its approach and has deliberately proposed sensationalist and punitive actions which may grab headlines and attract popular support, but will do little to address the problem. The proposed new powers are the equivalent of 'using a hammer to crack a nut' – they are at best unnecessary and at worst dangerous and will potentially criminalise even more children, young people and our most vulnerable families.

Dispersal Zones/ Disorder Zones

Include Youth is deeply concerned about the proposed introduction of Dispersal Zones. Our concerns and objections to Anti-Social Behaviour Orders are well documented. This opposition applies equally to dispersal orders in that they are discriminatory against children and young people with scant regard to due process and human rights. We remain concerned about the fact that the definition of anti-social behaviour (harassment, alarm or distress) is too subjective thereby ensuring that any challenge is unlikely to succeed. Also, ASBOs are civil orders; there is a lower burden of proof with hearsay and professional evidence being admissible hearings. This results in a blurring of civil and criminal law and young people as a result can find themselves unwittingly committing a criminal offence. The leap from committing behaviour which is not actually deemed as being criminal to appearing in court being criminalised in respect of breach of the Order is one which is made too easily for many.

The UN Committee on the Rights of the Child have already raised several concerns about the introduction of ASBOs. In their concluding observations in 2008 they stated:

‘The Committee is concerned at the restriction imposed on the freedom of movement and peaceful assembly of children by the ant-social behaviour orders (ASBOs) ... as well as by the use of the so called “mosquito devices” and the introduction of the concept of “dispersed zones”

80. The Committee recommends that the State party conduct an independent review on the ASBOs with a view to abolishing their application to children.”

(UNCRC, 2008: paras 34, 35, 79 and 80)

It would appear that the NIO have completely ignored this advice and even more critical they are actually suggesting extending the application of ASBOs and the powers the relevant agencies have with regard to anti-social behaviour.

We believe that these actions are in breach of human rights legislation, namely Article 6 (right to a fair trial), Article 8 (right to respect for private and family life), Article 10 (right to freedom of expression and Article 11 (right to freedom of assembly) of the European Convention of Human Rights (ECHR), as incorporated by the Human Rights Act 1998. We also note the failure to have regard to Article 14 of the ECHR, the Right to Enjoyment of Rights and Freedoms without Discrimination.

The establishment of curfew and dispersal zones from which under 16 year olds can be removed irrespective of committal, or even suspicion, of ‘bad behaviour’ has also been subject to legal challenge. In 2005, the High Court ruled this particular police power to be in breach of the international obligation to ‘treat’ each child as an autonomous human being.’ (Muncie and Goldson, 2006: 40).

ASBOs and Dispersal Zones are clearly directed more towards young people and in particular young males and are thus discriminatory on the grounds of age and gender. There is potential for young people to be moved on and targeted simply because a police officer deems them to be likely to engage in anti social behaviour, when in fact they may simply have gathered to socialise and ‘hang out’, something which is clearly not a criminal offence. As one commentator has stated:

‘Guilt is no longer the founding principle of youth justice. Intervention can be triggered without an “offence” being committed, premised instead upon a “condition”, a “character” or a “mode of life” that is adjudged to be a “failing” or posing “risk”. This comprises a major departure from the fundamental principles of youth justice... children face judgement, and are exposed to intervention, not only on the basis of what they have done, but what they might do, who they are or who they are thought to be’ (Muncie and Goldson, 2006: 41).

These proposals are simply responding to media coverage which repeatedly demonises all young people and fuels the assumption that any group of young people gathered together on the street are a threat to community safety. This is not the case - young people should have every right, as other sections of society, to meet and talk with their friends. The young people we work with do not have the luxury of having a place of their own to invite friends to and neither do they have the money to meet in social venues such as bars, cafes and restaurants. Why should they be penalised just because they do not have anywhere else to be? The street is where they have to be if they are to socialise and hang out together. These proposals are clearly aimed at young people and are based on totally unfounded and simplistic perceptions of youth culture. In a recent consultation undertaken by the NI Commissioner for Children and Young People it was clear that one of the biggest issues for children and young people across NI was “things to do” – there is insufficient play or leisure facilities for our younger citizens.

If this were any other group of individuals, who were standing about, chatting in a group, they would not be subject to this discriminatory action. For example, a group of parents gathered at school gates after pick up time, are unlikely to be told to move on or have that spot named as a dispersal zone!

Unsurprisingly the young people we consulted were not in support of Dispersal Zones.

‘no – they need somewhere to stand – they’d just go somewhere else.’

‘if they keep moving us on, it’s obvious that people will just get locked up. Cos people get sick of being moved on, but you have to stand somewhere, so there’ll just be people getting pissed off, getting moved on from one place to another, and with drink, someone will just crack.’

‘that’s why I don’t drink on the street, it just leads to trouble – I just get myself into nightclubs instead.’

'aye, it's alright for you 'cos you look old enough, but most people can't, they've nowhere to go.'

We are also concerned about the proposed new power which the PSNI and NIHE may have to ask people from an area to leave and not return for 24 hours and also to take a child under the age of 16 home or to another safe place between the hours of 9pm and 6am. We are deeply concerned about the consequences for those children who refuse to submit to these measures, as ultimately they will be deemed to be committing an offence. This provision has been heavily criticised in England and Wales and we are appalled that the NIO can think of adopting such draconian and discriminatory practice in NI. It will potentially result in children who are doing nothing more than being out of their homes past 9pm being classed as criminals.

Furthermore, these proposals do not recognise that for some young people, being brought home will actually result in them being placed in danger of being harmed. For too many young people, home is not a safe place.

'I used to wait for my Da, like, and he'd take off on us for nothing ... belt, fists, anything he could use. I was bullied all through my childhood. There were always fights in the house, like. And then I got it at school. You were going through enough at home, you didn't expect it in school, like. Then it was on the street with the peelers. You've got the attitude problem. You feel like a hurt animal, just waiting to be released.'

The young people shared their experiences and talked of always having to negotiate the violence in their lives. Much of it was within the family and at school, the two places that many other children experience as safe havens.

Again, this reflects the failure of the document to fully understand the reality of some young people's lives potentially placing children at young people at risk. These are simplistic and punitive measures which do not have the best interests of children and young people at their heart. PSNI, as a key authority responsible for the "safeguarding" of all children and young people has sufficient powers to take a child home or to a relevant place of safety through child protection and safeguarding regulations which are more likely to result with the "best interests" of the child being the central consideration and the child or young person being safe rather than criminalised or labelled anti-social.

'no – they shouldn't be allowed to bring you home – sure you're not doing anything.'

'people will just come out again.'

Play and Leisure Facilities

A significant intervention which Include Youth believes will address some issues of anti-social behaviour and the issue of the appropriate use of public spaces is play facilities for older children. Young people have suggested that one aspect of support needed by children and families is access to play and leisure. For 5-10 year olds this included: "Play groups" and "Places to play sport". For 10-15 year olds it included:

"Places to play football – somewhere good to play."

"Good stuff that's gonna be exciting. Not just like wee youth clubs. Go karting. There's nothing as exciting as crime, only drugs. But you need something that's going to keep you occupied."

"Leisure centres where you can go do stuff – free, that you don't have to pay into."

Lack of safe places to play

In Northern Ireland, one in five children (21%) do not have access to adequate, nearby fixed play facilities, although this figure rises to one in three (37%) amongst those experiencing severe child poverty (McLaughlin and Monteith, 2004). Lack of safe social space, poorly resourced and inadequate provision of affordable sports or leisure facilities are consistently raised as a priority in our work with children and young people. Young people in conflict with the law describe the consequences of limited provision:

*"There's f***-all to do. That's why kids are out on the streets."*

"Put things into communities that keep young people off the street, especially in the summer. There's nothing to do. You just drink 'cos you're bored."

"No ball games... nothing to do but stand and drink, sniff glue."

"Most people get into crime at the start 'cos they're bored and have nothing to do."

"Have more for young people to do, instead of just punishing you after you've done something."

They are clear about what play and recreational facilities are needed in their communities:

“More facilities and support for young people in the area – ones that suit ant and all ages, not just for young kids.”

“More affordable facilities – leisure centres, sports clubs, bars – most are too expensive for young people.”

“More money in communities – funding for youth and community projects.”

The UN Committee on the Rights of the Child noted that the steady reduction in playgrounds in recent years has had the effect of pushing children and young people into gathering in public open spaces – a behaviour which may be seen as anti-social (UNCRC: 2008).

We are disappointed that the Community Safety Strategy does not make more of a link between the provision of play and leisure facilities and the prevention of offending and believe that the there are opportunities working within councils to address these issues. In the future Community Planning and the implementation of a play and leisure strategy will also assist.

We believe that this failure to make the connections between, and address issues concerning, the often absence of safe, age-appropriate provision and space for older children to play within communities and the wider politicised issues of anti-social behaviour, fear of crime, youths causing annoyance etc. is a missed opportunity. Although children and young people have as much right as adults to make use of public space, their high visibility on the streets, mainly ‘hanging about’, has resulted in young people being blamed for being a nuisance and seen as a problem to be solved, not as a group of children who need somewhere to meet and ‘play’.

International children’s rights standards give clear direction to government on the positive impact provision of appropriate and accessible play space / opportunities for children and young people can have in preventing them becoming at risk of involvement in offending behaviour or other risk taking activities, in particular the UN Guidelines for the Prevention of Juvenile Delinquency 45/112 (The Riyadh Guidelines).

Young Voices participants also made the connection between the right to play and prevention of risk taking behaviours among older children and young people.

1. What happens if children / young people are not given opportunities to play?
 - *They turn out like me – they’ll do crime*

- *They turn out to be your typical nightmare*
- *You don't learn to socialise – you don't learn to be with other kids, then later you get behavioural problems. I think that's the reason for the majority of people being violent.*

2. What would/does work to help stop young people doing crime/ASB?

- *More to do in communities – most people get into crime at the start cos they're bored and have nothing to do.*
- *More youth activities late at night when young people are out hanging about with nothing to do*
- *Give people activities / programmes to do, before they do crime*
- *Make other areas safe to go into*
- *Poor kids need help to have fun, to go places, where their parents don't have money to take them*
- *The government should pay for the majority of the stuff, then let you pay for some of it yourself*

This relationship between lack of appropriate play opportunities for children and young people, and problems emerging in relation to anti-social behaviour has been well documented. Research commissioned by NICCY in 2004 found that 'many children and young people who participated ...suggested that a lack of things for young people to do in their free time led to them either becoming involved in anti-social behaviour, or being viewed in this, even if it was not the case'(Kilkelly et al, 2004: 203) .

2. Focus on Families and Young People

Individual Support Orders

We are concerned that ISOs will be disproportionately used against young people and by their very nature will impose further requirements on children, increasing the likelihood of breaches of Orders and widespread criminalisation of children and young people. We believe that the issues that these orders seek to address should be undertaken on a voluntary basis motivating the recipient to address relevant issues with regards to their behaviour.

Parenting Support Contracts/ Orders

We are extremely concerned about the proposed introduction of Parenting Support Contracts and the fact that if a parent refuses to engage in a Parenting Support Contract, this can be documented and used in evidence when an application is made for a Parenting Support Order.

There appears to be no provision for a legal representative or advocate to be present when a parent engages in a Parenting Support Contract which is worrying given the potentially criminal implications of engagement or non-engagement.

Parenting Support Orders

Include Youth does not support the introduction of Parenting Support Orders to NI. We believe rather than reducing offending and 'anti-social behaviour' they will actually increase hardship for many families and young people and further demonise children, young people and parents who are already struggling to cope in exceptionally difficult circumstances.

Those who support the introduction of PSOs claim that they will improve parenting skills and will ensure that parents take responsibility for their children's behaviour. The business of how to parent has become big business in recent years. We are bombarded with experts telling us how to bring up our children and the government is right at the centre of this debate and supports the introduction of parenting courses and parent support programmes. Many of these initiatives are welcome and certainly programmes such as Sure Start are vital in helping deprived communities. Where it crosses the line from being helpful and supportive to being divisive is when, in the form of PSOs, it is compulsory for parents of those young people involved in offending to attend. The assumption being that if these parents receive the correct information and act on it they will stop their child offending.

We take issue with the fact that a Parenting Order assumes that parents are unable to perform the parenting function unless they are taught how.

Many commentators see compulsory training or counselling as an intrusion into private family life (Goldson and Jamieson, 2002; Arthur, 2005; Walters and Woodward, 2007).

There has not been widespread support of POs and indeed it has often been criticised by those within government departments. A report from the Department of Education and Skills, looking at the international evidence on parenting support claimed that it was questionable whether such draconian actions would produce better outcomes for children (Moran, Ghate and van der Merwe, 2004). Burney and Gelsthorpe (2008) examined the outcomes in four youth offending services. Their research was based on a full breakdown of POs by YOTs for 2005/2006. Most POs were given in conjunction with a child's criminal conviction. A much smaller number of Orders was obtained on the back of referral orders or ASBOs. The lack of

use of POs in connection with school exclusions reflects how unpopular this initiative was with the teaching profession when it was introduced. Burney and Geltsthorpe claim that this reflects that fact that:

'as with so many punitive instruments dreamed up by politicians, the PO depends on willing professionals' (2008: 481).

There is clearly a danger that current government policy in this area is simply responding to popular opinion at the present time about the causes of juvenile offending, which is often blamed on poor parenting. This is perpetuating the blame culture and while it may be fuelling popular media debate and satisfying those who wish to point the finger at parents, it does little to actually consider the causes in their entirety.

'Many poor parents are the scapegoats for government failure' (Burney and Gelsthorpe, 2008: 484).

Arthur (2005) claims that the legislation is not about seriously trying to tackle youth crime but it is merely a reflection of a government giving into populist notions on youth offending. He argues that the families of young offenders are typically damaged and in need and this punitive action only serves to alienate them further. He goes on to say that the Orders serve to criminalise families for their unmet needs. Arthur notes that the implementation of the Order is at odds with the requirements of international and domestic law, under the UNCRC, the Beijing Rules and the Riyadh Guidelines:

'in order to reduce the risk of some children face of becoming offenders, the best strategy is to promote positive life and family experiences for all children, and not to penalize families' (Arthur, 2005: 244).

There have two large scale evaluations which have attempted to assess the impact of Parenting Orders.

The evaluation of the pilot Youth Offending Teams (Holdaway et al, 2001) examined the use of Parenting Orders over a limited period of time. While this report highlighted that while many parents had misgivings about the process these were soon outweighed by the positive impact being on the course seemed to have on family life. It also reports that professionals were at first reluctant to embrace the legislation but then eventually saw it as a regretted necessity. However, despite these positive outputs, the YOT evaluation uncovered some

substantial criticisms of the legislation. Firstly, there was disproportionate targeting of women by the legislation. The ratio of women to men for the pilot period was found to be 3:1. The second problem was the minimal assessment and recording of parental problems. Only 70 of the 248 cases examined had a recorded assessment, suggesting that Orders were being granted without sufficient knowledge of the context in each case.

The second large scale evaluation which examines Parenting Orders was an evaluation by the Youth Justice Board's Positive Parenting Programme (Ghate and Ramella, 2002). Once again, in spite of some documented success, the evaluation highlighted a number of worries regarding the legislation in practice. They too, point to the disproportionate numbers of women referred to the programme, with men only accounting for 18% of the case load. Most of the parents who attended were white (96%), female (18%). Half were lone parents (49%). A quarter of the parents were under the age of 34, suggesting many of them would have become parents in their teenage years. They also discuss the high level of need amongst the parents subject to Parenting Orders, characterised by poverty, distress, chaos and most importantly, histories of poor and inadequate contact with supportive agencies. There was no control group included in this study and as a result we cannot attribute any positive changes as being wholly due to parenting course.

If families had been adequately supported there should be no need for Parenting Orders. The failing is with the state not with the parents. As Youth Rights states:

‘It is harder to be a parent when you have no money and no space. Rather than addressing social inequality New Labour has, shamefully, chosen to pick on poor families, in a new version of the Victorian gimmick of giving the poor religion (therapy) rather than justice. Further, the programmes which these parents have been put on have not been shown to achieve their primary aim – of reducing the offending of their children’ (Youth Rights UK, 2007).

Gelsthorpe, an eminent criminologist, claims that the use of Parenting Orders acts to stigmatise parents as bad for not conforming to idealistic, white middle class notions of parenthood (Scottish Government, 2007).

A review of the available research suggests that there is little support for the compulsory element of parental support. There appears to be widespread agreement that the compulsory

element is alienating and not conducive to the building of a cooperative and productive relationship between clients and practitioners. Dumbrill (2006) found that when clients perceived that the power of the social worker was being used over them or against them, they were less likely to engage, suggesting once again that a compulsory mechanism is not the best way to achieve positive results.

‘The “weak” family is viewed as the key driver of crime; “weak families” are those with poor parenting skills, teenage pregnancies, single parenting and broken homes. New Labour promulgates a discourse of individual and family responsibility’ (Muncie and Goldson, 2006: 40).

Jan Fry, director of external relations at parenting support charity, Parentline Plus, says the cost of giving compulsory orders rather than appropriate help at an earlier stage is massive, and proves that the budget is skewed towards punishment rather than prevention.

‘Historically, where orders work well is where parents are desperate for help and YOTs gain their trust. But where parents are made to feel it’s a punishment – and that they have to go, or else – it’s much harder to get them on side.’ (Community Care, 2006).

‘Parenting orders are all too often “mothering orders”, with mothers seen as responsible for children’s offending, leaving fathers out’ claims Mary MacLeod, chief executive of the National Family and Parenting Institute. MacLeod is concerned that the number of professionals able to apply for parenting orders could lead them becoming the easy option for frontline workers, in spite of the government’s other efforts to offer help before a situation becomes serious. She warns that if parenting support becomes completely identified with failing parenting, parents will want to steer clear, making prevention harder (Community Care, 2006).

So how does it actually feel to be given a parenting order? An article in Community Care describes how a parenting order impacted on one mother from England with two teenage children. She explains:

‘I was given a parenting order after my daughter had been in court about four times, for a couple of minor graffiti offences and a fight. I have a son who has grown up to be a decent young man – I know I’m a good parent. But my daughter’s a bit wild... I was furious with the magistrates – they haven’t got a clue about what it’s like to live on a council estate.

They made a judgement about me and I wasn't the one who had committed a crime. Why didn't I get a good behaviour order for my son?' (Community Care, 2006).

Other research has highlighted that Parenting Orders are experienced as punishments – parents as a result feel stigmatised and blamed. This is in addition to anxiety and distress which parents already feel when children are offending (Holt, 2007).

As with Dispersal Zones and ASBOs we are deeply concerned about the distinct blurring of criminal and civil law. If NI follows the England and Wales model, non compliance with a PO will result in a possible fine and a criminal conviction. This will result in parents who have done absolutely nothing wrong, criminal or anti-social being subject to a court order. The last thing these parents, who are already living in a stressful, disadvantaged and chaotic environment, need, is a fine or a criminal conviction. To go down this road will only serve to alienate and further exclude people who are already on the margins of society and have undoubtedly been let down the by the system time and time again.

As Arthur (2005) states, punitive measures will not reduce offending. What is needed is an overarching response which meets people's needs across the board, in relation to poverty, health, housing and employment.

'An effective youth crime reduction and prevention philosophy is one that addresses the life experiences of children and in which prevention is promoted through the collaborative and integrated activities of a range of services. Increasingly punitive measures used to deal with young offenders and their families camouflage the State's unwillingness to maintain a social infrastructure that provides parents with the support, resources and services they need to care for their children. The parental responsibility laws oversimplify the complex linkage between parenting and delinquency in a reductionist effort to blame parents for their children's wrongs. If the government is serious about tackling juvenile offending behaviour rather than penalising parents, resources must be allocated to intervene positively in young people's lives to prevent them engaging in offending behaviour' (Arthur, 2005: 249).

There are a number of parenting support programmes ongoing with parents of young people at risk of offending and we would urge the NIO to draw on the experience NIACRO, Extern and Action for Children.

Family Intervention Projects

We would like more information about the possible consequences for a family who breaches the terms of a family intervention project.

Young People do want support for parents

The young people we spoke to were adamant that parents should not be blamed for their children's crimes. Many of them were not supportive of Parenting Support Orders and believed they would be ineffective in actually stopping young people continuing with criminal activity. Many of the young people regarded their parents as powerless with regards to stopping them commit criminal activity and could not see the point of compelling parenting support.

"my Ma doesn't like it, but it doesn't make a difference."

"she couldn't have done anything, we just went out and done it, there's nothing she could've done or said."

"I got grounded and I just climbed out the window, it didn't stop me."

"it's not the parents that's bad, it's us."

"parents aren't to blame, they shouldn't be punished."

"it wouldn't be fair to get them to do the parenting class."

"it's not the parents, not their fault the kids doing crime, it's their friends, peer pressure and all that."

When asked what support young people and their families need, other young people were more open to the idea of voluntary intervention and emphasised the need for parental support:

"Family support."

"Babysitters – something to give parents a break, respite."

"Parenting classes, to help you be better parents. So they can give kids more self-confidence and self esteem. But some parents can't give it to their kids if they never had it themselves – they wouldn't know how to."

"It might work, teaching people how to be better parents. Some need that a bit...most of them."

"Some need it – it depends on how they were brought up themselves."

“Positivity for children! You have no self esteem or confidence otherwise. Some parents don’t know how to do that... they might need help to give it.”

“I think my ma needs a lot of help. She sits in the house worried about me every day. She needs someone, she needs help.”

Some of the young people were of the opinion that parents needed more practical help in the form of financial support.

“more money!”

“if parents give kids more money, they wouldn’t want to go out and do crime.”

Existing Family Support Provision

Provision of existing parenting services has been extremely patchy in NI. In its 2008 concluding observations, the UN Committee on the Rights of the Child was “concerned that many families lack appropriate assistance in the performance of their child-rearing responsibilities, and notably those families in a crisis situation due to poverty” (UNCRC, 2008).

Levels of family support in Northern Ireland remain lower than in Britain. Lower per capita spending, combined with higher levels of child poverty and subsequent family difficulties, has led to a focus on statutory protection duties in social care expenditure on children, rather than preventive family support initiatives (Horgan, 2005).

Statutory services available to children and families include family centres and family support workers. Services targeted at specific groups include adolescent services and those directed at young people in care. However, resources are often ‘over-stretched’, with long waiting lists and limited availability at weekends or in the evenings when families are likely to experience difficulties. Consultations by Save the Children and the Parents Advice Centre outlined limitations in statutory support for parents, including: the stigma associated with accessing services; negative attitudes of staff; lack of information/ accessibility; limited co-ordination (Save the Children and Parents Advice Centre, 2004).

In January 2007 the Minister for Children and Young People launched proposals for Families Matter: Supporting Families in Northern Ireland - a family and parenting strategy - stating that the aim of the strategy “is to ensure that families, particularly those who are vulnerable or isolated, have access to a range of supports when they need them most.” (OFMDFM, 2007).

A £4 million funding package was intended to be spent on: increased provision of parenting education, positive parenting and anger management classes; enhanced provision of family mediation services; a new regional helpline and information service for parents; development of Child Contact Centres. It also included funding for: families affected by parental substance misuse; children experiencing domestic violence; a youth and parent support programme targeted at children at risk of coming into conflict with the law; strengthening front-line services for vulnerable families through development of family group conferencing and the introduction of therapeutic family support workers. We are interested to know how the proposed community safety strategy will relate to the strategic development and programme of activities contained within Families Matters.

We believe it is vital that society place a high priority on the needs and well-being of the family and all its members. Community-based services and programmes which respond to the needs, problems, interests and concerns of young people, and which offer appropriate counselling, guidance and support to them and their families, should be developed and consolidated. Family support should include programmes providing families with the opportunity to learn about parental roles and obligations regarding child development and child care, promoting positive parent-child relationships; sensitising parents to the problems of children and young people and encouraging their involvement in family or community-based activities.

In 2008, the UN Committee on the Rights of the Child recommended that the Government “intensify its efforts to render appropriate assistance to parents and legal guardians in the performance of their child-rearing responsibilities” (UNCRC, 2008).

So we wholeheartedly support the move to increase assistance to families contained within the community safety strategy. The young people themselves see the need for it and those working in the voluntary and community sector can see what a positive impact correctly delivered programmes can make to families. However, we believe the strategy underestimates the complexities of delivering this provision and does not acknowledge the importance of quality control in relation to it. There is no detail given on who would deliver the parenting support or in what context it would take place. Furthermore, we completely oppose the notion of enforcement as we feel this runs contrary to the ethos of positive parenting. We would be interested to know who within the parenting support network was consulted in relation to the strategy and what level of support the parenting support orders have within this sector.

Parental Compensation Orders

Age of Criminal Responsibility

Although international standards do not specify what the age of criminal responsibility should be, they do state: “the beginning of that age shall not be fixed at too low an age, bearing in mind the facts of emotional, mental and intellectual maturity”. (Beijing Rule 4) They also point out that the notion of ‘responsibility’ needs to be carefully considered (ie “whether a child, by virtue of his or her individual discernment and understanding, can be held responsible for essentially anti-social behaviour”), noting the close relationship between the idea of responsibility for criminal behaviour and other social rights and responsibilities, such as being able to marry or vote (Beijing Rule 4 Commentary).

At 10, the age of criminal responsibility for children in NI is lower than in most similar countries and significantly lower than the age at which children can legally assume other responsibilities. For example, the age of sexual consent is 16, the voting age 18. In its General Comments No 10 about juvenile justice, the UN Committee concluded that: “a minimum age of criminal responsibility below the age of 12 years is considered by the Committee not to be internationally acceptable” (UNCRC, 2007). The Committee recommended the age of 12 as the absolute minimum age and that State parties should continue to increase it to a higher age level such as 14 or 16.

Parental Compensation Orders are in contravention of the UNCRC and other relevant international standards, as it imposes fines and criminal sanctions for acts that are carried out by children who are legally presumed to be incapable of ‘offending behaviour’ thereby making any evidence impossible to obtain. This measure has the effect of lowering the age of criminal responsibility through the “back door” and Include Youth is appalled by this proposal.

The young people we spoke to were not supportive of the introduction of Parental Compensation Orders. They raised the very important issue of safety for those young people whose actions would result in their parents receiving a fine, claiming that many young people would be at risk of physical and verbal abuse. Others said that their parents simply would not have the means to pay the fines.

“kids might end up getting abused. If parents get fined they might just take it out on their kids.”

“parents won’t pay, mine wouldn’t.”

“most of them couldn’t pay for it.”

Imposing fines on parents who are already struggling financially will simply deepen the extent of poverty in Northern Ireland, a growing problem which has already been accepted and highlighted as a key issue by the Executive and Assembly. While welcoming the Government’s commitment to end child poverty by 2020 and noting that child poverty has reduced, in 2008 the UNCRC Committee remained “concerned that poverty is a very serious problem affecting all parts of the UK... and that it is a particular concern in Northern Ireland where over 20% of children reportedly live in persistent poverty” (UNCRC, 2008, para 64).

One in three children (122,000) in Northern Ireland live in income poverty, and one in ten (44,000) live in severe poverty (Magadi and Middleton, 2007). Between 2001-2004, short-term poverty (ie poverty for 1-2 years of a 4 year period) affected 27% of children in Northern Ireland compared with 22% in Britain. However, persistent poverty (ie poverty in at least 3-4 years of a 4 year period) affected 21% of children in Northern Ireland compared with 9% in Britain (Monteith et al, 2008).

It is unbelievable to consider that placing fines on families who are already on the breadline and struggling to make ends meet will do anything to reduce offending. It will just create more hardship and add to the numbers of children living in poverty. Failure to pay will then result in parents living in poverty being criminalised.

How can we best divert young people from becoming involved in crime and anti-social behaviour? / Are there other ways to support, and provide services to those who have been involved in crime and anti-social behaviour to tackle the causes of crime and prevent them re-offending?

Causes of Offending

The most fundamental flaw in this document is that we believe it does little to address the realities of the lives of young people who are at risk of being in conflict with the law. Whilst making welcome mention of early intervention, mentoring and supporting effective organisation it is not sufficiently specific.

'people just don't know the lives we lead, the problems a lot of us have.'

Children and young people are more likely to be involved in offending and/or 'anti-social' behaviour when they: experience family disruption, live in poverty, have truanted or been excluded from school, have spent time in residential care or experienced neglect/ abuse within their families, misuse drugs or alcohol.

The characteristics of those in the youth justice system evidence the extent of their difficulties. For example, of the 30 children in the Juvenile Justice Centre on 30 November 2007: 20 had a diagnosed mental health disorder, 17 had a history of self harm, 8 had at least one suicide attempt on record, 8 were on the child protection register, and 14 had a statement of educational needs (CJINI, 2008).

Recent approaches to youth offending have focused on reducing the 'risk' factors and strengthening the 'protective' factors in children's lives, drawing on the work of Farrington (2001). When asked to consider the factors in a child's life which may increase the likelihood that they will become involved in crime (using Farrington's headings), young people stated:

Individual factors:

- *Depression, being fed up with life.*
- *You don't care what happens to you – so you might as well do crime and earn some money – 'cos you don't care about what'll happen if you get caught.*
- *If you can't take authority – if you're...rebellious – you do the opposite of what people tell you.*

Family factors:

- *If your whole family's doing crime. So you get used to it, it becomes a way of life for you. That just influences you.*
- *Like of parents do crime themselves, kids might just think that's the norm, that it's normal to do crime.*
- *Domestic violence.*
- *Death in the family.*

School factors:

- *If you feel you're not very smart in school. That makes you mess about, to take the notice off you not being smart. If you've been bullied.*

Peer-related factors:

- *If your mates have better stuff than you, but you can't afford it – you go out and do crime so you can get the stuff like they have.*
- *If your mates are doing crime – they shoplift on the way home from school, you see them doing it and getting stuff for nothing, so you start it too.*
- *Peer pressure.*
- *To get respect from friends.*

Community and neighbourhood factors:

- *Everything – crime in the community.*
- *If there's drugs in the area.*
- *If you grow up in a violent place, hoods running about all over the place, then you're more likely to do crime – it's not [because of] parents.*
- *The only thing parents can do to stop their kids doing crime somewhere like that is to move - get out of the area.*

It is clear from this overview of the contributory factors for children becoming involved in crime that any successful community safety strategy seek to address these factors. Rather than suggesting a knee jerk and punitive approach the community safety strategy must work alongside young people, their families and communities, relevant government departments, and voluntary and community representatives to address issues which impact on health, education, family life, media representation, policing, domestic violence, play and leisure and alcohol and drug misuse.

International Guidelines on Prevention

Social exclusion, political alienation and economic deprivation are central to the problems faced by many children and young people in Northern Ireland, contributing to what is perceived or labelled 'anti-social' or 'offending' behaviour by some young people. Early

intervention strategies often focus on the prevention of offending and community safety – targeting children and young people as ‘troublesome’ individuals, rather than children or young people with complex experiences and unmet needs, whose opportunities are limited and whose voices are rarely heard.

In contrast, international human rights standards emphasise that the well-being of young people from their early childhood should be the focus of any preventive programme (Riyadh, 1990). It is argued that promotion of young people’s welfare in social policy will limit the need for intervention by the juvenile justice system and, in turn, reduce the harm that may be caused by any intervention. High priority should be given to plans and programmes for young people, with sufficient funds and resources for the effective delivery of services for adequate medical and mental health care, nutrition, housing and other relevant services – ensuring that resources reach and actually benefit young people.

Prevention policies should avoid criminalising or penalising a child for behaviour that does not cause serious damage to the development of the child or harm to others. Policies and programmes should involve:

- (a) provision of opportunities, in particular educational opportunities, to meet the varying needs of young people and to serve as a supportive framework for safeguarding the personal development of all young people (particularly those demonstrably endangered or at social risk and in need of special care and protection)
- (b) specialised philosophies and approaches for prevention of offending, on the basis of laws, processes, institutions, facilities and services aimed at reducing the motivation, need and opportunity for, or conditions giving rise to, committing of offences
- (c) official intervention pursued primarily in the overall interest of the young person, guided by fairness and equity
- (d) safeguarding the well-being, development, rights and interests of all young people
- (e) consideration that youthful behaviour or conduct that does not conform to overall social norms and values is often part of the maturation and growth process, and tends to disappear spontaneously in most individuals with the transition to adulthood
- (f) awareness that, in the predominant opinion of experts, labelling a young person as ‘deviant’, ‘delinquent’ or ‘pre-delinquent’ often contributes to the development of a consistent pattern of undesirable behaviour by young people (Riyadh Guidelines, 1990).

The guidelines go on to say that prevention should be community-based with attention given to positive measures that involve all possible resources (including: the family, volunteers, community groups, schools and other community institutions) to promote the well-being of the young person with a view to reducing need for intervention under the law and effectively, fairly and humanely dealing with the young person. Participation in programmes should be voluntary, with young people involved in their design, development and implementation.

It is clear that many of the proposals contained within the community safety strategy are in direct contravention of these guidelines.

Include Youth has undertaken extensive work on the area of the diversion of young people from crime and anti-social behaviour. As a result we have produced the “Include Youth Manifesto for Youth Justice in NI” (attached). It is clear that effective diversion is the responsibility of numerous government agencies and whilst we welcome the Strategy’s proposal with regards to statutory information sharing this will have a limited impact prior to devolution of policing and justice. Community Safety is a cross-government responsibility and therefore a duty to plan and cooperate must include health and social care, housing, education – the list goes on.

3. Building Strong, Confident Communities

How can we better empower communities to engage in community safety initiatives?

Children and Young People as Partners

We believe it is imperative that children and young people are seen as partners in the fight against the causes of crime. Include Youth recommends that the NIO should engage in a programme of information gathering, outreach and engagement with children and young people, families and communities. It is imperative that a thorough understanding is reached as to why children and young people become involved in offending behaviour which can often have devastating consequences on victims of crime, families, wider communities, not to mention the individual child or young person involved. Include Youth’s Young Voices participation project demonstrates that it is possible to engage and enable the active participation of young people at risk, particularly those with experience of the criminal justice system, in public consultation initiatives, with very positive results. Our experience is that young people in conflict with the law have considerable, pertinent experience which they are eager to share when they feel listened to, valued and treated with respect.

'People never listen to me – that's what makes this different is that people in here listened to me and take on my views and asked me about why I did the things I did'

How can we encourage more people to report crime and anti-social behaviour?

We are concerned about the amount of under-reporting of crime against children and young people. The young people we work with consistently speak of their lack of trust in the police and believe that there is no point in reporting crime as nothing will happen as a result.

'You don't go to the police anyway – they're scumbags. Like when they brought the letter to my house about the paramilitaries being after me, they just left it in and said, "see you" – they didn't do anything to help my family or anything.'

'do something about crimes that are directed at young people – not just adults or rich people.'

Include Youth would like the community safety strategy to acknowledge this level of under reporting and to include an objective to address it.

Supporting the particularly vulnerable

This section does nothing to recognise the level of fear that many children and young people feel on a daily basis. It is imperative that they are included as a vulnerable group. This is particularly important given that we know that young people are more likely to be victims of crime rather than perpetrators.

'You're not safe on the streets.'

'Anyone could get you on the street.'

'It's safe enough if you can fight but – and I can, so I'm alright.'

'You never know what's going to happen on the street.'

The young people speak frequently about having to be careful when they are out and about and that they are in constant fear of attack and assault. Much of the fear is about sectarian violence and street violence is most common in interface areas. Leonard (2007) examined life for children and young people in both Loyalist and Nationalist areas of North Belfast and found that there was a constant fear of verbal and physical intimidation which impacted on the movements of young people outside their immediate area. Young people continue to fear the paramilitaries.

'You need to be protected, people need to be safe. From, paramilitary beatings. Look at my ankles and my head! My two ankles were broke and my head was smashed in by them.'

'They shot at my house. Anybody could have been hurt or killed. You need to be safe from that sort of thing - when you're a kid or anytime, for anyone.'

'[Paramilitary] beatings aren't supposed to happen anymore, but they do.'

'Beatings still happen, they just don't do it in your house anymore – they're not allowed to, so they take you away and do it somewhere else.'

The lack of acknowledgement of the threat that paramilitaries pose to the safety of our children and young people is a glaring omission within the community safety strategy.

What other actions can we take to help particularly vulnerable members of our community feel safer?

We believe that there is much work to be done to address the fears many older people have about children and young people and that fear of crime would be reduced if older people had an opportunity to interact with those they fear and therefore recognise the place for inter-generational work. Include Youth was involved in a project bringing together older people and young people resulting with both groups realising that they had actually had a lot in common. Both age ranges felt unsafe at night and wanted their community to become a safer place. They also challenged the stereotypical notions they had about each other and came up with an agreed range of suggestions which they felt would improve community safety.

Equality Implications

As we have already stated we do not feel there was adequate consultation with children and young people. Such consultation is essential not only to ensure compliance with Section 75 of the Northern Ireland Act 1998, but also in ensuring compliance with regulations under Article 12 of the UNCRC.

We are concerned that the NIO does not make a commitment to carrying out the required screening process or an Equality Impact Assessment of the potential adverse impacts that the introduction of the strategy will have on any of the nine groups detailed in Section 75. The document is without doubt a policy and as such requires an EIA. We have already stated that

we believe that the measures contained within the strategy will impact adversely on members of the section 75 categories, on the grounds of age, gender, religion, race and those with dependents.

Easy Read Version

We are concerned by the fact that a children's version of the strategy was not produced ensuring that the document was accessible to the group that is most likely to be impacted on by many of the suggestions. We have had access to the "easy read version" produced by the NIO and have been unable to use it when working with young people and parents. It does nothing to inform the reader of the implications of the proposals instead preferring to mention headlines only. This is disappointing and will serve only to repeat the situation with ASBOs when Include Youth with Challenge for Youth and Headliners had to produce a young people's information card with regards to the implications of the Anti-Social Behaviour Order, 2004. Additionally Include Youth engage with over 500 young people across NI giving them information, indeed we were asked as a matter of urgency to meet with the first young man who received an ASBO and his family to explain the order – they were baffled by the process. Surely it is the responsibility of government to ensure that all citizens are informed of such fundamental changes.

Concluding Comments

While there are aspects of the strategy which we welcome, we are generally very disappointed with the content of the paper and have serious reservations about those aspects of it which are punitive and will increase the criminalisation of children, young people and families. The strategy appears to unfairly target extreme actions at children and young people and they are presented as the main threat to community safety. As such, the strategy fails to take account of the reality and the difficulties of young people's lives growing up in areas of high social deprivation. Tackling crime and 'anti-social' behaviour is an all encompassing task and we would like to leave the last word to young people, who when asked how you would stop young people doing crime came up with the following comments.

'Have more for young people to do, instead of just punishing you after you have done something.'

'Listen to young people more about anti-social behaviour and what goes on in their communities.'

'About education, about schools, about not throwing kids out so quick – giving them more of a chance.'

The young people have thrown down a challenge and while their suggestions may require more dedicated and far reaching measures than those contained with the present strategy, if acted upon they would do more to enhance community safety than many of the proposals that Together. Stronger. Safer currently advocates. We would guard against the adoption of a Community Safety Strategy that is reactionary and punitive and encourage the NIO to think again about the measures within it and rather than punishing our young people, seek to understand the reality of their lives. They are a vital part of our community but they have no positive role to play within this current strategy.

Full references are available on request