



Going Ballistic

Dealing with guns, gangs and knives

Dr Bob Golding and Jonathan McClory
Edited by Gavin Lockhart

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Executive Summary

Murders involving knives and firearms, such as the cases of the headteacher Philip Lawrence, who was stabbed by a teenager while trying to protect a pupil, or seven-year-old Toni-Ann Byfield, shot in the back by a drug dealer in a North London bedsit, never fail to grab the headlines, yet they are relatively rare. Gun crime, represents only 0.4% of all recorded crime in England and Wales.^{1,2}

The public are often sceptical, however, when they read figures such as this – and they have reason to be so. Official police statistics and the annual British Crime Survey do not offer a complete picture of gun and knife crime because much of it – especially violence between criminals and offences by children under 16 – goes unreported. Organisations that could provide extra data to fill out the picture, such as the Ministry of Defence or hospital A&E departments, are often reluctant to do so. And the Government sometimes uses minor variations from one year to another to present a misleading picture of an improving situation. In other words, our crime figures do not reflect the experiences of many communities in England and Wales. This conflict between official statistics and public opinion forms the backdrop to this report.

The authors, Dr Bob Golding, a former assistant chief constable, and Jonathan McClory – have worked from the point of view of those closest to gun and knife crime – the public and frontline workers. They review the latest research on gangs and the illegal use of firearms and also draw on their own surveys of young offenders; police constables and sergeants; two detailed case studies consisting of interviews with senior police officers; managers of youth offending teams (YOTs); and specially commissioned public opinion polling. Secondary sources

taken from Youth Justice Board statistics, Home Office and British Crime Survey statistics and police strategy documents supplement this material.

The incomplete official picture of firearms crime and the timelag of up to two years in publishing crime figures make it difficult for the Government to identify or respond promptly to emerging trends. The evidence collected for this report suggests that chaotic, street-level firearm offences, often associated with young people, have risen:

- Nearly three-quarters of police constables and sergeants believe that gang crime has become worse over the past five years;³
- More than half of young offenders feel that the police are unable to protect them from violent crime in their area and eight out of ten of people in Britain think violent youth crime is worse now than it was five years ago;⁴
- More than half of young offenders have had a gun or knife used against them or been threatened with a gun or knife in the past 12 months;⁵
- More than 1 in 4 of those surveyed (27%) have either been the victim of a violent crime committed by children or young people, have had a gun or knife used against them, have been threatened with one or know a friend or relative who has had a gun or knife used against them or who has been threatened with one in the past 12 months;⁶
- 1 in 5 people between the ages of 19 and 24 know a friend or family member who has had a gun or knife used against them or been threatened with a gun or knife in the past year.⁷

This perceived rise in violence among young people, frequently involving guns or other weapons and not linked to financial

1 Hales G, Lewis C and Silverstone D, *Gun Crime: the market in and use of illegal firearms*, Home Office Research Study 298, 2006

2 Coleman C, Hird C and Povey D, *Violent Crime Overview, homicide and gun crime 2004/5*, Home Office RDS, 2006

3 Policy Exchange polling

4 Policy Exchange polling

5 Policy Exchange polling

6 YouGov polling for Policy Exchange

7 YouGov polling for Policy Exchange

motives, has drawn attention to changes in the culture of gangs. These once stable groupings that existed to protect illegal commodities now seem to be more volatile; their members younger and highly territorial. There is anecdotal evidence from gang members themselves that young people in deprived areas deliberately join criminal gangs for personal protection. They want to be armed because they believe that others are armed.

The authors agree with the Home Office that the main threat from firearms at gang and street level is presented by legally purchased imitation and deactivated weapons that are then illegally converted to fire live ammunition. Some of these firearms sell for as little as £50 and a single firearm can circulate over many years within and between criminal groups. Although this trend has been apparent for some time, the necessary amendments to

existing gun laws have not yet been put into place.

Legislation is a mess. Laws governing offensive weapons are derived from at least six separate Acts, introduced piecemeal since 1968. There is no legal framework dealing with knives and offensive weapons as a whole, while wider measures such as the Criminal Justice and the Anti-Social Behaviour Acts 2003 also contain provisions relating to firearms. Every new provision inevitably increases the chance that the police will make mistakes that result in a failed prosecution – arresting a suspect under the wrong section of an Act, for example.

Golding and McClory make more than 20 recommendations, divided into four categories: information and funding; supply; demand; and law reform. These will be developed and fully costed for the second book in this series, to be published in the autumn.

1

Introduction

According to official figures gun crime is rare, accounting for just 0.4% of all recorded crime in England and Wales.⁸ Indeed the number of offences involving firearms fell by 13% in 2006-07 compared to the previous year.⁹ The British Crime Survey reports that knife crime is “stable”, though it adds that “public perception is that incidents are increasing”, and that “more young people are now carrying knives due to fear of bullying or attack, because of a perception that all their peers carry knives”.^{10,11}

It is against this backdrop of conflicting official statistics and public opinion that this report has been developed. We need to set out three contextual issues before we discuss our research findings and policy recommendations.

Crime Statistics

The first is the challenge of quantifying gun and knife crime. Sources of crime

figures range from official statistics (the British Crime Survey and police recorded crime), to less public sources (criminal intelligence maintained by law enforcement agencies). Published statistics need to be interpreted with care: non-reporting and non-recording of incidents mean that recorded crime figures do not and cannot include all crimes committed.¹² Changes in police recording practices – notably to the counting rules in 1998 and the introduction of the national crime recording standard in 2002 – have led to artificial shifts in violent crime statistics.^{13,14}

The British Crime Survey (BCS) also has its limitations: it does not report victimisation for under-16s, and assessing criminality among young people is intrinsically difficult. This has not stopped the Home Office from using BCS figures to argue that violent crime has fallen.¹⁵

- More than 1 in 8 of those surveyed (13%) have been the victim of a violent crime committed by children or young people, have had a gun or knife used against them, have been threatened with a gun or knife in or know a friend or relative who has had a gun or knife used against them or who has been threatened with a gun or knife in the past 12 months;¹⁶
- 1 in 5 people between the ages of 18 and 24 know a friend or family member who has had a gun or knife used against them or been threatened with a gun or knife in the past year;¹⁷
- 83% of adults in the Great Britain feel that violent youth crime is a more serious problem now than it was five years ago;
- 85% of adults living in London feel that violent youth crime is a more serious problem now than it was five years ago;
- 88% of adults living in the northwest of England feel that violent youth crime is a more serious problem now than it was five years ago.

Source: YouGov polling commission by Policy Exchange, June 2008*

8 Coleman C, Hird C and Povey D, op cit

9 Home Office, *Crime and victims: gun crime*, Home Office, 2008; see www.homeoffice.gov.uk/crime-victims/reducing-crime/gun-crime/

10 Ibid

11 Home Office, “Memorandum submitted to the Select Committee on Home Affairs – knife crime” House of Commons: Hansard Archives Research, 2007

12 Hayden C, Hales G, Lewis S and Silverstone D, “Young men convicted of firearms offences in England and Wales: an exploration of family and educational opportunities for prevention”, *Policy Studies*, 29:2, 163–178, 2008

13 Simmons J, Legg C and Hoskins R, *National Crime Recording Standard (NCRS): an analysis of the impact on recorded crime. Part One: the national picture*, Home Office, online report 2003; see www.homeoffice.gov.uk/rds/pdfs/2/hors254.pdf

14 Coleman C, Hird C and Povey D, op cit, p 12

15 Coleman C, Hird C and Povey D, op cit, p 7

16 You Gov Polling for Policy Exchange Polling

17 You Gov Polling for Policy Exchange Polling

- 90% of adults over the age of 55 in Britain feel that violent youth crime is a more serious problem now than it was five years ago;
- 86% of C2DE adults in Great Britain feel that violent youth crime is a more serious problem now than it was five years ago;
- Nearly 1 in 5 adults aged 18 to 24 know a friend or relative who has had a gun or knife used against them or who has been threatened with a gun or knife in the past 12 months;
- More than 1 in 7 (15%) adults living in London know a friend or relative who has had a gun or knife used against them or who has been threatened with a gun or knife in the past 12 months.

Source: YouGov polling commission by Policy Exchange, June 2008*

Conclusions based on recorded crime figures and the BCS should be treated with a great deal of caution. The forthcoming research based on thousands of interviews with young people by the Centre for Criminal Justice Studies at King's College London demonstrates this point in relation to the reality of youth crime.¹⁸

The most recent statistics on firearms offending show a long-term upward trend over the past ten years with a fall over the past two years. Firearms (excluding air weapons) were reported to have been used in 9,650 recorded crimes in 2006-07. This was a 13% decrease on the previous year, following a slight increase of 0.2% in 2004. The total number of firearm offences (including air weapons) fell from 21,527 in 2005-06 to 18,489 in 2006-07, or 14%.¹⁹ There were 2,517 offences involving imitation weapons in 2006-07, a 23% reduction on the previous year, and handgun offences decreased by 11% to 4,175.²⁰

Figures for gun-related homicides and attempted homicides are arguably more reliably reported than other crimes. In total, there were 750 in 1997-08 and 1,456 in 2004-05.²¹ After peaking they fell but, at 818 for 2006-07, remain above their pre-1998 level.²² A 2005 study found that the people interviewed thought that while the most serious gun crime appeared to be falling in the short term, less serious incidents, such as street

robbery with a firearm, appeared to have increased.²³ Possible explanations are that either people were more inclined to report incidents, or there was an increase in the use of "undischarged" firearms or replicas.²⁴

Murders involving knives or other sharp instruments increased from 202 in 1997-08 to 258 in 2006-07, or 28%.²⁵ Anecdotal evidence provided in the Police Federation submission to the Home Affairs Select Committee in 2007 backed this up: "The prevalence of knives on the streets has undoubtedly increased over the years. Police officers not only have to assist victims of knife crime but are all too often victims themselves: 28% of police officers have been threatened by a knife on at least one occasion in the last two years."²⁶

Despite official pronouncements of falling or stable gun and knife crime figures based on official statistics, the long-term trend is upwards. There was a significant rise in recorded gun crime offences between 1997-08 and 2001-02, followed by a reduced rate of increase and then a slight fall in 2004-05.²⁷ Overall, however, recorded firearms offences nearly doubled from 1997-08 to 2006-07, from 4,903 to 9,650.²⁸ The Metropolitan Police submission to the Home Affairs Select Committee in 2007 reported that knife crime represents 1% of total crime in London, or 1,000 offences a month, and nearly 70 a year end in murder.

18 Centre for Criminal Justice Studies *Youth Crime* (forthcoming 2008) cited in Leppard D "Tougher laws and more cash have no impact", *Sunday Times*, 18th May 2008

19 Kaiz P, "Homicides, recorded crimes involving firearms", in Povey D et al (eds), *Homicides, Firearm Offences and Intimate Violence 2006/07* (Supplementary Volume 2 to Crime in England and Wales 2006/07), 31 January 2008, Home Office online report 03/08; see www.homeoffice.gov.uk/rds/pdfs08/hosb0308.pdf

20 Ibid

21 Hales G, Lewis C, Silverstone D, *Gun Crime: the market in and use of illegal firearms*, Home Office Research Study 298, pp 3-4, 2006

22 Kaiz P, op cit

23 Povey D and Kaiz P, "Recorded Crimes Involving Firearms", Chapter 2 in Povey D et al, op cit, p 39

24 Interview with ACPO Criminal Use of Firearms working group representative, May 2008

25 Coleman C, Hird C and Povey D, op cit

26 Police Federation, "Memorandum submitted to the Select Committee on Home Affairs – knife crime", House of Commons: Hansard Archives Research, 2007

27 Hales, G, Lewis C, Silverstone D, op cit, p 3

28 Kaiz P, op cit

The capture, collation and submission of gun crime data are far from satisfactory. In a report on guns, community and the police, HM Inspectorate of Constabulary admitted that recommended procedures for collating and collecting up-to-date statistics had not been put in place effectively.²⁹ Much data is collected at local police force level but collated and published centrally by the Home Office, leading to duplication of work and long delays.³⁰ Detailed crime statistics are available only nine months after the end of the reporting period and so the latest figures may be two-and-a-half-years-old. Sound policy cannot be developed on the basis of out-of-date statistics and intelligence.

Senior police officers interviewed for this study confirm that official statistics do not corroborate the reality experienced by communities and police forces in England and Wales: many incidents go unreported, especially gang crime and attacks by criminals on other criminals, where witnesses fear retribution or intimidation.³¹

Non-police agencies that collect information that could be relevant to curbing violent crime often fail to share it. These include other law enforcement agencies, schools and hospital accident & emergency departments (if they treat patients with knife wounds, for example).³² There may be ethical or other reasons for this but, given the limitations of recorded crime data, improved data and intelligence shar-

ing between agencies is essential for better informed policies.³³

Given all these reasons to doubt the accuracy, completeness and currency of the available data caution is needed before concluding from official figures that knife or gun crime is stable or decreasing.³⁴ The long-term trends indicate the reverse is true.

“ A recommendation that deactivated firearms should be classed as imitation firearms under the Violent Crime Reduction Act 2007 is unlikely to be addressed until 2009 ”

Performance Targets

The second contextual issue relates to how gun and knife crime is reflected within the centralised police performance targets. These changed in April this year, when Assessments of Community Safety (APACS) replaced the Police Performance Assessment Framework. The new targets are intended to cover community safety (including terrorism, violence and protective services) and shift the focus away from reducing volume crime to tackling violent crime and its causes.³⁵

Specific knife and gun crime reduction targets were conspicuously absent under the previous framework, there being only a general target to reduce all crime by 15% from 2005 to 2008.³⁶ Under the new targets it would be possible for the

29 Her Majesty's Inspectorate of Constabulary, "Guns Community and Police. HMIC thematic inspection into the Criminal Use of Firearms", Home Office, 2004

30 Interview with ACPO Criminal Use of Firearms working group representative, May 2008

31 Interview with ACPO Criminal Use of Firearms working group representative, May 2008

32 Interview with ACPO Criminal Use of Firearms working group representative, May 2008

33 Squires P, *Gun Crime: A review of evidence and policy*, Centre for Crime and Justice Studies, London, 2008

34 Home Office, "Crime and victims: gun crime", 2008; see www.homeoffice.gov.uk/crime-victims/reducing-crime/gun-crime/

35 Savage S and Golding R, "Leadership and Performance Management" in Newburn T (ed) *Handbook of Policing* (2nd edition) Willan Publishing, (forthcoming 2008)

36 Home Office, "Memorandum submitted to the Select Committee on Home Affairs – knife crime", House of Commons: Hansard Archives Research, 2007

- More than 1 in 10 Brits know a friend or relative who has had a gun or knife used against them or who has been threatened with a gun or knife in the past 12 months;
- Almost 6 in 10 adults in Britain believe that carrying a weapon makes you more likely to be a victim of violent crime;
- Only 2% of adults in Great Britain believe that carrying a weapon makes you less likely to be a victim of violent crime;
- Only 32% of adults in Britain believe that carrying a weapon makes no difference on the likelihood of being a victim of violent crime.

Source: YouGov polling commission by Policy Exchange, June 2008*

Government to require local areas to take action on pressing issues, such as knife and gun crime, but this will depend upon the availability of reliable information.

Legislation and Government Initiatives

The third contextual issue concerns the Government's approach to gun and knife crime – both through legislation and its strategy on violent crime. Chapters 2 and 3 provide an outline of legislative changes introduced over the last 10 years in response to gun and knife crime. Despite its many reforms, the legal framework still attracts criticism. Laws dealing with offensive weapons are covered in six different Acts.³⁷ Criticisms of specific provisions include the unclear definition of an offensive weapon; the arbitrary legality of blades that are three inches or under in length; the failure to restrict the sale of certain types tightly enough; and the failure to keep pace with more sophisticated weapons. The Police Federation believes that offensive weapons legislation needs modernisation.

Gun crime legislation suffers from similar anomalies. A recommendation that deactivated firearms should be classed as imitation firearms under the Violent Crime Reduction Act 2007, or ownership prohibited without a firearms certificate, is unlikely to be addressed until 2009.^{38,39} The laws have been built up piecemeal, with sections repealed and superseded. Gaps remain in relation to deactivated, imitation and replica weapons, and shotgun importation. The difficulty of disseminating legal changes should not be underestimated either – 200 retailers were found to be unaware of the new requirements for imitation and replica firearms in the 2007 Act.⁴⁰

The Government's strategy for dealing with gun and knife crime falls under the umbrella of its violent crime action plan.⁴¹ A prime example is the brief Tackling

Gangs Action Programme (TGAP) launched by the Prime Minister in 2007 after a series of high-profile cases involving guns and gangs. It was applied in Liverpool, Manchester, Birmingham and London until early this year (the Manchester programme, Operation Xcalibre, is described later in this report). Since then the Government has developed a cross-departmental action plan for tackling violence until 2011.⁴² A number of recommendations are reportedly based on existing best practice and include both government-run and not-for-profit projects.⁴³

Pre-existing work streams, from 2006, of the ACPO criminal use of firearms group – the national ballistics intelligence system, and the national firearms intelligence cell – are reflected as "actions" in the Home Office violent crime action plan. It states: "We will work with the police to develop state of the art imaging technology to provide information and intelligence on firearms used in crime". But this is an initiative that had been developed over two years before the publication of the strategy and is due to go live in September 2008 regardless of the Government's Violent Crime Action Plan.

The strategy is managed by the Violent Crime Unit based in the Home Office and, although its detailed plans are still being developed at the time of writing, some broad conclusions can be drawn. First, the Government intends to build on existing work or work that is under way, for example the lessons learned from tackling gangs in four cities. Secondly, there is an attempt to develop better co-ordination between agencies, building on best practice, existing work programmes, policies and research. Thirdly, the range of initiatives is wider – from those supporting intelligence, enforcement and control (including legislation), to prevention through education, national communication campaigns, interventions to change

37 Police Federation, "Memorandum submitted to the Select Committee on Home Affairs – knife crime", House of Commons: Hansard Archives Research, 2007

38 Interview with ACPO Criminal Use of Firearms working group representative, May 2008

39 Savage S and Golding R, op cit

40 Interview with ACPO Criminal Use of Firearms working group representative, May 2008

41 Home Office, "Crime and victims: gun crime", 2008; see www.homeoffice.gov.uk/crime-victims/reducing-crime/gun-crime/

42 Ibid

43 Interview with ACPO Criminal Use of Firearms working group representative, May 2008

behaviour of offenders and specific interventions targeted at rape and domestic violence. It concludes that “it is worth considering what is already known about family and school based programmes that focus on reducing violent and aggressive behaviour as part of the response to the growing problem”.⁴⁴

Richard Garside, director of the Centre for Crime and Justice Studies, believes that success in tackling knife violence “will require a concerted strategy to deal with the causes of violence, of which the social antagonism caused by poverty and inequality are key.”⁴⁵ It remains to be seen whether the Government’s new strategy will be sufficient to meet that test.

Primary Research

We gathered evidence from structured interviews with managers of youth offending teams (YOTs), a survey of young offenders, a survey of police constables and sergeants, public polling and two case studies built from interviews with senior police officers. These primary sources were supplemented with secondary material from Youth Justice Board statistics, Home Office and British Crime Survey statistics and police strategy documents.

Police Federation Survey

In collaboration with the Police Federation, the professional organisation that represents constables, sergeants and inspectors, we sent an online questionnaire to federation members in the Nottinghamshire, Greater Manchester, West Midlands, and Merseyside police forces. The survey had a total of 1,231 responses between 7th March and 10th April 2008.

The questionnaire was issued to all Basic Command Units in the above forces, not only the division responsible for policing Birmingham, Manchester, Liverpool or Nottingham (the Metropolitan Police were

asked to participate but, citing time and technological constraints, they declined). The survey is a reflection of police experiences of crime in forces with large metropolitan areas in England and Wales and not a reflection of national crime levels throughout England and Wales.

Structured YOT Interviews

Building on the experience of police on the frontline and on their perception of gun and knife crime, we interviewed 23 YOTs across England and Wales, with ten predetermined questions on perception of crime trends, the service provided by the YOT and how it could be better delivered. Interviews were by telephone and each lasted approximately 30 minutes.

Of the 23 that responded (15% of the total), 13 were rural and 12 urban – a representative cross-section ranging from Islington to Bridge End. All were asked the same questions, in the same manner; their replies provided insights into how crime trends vary in different regions.

Young Offenders’ Survey

At the end of each interview, the YOT manager was asked if he or she would be willing to distribute a questionnaire with 12 multiple choice questions to young offenders referred to his or her YOT. The questions were designed to find out how often a young person may carry a weapon, come in contact with one and have one used against him. The survey also inquired about young offenders’ attitudes towards the police, their perceptions of safety and their thoughts on crime trends in their area.

The responses for some questions paint a worrying picture, while others seem to reveal that the situation is not all bad. The survey respondents had an average age of 15 years 6 months, and the majority (60%) described themselves as white-British. The youngest was 9 years old and the oldest 18.

Public Polling

In order to understand the perceptions of

44 Hayden C, Hales G, Lewis S, Silverstone D, “Young men convicted of firearms offences in England and Wales: an exploration of family and educational opportunities for prevention”, *Policy Studies*, 29:2, 163-78

45 Leppard D, “Ministers covered up gun crime”, *Sunday Times*, 26th August 2007

those at the frontline of enforcement and prevention of violent crime we commissioned a YouGov poll of a representative sample of 2,000 British adults. It was carried out in June 2008.

Case Studies

During April and May 2008, we visited police forces in Manchester and Birmingham and met police from senior officers to constables, representatives of crime and disorder reduction partnerships, community leaders, police independent advisory group members, police mediators and people working with gangs. The case studies were built around interviews, data and strategy documents given to us.

Report Layout

This report consists of nine chapters. After the introductory first chapter, the second discusses the academic literature

on gun crime and the history of the legislation that regulates firearms. Chapter 3 discusses the existing research on knife crime and looks at how recent legislation has approached the issue. The fourth chapter examines the effects of gangs on youth violence. It also sets out the public health approach to prevention, which treats violence involving weapons as a disease, in line with the World Health Organisation's classification of violence as a pandemic.

The chapters on our primary research look at violent crime from the perspectives of police (chapter 5), YOT managers and young offenders (chapter 6). Two case studies from Manchester and Birmingham follow in chapters 7 and 8; these highlight best practice and the barriers to efficiency that police still face. In the final chapter we set out the recommendations that will be developed further in the second of our reports.

2

Gun Crime: Theory and Legislation

Summary

This chapter reviews the research on gun crime and discusses how access to weapons affects the nature of violent crime. We set out the history of legislation governing access to weapons and argue that a handful of shocking events has had more influence on the laws passed than carefully collected empirical evidence.

Theory

More Guns, More Crime

One must tread carefully when working through the existing research literature on guns. Many authors on both sides of the argument over gun control have pre-established positions, and employ bespoke research designs in order to support their ideological beliefs. Although research on the subject varies in scope and specificity, the ultimate question that students of the gun control debate are seeking to answer is: what effect does the availability of guns have on levels of crime?

Empirical work attempting to answer this question typically takes one of two approaches. In the first, researchers estimate the effect that changes in the total stock of guns have on national crime rates.^{46,47} A more advanced approach evaluates this relationship on different levels: regional, state, county or city.^{48,49}

Both approaches have produced mixed results. The vast majority of studies report that higher gun ownership rates result in higher levels of violent crime, while a small number of studies report the opposite effect.

These types of studies have important limitations, evidenced in their conflicting findings. Studies that use time-series analyses, employing annual national level data, are limited because of the small number of observations they can use for estimating the relationship between gun ownership and crime.⁵⁰ Similarly, studies looking at gun ownership at local level and its effects on violent crime suffer from a critical lack of local gun ownership data (gun ownership data for the US is available only at the national level). Consequently, researchers are forced to use crude proxies to estimate levels of gun ownership on a local level.

In 2001, taking the above flaws into account, Mark Duggan produced the most comprehensive illustration to date of American gun ownership's effect on violent crime levels.⁵¹ Duggan accurately measured gun ownership on a state level using National Rifle Association membership data, sales of the magazine *Guns & Ammo*, and the number of gun shows per capita. Duggan's research concludes that an increase in the number of guns leads to a substantial increase in the number of homicides.⁵² His findings contradict the results of research by Lott and Mustard, who argue that American legislation allowing people to carry concealed weapons led to a significant decline in violent crime.⁵³

Additional academic work has argued that a greater availability of firearms will lead to more crime, either by increasing the likelihood that any crime will result in a victim's death,⁵⁴ or by increasing the probability that a domestic dispute will result in

46 Kleck G, "The relationship between Gun Ownership Levels and Rates of Violence in the United States", in Kates D (ed) *Firearms and Violence: Issues of Public Policy*, Ballinger, 1984

47 Magaddino J and Medoff M, "An Empirical Analysis of Federal and State Firearm Control Laws" in Kates D (ed) *Firearms and Violence: Issues of Public Policy*, Ballinger, 1984

48 Cook P, "The Role of Firearms in Violent Crime", in Wolfgang M et al (eds) *Criminal Violence*, Sage Publications, 1982

49 Keck G. and Patterson B, "The Impact of Gun Control and Gun Ownership Levels on Violence Rates", *Journal of Quantitative Criminology*, vol 9, no 3, 1993, pp 249-87

50 Duggan M, "More Guns, More Crime", *Journal of Political Economy*, vol 109, no 5, 2001, pp 1086-1114

51 Ibid

52 Ibid

53 Lott J and Mustard D, "Crime, Deterrence, and Right-to-Carry Concealed Handguns", *Legal Studies*, vol 26, January 1997, pp 1-68

54 Zimring F, "The Medium is the Message: Firearm Calibre as Determinant of Death from Assault", *Legal Studies*, vol 1, January 1972, pp 97-123

the death of one or more of the individuals.⁵⁵ In their work, Donohue and Levitt developed a model in which firearms may reduce the predictability of outcomes of fights and consequently increase the number of violent confrontations that occur.⁵⁶

“ According to informal interviews carried out at a London pupil referral unit, an illegal handgun can be purchased for as little as £250 ”

The majority of academic research on firearms legislation is concerned with the effect of gun availability on crime, but there is a lack of work on regulating the supply side of firearms. For over ten years, firearms legislation in England and Wales has sought to reduce the supply of firearms by banning military-style weapons and handguns. However, as statistics show, the police have had difficulty clamping down on illegal markets that supply criminals with banned handguns.

As Cukier and Sidel point out in their book, *The Global Gun Epidemic*, every illegal handgun started out somewhere as legal. Firearms commerce is composed of transactions made in the primary (legal) firearms market and in the largely unregulated secondary firearms market.⁵⁷

The importance of theft and the secondary market in supplying youths and criminals has been documented by three American surveys: Wright and Rossi's survey of prisoners,⁵⁸ the survey of state prisoners reported by the Bureau of Justice Statistics,⁵⁹ and Sheley and Wright's 1995 survey of youths in juvenile correctional institutions.⁶⁰ Their broad findings reveal that offenders acquire firearms both legally and illegally; the majority acquire guns through theft, family and friends or the black market.

Regulating incoming illegal firearms to England and Wales is a time-consuming and labour-intensive task, and anecdotal evidence shows it is simply not working.

The supply side approach to reducing gun crime seems futile if one accepts the common view that “guns are everywhere”.⁶¹ However, England and Wales is uniquely positioned with very strong gun control laws to stamp out firearms crime almost completely. According to informal interviews carried out at a London pupil referral unit, an illegal handgun can be purchased for as little as £250 if it has been implicated in a previous homicide (ie is “dirty”).⁶²

Efficient supply-side interventions would help to make illegal guns more expensive thereby increasing both the price and hassle of making a connection and buying an illegal firearm.⁶³ Ultimately, they would reduce the number of guns available to criminals, and thus violent crime.

The bulk of research on gun crime concludes that more guns do indeed mean more crime, and that countries with higher gun ownership rates have higher rates of homicide, injury and suicide involving firearms. Previous work on the subject also points to the benefits of supply-side intervention and the promise of tighter firearm regulation. In terms of legislation alone, England and Wales has been prolific in its pursuit of curbing the availability of firearms, yet statistics from 1997 to 2007 show that legislation alone is not enough.

There is a strong appeal to supply-side intervention, and police forces in several areas have proved that if implemented well, results are positive. However, gun crime in Britain is too complicated a phenomenon to be controlled simply by reducing the number of available guns. In the past, firearms crime traditionally occurred in private spaces, or in public spaces at times when there were relatively few people out. They were confined to a small number of professional criminals, usually having substantial experience. These hired gunmen were a specialist breed seldom seen by the public.

Contemporary shootings have shattered the traditional “rules” of gun crime. Increasingly firearms are discharged in

55 Kellerman A et al, “Suicide in the Home in Relation to Gun Ownership”, *New England Journal of Medicine*, vol 327, August 1992, pp 467-472

56 Donohue J. and Leavitt S, “Guns, Violence, and the Efficiency of Illegal Markets”, *A.E.R. Papers and Proc*, 88, May 1998, pp 463-67

57 Braga A et al, “The Illegal Supply of Firearms”, *Crime and Justice*, vol 29, 2002, pp 319-352

58 Wright J and Rossi P, *Armed and Considered Dangerous: A Survey of Felons and their Firearms*, 2nd edition, Aldine de Gruyter

59 Bureau of Justice Statistics, *Survey of State Prison Inmates 1991*, US Department of Justice, Bureau of Justice Statistics, 1993

60 Sheley J and Wright J, *Gun Acquisition and Possession in Selected Juvenile Samples*, Research in Brief, US Department of Justice, National Institute of Justice, 1993

61 Braga A et al, “The Illegal Supply of Firearms”, *Crime and Justice*, vol 29, 2002, pp 319-352

62 Personal communication with LBA Staff, September 2007

63 Moore M, *Buy and Bust: The Effective Regulation of an Illicit market in Heroin*, Heath, 1976

public space in broad daylight when the general public are out of their homes. These shootings are often perpetrated by 16-24 year-old men in a reckless fashion; in some instances there is little to no provocation or motive.⁶⁴ Rather than firearms being used to facilitate a specific crime (eg robbery), shootings are now acts of vengeance or the end result of an incident of perceived “disrespect”. The most recent shootings reflect tit-for-tat reprisals and retaliation at the slightest provocation.⁶⁵

As the brazenness of gang shootings has escalated, they have attracted tabloid headlines and pushed the issue into the centre of public attention. This has bred serious doubts about the ability of public authorities to manage violent crime and has made curbing the problem paramount to public safety.

Firearms Legislation in England and Wales

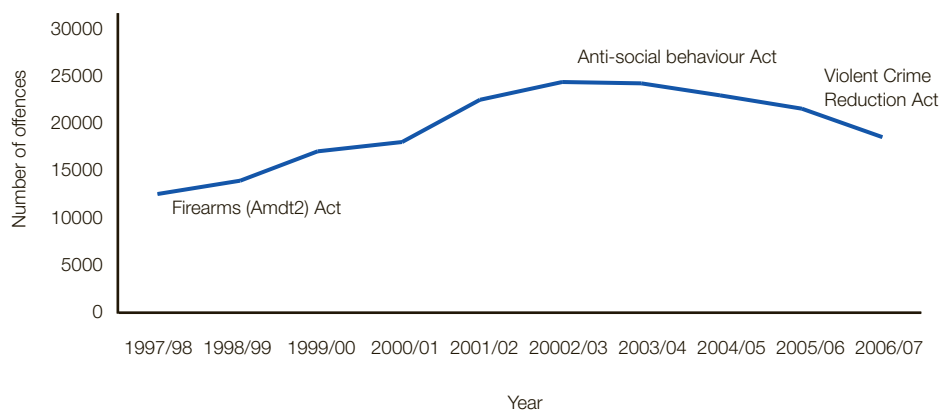
Firearms legislation was first consolidated in the Firearms Act 1968. Although this remains the principal law today, additional legislation has been introduced in piecemeal fashion at irregular intervals, either in response to emerging threats or mass killings like those occurring in Hungerford and Dunblane. Its

volume is considerable and not always easy to decipher. For example, experts have difficulties in deciding which weapons are “readily convertible” under 1982 legislation. Firearms law is also contained within general legislation, such as the Criminal Justice and the Anti-Social Behaviour Acts 2003. While acknowledging the size of such a project, there seems to be a sound case for consolidating all the existing firearms legislation into one all encompassing Act, in the same way that the 1968 Act was introduced as a measure designed to consolidate previous legislation.

Early firearms legislation

In the United States the right to carry a gun is secured by the Second Amendment of the Constitution. No such right exists in England and Wales: Britain has a long tradition of arms regulation. As far back as the Game Act 1671 firearms have been regulated. The 1671 Act restricted ownership of firearms and projectile weapons to owners of large tracts of land and remained in force until the beginning of the 19th century. The Seizure of Arms Act 1820 empowered justices of the peace to confiscate arms from citizens they considered “a danger to the Public Peace”; however, the law did allow for the use of firearms in self-defence.

Figure 1: All firearms offences UK



64 Moore M, *Buy and Bust: The Effective Regulation of an Illicit market in Heroin*, Heath, 1976

65 Squires P, *Gun Crime: A review of evidence and policy*, Centre for Crime and Justice Studies, London, 2008

A modern legislative structure

The Pistols Act 1903 was a response to technological advances in firearms, creating sensible gun control – the Act prohibited the sale of pistols to minors and to convicted felons. Additionally, the Act required that non-home owners seeking to buy a pistol had to purchase a 10 shilling licence from the Post Office. In 1920 the Firearms Control Act prohibited the carrying of firearms for the express purpose of self-defence and the “right” of citizens to bear arms became a “privilege”.⁶⁶ Strict controls on handguns following the 1920 Act undoubtedly played a part in keeping weapons out of the hands of those who might have criminal intent, giving the Government adequate leeway to deny firearms ownership to high-risk people.⁶⁷

Further technological advances led to the Firearms Act 1937, which effectively banned fully automatic weapons from private ownership. About the same time, similar legislation was upheld by the US Supreme Court, signalling that certain types of firearms needed to be banned from the public domain.

The legal issue of firearms used in self-defence was transformed in the first half of the 20th century. In 1920, Home Office policy allowed citizens to keep firearms in their home for self-defence. By 1937, this had begun to change unofficially, until eventually it was no longer deemed acceptable for people to rely on firearms for the express purpose of self-defence. In 1954, the right to a gun for self-defence was terminated by a change in government policy.

From 1950 to the late 1960s gun crime rose at an unprecedented rate: in the mid 1950s the proportion of robberies committed with firearms was about 14%; by 1969 it had doubled. Likewise, the number of firearms fatalities rose throughout the 1960s.

In response to increasing firearms offences, Parliament passed three Acts on gun control in relatively quick succession. The Firearms Act 1965 established a num-

ber of new firearm offences and increased the penalties for many existing offences. The Act was also an attempt to address a growing wave of concern that the impending abolition of the death penalty would lead to an upsurge in violent crime.⁶⁸

It is in the nature of firearms crime that offenders will use what is most readily available to them. The upsurge in firearms crime in the 1960s reflected the wide availability of shotguns, which were usually converted to the illegal sawn-off form. After the shotgun murders of three police constables, Parliament passed the Firearms Act 1967, which extended the licensing system to incorporate shotgun sales.

The following year the Government sought to consolidate all existing legislation in the Firearms Act 1968. This brought all existing gun legislation into one single statute, which formed the legal basis for British firearms control policy for the next two decades.⁶⁹

In 1973 a progressive and intelligent Green Paper, *The Control of Firearms in Great Britain*, laid out policy to rein in gun crime further. It drew on empirical research showing that the best way to reduce the availability of guns to criminals is to reduce the total number of guns in society, and argued that society should make it as difficult as possible for criminals to acquire firearms. Despite its forward-thinking, no legislation followed on from the consultative document.

Event-driven legislation

With the exception of the Firearms Act 1982, which imposed greater control over imitation and readily convertible imitation firearms, legislation in Britain has been reactive, and driven by events.

Hungerford

On 19th August 1987, Michael Ryan, a 27-year-old “loner”, went on a rampage near his home in Hungerford, shooting dead 14 people and injuring a further 16.

⁶⁶ The context of the Act has been debated; some revisionist historians regard this legislation as a reaction to the Bolshevik uprising in Russia. However the Firearms Control Act 1920 was less about controlling the proletariat and more about denying firearm licenses to anyone deemed unfit to be trusted with a gun

⁶⁷ Squires P, *Gun Culture or Gun Control?*, Routledge, 2000

⁶⁸ Ibid

⁶⁹ Ibid

He was dressed in combat fatigues and carried an AK-47 assault rifle, a carbine and a Beretta semi-automatic handgun.⁷⁰ His random massacre had a threefold effect: it precipitated government legislation; changed public perception towards firearms and the gun lobby; and led to wider use of police weapon-carrying rapid response vehicles (ARVs).

In the wake of Hungerford, the Government rushed through the ill-conceived Firearms (Amendment) Act 1988, which banned military-style weapons and pump-action shotguns and restricted a shotgun's breech or magazine capacity to two shots.⁷¹ The media's focus on Ryan's high-powered assault rifle allowed the Government to ignore the fact that most of his victims were killed or wounded by his semi-automatic handgun. The police were already aware of the growing availability of shotguns and argued that all higher-powered weapons should be reviewed for stricter controls. However, even though the Act drew heavily on the 1973 Green Paper, the most pressing issue – use of handguns – was glossed over.

The pro-gun lobby in Britain never enjoyed the kind of support enjoyed by its counterpart in the US, but it successfully weathered the storm of Hungerford: rifles and handguns went unchecked. However, although the Firearms (Amendment) Act 1988 did not close the door on the pro-gun lobby, after Hungerford public opinion shifted permanently against the "shooting and conservation" lobby in Britain.

Dunblane

On 13th March 1996, lone gunman Thomas Hamilton went on a shooting spree in a primary school in Dunblane, in Scotland, armed with four legally held guns: two semi-automatic pistols and two Smith and Wesson revolvers and 743 rounds of ammunition. He left 15 children and two adults dead. John Major, the Prime Minister, ordered a full judicial inquiry and began cross-party talks on gun

control. Meanwhile many of the bereaved parents of Dunblane formed the Snowdrop Campaign, for a total ban on handguns, and the media offered its full backing. Seldom have the media and special interest acted in concert so effectively. Because Major insisted on considering the full results of Lord Cullen's inquiry before passing any new law, he was constantly outmanoeuvred by the Opposition and the groundswell of public opinion. In the end he ignored Cullen's recommendations and the Firearms Act 1997 banned all handguns over .22 calibre and prohibited small calibre handguns outside licensed pistol clubs.⁷² The Snowdrop Campaign called this an "unacceptable compromise". The Government also introduced an amnesty on illegal weapons, which led to the surrender of 22,000 guns.

In 1997, the new Labour Government kept its manifesto promise and introduced the Firearms (Amendment) Act 1997. The legislation delivered what the public had demanded in the wake of Dunblane: "an Act to extend the class of prohibited weapons under the Firearms Act 1968 to include small calibre pistols". At a stroke "all firearms with a barrel less than 30 centimetres or less than 60 centimetres in total length" were prohibited. Nevertheless firearms offences rose steadily, though undramatically, in the next five years. The number of homicides caused by firearms increased by 63% and offences involving injuries from firearms rose from 864 to 1,877 from 1997 to 2002.

Letitia Shakespeare and Charlene Ellis shootings

On New Year's Eve 2002 gun crime reclaimed the media spotlight when two teenage girls – Letitia Shakespeare and Charlene Ellis – died in the crossfire of a shoot-out in Aston, in Birmingham.

In the aftermath, media pressure for action to stem violent crime intensified.⁷³ As well as extra provisions to the Anti-Social Behaviour and Criminal Justice Acts

70 Josephs J, *Hungerford: One Man's Massacre*, Smith Gryphon Publishers, 1993

71 Squires P, op cit

72 Ibid

73 Professor Anthony Downs has referred to the phenomenon of public opinion waxing and waning around specific issues as the "issue attention cycle".

2003, the Government organised another gun amnesty which netted more than 45,000 illegal firearms – twice as many as in 1996. The types of weapons surrendered (the cache included rocket launchers, AK-47s and hand grenades) revealed how serious and systemic the problem was.

The 2003 legislation led to three important innovations:

- A mandatory five-year minimum sentence for the illegal possession of a prohibited firearm;⁷⁴

- The creation of an offence for being in possession of an imitation firearm or air-gun in public;⁷⁵
- The sale, manufacture and import of guns containing gas cartridge systems became illegal.⁷⁶

These measures were added to the two Acts as an afterthought; contrary to the Government's claims, legislation against imitation firearms was weaker than in other countries such as the Netherlands, Sweden, France and Australia.

Changes to gun laws since Dunblane Massacre, 1996

Firearms Act (Amendment) 1997 (pre-election)

- Banned most handguns: all handguns larger than .22 calibre banned (possession, carrying, buying, transferring);
- Exemptions: (i) slaughtering instruments, (ii) firearms used for human killing of animals, (iii) shot pistols used for shooting vermin, (iv) Races at athletic meetings, i.e. starters pistols, (v) trophies of war, (vi) firearms of historic interest. (Some airguns are exempt. Replicas and deactivations are not considered firearms and are not therefore covered by the legislation);
- National registry: required a central computer database of all certificate holders and all applicants;
- Increased police powers: granted police the power to revoke firearm or shotguns certificate if the holder is a danger to public safety; and revoke or partially revoke a firearm certificate if the holder is unfit to be entrusted with firearm (a shotgun certificate cannot be partially revoked);

Firearms Act (Amendment) 1997 (post election)

- Banned all handguns regardless of calibre, with exemptions as above;

Anti-Social Behaviour Act 2003

- Banned certain airguns: added some airguns that use self-contained gas cartridge system to the list of prohibited weapons, specifically targeting the Brocock model;
- Restrictions on carrying: extended the ban on carrying firearms in a public place without reasonable excuse to cover imitation firearms;
- Age limits: increased minimum age for acquiring or possessing air weapons unsupervised from 14 to 17;

Violent Crime Reduction Act 2006

- Banned imitations: banned the manufacture and sale of realistic imitation firearms, with limited exemptions for theatre, historical re-enactment, etc;
- Restrictions on air weapons: made it an offence for a person other than a registered dealer to sell air weapons and required the transfer to be on a face-to-face basis;
- Age limits: raised minimum age for buying or hiring an airgun from 17 to 18 years;
- Further restrictions on firing airguns beyond premises, ammunition and generally stricter penalties.

74 Criminal Justice Act 2003, sections 287-293

75 Anti-Social Behaviour Act 2003, section 37

76 Anti-Social Behaviour Act 2003, section 5 (1)

3

Knife Crime: Theory and Legislation

Summary

Both knife-related homicide and overall knife crime have been rising for the past ten years. Our interviews with members of the Police Federation, YOTs and young offenders point to a trend of increased knife carrying out of fear and/or the need for personal protection. This chapter reviews existing research that has explored the extent of the problem, and the legislation introduced to deal with it. As in the case of firearms, the legislation is too complex and would benefit from a single framework Act. So far Government measures including tougher laws, education, amnesties and increased stop-and-search powers for police have had little effect on the propensity of young people to carry knives; it has not addressed the underlying social roots of the problem.

Definitions

Knife crime is a term that is tossed around in new policy initiatives and the media almost daily. But it is not always clear what actually constitutes knife crime or what is meant when the term is mentioned. The production of a knife during the course of a crime, such as assault, robbery, sexual assault, or homicide is indisputably knife crime.⁷⁷ However, there are instances when a criminal act is committed while in possession of a knife that is never produced.⁷⁸

Measures of knife crime

The number of homicides caused by a blade or sharp instrument is considerably

higher than the number of deaths caused by firearms. The total number of deaths slightly increased from 200 in 1997 to 212 in 2006 with a peak of 266 in 2002-03. Last year, deaths linked to knife crime rose by 18%, from 219 to 258.

“ So far Government measures including tougher laws, education, amnesties and increased stop-and-search powers for police have had little effect on the propensity of young people to carry knives ”

The Home Office Offending, Crime and Justice Survey of 2007 estimates that at worst 60,000 young people aged 10 to 25 years, mostly male, may be stabbed and injured in England and Wales a year, or more than 160 victims a day.⁷⁹ At best, the figure may be as low as 22,000 each year.⁸⁰

Policymakers simply do not know how prevalent knife crime really is. A series of surveys by MORI for the Youth Justice Board reveal a steady rise in the proportion of youths carrying knives: in 2002, 20% of schoolchildren interviewed said they had carried a knife at some point during the previous 12 months; in 2005, it was 32%.⁸¹

Children who are excluded from school are more likely to carry a weapon than those who are not. In 2004 MORI found that 9% of children in school and 30% of excluded children said they had carried a flick knife; 5% of children in school and

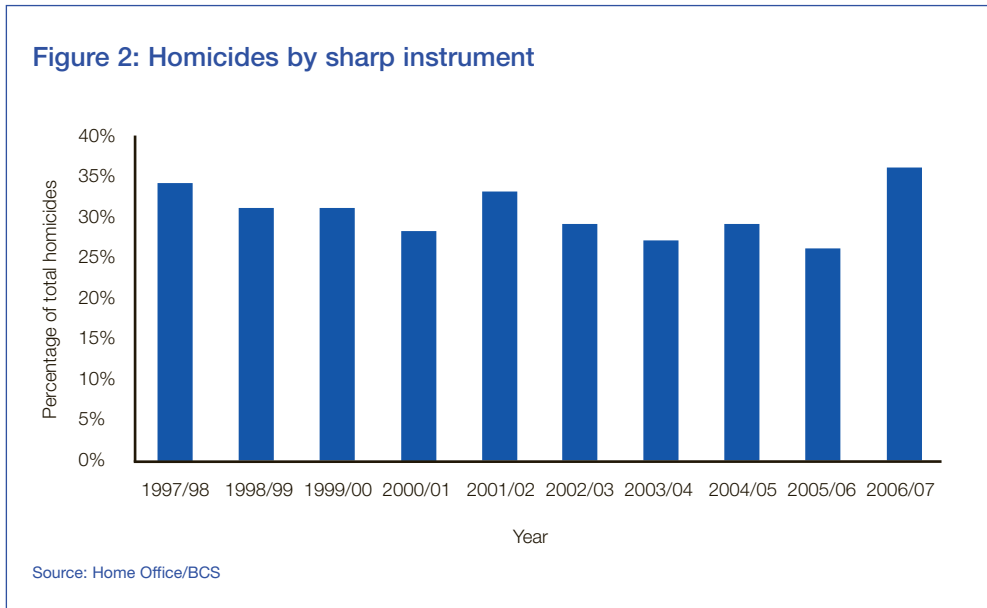
77 Eades C, Grimshaw R, Silvestri A, Solomon E, *Knife Crime: a review of evidence and policy*, Centre for Crime and Justice Studies, London, 2nd edition, 2007

78 Ibid

79 Steele J, "The vagaries of UK knife crime statistics", *The Daily Telegraph*, 20th March 2007

80 Estimates taken from the Government's Offending, Crime and Justice Survey

81 Phillips A and Chabernain C, "MORI Five-Year Report: An analysis of Youth Survey Data", London: Youth Justice Board, 2006



16% of excluded children had carried a kitchen knife; 25% of school children and 46% of excluded children had carried a penknife.⁸²

Another study carried out by the Office of Criminal Justice Statistics in the Home Office researched the scale of knife carrying in England and Wales through interviews with 5,000 people aged 10 to 25 living in private households. The interviews explored the level of involvement people had with different aspects of criminal behaviour. The survey found that 4% of all respondents had carried a knife in the previous 12 months, and that carrying knives was most common among 16 to 17 year olds.⁸³ An overwhelming majority (85%) of respondents who admitted to carrying a knife cited their reason for doing so as “protection”. This is a very common theme, especially among young offenders who have been charged with a knife offence. However, policy aimed at curbing knife crime has yet to take this fact into account.

Scale of the problem

The Home Office only began recording knife crime separately from July 2008, so the

true scale of the problem is difficult to assess at the time of writing. Moreover, the Youth Justice Board and youth offender teams do not record knife offences separately.

Data from the British Crime Survey, based on the experiences of 40,000 people each year, suggests that 8% of all violent incidents involve knives, a rate that has remained fixed for a decade or more, while the percentage of homicides involving knives has fallen from a peak of 37% in 1995. Of the 820 homicides in England and Wales in 2005, 236, or 29%, were with a knife or other sharp instrument.

However, knife crimes are four times more common than gun crimes; and the risk of serious injury is more than double that for gun crime. The probability of serious injury is 4.5 times more likely when a knife is used to assist a crime. The risk of serious injury from knife-enabled crimes is more than twice that for gun-enabled crimes.

Attacks in which a knife was used in a successful mugging have risen from 25,500 in 2005 to 64,000 in the year to April 2007. The figures mean that last year there were, on average, 175 robberies at knifepoint in England and Wales a day – up from 110 the year before and from 69 in 2004-05.⁸⁴

82 Phillips A and Chabernain C, "MORI Five-Year Report: An analysis of Youth Survey Data", London: Youth Justice Board, 2006

83 Wilson D, Sharp C, Patterson A, *Young People and Crime: Findings from the 2005 Offending, Crime and Justice Survey*, Home Office, 2006

84 The study, by the CCJS, is based on Home Office statistics.

Perceptions that knife carrying has increased are corroborated by at least two statistical sources. One is a Home Office study published in 2004. It reported the findings of interviews with adult arrestees, including self-reported gang membership, and some of the questions related to their use of weapons. The proportion of past and present gang members who reported carrying guns was similar. However, current gang members were much more likely to report carrying weapons more generally and it is safe to assume that part (and possibly a large part) of this increase will have been accounted for by knives.

Usage, injuries and deaths from knives far outstrip those from firearms, not least because they are easier to acquire and, unlike some firearms, do not require a licence.

The trends for knife crime seemed to run in parallel with those for gun crime, suggesting that they may in some way be linked. Although many more individuals are involved in knife crime than in gun crime, some of them will be the same individuals; and those who are involved in gun crime do not start out carrying guns but other, more readily available weapons, including knives.⁸⁵

There is also a wide lack of reporting of incidents of knife crime, as 51% of young victims do not report the crime to the

police and 45% do not even tell their parents.⁸⁶ This is supported by other organisations: Merseyside Ambulance Service estimates, for example, that 50% of stabbings never get reported to the police.⁸⁷

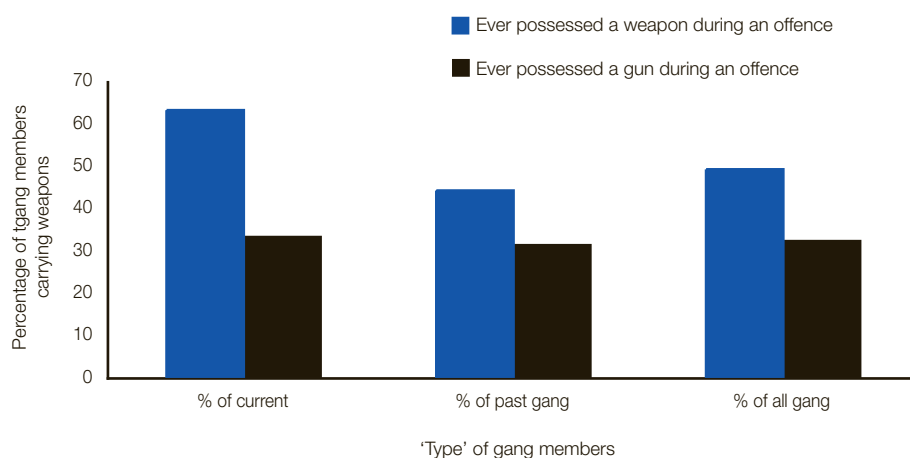
Knife crime and young people

In London, youths particularly between 17 and 20, are the most likely to be victims of knife crime; 4% of 10 to 25 year-olds admitted to carrying knives in 2005 and 1,226 under-18s were found guilty in 2007 of carrying a blade.

Also notable is the increase in violent crimes committed by 15 and 16 year-olds. According to a survey compiled by the Youth Justice Board (YJB), violent offences committed by 16 year-olds rose from 17% in 2004 to 25% in 2005, while those perpetrated by 15 year-olds climbed from 20% to 26%. One in five of those convicted for possessing a knife were aged between 10 and 17 in 2006, according to Home Office statistics.

Related to this is the increased number of young people arming themselves with knives. The YJB survey reported a 12% increase in the number of teenagers carrying knives since 2002; the proportion of girls carrying knives rose sharply from 15% in 2004 to 21% in 2005.⁸⁸

Figure 3: Weapon carrying among gang members



85 FitzGerald M, "Memorandum submitted to the Select Committee on Home Affairs – knife crime", House of Commons: Hansard Archives Research, 2007

86 Youth Survey 2002, Crimestoppers, 2002

87 Channel 4, Street Weapons Commission, 2008

88 Phillips A and Chabernin C, "MORI Five-Year Report: An analysis of Youth Survey Data", London: Youth Justice Board, 2006

Over the past decade, the number of convictions for carrying a knife has risen from 3,360 in 1997 to 6,314 in 2006. Of those convicted in 1997, 482 were teenagers, in 2006⁸⁹ the figure nearly trebled at 1,256.⁹⁰ Worse, in surveys about one in five teenagers admits to carrying a knife.

David Wilson, professor of criminology at Birmingham City University, believes there are two reasons for youths carrying knives. One is that it makes them “feel grown up” or “manly”; the other is that they are “scared”. Wilson says young people have reacted to a world in which adults demonise young people outside their own families – “they are all chavs and hoodies” – and no longer trust adults to protect them.⁹¹

Strategies designed to reduce knife crime

Since 1997 it has been one of New Labour’s most urgent priorities to cut “youth crime”, but an audit of Labour’s youth justice policies, published by the Centre for Crime and Justice Studies (CCJS) at King’s College London in May 2008, concluded that they have had “no measurable effect” on the rate

at which young people commit crimes. The uncomfortable reality is that the Government does not know how social or economic policy can be used to stop youngsters committing crimes.⁹²

Strategies that have been used to tackle knife crime include:

- tougher legislation;
- reducing demand;
- education;
- amnesties;
- supply restrictions;
- stop and search by police.

Given the rapid development of a teenage culture in which carrying a knife is seen as normal, not to say essential, for self-defence, it is understandable that there have been calls to toughen the law. The maximum jail sentence for knife carrying is two years, or four years if the knife is taken to school. But in 2006, only nine of the 6,314 people convicted of carrying a knife were given the maximum sentence.⁹³ (Of course, the impact of tougher sentences needs to be clearly communicated; knife crime is most common among children

89 Nicholas S, Kershaw C and Walker A, *Crime in England and Wales 2006/07*, Home Office, London, pp.33, 71, 2007

90 Eades C, Grimshaw R, Silvestri A, Solomon E, *Knife Crime: a review of evidence and policy*, Centre for Crime and Justice Studies, London, 2nd edition, 2007

91 Siddique H, “Knife Crime: desperately seeking solutions”, *The Guardian*, 28th May 2008; see <http://www.guardian.co.uk/uk/2008/may/28/knifecrime>

92 Palmer A, “Jail is a blunt instrument to tackle knife crime but it works”, *The Daily Telegraph*, 25th May 2008; see www.telegraph.co.uk/opinion/main.jhtml?xml=/opinion/2008/05/25/do2509.xml

93 Pollard S, “A suggestion for fighting knife crime”, *The Times*, 26th May 2008; see http://www.timesonline.co.uk/tol/comment/columnists/guest_contributors/article4003792.ece

Table 1: Proportion of young people claiming to have carried weapons in the past year

	Young people in school				Excluded young people	
Base: all young people	(4,715)	(2,460)	(2,225)	(687)	(502)	(174)
	%	%	%	%	%	%
I have carried a weapon but never used it	21	31	11	47	52	31
I have used a weapon against another person	3	5	1	14	17	9
I have threatened another person with a	3	5	2	21	24	12
I have taken a weapon to school to defend myself	2	3	1	10	12	7
I have taken a weapon to school to use	1	1	-	4	6	1
I have never used a weapon against another pupil	62	47	78	24	17	46

and young people who are less likely to foresee the consequences of their actions than adults and less likely to appreciate cause and effect.)

The law governing offensive weapons is derived from a number of Acts: the Prevention of Crime Act 1953; the Restriction of Offensive Weapons Act 1959; the Criminal Justice Act 1988; the Offensive Weapons Act 1996; the Knives Act 1997; and most recently, in May 2004, amendments to the Criminal Justice Act 1988. Each was a response to a specific problem rather than an attempt to construct a legal framework that looked at the threat posed by knives and offensive weapons as a whole.⁹⁴

The complexity of the law is a very real difficulty for police officers. With every new law the chance of mistakes being made – for instance arresting a suspect under the wrong section – inevitably increases. In common with the Police Federation we have concerns regarding:⁹⁵

- the unclear definition of offensive weapons (the Prevention of Crime Act 1953);
- the arbitrary legality of three inch (or less) knives and implements;
- the narrow definition of weapons for which marketing is outlawed (the Knives Act 1997);
- the law's failure to keep pace with the development of new, more sophisticated weapons such as gravity, lock, butterfly and disguised knives.

Reducing demand

In response to a number of high-profile stabbings, ministers have resorted primarily to criminal justice responses – in particular the various measures in the Violent Crime Reduction Act 2006 – rather than developing prevention strategies to address the underlying social and economic roots of violence.

Enver Solomon, deputy director of the CCJS, says: “Since it’s extremely difficult if not impossible to limit the availability of knives, and knives are merely a tool used in violent crime, success in fighting knife crime will only come with success in dealing with the underlying causes of violence, fear and insecurity.”⁹⁶

The Government has spent more than £5 billion on its New Deal, which was designed to reduce crime by reducing the number of 16 to 19 year-olds “not in employment, education or training”, or NEETs. But the number of NEETs has actually increased over the decade since the New Deal was introduced.

The role of the family and good parenting cannot be overstated in the drive for prevention. Early engagement and support for vulnerable families and individuals, and information sharing between police protective services and other agencies are crucial to success. Faith-based and local support networks provide a rich vein of skilled people willing and able to help. Police forces should identify local faith leaders willing to assist and should encourage their support and involvement in diversionary and preventive activity.⁹⁷

Education

A Home Office report that considered possible approaches to reducing homicide rates concluded that the most promising weapons-related strategies were “educational campaigns regarding the dangers and penalties in relation to the illegal carrying of knives and other weapons”.⁹⁸

While the educational approach may well be useful, few of the programmes have been evaluated for their effectiveness. The Be Safe project, which “goes into schools to educate young people on the harsh realities of what can happen when they carry a knife”, states that it has been evaluated by the Newham youth offending team and claims some impressive results. The messenger is as important as

94 Police Federation, “Memorandum submitted to the Select Committee on Home Affairs – knife crime” House of Commons: Hansard Archives Research, 2007

95 Ibid

96 Leppard D “Knife crime doubles in two years”, *The Times*, 19th August 2007; see www.timesonline.co.uk/tol/news/uk/crime/article2284258.ece

97 Brookman F and Maguire M, “Reducing Homicide: A Review of the Possibilities”, Home Office Online Report 01/03, p.36, 2003

98 Ibid

the message. The “Respect your Life, not a Knife” pledge wall campaign, backed by the footballer Rio Ferdinand, understood this. But more systematic assessment and evaluation of educational projects are needed.⁹⁹

Amnesties

A national knife amnesty ran for five weeks in 2006. Although a national knife amnesty is a relatively rare event, there is often a local amnesty running somewhere in Britain.¹⁰⁰

What little research there is suggests that knife amnesties have a very limited impact on crime levels. One retrospective study of records in Strathclyde found that Operation Blade, which ran for four weeks in 1993, had no long-term beneficial effect.¹⁰¹

Ian Johnston, who speaks on knife crime for the Association of Chief Police Officers, says of the latest amnesty: “It isn’t really aimed at the hardened gangster, who’s not going to be affected by the advertising, but at people who could drift into knife crime because of peer pressure or because of some misguided feeling.” Unsurprisingly, six weeks after the end of the amnesty, knife offence levels have returned to pre-amnesty levels.

Supply

Simply clamping down on the supply of knives – such as the installation of metal detectors at schools or equipping police with mobile metal detectors – is not sufficient to address the problem.

Focused policing: stop and search

A 2003 Home Office report noted that out of 18,900 people stopped and searched in 2001-02 under Section 60 of the Public Order Act 1994 (ie in “anticipation of violence”), 1,367 (7%) were found to be carrying an offensive or dangerous instrument and, of these, 203 (14%) were arrested for possession.¹⁰²

In London, Operation Blunt 2, launched on 14th May this year at a cost of £0.5 million a week has targeted ten London boroughs, using controversial powers under Section 60 of the Public Order Act to designate areas where anyone can be stopped and searched. This “stop-and-search blitz operation” led to more than 200 arrests and 130 weapons seized in only two weeks.

Legislation governing knife crime

Laws regulating the sale, purchase, carrying and production of knives were first introduced in the early 1950s. The Prevention of Crime Act 1953 defined an offensive weapon as “any article made or adapted for use for causing injury to the person, or intended by the person having it with him for such use by him or by some other person”. As the law stands now, it is an offence to have an article with a blade or a point in a public place without good reason or lawful excuse, with the exception of some knives that are banned outright, such as a gravity blade.

Giving teachers the right to search pupils – previously they had to call in the police if they suspected that a pupil was carrying a sharp instrument – was an important step in prevention at schools. There is some argument about the effectiveness of stiffer sentences, which are found in the 2006 Act. David Wilson has argued that “instead of dreaming up new penalties for carrying knives, communities that want to be safe from them – or indeed guns for that matter – we would be far better off investing in good schools, with well-paid and qualified teachers, and in ensuring that young people, especially young men, feel valued and included and have jobs and training when they leave school.”¹⁰³

Although the Government has toyed with the idea of on-the-spot fines of £80 for any-

99 Eades C, Grimshaw R, Silvestri A, Solomon E, *Knife Crime: A Review of Evidence and Policy*, 2nd Edition, Centre for Crime and Justice Studies, London, 2007

100 Ibid

101 Bleetman A, Perry C, Crawford R, Swann I, “Effect of Strathclyde police initiative ‘Operation Blade’ on accident and emergency attendances due to assault”, *Journal of Accident Emergency Medicine*, 14, pp153–156, 1997

102 Brookman F and Maguire M, “Reducing Homicide: A Review of the Possibilities”, Home Office Online Report 01/03, p.36, 2003

103 see www.lhds.bcu.ac.uk/news/75

one caught with a knife, nothing has come of this proposal.¹⁰⁴ The history of knife crime legislation has failed to address the underlying causes that encourage young people to carry knives for protection and treats the

symptoms not the disease. It is also convoluted, confusing and reactive. The Government would do well to follow the pattern of the Firearms Act 1997 and create an all encompassing Act focused solely on knife crime.

Main legal provisions:

- Prevention of Crime Act 1953 makes possession of an offensive weapon in a public place an arrestable offence (Section 24);
- Restriction of Offensive Weapons Act 1959 creates an offence of trading in flick or gravity knives;
- Criminal Justice Act 1988 makes possession of a bladed or pointed article in a public place an arrestable offence (Section 139) and school premises (Section 139a); provides power to stop and search persons (Section 140);
- Criminal Justice and Public Order Act 1994 (as amended by Knives Act 1997 and Crime and Disorder Act 1998) allows senior police officers to authorise constables to stop and search persons in a specific area, either where a serious public order problem is likely to arise, or for offensive weapons or dangerous instruments. Failing to submit to a search is an arrestable offence;
- The Knives Act 1997 introduces a range of anti-knife measures including unlawful marketing of combat knives, publishing adverts for combat knives, and creates powers for entry, seizure, retention and forfeiture.

The Violent Crime Reduction Act 2006 was meant to consolidate existing legislation and alter knife regulations by:

- Increasing the penalty for possession of a knife in a public place (Section 42);
- Prohibiting sale of knives and other weapons (Section 43);
- Raising the minimum age at which a young person can buy a knife, from 16 to 18 (Section 46);
- Reducing the threshold for a police constable to enter a school and search the premises and/or people from “reasonable grounds for believing” to “reasonable grounds for suspecting” that weapons are held (Section 45 and 48);
- Giving powers for members of further education staff to search students and staff in attendance centres to search persons (Section 45 and 46);
- Creating a new offence of using another person to keep a weapon and including an aggravating factor in sentencing if the person involved is a child (Section 28).

104 “Instant Fines urged for Knife Crime”, *The Observer*, 11th June 2006

4

Gangs, Violent Crime and Prevention

Summary

There is no shortage of literature on street gangs in criminology, but the vast majority of research is based on the American experience; there are many gaps in our knowledge about street gang numbers and their distribution in England and Wales. However, the impact of gang activity on levels of violent crime and youth offending is inescapable. Gang members are more likely than non-members to be involved in violent crimes, carrying illegal weapons, drugs, acts of criminal damage and general disorder.¹⁰⁵ Legislation is not sufficient to control this surge in youth crime. Prevention requires attention to sociological and psychological factors as well as legal controls.

Theory

The first large-scale work on gangs was conducted by Robert Park and Frederick Thrasher in Chicago.^{106,107} Because they were primarily concerned with the impact of migration on the ecology of the city and the social disorganisation of migrant families, they looked at gangs formed along ethnic lines. Following these seminal studies, attention turned to the social and economic conditions and criminal, political and administrative structures that foster the emergence of gangs.¹⁰⁸

The standard academic definition of gangs was established by the American anthropologist, Walter Miller in the early 1980s: “A group of recurrently associating individuals with identifiable leadership and internal organisation, identifying with

or claiming control over territory in the community, and engaging either individually or collectively in violent or other forms of illegal behaviour.”¹⁰⁹

While the definition of gangs is more established in the American case, gang research in England and Wales is still in a developing stage. In their work, Shropshire and McFarquhar make a distinction between two different types of gang found in Britain. The first type, “crime firms”, are distinguishable by the fact that they are well organised and tied together by common economic interests and involved in illegal money making opportunities. The second type, “street gangs”, are marked by their disorganisation and a lack of clear hierarchy. These gangs are not usually formed for economic benefit and are distributed along territorial or ethnic lines.

In their 2004 research, Hallsworth and Young suggested a typology of urban collectives.¹¹⁰

- *Peer Group*: a small, unorganised, transient grouping occupying the same space with a common history. Crime is not integral to its image;
- *Gang*: a relatively durable, predominantly street-based group of young people for whom crime and violence is an essential part of its identity;
- *Organised Criminal Group*: members are professionally involved in crime for personal gain operating almost exclusively in the “grey” or illegal marketplace.

105 Bullock K and Tilley N, “Shootings, Gangs and Violent Incidents in Manchester: Developing a Crime Reduction Strategy”, *Crime Reduction Research Series*, Paper 13, Home Office, 2002

106 Park R, “Sociology”, in Gee W, (ed) *Research in the Social Sciences*, Macmillan, 1929

107 Thrasher F, *The Gang*, University of Chicago Press, 1963

108 Cloward R and Ohlin L, *Delinquency and Opportunity*, Routledge & Kegan Paul, 1960

109 Miller W, *Crime by Youth Gangs and Groups in the United States*, US Department of Justice, 1982

110 Hallsworth S and Young T, “Getting Real about Gangs”, *Criminal Justice Matters*, vol 55, 2004

Robert Gordon's research into the Canadian experience of gangs and youth offenders added to the typology taking into account the nature of social interaction among young people:¹¹¹

- *Youth movements*: social movements characterised by a distinctive mode of dress or other bodily adornments, a leisure-time preference and other distinguishing features (eg punk rockers);
- *Youth groups*: small clusters who hang out together in public places such as shopping centres;
- *Criminal groups*: small clusters of friends who band together, usually briefly, to commit crime primarily for financial gain, and may contain young and not-so-young adults as well;
- *Wannabe groups*: loosely structured groups engaging in spontaneous social activity and impulsive criminal activity including collective violence against other groups of youths. Wannabees will often claim territory and adopt gang-style identifying markers of some kind;
- *Street gangs*: semi-structured organisations involved in planned and profitable criminal behaviour or organised violence against rival street gangs. They tend to be less visible but more permanent than other groups;
- *Criminal business organisations*: groups with a formal structure and a high degree of sophistication composed mainly of adults who engage in criminal activity primarily for economic reasons and almost invariably maintain a low profile. Thus while they may have a name, they are rarely visible.

Research in the US, Canada and England and Wales on classifying gangs reveals how varied the phenomenon is. Any effective policy aimed at curbing gang violence and activity needs to take into account the spectrum of gang organisation.

Criminologists in Britain are beginning to study the experience of gangs in England and Wales, but research is still relatively limited. A 2002 report commissioned by Manchester City Council found that there are approximately 1,000 young people in gangs within Greater Manchester.¹¹² One nationwide estimate puts the number of young people involved in a gang at 30,000.¹¹³ As the number of youths involved in gangs has grown so has the prevalence of weapons and firearms on the streets. In 2002, the National Criminal Intelligence Service (now the Serious and Organised Crime Agency), reported an increase in gun possession among gangs.¹¹⁴

Bullock and Tilley researched gang involvement in Manchester using police databases. They interviewed 23 males identified by Manchester police as known gang members. Their study found that the large majority of gang members were young, black and male; all were heavily involved in criminal behaviour, each averaging 12 arrests and 2.1 previous convictions.¹¹⁵ They also noted the increasing use of weapons among gang members. It is important to note that Bullock and Tilley's observations are specific to Manchester. Although gangs are a growing national phenomenon, their ethnic make-up varies; each local gang is unique.

In his ethnographic study of gang members in Manchester from 1997 to 1998, Dennis Mares captured the developmental stages of two gangs discussed in Bullock and Tilley's research. Both gangs were heavily involved in dealing class A drugs within a very loosely organised hierarchy without formal leaders.¹¹⁶ Further studies confirm that this is typical: one study found that three-quarters of gangs were involved in some form of drug dealing and that 60% allegedly possessed firearms.¹¹⁷

In 2004, Bennett and Holloway looked at gang membership among offenders using data from a programme that monitors drug abuse among arrestees in

111 Gordon R, "Criminal Business Organisations, Street gangs and 'Wanna Be' Groups: A Vancouver Perspective", *Canadian Journal of Criminology and Criminal Justice*, vol 42, no 1, 2000

112 Shropshire S and McFarquhar M, *Developing Multi-Agency Strategies to Address the Street Gang Culture and Reduce Gun Violence among Young People*, Briefing No.p 4, Manchester, 2002

113 Thompson T, "Gang membership Spirals Among under 16s", *The Observer*, 8th September, 2002

114 *UK Threat Assessment 2002: The Threat from Serious and Organised Crime*, National Criminal Intelligence Service, London, 2002

115 Bullock K and Tilley N "Shootings, Gangs and Violent Incidents in Manchester: Developing a Crime Reduction Strategy", *Crime Reduction Research Series*, Paper 13, Home Office, 2002

116 Mares D, "Gangstas or Lager Louts? Working-Class Street Gangs in Manchester", in Klein M et al (eds), *The Eurogang Paradox: Street Gangs and Youth Groups in the US and Europe*, Kluwer Academic Publishers, 2001

117 Stelfox P, "Policing Lower Levels of Organised Crime in England and Wales", *The Howard Journal*, vol 37, no 4, 1998, pp 393-406

England and Wales.¹¹⁸ They concluded that gang members tend to be young (under 25 years), male, criminally active, often involved in robbery and drug supply offences and have a tendency to carry weapons and firearms.¹¹⁹ Comparisons between gang members and non-gang members were statistically significant and showed that roughly two-thirds of current gang members had taken a weapon to commit an offence; more than half had possessed a gun; and three-quarters said they had mixed with people who possessed guns.¹²⁰ The majority of gang members in England and Wales are white and the dominant ethnic minority groups are Caribbean and Bangladeshi; in America, gang members are mostly African-Americans. Although gang membership is typically seen as being no longer than a year or two, some believe that, as gang culture develops further, the number of older gang members will grow.^{121,122}

From his research into gangs in Waltham Forest, in northeast London, Professor John Pitts has produced one of the most interesting and insightful of recent papers on gangs. He breaks down individual members of gangs into six categories:¹²³

- core members/elders;
- soldiers/youngers;
- shooters/street-level drug dealers;
- wannabees/girlfriends;
- occasional (ambivalent) affiliates;
- reluctant gang members.

What is so striking about Pitts's findings is the concept of the "reluctant gangsters", which can be understood as youths living in the territory of a gang who are effectively forced into participation through social pressure or even physical intimidation. Pitts argues that the gang involvement of about one third of young people in Waltham Forest is not wholly voluntary.¹²⁴ These reluctant members joined because of

the risks of harm to themselves or their family if they did not; to oppose other gangs; to get access to education/ recreational resources in gang territory; to compensate for lack of legitimate employment or education opportunities. They did not leave the gang because of the dangers inherent in doing so. This is a bleak picture for youths living in areas with active gangs. If Pitts's findings are more widely applicable then the Government needs to take them into account when tackling the firearms and knife offences that are inextricably linked with gangs in our large urban centres. Instances of violent offending with firearms and knives are inextricably linked with gang culture in major urban centres throughout Britain, and any attempt to curb gun and knife crime must be integrated with policies that target gangs and gang crime.

Prevention and the Public Health Approach

Between 1985 and 1992 youth violence in the US surged to unprecedented levels. Judging by the ten-year rise in gun and knife crime, England and Wales could be at the beginning of a similar surge. The question is – what would successful prevention look like?

Over the past 30 years the academic community has expressed growing uncertainty about the role of legal sanctions in the prevention of violence. In simple economic terms, the effectiveness of criminal deterrence is a function of the severity of the penalty for a given offence and the likelihood of being punished for that offence. Thus incredibly high penalties for crimes could theoretically be meaningless if their enforcement does not bring an adequate rate of successful prosecution. But even when the criminal justice system strikes an appropriate balance between penalty and risk of punishment, deterrence alone is not enough to curb violent offending.

118 Bennett T and Holloway K, "Gang Membership, Drugs and Crime in the UK", *British Journal of Criminology*, vol 44, no. 3, 2004, pp 305-323

119 Ibid

120 Ibid

121 Thornberry T, "Membership in Youth Gangs and Involvement in Serious and violent Offending", in Loeber Rand Farrington D (eds), *Serious and Violent Juvenile Offenders: Risk Factors and Successful Interventions*, Sage, 1998

122 Curry D and Decker S, *Confronting Gangs: Crime and Community*, Roxbury Publishing Company,

123 Pitts J, *Reluctant Gangsters: Youth Gangs in Waltham Forest*, University of Bedfordshire, February 2007

124 Ibid

During the 1970s, academics realised that criminal deterrence could not be managed solely by the criminal justice system, a sentiment shared by senior police officers today. Since young people are most likely to commit violent offences the focus of prevention has shifted to the institutions that wield influence over them: families, schools, neighbourhoods and peer groups.¹²⁵ This thinking was the catalyst for the public health approach to violence prevention in the early 1990s. It is summed up in the idea that “it is surely better to prevent violence through the positive aim of promoting health than through the negative aims of conviction and punishment”.¹²⁶ However, there has been disagreement as to whether such an approach is better than the straightforward criminal justice system.

James Gilligan has argued that the “criminal justice and penal systems have been based on one huge mistake: namely, the belief that punishment deters, inhibits, or prevents violence”. According to Gilligan, emotion – namely overwhelming shame and humiliation – is the primary factor influencing violent behaviour. Factors that influence a person’s ability to mitigate the “pathogens” of shame, humiliation or lack of self esteem include: education, positive emotional development, external sources of esteem from others (supportive family/friends), wealth, and social status. However, he has also admitted that it is “likely that tough law-and-order measures for crimes including guns have had a big impact in reducing gun deaths”.¹²⁷ Arguing that one approach is better than the other is counterproductive because any successful effort to reduce violent crime will need to extract the best from both.

Public health studies have consistently reported that laws that regulate safer storage of firearms are linked to fewer deaths and injuries from firearms. Preventive legislation can be effective, but enforcement is crucial if its full benefits are to be realised.

In one study, legislation requiring gun owners to keep firearms locked away was associated with reductions in accidental deaths of children.¹²⁸ Similarly, evaluations of American laws at the state level that restrict handgun purchases have been followed by reductions in violent offences.¹²⁹

“ Incredibly high penalties for crimes could theoretically be meaningless if their enforcement does not bring an adequate rate of successful prosecution ”

In studies that control for income inequality and social/educational exclusion, the most important factor in determining a person’s resistance to violent behaviour is early childhood development. Farrington has identified the risk factors associated with the subsequent development of juvenile delinquency and violence. These factors include: early childbearing, low intelligence/poor educational achievement, erratic or harsh parental discipline, parental conflict or separation, low socioeconomic status, delinquent or violent peers and disorganised neighbourhoods.¹³⁰

Essentially, the public health approach identifies the above risk factors and their subsequent effect on violent behaviour. Now the field of study moves toward the discussion of prevention: given the risk factors, can the Government prevent violent crime?

Howell and Hawkins argue that there are two distinguishable groups of young offenders who commit crime. The first group, persistent offenders, encompasses those who show violent and oppositional behaviour in childhood which persists into adulthood.¹³¹ The second group engages in violent acts only during adolescence.¹³² While many in the first group will be impervious to prevention and intervention programmes, the second group, and a limited number in the first, could benefit immensely from prevention work.

125 Shepherd J, “Criminal deterrence as a public health strategy”, *The Lancet*, vol 358, 17th November 2001

126 Shepherd J and Farrington D, “Violence as a Public Health Problem”, *Review of Social Medicine*, vol 86, 1993, 89-92

127 Gilligan J, “Violence in public health and preventive medicine”, *The Lancet*, vol 355, 2000 pp 1802-04

128 Cummings P et al, “State gun safe storage laws and childhood mortality due to firearms”, *Journal of the American Medical Association*, vol 278, 1997, pp 1084-86

129 Wright M, Wintemute G and Rivara F, “Effectiveness of denial of handgun purchase to persons believed to be at high risk for firearm violence”, *American Journal of Public Health*, vol 89, 1999, pp 88-90.

130 Farrington D, *Understanding and Preventing Youth Crime*, York Public Services, 1996

131 Howell J and Hawkins J, “Prevention of Youth Violence”, *Crime and Justice*, vol 24, Youth Violence, 1998, pp 263-315

132 Moffitt T, “Adolescence-Limited and Life-Course-Persistent Antisocial Behaviour: A Developmental Taxonomy”, *Psychological Review*, vol 100, 1993, pp 674-701

Kellermann evaluated a number of schemes designed to prevent violent offending. They fell into three broad categories: family and early childhood interventions, youth and adolescent interventions and community level interventions. Of the three, the most promising was family and early childhood interventions. Community level interventions showed some promise, while youth and adolescent interventions produced mixed results.

He concludes that there is little evidence that intervention strategies targeted at juvenile offenders reduce violent offending, while incarcerating them is both expensive and yields only temporary benefits.¹³³ The older they are the less effective intervention is. By the time an adolescent offender is referred to an intervention programme by a court, he is likely to have a long history of antisocial interaction with parents, schools, and community that is not easily reversed.¹³⁴ Other research has echoed this, arguing that only early childhood intervention can yield maximum and sustained impact.¹³⁵

“Quick fix” approaches are unlikely to have enduring effects in preventing violence.¹³⁶ Unfortunately, expedient legislation has been a mainstay of the Government’s approach to knife crime. Effective prevention programmes that aim to change communities for the better must be guided by analyses of both the most noxious risk factors and the existing strengths of the community.¹³⁷ Both early childhood and

community level programmes must have long-term focus, as short, piecemeal efforts will not lead to sustainable results.¹³⁸

At present, the Government’s best approach to early childhood intervention among disadvantaged children is Sure Start, a programme aimed at raising the physical, social, emotional and intellectual well-being of children under four through joined-up public services. It is part of the Government’s policy to prevent social exclusion, and is designed to improve the “equality of opportunities” for younger children through better access to early education, health services for children and parents, family support and advice on nurturing.¹³⁹ Unfortunately it has lost some of its original focus as the Government has expanded and shifted the goals of the programme.

The public health and prevention approaches have much to teach policymakers, especially at the local level. Councils, police forces, crime and disorder reduction partnerships, schools, primary care trusts, and youth services must work in concert within the framework of prevention research. Dave Keller, Chief Superintendent of Metropolitan BCU in Manchester, said: “the police are only 10-15% of the solution to reducing violent crime.”¹⁴⁰ Violent crime involves many agencies other than the police. The supply of, and demand for, guns and knives can only be reduced if the deeper social and psychological factors are addressed alongside legal controls and traditional deterrence.

133 Kellermann A et al, “Evaluating Violence Prevention Programs: What Works?” *Annual Review of Public Health*, vol 19, 1998, pp 271-292

134 Hawkins J and Weis J, “The social development model: An integrated approach to delinquency prevention”, *Journal of Primary Preventions*, vol 6, no 2, 1985 pp 73-97

135 Wilson J and Howell J, *A Comprehensive Strategy for Serious, Violent and Chronic Juvenile Offenders*, US Department of Justice, Office of Juvenile Justice and Delinquency Prevention, 1993

136 Howell J and Hawkins J “Prevention of Youth Violence”, *Crime and Justice*, vol. 24, Youth Violence, 1998, pp 263-315

137 *Ibid*

138 Catalano, et al, “Developmental risk factors for youth violence”, *Adolescent Health*, vol. 26, no. 3, 2000, pp 176-86

139 Glass N, “Sure Start” *Children & Society*, vol. 13, 1999, pp 257-264

140 Interview with Chief Superintendent Dave Keller, Manchester, April 2008

5

Police Federation Survey

Summary

Successful delivery depends on the people closest to the consumer, in the case of the police service these are the men and women in local BCUs. Our survey of Police Federation members revealed that those in metropolitan areas felt that knife crime has become worse. Moreover, the majority felt that gang offending has increased in their area. They also reported failure to enforce mandatory sentences, and to disseminate information and training when new legislation is introduced. Their most popular solutions were increasing police stop-and-search powers and the number of officers armed with non-lethal weapons.

Professional Perceptions

Despite some of the most restrictive firearms laws in the world, firearms crime has been increasing in England and Wales, most of it committed with an illegal or stolen firearm.¹⁴¹ There is more violent gun and knife crime in generally poorer areas than in wealthier ones.

The constables and sergeants who run neighbourhood police teams are the most knowledgeable about the state of public safety on their beat. Despite the unique insights they can offer, criminological research tends to rely on aggregate crime figures such as the BCS and official recorded crime statistics. Although the pioneers of British criminology focused on the policeman in the community,¹⁴² more recent research has focused on the top-tiers of the Home Office.¹⁴³

In his study of municipal policies in American cities, Lipsky concluded that policy implementation depends on the people who actually deliver it at the level closest to consumers. He termed them “street-level bureaucrats”.¹⁴⁴ Although this has been accepted in America and other countries,¹⁴⁵ the British debate has tended to overlook this crucial aspect of delivery.¹⁴⁶ To redress the balance, this chapter analyses the perspectives of police constables and sergeants – the street-level bureaucrats – on violent crime.

Because perceptions of those at the frontline of service delivery matter, the findings in this chapter should be duly noted by policymakers. All policy formulation should be based on objective knowledge and in the true spirit of the term, evidence-based. Any assessment of crime – and its reduction – must take the street-level bureaucrat as its point of departure.

Levels of Crime: The True Picture?

The BCS and official police recorded statistics do not offer a complete picture of violent crime, because much of it goes unreported – especially violence between criminals. Given those limitations, our survey draws on the experience of those closest to violent crime in the police forces where it is most prevalent. Current Home Office figures report that gun crime is decreasing from a peak reached in 2002-03. However, this official trend is at odds with police perceptions in those areas most affected by gun crime. When presented

¹⁴¹ Squires P, *Gun culture or gun control: firearms, violence and society*, Routledge, 2000, p 180

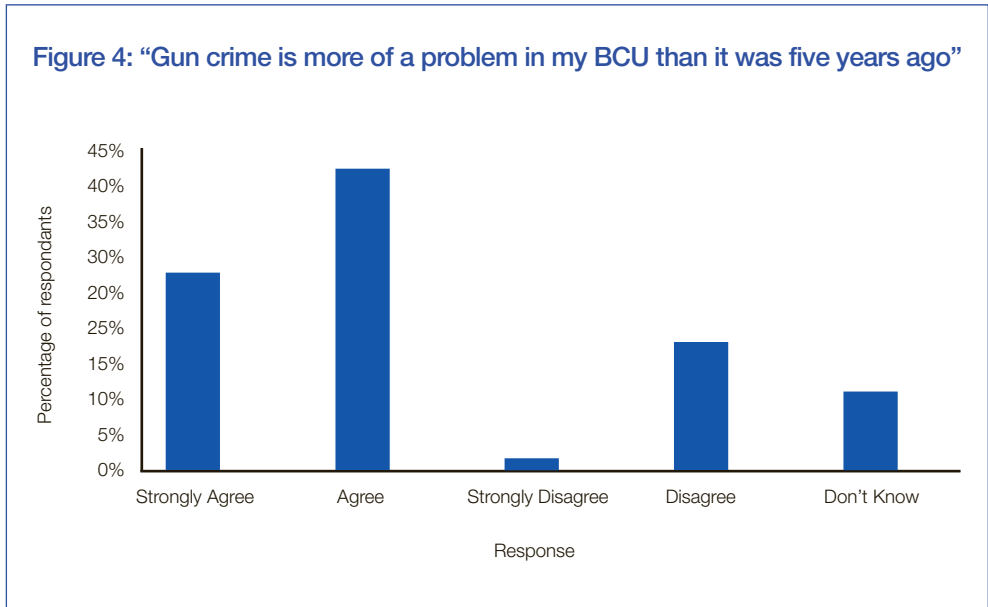
¹⁴² Banton M, *The Policeman in the Community*, Tavistock, 1964

¹⁴³ Nicholas S, Kershaw C and Walker A, *Crime in England and Wales 2006/07*, Home Office, London, pp.33, 71, 2007

¹⁴⁴ Lipsky M, *Street-Level Bureaucracy*, Sage, 1980

¹⁴⁵ Maynard-Moody S and Musheno M, *Cops, Teachers, Counselors: Stories from the Front Lines of Public Service*, University of Michigan Press, 2003

¹⁴⁶ The exception is Evans T and Harris J, “Street-Level Bureaucracy, Social Work and the (Exaggerated) Death of Discretion”, *British Journal of Social Work*, vol 34, no 6,

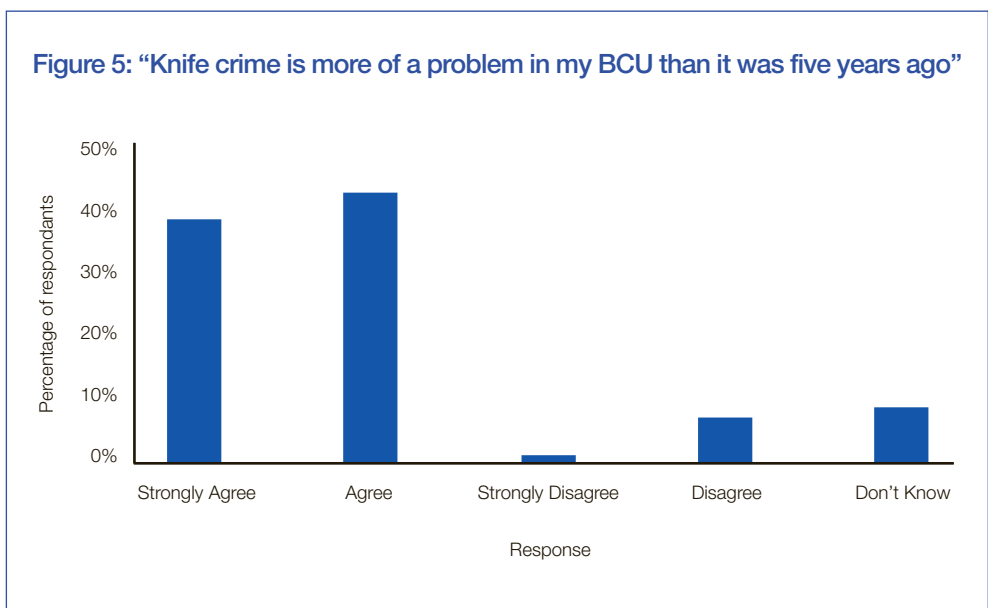


with the statement: “Gun crime is more of a problem in my BCU than it was five years ago”, 70% agreed or strongly agreed with the assessment.

The BCS reports that knife-enabled crime was stable from 2005/06 to 2006/07.¹⁴⁷ However, these statistics are at odds with the perceptions of those at the frontline of delivery. Presented with the statement: “Knife crime is more of a problem in my BCU than it was five years ago”, 44% of respondents agreed, and 39%

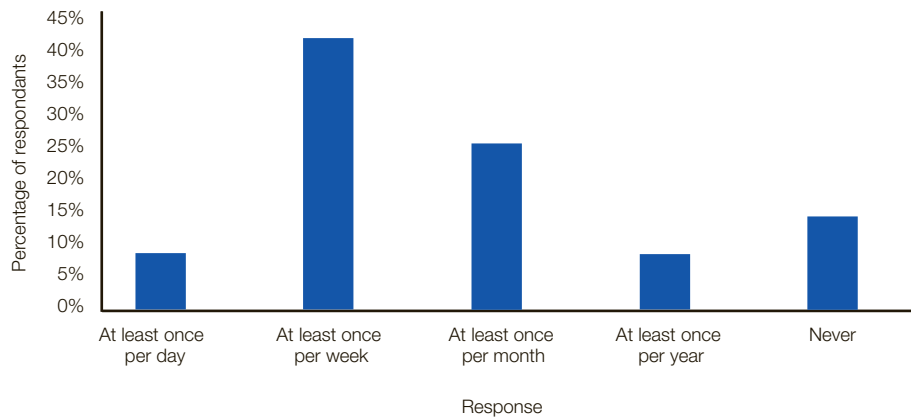
agreed strongly. Only 7% disagreed and less than 1% (0.8) strongly disagreed. Regardless of what official statistics may report, more than 80% of frontline officers in four forces felt that knife crime is getting worse.

The survey asked about the frequency with which officers are called to the scene of crime where an offensive weapon is believed to be present. 42% of officers were called to a knife incident at least once a week and 9% once a day. Only 14% of officers – mostly



147 Nicholas S, Kershaw C and Walker A, *Crime in England and Wales 2006/07*, Home Office, London, pp.33, 71, 2007

Figure 6: How often are you called to an incident understood to involve a knife?



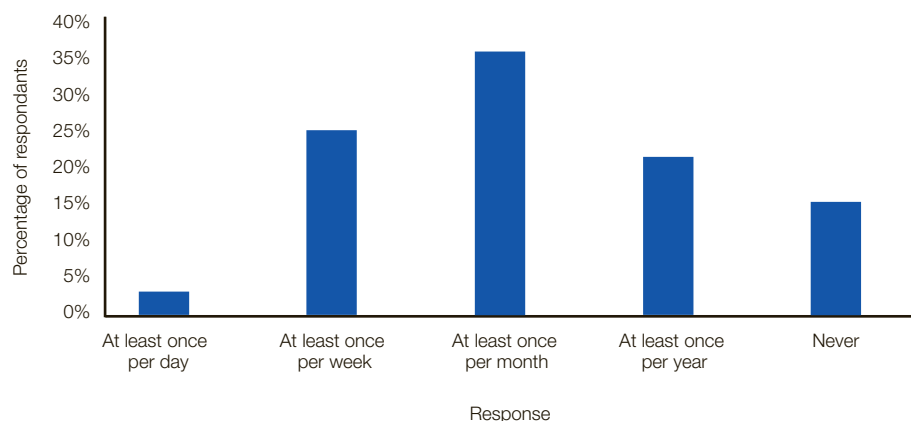
those serving in rural BCUs – had never been called out to an incident “understood to involve a knife”. The table shows that more than half of the officers responding to the survey are called to a knife incident at least once a week.

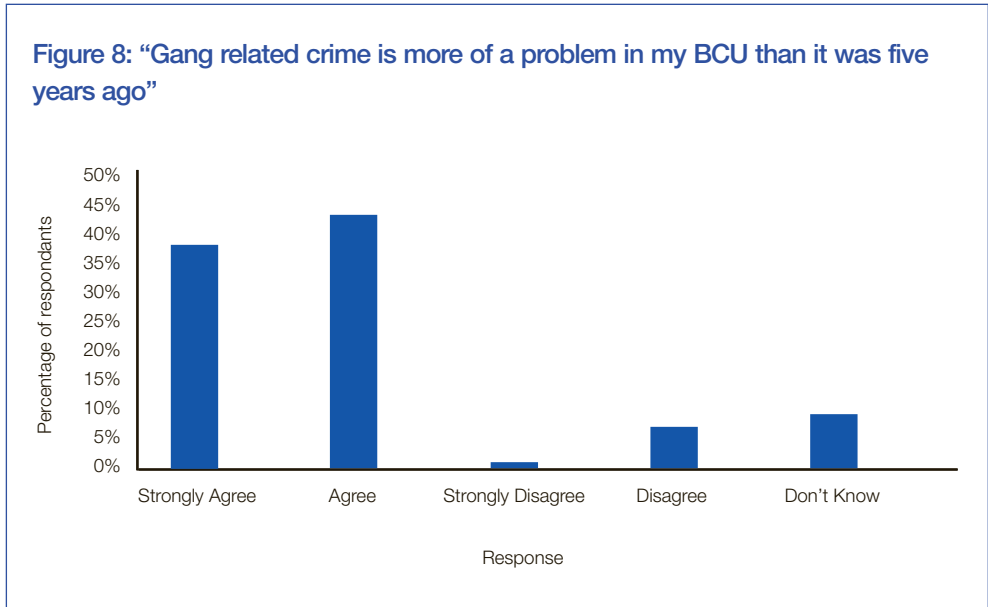
As one would expect, the figures are somewhat lower for gun than for knife incidents. The survey found that 64% of officers were called out to a firearms incident at least once a month, compared to 77% for knife incidents; nevertheless 28%

were called out at least once a week to a firearms incident. While lower than that for knife incidents, this figure still indicates that gun crime is experienced with some frequency by the average police officer.

Asked if “gang related crime is more of a problem in their BCU than it was five years ago”, the vast majority of officers reported that it was: 74% of police constables and sergeants agreed that it was and 33% strongly agreed. This is more than double the number of officers who

Figure 7: How often are you called to an incident understood to involve a firearm?





disagree or strongly disagree with the statement. Among the forces that have metropolitan areas, there is no doubt among frontline officers that gang crime is getting worse.

Enforcement: Talk is Cheap

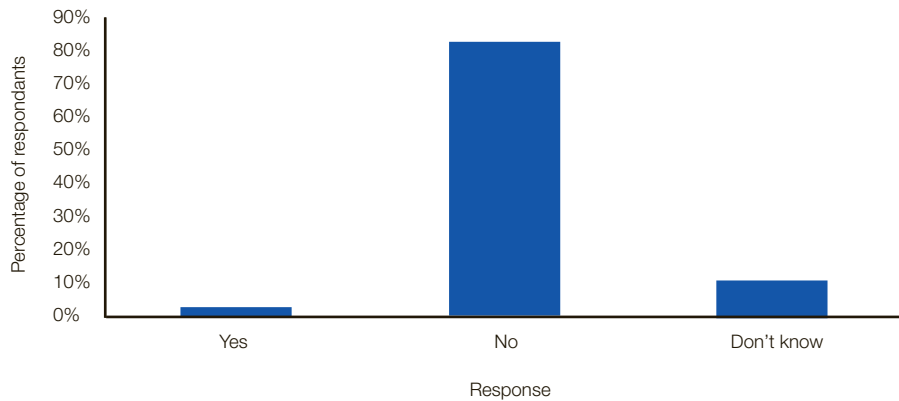
Without implementation and delivery all public policy making is void. If the Government cannot deliver public services and enforce the law as it is written, its

decision making is without consequence. Combining the results of this survey with anecdotal evidence, new legislation is just that – hollow as a result of failure to deliver. What research on the subject has been conducted has concluded overwhelmingly that implementing policies from the top down is often problematic.¹⁴⁸ This was the rationale for investigating the perceptions and experience of the “street-level bureaucrats” of crime and justice.



148 Pressman J and Wildavsky A, *Implementation: how great expectations in Washington are dashed in Oakland; Or, why it's amazing that federal programs work at all*, University of California Press, 3rd edition, 1984

Figure 10: Do you think mandatory sentences are being enforced as they should be?



To implement policy those at the street-level must be fully informed of new legislation and initiatives and the full impact they have on service delivery. Without detailed instructions it is impossible for police constables (PCs) to carry out the tasks expected of them. Based on our survey findings, there is reason to believe that PCs are not receiving adequate instructions and the training on how to deliver and enforce newly established government policies on gun and knife crime.

When asked, “Have you received sufficient information and training in enforcement of recent legislation (eg banning imitation weapons)?” survey respondents overwhelmingly replied no. Only 12% of officers in the four police forces said that they had received adequate information and training about new policies. The vast majority, 83%, felt that they had not.

Where the blame rests for the above results is unclear. It would be easy to blame senior officers for this failure to communi-

Figure 11: Do you think enough is known about the drivers behind gun crime to implement policy against it?

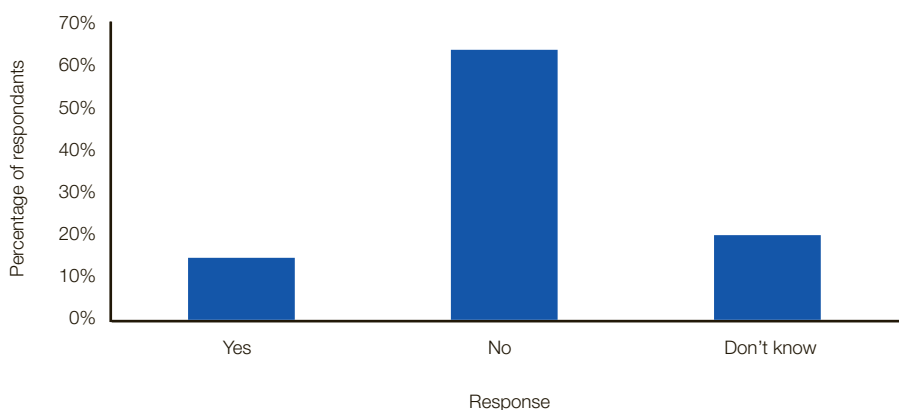
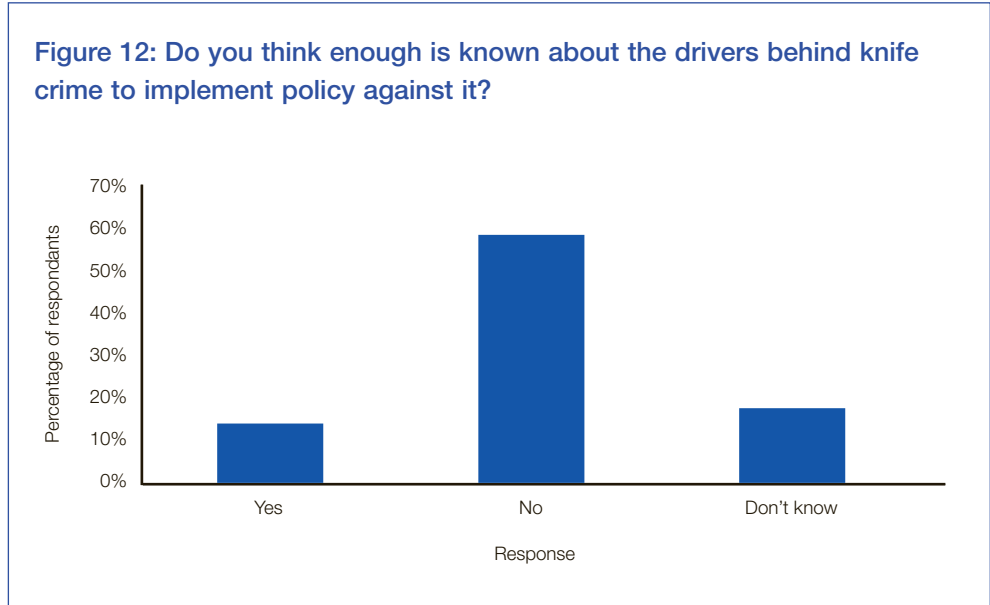


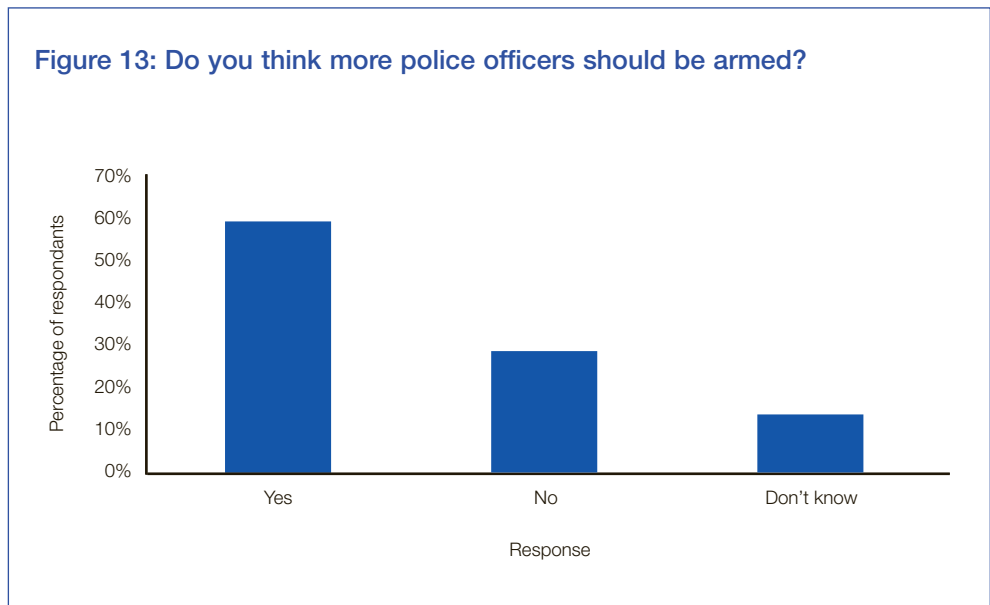
Figure 12: Do you think enough is known about the drivers behind knife crime to implement policy against it?



cate instructions to the frontline staff, but this might be rash condemnation of senior police officers. One could point to police authorities for not outlining local priorities and suggesting changes to legislation. However, police authorities comprise local council members, independent appointees and magistrates and are not responsible for policy at the parliamentary level. The Home Office must bear some of the blame, as central policy should disseminate downwards from it. For example, it issued very few

instructions as to how the Anti-Social Behaviour Act 2003 should be implemented – indeed, there is only one reference to guns in an explanatory companion document to an Act that was billed as a major initiative against gun crime.¹⁴⁹ Moreover, there are a number of lines of communication that could have failed, leaving frontline officers without adequate guidance on how new policy should affect their day-to-day work. This is an issue that requires urgent attention.

Figure 13: Do you think more police officers should be armed?



¹⁴⁹ see <http://drugs.homeoffice.gov.uk/publication-search/reducing-supply/anti-social-behaviour-guidance>

Police officers also felt that mandatory sentences for gun and knife crime are not being enforced as they should be. In fact, less than 3% of respondents felt that sentences are being enforced as they should be. And an overwhelming 85% of responding officers felt that mandatory sentences are simply not carried out the way they should be. According to interviews with senior police officers, the current average sentence served for an illegal firearms possession is approximately two years.¹⁵⁰

There are arguments against the enforcement of mandatory sentences, above all the importance of maintaining judicial independence. Mandatory sentencing is believed to have affected the behaviour of senior gang members. A defence attorney turned local councillor in a London borough has said that they will pressure younger members into looking after their firearms in an effort to avoid mandatory sentencing. As a result, the age of offenders prosecuted for carrying firearms has dropped.¹⁵¹

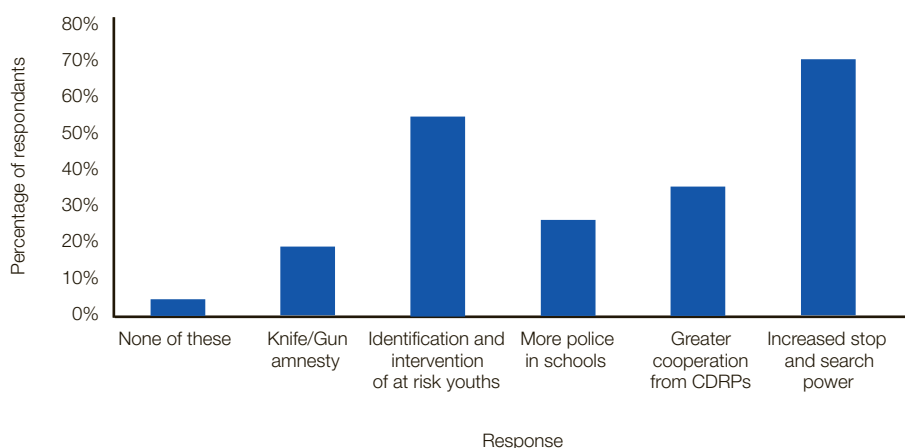
As with the failure to enforce mandatory sentencing, there is a strong perception that other recent legislative measures are not having an impact on gun or knife crime. An overwhelming 92% of survey respon-

dents felt that new laws such as the Violent Crime Reduction Act 2006 have had no impact on lowering gun crime. There could be a number of reasons for police perception regarding new legislation. Because of the event driven and reactive nature of much recent legislation, police officers may, perhaps, have grown cynical.

“Tough on crime and tough on the causes of crime” was Tony Blair’s mantra as leader of the Opposition. It followed from this that new Labour should have a long-term strategy that fights inequality and the root causes of violent crime and is based on the best available evidence.

However, the apparent lack of knowledge surrounding knife crime and the upward trend in firearms crime suggest that Government has not delivered on its core promise. To gauge police perception on the causes of violent crime, the survey asked: “Do you think enough is known about the causes behind gun crime to implement effective policy against it?” The response was disappointing: less than 15% of police officers answered yes; 65% felt that not enough was known about the causes behind gun crime and 20% did not know if enough was known about the causes of gun crime to implement effective policy.

Figure 14: What policy solution would be most effective in curbing gun and knife crime?



150 Interview with senior GMP police officer, Manchester, April 2008

151 Interview with London local councillor, London, May 2008

A similar question was asked about knife crime. Only 16% said “yes” to the question “Do you think enough is known about the causes behind knife crime to implement effective policy against it?”. The remaining 84% felt that there was either not enough known (64%) or that they did not know enough to answer (20%). Their replies echo the attitudes of academics and policy-makers. The most comprehensive research on the British experience of knife crime argues that there is a large gap in understanding on the issue. And the Government’s “everything but the kitchen sink” approach has not yielded results. This gap must be addressed before the Government can legislate effectively on knife crime.

The final part of the survey asked police officers about possible solutions, including whether more officers should be armed. In the past the Police Federation has called for more armed officers to provide the public and non-armed constables with protection should the need arise.¹⁵²

However, there is no political will to transform the entire police service into a fully armed body. Police Federation members have consistently voted against arming all warranted officers. The argument is that armed police officers would forever break the link with the community. Guns would create a new relationship with the public and would fundamentally alter the “policing by consent” model that Britain prides itself on. However, increasing the number of armed officers would offer a balance between greater protection of the public and police, while maintaining the heritage of British policing. As the view of the police officers surveyed demonstrates, there is majority support for increasing the number of armed police officers: 58% respondents agreed that “more Police Officers should be armed”. Only 28 felt that there should not be more armed officers.

When taken together with other findings – especially the perception that knife and gun crime has risen in a majority of BCUs – the support for more armed police officers is a clear sign that PCs are frustrated with the current situation and that they want more effective alternatives.

The survey asked about other possible policy solutions to combat gun and knife crime. The table below gives the responses to the question “What policy solution would be effective in curbing gun and knife crime?”. Respondents were allowed to select multiple options. The most popular remedy was increased stop-and-search powers – supported by 71%. The second most popular remedy was identification and intervention of at-risk youths – supported by 56%. The latter shows that PCs support intelligence-led policing and early intervention programmes, which show promise for reducing the demand side of gun and knife crime.

In interviews with senior police officers, we were repeatedly told that the police service is never the first – and often the last – to be made aware that a youth is at risk of violent or gang crime. Many are not satisfied with the level of early identification and intervention with youths. We believe that better early intervention programmes are crucial to the long-term reduction of violent crime.

In this same vein, better intelligence sharing and improved early intervention are possible with the improvement of multi-agency co-operation. However, this recommendation was favoured by only 36% of respondents. Perhaps this indicates that the ideal of joined-up government is not quite as popular at street-level as it is in Whitehall and Westminster, though more senior police officers seem to advocate the policy.

Another issue that is often cited by police commanders is the level of co-operation between police and schools. The two could undoubtedly work together better,

¹⁵² BBC News, “Do we need more armed police officers?”, 16th May, 2006, <http://news.bbc.co.uk/1/hi/uk/4985634.stm>

but Police Federation members did not think that more officers in schools would make much difference: only 27% supported the proposal. Weapons amnesties were also relatively unpopular: only 19% thought they were an effective solution.

We asked police officers a similar question in open-ended fashion, leaving them free to suggest what they thought would be most effective. Their suggestions were varied, but fell into five main categories: deterrence, empowering police, education, reducing supply and tackling root causes.

Deterrence policies centred on judicial changes, advocating stronger, firmer punishment for use of firearms and knives. Among those officers who suggested deterrence policies, longer prison sentences were most often cited; 58% of respondents in the sub-group and 35% of the entire group supported tougher prison sentences. Other policy suggestions included mandatory term prison sentences (23%), clearer sentencing (7%), capital punishment and/or deportation (6%), better enforcement of current laws (3%), more prisons (2%), and financial deterrence (0.7%).

The second category, empowering police, produced several suggestions for increasing the effectiveness of police in combating gun and knife crime on the frontline. The most popular suggestion was more arms (by which they meant tasers and other non-lethal weapons) for police; 37% of respondents within the subgroup and 8% of the total supported the policy. Other suggestions included more resources for police (26% in the subgroup), more stop-and-search powers (22% in the subgroup), greater police intelligence (11% in the subgroup), and incentives for informants (3.1% in the subgroup).

Education was identified by some frontline officers as an important preventive measure. However, only 7% of respondents identified increased awareness in schools as a viable solution. Educating parents was identified by only 0.6% of respondents. Again, prevention programmes that are delivered through a multi-agency approach may fly below the radar of constables and sergeants. Tackling perceived root causes like computer games, drugs and alcohol were not suggested often, each being mentioned by 1, 0.7 and 0.2% of respondents respectively.

“ Increasing the number of armed officers would offer a balance between greater protection of the public and police, while maintaining the heritage of British policing ”

Reducing supply was also mentioned by a small number of officers. Greater border controls were suggested by 0.5% of respondents and a complete ban on imitation and deactivated firearms was suggested by 3%.

The relatively low support among Police Federation members for long-term policy initiatives is most likely a reflection of the tactical nature of their work. Police constables and sergeants want to see policies enacted that have immediate results on the street level. Initiatives that would not deliver measurable results for 5 or more years do not appeal to the police. It is important that policymakers take on board the concerns of frontline police, but that there is an adequate balance between tactical and strategic policies.

6

Youth Justice System and Youth Offender Teams

Summary

As previous research, statistics and anecdotal evidence have reported, violent offenders are becoming ever younger. Any attempt to cut violent crime must start with a focus on youth justice. In an effort to better understand the state of youth crime, the following chapter looks at primary research gathered from the focal point of the youth justice system: Youth Offender Teams. Our structured interviews with Youth Offending Team managers provide a national picture of the state of frontline youth justice and an indication of violent crime trends for young offenders. The responses were as varied as the YOTs themselves, with reports that violent crime had increased, decreased and remained stagnant in almost equal proportion. The interviews were most useful for understanding how YOTs work on a daily basis, their shortcomings, limitations and ideas for improving youth justice. Many YOT managers felt they were not able to implement prevention work due to resource constraints.

The young offender survey gave the research team a window into how young offenders feel about gun and knife crime, their experiences with illegal weapons and their perceptions of public safety. The survey revealed that pluralities of young offenders believe that the police are unable to protect them from violent crime; crime in general has gone up in their area; and knife crime has become more prevalent where they live.

Youth Offending

According to a recent report by the Centre for Crime and Justice Studies, Labour's reforms of the youth justice system have not had a positive impact on the state of youth crime in England and Wales. Solving violent crime begins with solving youth crime because males aged 10 to 25 are the most likely perpetrators.¹⁵³ Moreover, the most likely victims of violent crime are males aged 16 to 24.¹⁵⁴ Last year 27 teenagers were killed in London in a wave of gang and youth violence but that record figure is set to be surpassed.¹⁵⁵

Youth Justice System

Youth offending teams have been the mainstay of youth justice in England and Wales since the late 1990s. A YOT is a multi-agency team (police, probation service, social services, health and education services, as well as other specialist workers like housing officers and substance abuse counsellors) coordinated by a local authority and overseen by the Youth Justice Board. Each has a manager who is responsible for co-ordinating the work of the youth justice system within their local authority. Every local authority in England and Wales has a dedicated YOT.

YOTs incorporate representatives from a wide range of services, allowing them to respond to the needs of young people who have offended, or are at risk of doing so, in a variety of ways. Assessment is crucial in curbing reoffending, as it identifies which programme the young offender is most likely to benefit from.

¹⁵³ *Tackling Violence Action Plan*, Home Office; see www.homeoffice.gov.uk/documents/violent-crime-action-plan-08/violent-crime-action-eia?view=Binary

¹⁵⁴ *Ibid*

¹⁵⁵ "School girl murdered", *The Daily Mail*, 3rd June 2008; see www.dailymail.co.uk/news/article-1023708/Girl-14-latest-teenager-die-vicious-stabbing.html

Development of YOTs

The principal aim of the youth justice system is to curb reoffending. If a young offender enters the criminal justice cycle, the youth justice system's primary goal is to keep them from ever being in it again. Section 37 of the Crime and Disorder Act 1998 outlines the purpose of the youth justice system as "preventing offending by children and young people". This is accomplished through the following actions:¹⁵⁶

- the swift administration of justice so that every young person accused of breaking the law has the matter resolved without delay;
- confronting young offenders with the consequences of their offending, for themselves and their family, their victims and their community, and helping them to develop a sense of personal responsibility;
- intervention which tackles the particular factors (personal, family, social, educational or health) that put the young person at risk of offending and which strengthens protective factors;
- punishment proportionate to the seriousness and persistence of offending;
- encouraging reparation to victims by young offenders;
- reinforcing the responsibilities of parents.

The Act gave clarity of purpose to the youth justice system and set the groundwork for the creation of YOTs. In Section 40, the Act creates a statutory obligation for local authorities, in consultation with their partnership agencies, to create an annual youth justice plan. The plan outlines the nature and scale of youth crime in their area and the programmes available to tackle it. The Act requires the plan to cover how local youth justice services are to be structured and funded. This requirement eventually gave rise to the youth offending team as local authorities needed a body to co-ordinate youth justice efforts across agencies.

The work undertaken by YOTs is explained in section 38 of the Crime and Disorder Act 1998 and is set out in the national standards for youth justice produced by the Youth Justice Board. First and foremost, YOTs are responsible for preventing young people from offending in the first instance, through the co-ordination of a range of targeted programmes. However, YOT workers told us that this statutory obligation is not being carried out as envisioned because they are often too understaffed and burdened by case loads to carry out prevention work.

When young offenders are referred to a YOT through the courts, the team is responsible for carrying out a standardised assessment using Asset (a structured assessment tool produced by the Youth Justice Board). Asset helps YOT workers to determine why the young person has offended, what their family and lifestyle circumstances are, whether they have specific mental health or drug and/or alcohol-related problems, if they are engaged in learning and what level of risk they pose to themselves and others.¹⁵⁷

YOTs are also responsible for delivering intervention programmes for those who have received a final warning from the police. These aim to tackle the causes of the offending (as identified through Asset), confront the consequences and carry out some form of reparation. Young offenders are referred through several different channels as outlined in the diagram below.

When a young offender is referred to a YOT, he or she is given a supervising officer who must develop a plan to address the offending behaviour and identify the factors associated with offending through Asset. The supervising officer will make use of colleagues from other agencies with specialist knowledge as appropriate. The plan must address education, training or employment, any history of substance misuse, healthcare needs, parental or primary carer involvement, work on offending

¹⁵⁶ Smith R, *Youth Justice: Ideas, Policy, Practice*, Willan Publishing, 2007

¹⁵⁷ Youth Justice Annual Statistics 2005-06, Youth Justice Board, 2006

behaviour, work to address experience of discrimination or any discriminatory attitudes or behaviour and, if necessary, plans to reduce risk of harm to himself or others.¹⁵⁸ Intervention may include anger management and life skills, or parenting courses for the young person’s carers. The plan will also cover direct or indirect reparation to the victims of the crime.

YOTs are also required to provide a supervising officer for those young people receiving a custodial sentence (detention and training orders/section 91 sentences), who will work with the secure establishment to draw up a training plan.¹⁵⁹ As with other interventions, the training programme focuses on the factors that drive young offenders’ behaviour and seeks to address gaps in their education, mental health and well-being, and housing needs.

YOT Structure

There were a total of 18,013 people working for YOTs in England and Wales in some capacity for the financial year 2005-06.¹⁶⁰ There were also over 450 vacant posts. The average YOT in England and Wales was staffed by 48 volunteers, 32 full-time practitioners, 6 part-time practition-

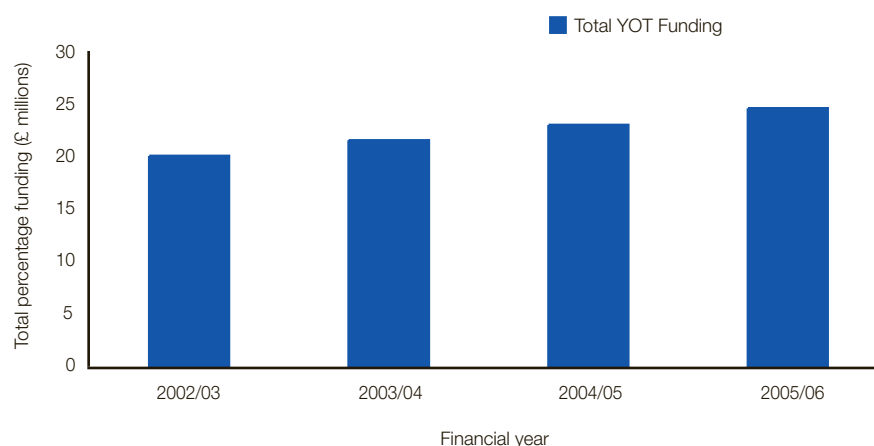
ers, 12 seasonal workers, 10 administrators, 6 managers, and 2 students/trainees. The majority of staff were women (66%).

Income for YOTs is derived almost entirely from local authority funding. In 2005-06 the total core budget provided by statutory agencies was £195 million.¹⁶¹ The Youth Justice Board contributed an additional £50.4 million or 20% of total YOT funding. (Further funding provided by the YJB for targeted programmes, such as the intensive supervision and surveillance programme, is not included in the £50.4 million of core funding.)

The chart below gives the average level of sources of funding for YOTs for 2005-06. Apart from funding from the YJB, all other resources are from local budgets.

Since 2000-01, as Youth Offending Teams were being rolled out across England and Wales, spending on youth justice has increased by 45% in real terms.¹⁶² The total funding contributed by statutory agencies, local authorities and the Youth Justice Board was £648.5 million for 2006-07. Of this, 64% was spent on purchasing custodial places for children. This amounts to more than ten times the amount spent on prevention, which accounts for only 5% of the YJB budget.¹⁶³

Figure 15: Total Partnership Funding for YOTs



158 *Connexions*, Youth Justice Board, 2001; see www.connexions.gov.uk/partnerships/publications/uploads/cp/Connex_Youth_Justice.pdf

159 *Working Together and Connexions*, Youth Justice Board, 2001

160 *Youth Justice Annual Statistics 2005/06*, Youth Justice Board, 2006

161 *Ibid*

162 Solomon E and Garside R, *Ten Years of Labour’s Youth Justice Reforms: an independent audit*, Centre for Crime and Justice Studies, London, 2008

163 *Ibid*

The State of Youth Crime

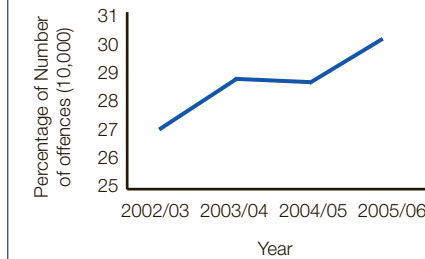
When the Government undertook youth justice reforms in the Crime Reduction Act 1998, the Youth Justice Board established two primary targets for reducing youth crime. The first set of targets was built around self-reporting of youth crime, as measured by the annual MORI Youth Survey of 11 to 16 year-olds in mainstream education. The goal was to reduce self-reported offending to below 26% by 2006. According to a 2006 MORI Youth Survey self-reported offending is 27%.

Vehicle crime, burglary, and robbery are the subject of the second set of targets. The aim is to reduce the number of young people who are “usually resident in the YOT” and who receive a substantive outcome for each of the three offences.¹⁶⁴ Unlike the self-reported offending target, the YJB has met targets on robbery, burglary, and vehicle crime, although youth offending appears to be increasing, as shown by the number of offences resulting in a “disposal” (sentences and pre-court decisions made by police). The trend has been rising over the past four years as the total number of offences has grown by 11.4% from 2002-03 to 2005-06.^{165, 166} The chart below plots the rising trend.

The most worrying trend associated with rising youth offending, and the focus of this report, is the rise in offences recorded as violence against the person. Although the targets have been met on volume crime, violent offending has risen significantly from 2002 to 2006. For 2002-03, violence against the person offences stood at 35,000, rising to 54,661 in 2005-06. The increase of violence over four years from 2002 is over 50%.¹⁶⁷

The increase in violent crime among young offenders calls into question the targets on which the Youth Justice Board is judged. The target culture that has plagued police forces has permeated the youth justice system, as the most destructive crimes, involving violence against the person, have risen unabated.¹⁶⁸

Figure 16: Offences resulting in a disposal



Structured Interviews

In the structured interviews, the majority of respondents said that their YOT had seen an increase in young offenders involved in knife crime; 60% said that there had not been an increase in gun crime among young offenders; and 21% said that gun crime has never been an issue in their YOT. Of those not reporting an increase in gun crime, 64% said it had been an issue in their YOT, but that it had not increased over the past five years and 36% said it had never been an issue. Looking at the YOTs described as urban, 58% reported an increase in gun crime, compared to only 7% of rural YOTs.

The second question asked respondents about trends in knife crime among young offenders. Based on anecdotal evidence we expected knife crime to be more common than firearms offences. This was confirmed in the interviews. The majority said that their YOT had experienced an increase in young offenders involved in knife crime. 61% of respondents reported an increase in instances of knife crime among young offenders; 35% reported no rise in knife offending, while 4% said they did not know if there had been an increase in knife crime.

The urban/rural divide was much more interesting for the knife offences than for firearms. As expected, urban YOTs reported more increases in knife crime than rural ones,

164 *Youth Justice Annual Statistics 2002/03*, Youth Justice Board, 2004

165 *Youth Justice Annual Statistics 2005/06*, Youth Justice Board, 2007

166 Solomon E and Garside R, op cit

167 *Youth Justice Annual Statistics 2005/06*, Youth Justice Board, 2007

168 Ibid

but the difference was not pronounced: 67% of urban and 55% of rural YOTs reported an increase in knife crime incidents among young offenders. This suggests that the phenomenon is spreading from urban centres to less densely populated areas.

YOT workers were also asked about trends in gang-related offending, one of the main drivers of youth violence and involvement in gun and knife crime. A majority felt that it had increased: 52% reported a rise in gang offending. However, some respondents were quick to stress that “group offending” is often categorised as gang offending. The distinction may not be easy to make since gangs have become more chaotic and leaderless. An offence that may appear to be an instance of impulsive group offending could indeed be a gang offence.

Again, the urban/rural divide illustrates the spread of gang culture from major urban centres outwards to suburban and rural areas. 58% of urban YOTs reported a rise in gang-related offending, compared to 39% of rural YOTs. But since this has traditionally been confined to major urban centres, it was surprising to see so many rural YOTs report an increase. This could be the sign of a spillover effect. England and Wales are still fortunate, in that gang culture has not yet reached the level of US cities, but if prompt action is not taken gang offending will continue to grow in the areas where it has taken root.

Almost all those YOTs that reported knife crime was stable still considered it was an issue. We asked respondents what reasons young offenders give for carrying a knife. The overwhelming majority (83%) reported that young offenders carry knives out of “fear and/or protection”. The remaining 17% said that young offenders carry knives for fashion or as a status symbol, while a very small number said that some young offenders do actually admit to carrying a knife with the intent of using it. There was no discernible difference between urban and rural YOTs in reasons young offenders gave for carrying a weapon.

Funding for any government organisation is always a contentious issue and YOTs are no different. Given that so much of YOT funding goes into buying custodial places for young offenders, many workers feel there is little left over for case work, and even less for preventive measures. YOTs are not meant to exist as ad hoc bodies that interact with youths only once they have been referred by the courts. On the contrary, they are designed to curb both reoffending and first-time offending through prevention programmes. (Section 38 of the Crime Reduction Act 1998 makes it an obligation for YOTs to engage in prevention.) Yet many respondents felt they did not have the resources needed to run effective prevention programmes. As a result of under-funding, and target priorities, YOTs are unable to fulfil the main reason for their existence.

The structured interview asked each respondent whether or not they felt their YOT was adequately resourced. The majority of YOT workers felt that they were not given the resources they required to carry out all of their duties to the best of their ability. 73% of interviewees said that their YOT was not adequately resourced, while 27% felt that their YOT was given the resources and funding needed to perform as it should.

The qualitative responses to the question were extremely varied. Some YOTs were perfectly happy with the funding they received, while others felt that a lack of funding kept them from meeting their national targets. One said: “There has never been enough funding, but now we are facing cuts, and the first thing to go will be our prevention work.”¹⁶⁹ Other respondents felt that they were given enough, but that a little more would go a long way. “We could always use and do more, if we had the resources. We are given adequate [resources], yes, but it’s not generous or great.”¹⁷⁰

169 Telephone interview with YOT manager, March 2008

170 Telephone interview with YOT manager, March 2008

The urban/rural divide appeared again when looking at perceptions of resources. 92% of urban YOT workers felt that they were not given an adequate level of funding compared with 58% of rural workers.

The reasons for discontent among YOT workers regarding funding are varied. The most commonly cited frustration was the impact on prevention work. Interviewees also identified the short-term nature of grants from the YJB or central government. Others suggested ring-fenced funding for YOTs as a possible solution. Because funding for YOTs comes from both local council budgets and a national level grant, there are significant variations in funding for individual YOTs.

Solutions from practitioners

The structured interviews were intended to gain insights from those on the frontline of youth justice who are charged with the task of cutting offending and reoffending. We asked YOT workers what they would do to make their team more effective in curbing gun and knife crime. Several key reforms emerged that would improve the effectiveness of YOTs and affect the amount of violent crime committed by young offenders.

YOT reforms revolved primarily around funding. Because of the discrepancies in YOT funding, one respondent argued that a national funding formula (perhaps similar to the one used for the policing grant) would be an effective tool for supplementing the budgets of YOTs that are most in need. 92% of YOT workers in urban areas feel that they are under-resourced, which is likely to be a result of local authority budgets already being stretched to fund other public services. By establishing a national funding formula, those YOTs that are least well resourced would have an opportunity to deliver better services.

Combating the target culture that weighs down much of the criminal justice system in England and Wales has been a

mainstay of Policy Exchange reform arguments. The inability to reconcile targets and prevention efforts was identified by several interviewees. YJB targets are based on self-reports of offending and statistics on court disposals for burglary, robbery and vehicle crime; they have yet to incorporate measurements for any prevention efforts. As a result, targets tend to skew YOT priorities. Even though team managers recognise the benefits of prevention work in reducing violent youth offending, the current performance regime does not encourage it. Given the constraints of both funding and performance targets, it is difficult for YOT managers to balance prevention work with their case loads. Several respondents felt that greater partnership with, and more work from, the charitable sector could close the gap in prevention programmes offered, although there was not much detail on how this would look in reality.

“ Respondents were asked if they felt the police were able to protect them from violent crime. Only 25% felt that the police were capable of doing so ”

Finally, a number of interviewees said that not enough was done to spread best practice between YOTs. One also thought that the outcomes of prevention programmes had not been sufficiently evaluated. There is no lack of research coming from central government agencies, but there is obviously a problem with disseminating this information to practitioners.

Young Offenders' Survey

The YOT interviews were effectively random: we contacted all 155 YOTs in England and Wales, and our sample comprises a self-selecting group who agreed to participate. In a similar way, the survey

administered to young offenders was randomly selected, based on 16 YOTs that were willing to distribute it. However, as we were warned by YOT managers responses were difficult to get and a total of eight YOTs sent back responses.

The survey distributed to young offenders asked 12 multiple choice questions and two questions on demographics. The multiple choice questions were designed to discover how often young people may carry a weapon, come in contact with one and have one used against them. The survey also inquired about young offenders' attitudes towards police, their perceptions of safety and their thoughts on crime trends in their area. The respondents had an average age of 15 years 6 months, and the majority (60%) were white-British. The youngest was 9 years-old and the oldest 18.

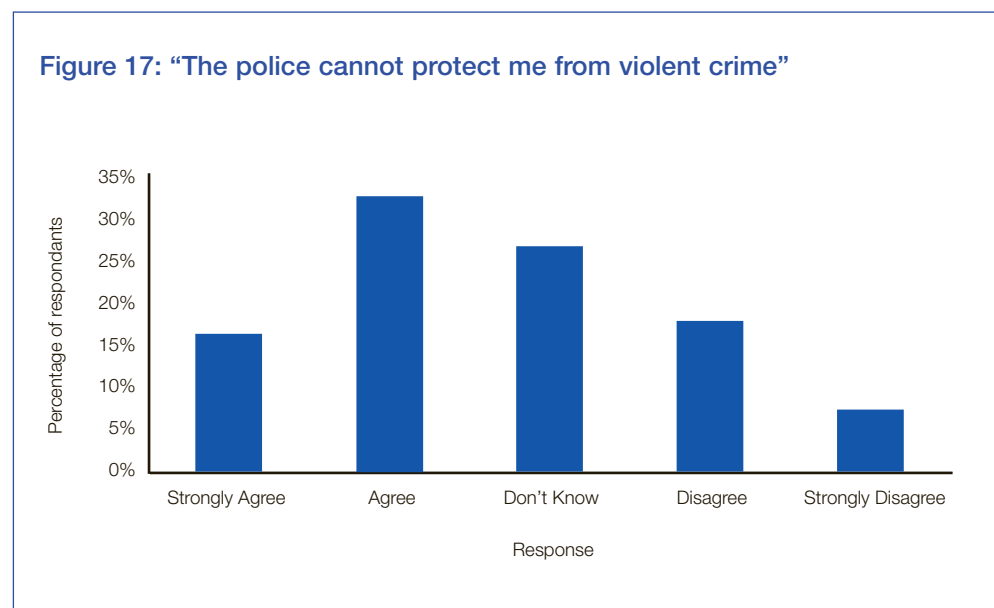
The first question asked if respondents felt they needed to carry a weapon to feel safe. A small majority (52%) said that they did not feel they had to carry a weapon to feel safe; 27% said they did not know; and 21% said they did feel the need to carry a weapon. Of those who said either they needed to carry a weapon or did not know, 65% had been previously threatened with a

knife. Strangely, 36% of respondents who said they did not need to carry a weapon to feel safe also said they had previously been threatened at knife point. The survey results reflect findings in previous research.¹⁷¹

Respondents were asked if they felt the police were able to protect them from violent crime. Only 25% felt that the police were capable of doing so. Another 25% said they did not know. Half (50%) said they did not believe the police were able to protect them from violent crime in their area. 67% of respondents who felt the police were unable to protect them had previously been threatened with a knife. The majority of respondents were white, of British background, but only 50% of respondents who felt unprotected by the police were white, meaning respondents who felt unprotected by police were disproportionately non-white.

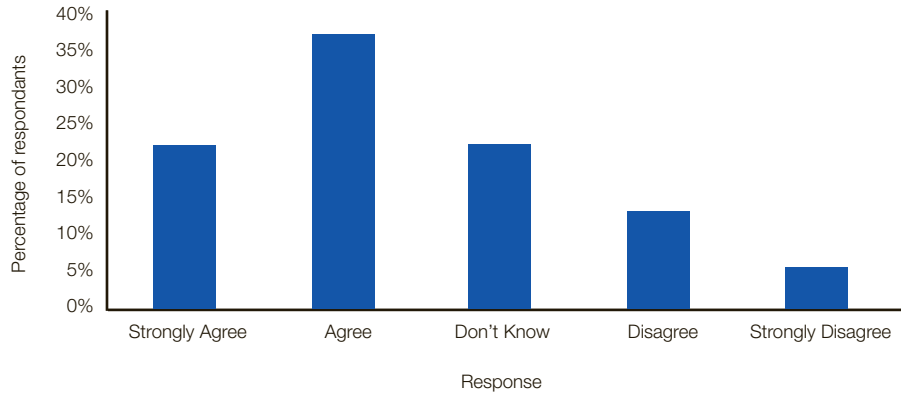
In terms of perceptions of crime, the majority (59%) felt that crime had risen over the last two years in their area. 19% said they did not believe crime had risen in their area, while 22% did not know if crime had risen in their area.

When asked specifically about trends in knife crime, respondents were less than positive. A plurality (40%) of young offenders



171 Ginsburg K, "Youth Violence: If we are not active in prevention efforts, who will be?", *Arch Pediatr Adolesc Med*, vol 152, 1998, pp 527-530

Figure 18: “Crime has gone up in my area in the last two years”



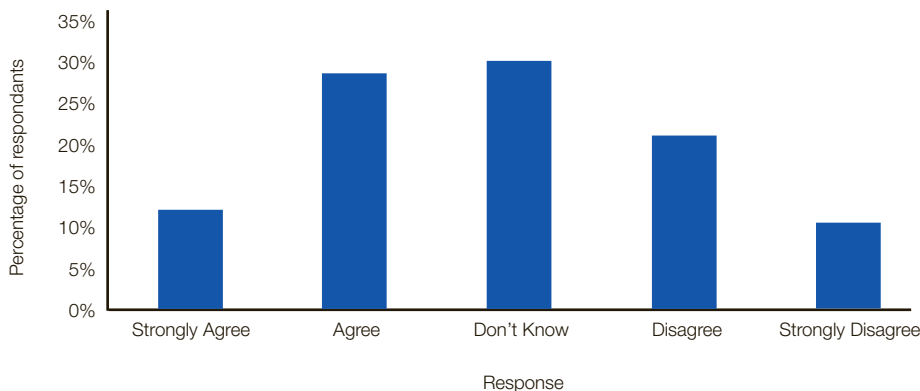
felt that knife crime had gone up in their area over the past two years; 29% of respondents said they did not know, and 31% disagreed with the idea of gun crime increasing over the last two years. Of the respondents reporting a rise in knife crime, 56% had previously been threatened with a knife.

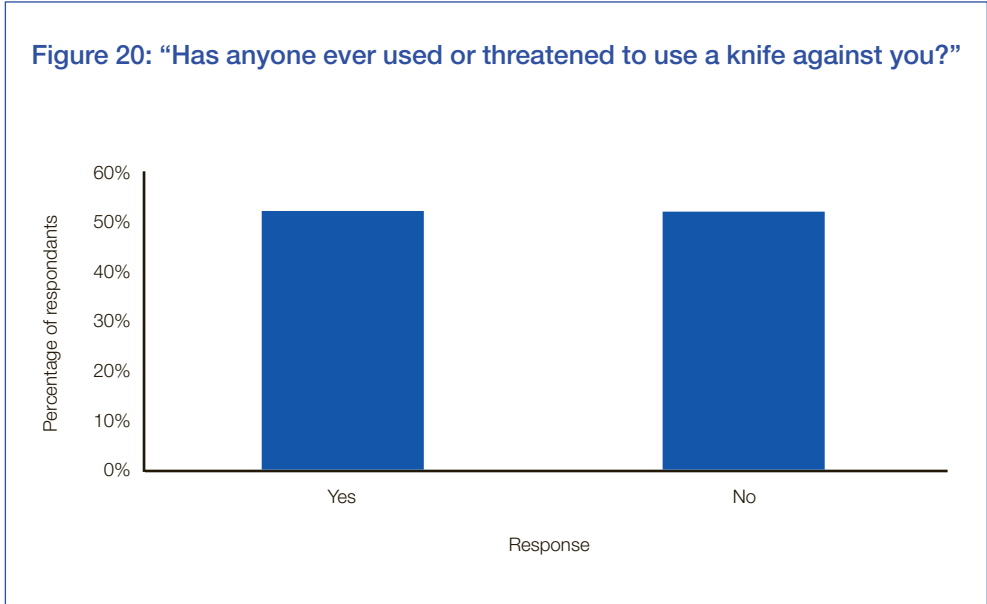
The survey also asked whether respondents felt gun crime had increased in their area over the past two years. The results for this question were far more encouraging than for knife crime, though the discrepan-

cy reveals how much more common the use of knives than guns is among young offenders. 13% said they believed knife crime had become worse in their area over the past two years. The plurality of respondents (44%) felt that gun crime had not worsened in their area and 42% did not know.

Despite only 13% of respondents believing that there is more gun crime in their area, half (50%) said they know someone who has carried a gun at some time; 7% of respondents said they did not

Figure 19: “There is more knife crime in my area than two years ago”





know if they had known someone who had carried a gun; 44% said no, they had not known someone who had carried a gun. The fact that a small majority of randomly selected young offenders have had contact with someone in possession of a gun is a frightening figure.

The survey asked young offenders if they had ever been threatened with a knife; 50% said they had been. Given that half of survey respondents had been victims of knife crimes themselves, it is not surprising that

they have negative attitudes towards the police service’s ability to protect them or feel the need to arm themselves to feel safe.

Statistics

To support our findings from both the structured interviews with YOT workers and the young offender surveys, we looked at figures and statistics for the 16 YOTs that agreed to administer the youth survey. The figures, reported by the Youth Justice

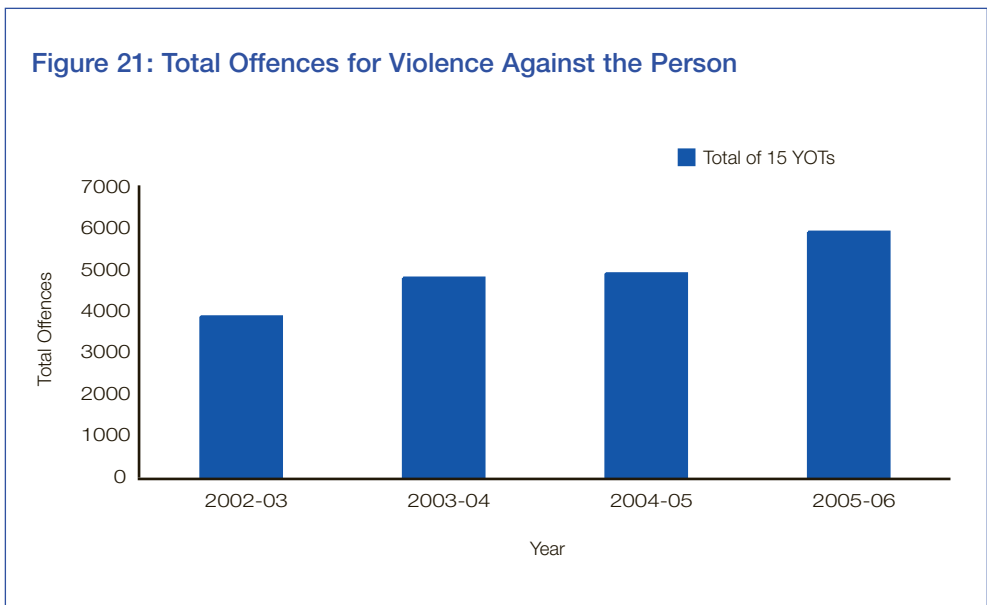
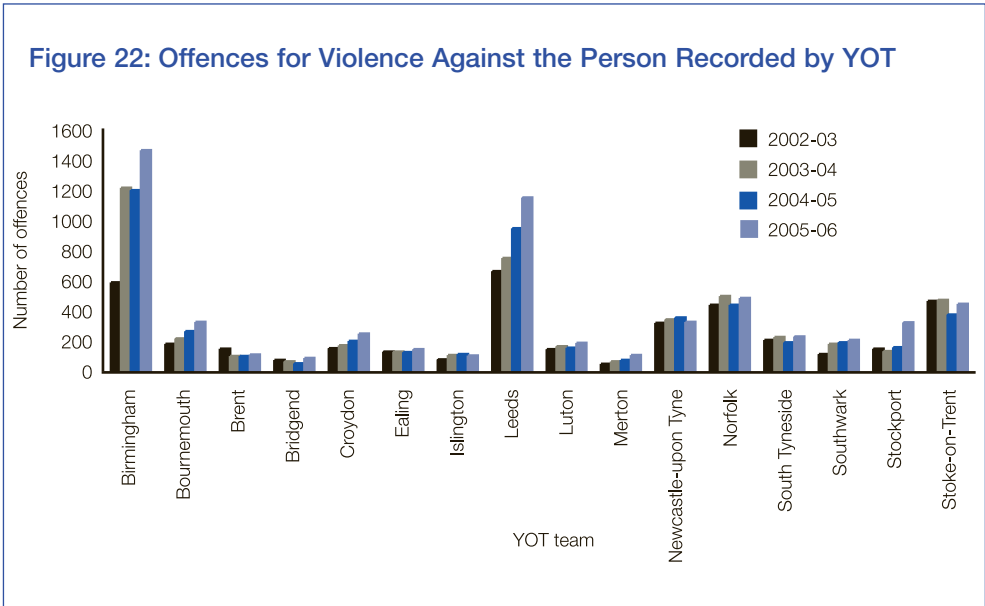


Figure 22: Offences for Violence Against the Person Recorded by YOT



Board, corroborate YOT workers’ assessment of trends in gun and knife crime among youths.

The rural/urban distribution of the YOTs participating in our survey was biased towards urban teams; 12 of the 16 were categorised as urban. However, the YOTs are a random reflection of areas across the country, covering London, the Midlands, the North, Wales and the South West.

The YJB data for the 16 YOTs reveals a definite trend upwards in youth offenders committing acts of violent crime. Unfortunately the data does not explicitly record gun and knife crime – all violent offences are put under the same category as “violence against the person”.

Lessons

The information garnered from the YOT worker interviews, young offender surveys and Youth Justice Board statistics indicate

a trend towards more violent offending being committed by young people. Youth Offender Teams are the organisations best placed to combat this trend, so it is important that they are empowered to do so. YOT workers are dedicated and talented people working under difficult conditions; a shift in priorities, targets and resources could bring long-term improvements.

One of the most important aspects of prevention is that different agencies should share the responsibility of risk management; the police are rarely the first state agency to discover that someone is at risk of offending.¹⁷² YOTs are well placed to be a focal point through their engagement with schools – not always easy as some schools are more co-operative than others. The Government needs a nationally planned or cohesive approach to the prevention of violence among young people, including funding earmarked for prevention-only programmes and performance targets based on best practice.

¹⁷² Interview with Chief Superintendent Dave Keller, Manchester, April 2008

7

Manchester case study

Summary

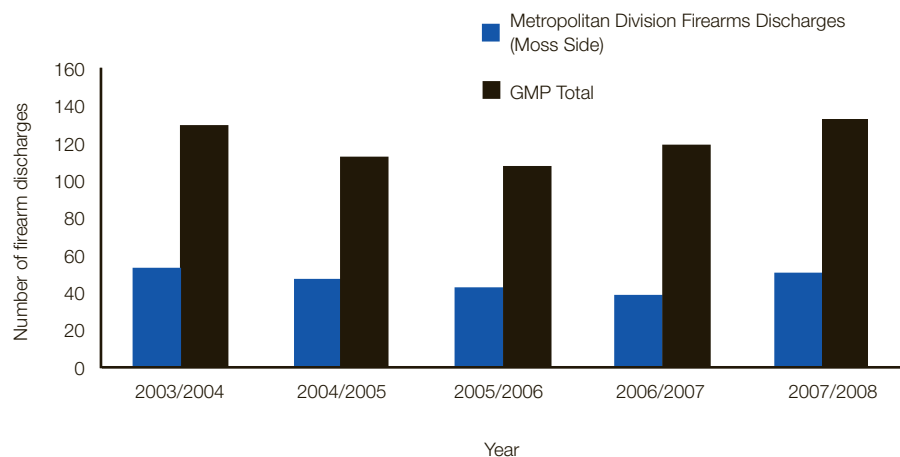
Gang shootings caused four deaths and 18 injuries in Manchester alone last year and cost Greater Manchester Police £6 million.¹⁷³ Despite setbacks, the Greater Manchester Police (GMP) has worked with other agencies to take robust action to tackle gangs and gun crime. In particular they have built partnerships with other agencies, improved community relations and increased community confidence in the police service. The structures that sustain gang culture and activity have shifted significantly in the past decade; from organised crime syndicates to more fluid, autonomous and chaotic groups. Gun and knife crime takes a massive toll on society, from deaths and serious injuries to the psychological impact on individuals, families and communities. High levels of violent crime can also

have serious implications for the economic infrastructure, community cohesion and confidence. This case study explores the work of the XCalibre taskforce and describes the life of a gang member.

Background

The research team spent several days on a site visit focusing on the GMP Metropolitan Basic Command Unit, which includes the Moss Side area of Manchester, a huge contributor both to volume crime and firearms discharges.¹⁷⁴ Both the Metropolitan BCU and neighbouring Trafford BCU are receiving extra funding under the Government's tackling gangs action programme (TGAP), which was launched in September 2007 after the murder of 11-

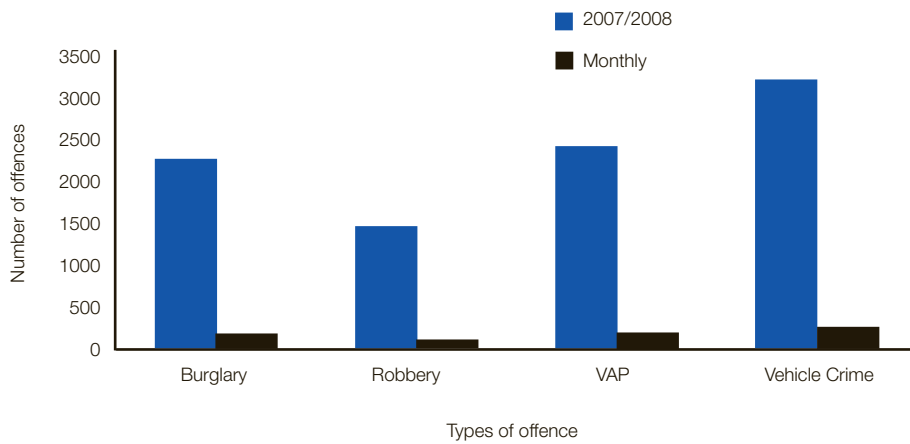
Figure 23: Firearms discharges in GMP and Met. division



173 Interview with Ralph Corrigan, MMAGS, Manchester, April 2008

174 Interview with Chief Superintendent Dave Keller, Manchester, April 2008

Figure 24: Volume of types of crime in GMP and Met. division

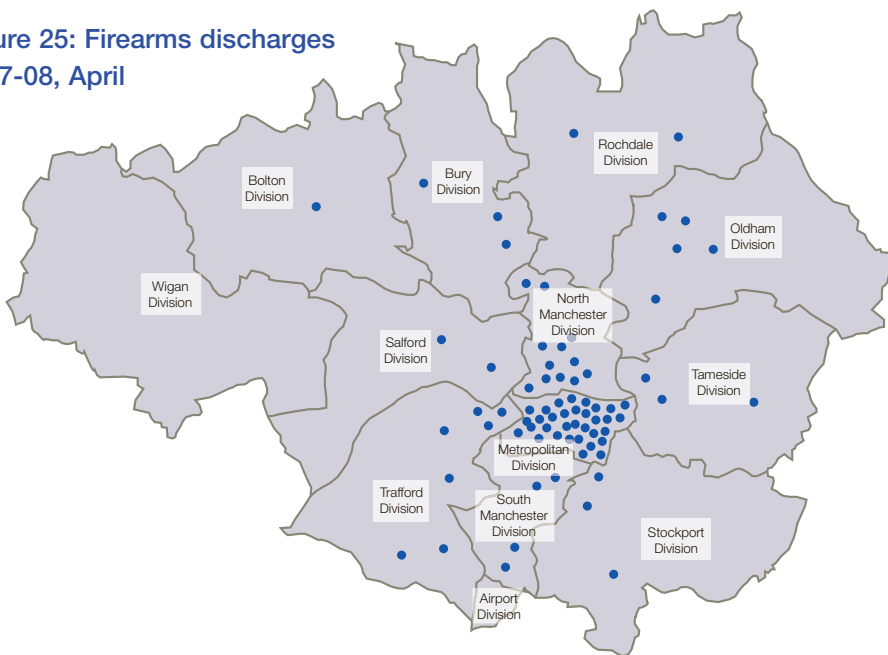


year-old Rhys Jones in a Croxteth carpark.¹⁷⁵

The Metropolitan BCU has an ethnically diverse population: 130 different languages are spoken in the area. Many of the 145,000 residents live in large housing estates. There are also 70,000 students. Unemployment is high and so is crime. About a third of firearms discharges in the Greater Manchester Police district take place in this small area. Moss Side also has a history of gang activity,

which is now spreading into parts of Old Trafford and Stretford.¹⁷⁶ Historically, there have been two primary contributors to the gang conflict, the Gooch and Doddington gangs. To a lesser extent, a third gang, the Longsight Crew have been active for many years. In the past decade the number of gangs has increased exponentially. Today there are more than a hundred splinter gangs, all of which claim their own identity but still align themselves to one of the three main groups.

Figure 25: Firearms discharges 2007-08, April



175 Hansard, Column 286W, 7th January 2008; see www.parliament.the-stationery-office.co.uk/pa/cm200708/cmhansrd/cm080107/text/80107w0058.htm

176 Interview with Detective Inspector Darren Shepton, Manchester, April 2008

Xcalibre

Greater Manchester Police established Operation Xcalibre (also known as the Xcalibre Task force or XTF) in September 2006 to tackle gun crime among gangs. The team, comprising a detective superintendent, a detective inspector, two sergeants, 14 constables and an intelligence officer, concentrates on intelligence, enforcement and prevention.

Street-level intelligence gathering, especially in the Moss Side area, continues to be the best method of identifying and tracking the movements of gang members and this is the focus of XTF work. One XTF officer said: “We are able to see them in their territory, associating with other gang members, carrying out incursions into opposing gang territory and ultimately arrest them for offences.”¹⁷⁷ They can establish who are the most active gang members, who are taking the biggest risks and who are most likely to commit violent offences.¹⁷⁸

Older gang members are far more discreet than younger ones, perhaps because they are more feared and respected and thus have less to prove or, as one officer suggested, “perhaps they have just learnt from experience”¹⁷⁹ Younger gang members, however, will frequently travel in large groups into opposition territory, knowing that they risk violent reprisals. As another officer told us: “...the need for excitement and to prove themselves is very strong”.¹⁸⁰

Xcalibre also receives information from:

- *Agencies*: such as the Manchester multi-agency gang strategy team;
- *Prisons*: inmates on arrival will declare gang allegiances to ensure that they are not put at risk on a wing with members of an opposing gang;
- *Housing officers*: Xcalibre will be contacted by housing officers if a gang member requests a move away from areas he is at risk, having declared him/herself as involved in a gang;

- *Schools*: school-based liaison officers and the Manchester multi-agency gang strategy (MMAGS) often receive information regarding tensions in schools and problems between gang members;
- *Probation officers*: requesting and sharing information about clients will highlight the allegiances given to them by their clients.

Principles of Combating Violent Gang Crime

Much of Xcalibre’s early success is rooted in the three-pronged strategy of intelligence, enforcement and prevention. The combination of intelligence and enforcement is the best short to medium-term strategy the police have for stamping out gang violence. The long-term strategy is prevention work, carried out primarily through improving police-community relations and empowering affected communities.

Intelligence and Surveillance

A solid foundation of police intelligence is essential to restricting both the demand and the supply sides of gun crime. The Greater Manchester Police approach combines the street-level work of Xcalibre with Level 2 and 3 operations run by its armed crime unit. Covert surveillance is expensive in terms of manpower and bureaucratic barriers make Level 2 surveillance more difficult than it should be to gather vital intelligence. For XTF officers to track intelligence on the 20 most wanted offenders will add about £13,000 a month to normal policing costs. Initial government funding under TGAP for Greater Manchester Police was £140,000 (supplemented in January 2008 by £50,000 for community confidence and trust building activities); the first £85,000 was channelled to wide reaching community operations and the remaining £55,000 to covert activity.

177 Interview with XTF police officer, Manchester, April 2008

178 Ibid

179 Ibid

180 Ibid

Enforcement

Automatic Number Plate Recognition

Operation

The TGAP funding was used to run a series of high-profile, automated number plate recognition operations on the Old Trafford and Moss Side border in December and March 2008. This operation cost approximately £5,000 and led to two arrests, 46 stop-and-searches and 33 offences being reported.

Policing at Schools

Secondary schools in areas with high-levels of gang activity (Manchester Academy, Stretford High and Trinity High) were identified as vulnerable since the majority of children in the area attend one or the other of them. The “policing at schools” initiative was primarily a public reassurance exercise but it also deterred gang members from hanging around school premises and improved police relationships with teachers.¹⁸¹ Since then the schools have invited XTF officers in to discuss gang issues, which some had previously been reluctant to do for fear of negative publicity. The cost of this operation was £2,300.¹⁸²

High visibility patrols

Neighbourhood policing delivers a visible police presence and is vital to building community confidence. £10,000 was allocated for increased street patrols in the evenings along the Moss Side and Old Trafford border (an area within the Metropolitan BCU). These additional patrols led to three arrests, and garnered 68 intelligence reports from officers interacting with the public, from October 2007 to March 2008.¹⁸³

Targeting Offenders

There were two fatal gang shootings in Manchester in January 2008. Operation Cougar, launched the following month, deployed plain-clothes Xcalibre officers to act as spotters collecting real-time intelli-

gence, and a contingent from the tactical aid unit to act as an enforcement team.¹⁸⁴

In addition to the increased police presence at street level, the force aeroplane was deployed to monitor gang activity covertly. Finally, to support officers on the ground, two police dogs and four mounted officers were deployed daily. The operation has run for nearly three months between the hours of 1600 and 0400.¹⁸⁵ In total there have been 24 deployments. When Operation Cougar was first launched, the tension between rival gangs was so high that the whole of the Greater Manchester Police was on official alert. There has been a sharp reduction in firearms discharges by gangs in the Metropolitan BCU since it began.

Such has been the success of Operation Cougar in preventing further shootings – and indeed murders – that considerably more TGAP funding than originally projected has been used in this area (£5,000). This has been supplemented by force funding. Operation Cougar resulted in the serving of five acceptable behaviour contracts (ABCs), seven ASBOs, 26 letters to persons “at risk” (see below), 26 referrals to MMAGS and one juvenile removed from custody.¹⁸⁶

One of the main purposes of Operation Cougar is to identify juveniles at risk from gang activity. They, and their parents, are issued with a letter of concern, which highlights the risks of the individual’s behaviour and involvement in gang activity.¹⁸⁷ Police then explain the details and services offered under MMAGS and children’s services. If juveniles persist in endangering themselves, they may be removed from the street and taken home. As a last resort, police may take a juvenile into police protection and to a place of safety (see case study: Boy A). Such action may seem drastic, but it has been praised by both parents and partnership agencies.

The practice follows the “gold strategy” championed by Chief Superintendent Dave Keller, commander of the

181 Unpublished TGAP Report, Manchester Police, 2008

182 Number of arrests: 1; number of stop/searches: 28; number of hours deployed 80.

183 Unpublished TGAP Report, Manchester Police, 2008

184 Interview with Chief Superintendent Dave Keller, Manchester, April 2008

185 Unpublished TGAP Report, Manchester: Manchester Police, 2008

186 Ibid

187 Unpublished TGAP Report, Manchester: Manchester Police, 2008

Metropolitan BCU. This proactively identifies young persons who by their behaviour or location at time of day (for example, out on the street in the early hours) may risk being the victim of gun crime. The police aim to remove such individuals to “a place of safety” by returning them direct to their homes and families or into the care of social services (Emergency Police Protection Order Proceedings). The legal foundation for this strategy is Article 2 of the Human Rights Act (Right to Life).¹⁸⁸ The fact that police are now willing to go to such lengths has not escaped young gang members. The word has spread that the police will “lock you up” for being openly involved in a gang.

“ According to XTF officers, gang members spend most of their time indoors where they do not indulge in any obvious antisocial behaviour. However, once on the street, one text message could mobilise an entire gang ”

Level 2 Covert Activity

Police efforts to disrupt the supply side of firearms centre on surveillance and eventual disruption of illegal dealers. However, surveillance operations require a great deal of manpower and often compete for resources with other priorities, such as terrorism.

The armed crime unit (ACU), part of the serious and organised crime group within GMP, is charged with investigating and disrupting illegal arms dealers. The ACU’s efforts are long-term, ongoing operations. The unit targets firearms supplies, and Level 2 organised crime and gang criminality with support from the force intelligence bureau and the Serious Organised Crime Agency. Their covert operations are subject to regular review, ensuring that coverage and intelligence flows are appropriate and targeted.¹⁸⁹

From the start of the TGAP initiative in September 2007 up to March 2008, the unit’s surveillance and covert action directly linked to gang activity has resulted in 31 arrests, the recovery of 19 firearms and 2,307 rounds of ammunition and the disruption of 77 firearms transfers.

Enforcement

Building on police intelligence work, enforcement uses legislation to restrict the movements and activities of gang members. As well as the measures described under Operation Cougar, police try to use Anti-Social Behaviour Orders (ASBOs). However, these are not always appropriate for typical gang behaviour and courts have been reluctant to impose them. According to XTF officers, gang members spend most of their time indoors where they do not indulge in any obvious antisocial behaviour. However, once on the street, one text message could mobilise an entire gang, sparking a conflict between rival factions, but this is not what is normally understood by antisocial behaviour.¹⁹⁰

Multi-agency work

The Manchester multi-agency gang strategy (MMAGS), which was introduced in 2001, remains the only crime and disorder reduction partnership (CDRP) in England and Wales that works solely on gangs and their use of firearms. It defines a gang as “a group of three or more people who have a distinct identity (eg a name or badge/emblem), which commits general criminal or anti-social behaviour as part of that identity, and uses (or is reasonably suspected of using) firearms or the threat of firearms in the commission of offences”. A gang member is someone who has identified himself through “verbal statements, tattoos, graffiti etc, and this is corroborated by police, partner agencies or community intelligence”.

188 Unpublished Manchester Police Strategy Document, Manchester Police, February 2008.

189 Unpublished TGAP Report, Manchester Police, 2008

190 Interview with Chief Superintendent Dave Keller, April 2008

Direct interventions include one-on-one work with gang members, providing them with an exit strategy if they are willing. It runs a series of school days educating young people on the risks of gangs and guns. Follow-up sessions are aimed at those deemed most at risk. Its workload is a heavy one, with over 80 active cases at present. In the three months from February to May 2008 it had direct contact with 130 individuals, mostly under 18 years. Only one client has been convicted for a firearms offence while with the programme. There were 23 gang homicides in the five years before MMAGS was set up (1997 to October 2001) compared to 20 in the seven and half years after (October 2001 to April 2008).

Operation Eagle

One of the first actions under the Government's TGAP was Operation Eagle on 28th November 2007: 105 firearms search warrants were executed; 21 searches of gang members' homes carried out; 84 searches of sheds/gardens and wasteland surrounding gang addresses; and 25 people were arrested, nine for firearms offences and four firearms seizures. At the same time Greater Manchester Police held a day of action (there were similar operations in other forces throughout the country).¹⁹¹ Many different agencies were involved, including MMAGS, Manchester and Trafford councils, housing associations, social services, community groups and independent advisory groups working in partnership with GMP; 250 police staff took part in the operation.¹⁹² The Metropolitan BCU distributed 1,500 leaflets to addresses affected by gun crime. The leaflets explained how to access support services and gave details of confidential police hot lines, as well as information on witness support. The local council removed gang graffiti. Community feedback was an integral part of the operation, particularly in areas where community-

police dialogue had been lacking. The effort made by police to engage better with the community was evident after a large-scale police search for firearms ended with residents applauding police as they left the area.¹⁹³

Community Engagement

Much of Manchester's success in combating gang violence stems from concerted efforts toward better community engagement. The Metropolitan division benefits greatly from some excellent community leaders and the police have harnessed their abilities through the development of the Greater Manchester Police independent advisory group (IAG), which deals with gun crime and the impact of police operations. The IAG is consulted during policing operations and its members act as observers. It comprises 12 volunteers who meet officers on a regular basis to discuss policing issues and offer a community perspective. The group advises on how best to respond to certain incidents; assists with the development and delivery of training; helps with festivals and events; scrutinises new policies and acts as a link between the community and the police.¹⁹⁴

Evident in the Metropolitan division's community outreach work for prevention and communicating new policies, is a desire to display sensitivity to community concerns. When police increased the use of stop-and-search in the Moss Side area, the police produced a DVD explaining why and how it worked. This was supported by special training for police officers by a member of the IAG on stop-and-search procedure; complaints and mediation procedures; a media marketing strategy and a series of community events.

Project Reclaim

The project was established with £3,600 of TGAP funding and organised by Urbis –

191 Unpublished TGAP Report, Manchester: Manchester Police, 2008

192 Ibid

193 Interview with Chief Superintendent Dave Keller, Manchester April 2008

194 Greater Manchester Police, Local Initiatives: Independent Advisory Group, 13 March 2008, www.gmp.police.uk/division05/pages/iag.htm

an exhibition centre based in Manchester that focuses on city living. It also had the support of a number of corporate sponsors.¹⁹⁵ The aim of the project was to build civic responsibility and active citizenship among young men. The participants worked collectively to define eight principles that they considered to be acceptable behaviour for all Moss Side residents and that became the basis for the Moss Side Manifesto; 3,000 copies were printed and distributed throughout the area by its authors. Part of the project involved 45 young black men from Moss Side, identified by police as being vulnerable to gang activity, attending a four-day conference with black and minority ethnic speakers who emphasised that you can make positive choices regardless of where you live.¹⁹⁶

Dodge the Bullet Campaign

The campaign was launched in November 2007 by a local pressure group, Mothers Against Violence, and advises youths who are either mixed up in gang culture, in danger of becoming so, or who have relatives/friends who are. It is run by young people local to the Moss Side area; it received £500 to transport youths to the launch at the City of Manchester Stadium and £3,000 for the project.

Witness confidence initiative

GMP has had a additional DVD produced outlining the witness protection and other special measures that are available to allow witnesses to provide evidence in this difficult area. The DVD emphasises the ability of courts to receive anonymous evidence, including the use of voice distortion. Practical demonstrations will be given at community presentations.

Lessons

After spending time on site at GMP's Metropolitan Division, the research team identified a number of problems that hinder police efforts to tackle violent gang crime. As Policy Exchange has previously argued,

the current structure of performance targets for the police skews priorities. The current performance targets are aimed primarily at volume crime rather than high-impact crimes like a shooting. This diverts resources from gangs and guns because "what gets measured gets done". There are also no targets to reflect successful efforts at prevention: if the police are able to stamp out an escalation of gang violence through increased patrols, this will not be reflected in any targets or key performance indicators. This problem was also identified for YOTs. There need to be sweeping changes to targets for the whole criminal justice system to reflect the importance of prevention work.

There are also issues around funding. A great deal of supplementary funding, for example TGAP funding, is one-off or short term. Effective preventive measures cannot be carried out with piecemeal short-term funding. Planning long-term prevention requires long-term funding.

The Metropolitan BCU has benefited immensely from better community engagement. Chief Superintendent Dave Keller has made excellent use of a strong IAG, and built community confidence in the police service with their help. Engaging the community begins with empowering those best placed within it to lead. By doing exactly that, the Metropolitan BCU has established a better relationship between police and the community and increased social capital in the area.

Better support for intelligence officers is crucial to curbing the supply of illegal firearms in cities. Intelligence officers in the GMP armed crime unit highlighted the difficulty of dealing with cross-border flows of firearms and the time taken to obtain intelligence streams, such as phone tap warrants, which must be signed for personally by the Home Secretary. The subsequent delay is unacceptable because police miss opportunities to seize on firearms smugglers and arms dealers, allowing more guns onto the streets.

¹⁹⁵ The University of Manchester, Manchester Metropolitan University, Britannia Building Society, The Co-op, Abbey National Building Society

¹⁹⁶ Unpublished TGAP Report, Manchester Police, 2008

Responsibility for risk management should be shared by all local authority agencies. By default, most of this responsibility is shouldered by the police, but other agencies are also likely to identify at-risk

youths. As a last resort, police need the freedom and flexibility to use civil injunctions, ASBOs and even the Human Rights Act to protect young people who pose a risk to themselves and others.

Boy A: a case study

Boy A, born on 30th July 1992, lived on Moss Side with his mother and younger brother. He first came to the attention of local police aged 13 in October 2005 following an allegation of criminal damage at a local school. Shortly afterwards he was arrested in connection with 18 separate offences, predominantly street robberies carried out with friends, and was convicted of three of them.

In 2006 he was identified as a member of a splinter gang called M.S.B, which has attracted the attention of XTF officers because of their young age and rates of offending. Boy A is believed to have been present when a 14-year-old friend of his was shot dead in 2006.

In May 2007 he was shot in the leg during a gang drive-by shooting. He relished the attention his wound brought him and refused to assist the police in any way with their investigation. To take him away from the gang lifestyle and protect his life, MMAGS arranged for Boy A to be rehoused in another area with his mother and brother, but he soon reappeared in Moss Side.

Boy A was then put into a placement for children who have been excluded from school, but this education was sporadic and away from mainstream. Because he had to travel through rival gang territory, a taxi was paid for daily to transport him safely to his place of education. He was also taken away on breaks by agencies working with gang members, but on one of these he got into a fight with another boy and was sent home.

In June 2007 he was arrested for threatening to shoot a police community support officer. His bail conditions excluded him from areas of gang activity and set a curfew. The following month he was formally registered as a child at risk given his mother's inability to rein in his dangerous behaviour. Although there is no doubt that he broke the conditions of his bail many times, the fact that the police were prepared to enforce them ensured that he kept a relatively low profile and didn't put himself on the frontline.

In August 2007 he committed a section 18 assault when he set a dog upon a girl, and he was later arrested while attempting to intimidate the victim as she was giving evidence against him. In January 2008, he was convicted and given a 12-month supervision order. Unfortunately the bail exclusion and curfew were not part of the order and the police lost the only means of enforcement that had worked in their efforts to safeguard him. Boy A began to reappear on Moss Side associating with active gang members and joining gang attacks.

On 15th February 2008, Xcalibre officers saw him in a park, which was notorious for gun incidents and the scene of a recent murder, at a large gathering of gang members. For his own protection the officers took him into custody under an emergency police protection order and contacted social services. (His mother had already agreed to such a course of action.) Eventually it was decided that a place of safety was at home with mother, where he was returned. This pattern was repeated in April.

Boy A has consistently refused to accept any offers of help to move away from the gang lifestyle. He often returns to Moss Side and frequents situations that will attract gang attacks with firearms. The local police and XTF fully intend to continue using emergency police protection orders to protect him, though Boy A himself sees them as a means of police enforcement rather than for his own protection. Police and partner agencies are currently attempting to find evidence of recent antisocial behaviour; if successful they may be able to obtain an ASBO that would exclude him from gang areas and prohibit him from associating with gang members.

8

Birmingham Case Study

Summary

Violent gang crime in Birmingham has evolved from a citywide struggle for control of the narcotics trade, to a fragmented and volatile landscape of more than a hundred splinter groups willing to engage in violent acts with no apparent motive. The city's method of dealing with this challenge has centred on a multi-agency approach to the management of offenders and gang member exit strategy (relocating and supporting reformed gang members), a mediation programme for warring gangs and a system for documenting and targeting the members most at risk. The police have used civil injunctions under Section 222 of the Local Government Act 1972 to stop known gang members from operating in areas where they are likely to offend.

Background

We spent several days on site with members of West Midlands police based in Birmingham. Gang activity in areas of Birmingham poses a constant challenge to the West Midlands police force. It was on their patch in Aston that Leitia Shakespeare and Charlene Ellis died in the crossfire of a shoot-out on New Year's Eve 2002.

Birmingham's gangs

Birmingham's experience of gangs has grown substantially since the 1970s and 1980s. At the beginning two gangs dominated the city's underworld: Burger Bar

based in Handsworth and Johnson Crew in Aston and New Town. They had a stable form of organisation, and a great deal of their activity revolved around the drugs trade. But as gang culture spread among greater numbers of youths in Birmingham, its organisational structure began to unravel.

Evidence from police in Birmingham reveals a challenging landscape. There is a localised problem of guns and gangs in the city – reflecting trends in England and Wales. Although crime involving firearms has been reduced, the problem is not going away: 72% of residents are likely to report that gangs are a problem in their area.¹⁹⁷ A significant proportion of crime is committed by young people and violent offenders appear to be getting younger. In 2008, the typical age is between 16 and 20, considerably younger than 15 years ago.¹⁹⁸ (The peak age of victims is 20 to 24.) Most violent crime is concentrated in four wards: Lozells and East Handsworth, Soho, Aston and Sparkbrook and it is expensive – for example, “juvenile wounding cost the city's economy in excess of £50m per annum.”¹⁹⁹ Illicit drugs, especially cocaine, are the primary source of income for gang members. The relationship between gangs and the class A drugs trade in Birmingham is far stronger than in Manchester, where gang members mostly deal in class C drugs. As gangs look to expand and protect drug trading, territory becomes very important and violence is often used to protect it.

However, drug dealing is only one of many causes behind gang violence. And violence over territory is not always about

197 See www.homeoffice.gov.uk/violent-crime-action-plan-18020

198 Interview with Detective Inspector Paul Etchells, April, 2008

199 Unpublished Birmingham Police Strategy Document, West Midlands Police, 2008

protecting drug trade. Drug dealing still underpins the criminal economy and the non availability of legal conflict resolution means that firearms offer ultimate protection and empowerment.²⁰⁰ Gangs by their nature are extremely territorial. Sometimes the wrong person crossing the wrong street is enough to start a serious violent conflict between two gangs. The diagram below shows a map of northwest Birmingham and the areas controlled by different gangs.

Gun Supply

In Birmingham one to two guns are discharged on average every day.²⁰¹ Although the number of firearms homicides in Birmingham has been falling since 2002-03, the number of firearms discharges has not fallen in the same way. (One of the most popular explanations for the drop in homicides is the poor quality of illegal handguns used.) Birmingham police have recovered a number of decommissioned but reactivated weapons and converted replicas. These are easy to get hold of and police believe they are the most prevalent among gang members.²⁰² Other firearms

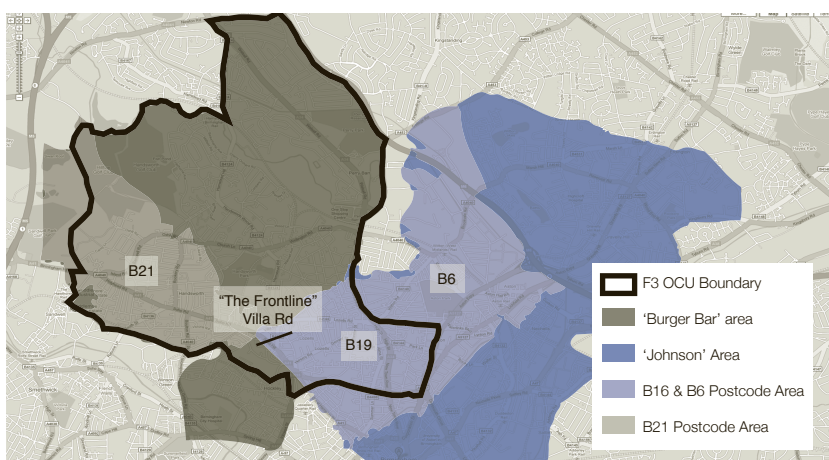
include Russian-made Baikal handguns, 9mm submachine guns and a small number of MAC-10 machine pistols.

Birmingham's Approach to Gangs

Besides enforcement, the approach of West Midlands police is based on intervention, harm reduction, offender management and real co-operation with the local Crime and Disorder Reduction Partnership (CDRP).

According to Chief Superintendent Tom Coughlin, there are between 400 and 500 persons actively involved in gang violence across the city. To combat the problem on such a scale, Birmingham police co-ordinate a multi-agency group – the Birmingham Reducing Gang Violence or BRGV – comprising the police, Birmingham City Council, Birmingham Safer Partnership and community groups. It aims to reduce harm in the short term through mediation, intervention and enforcement, and in the long term through offender management education, and building community capacity to contribute to crime reduction.

Figure 26: Gang Territory in Birmingham



200 Squires P, *Gun Crime: A review of evidence and policy*, Centre for Crime and Justice Studies, London, 2008

201 Interview with Chief Superintendent Tom Coughlin, April 2008

202 Interview with Paul Etchells, April 2008

Multi-agency Work

The strategic approach taken by the partnership has three key elements:

- Offender management (police led);
- Building community resilience and engagement (city council led);
- Independent advisory group – oversight and scrutiny (community led).

Civil Injunctions and Restriction Orders

BRGV has developed swiftly over the past 12 months and focuses on producing tangible results that build community confidence in the police, as well as social capital within the community. Its recent success is the result of using both the criminal and civil justice systems, through the use of ASBOs and civil injunctions.

West Midlands police have been effectively applying existing legislation for public protection, through Section 222 of the Local Government Act 1972. As written, a local council can use section 222 to obtain a county court order to prohibit a person from continuing to cause a public nuisance. The wording of the Act is somewhat ambiguous and this has allowed West Midland police to use it creatively in the interest of public safety. The Act provides that:

Where a local authority considers it expedient for the promotion or protection of the interests of the inhabitants of the area, it may prosecute. To be successful, it must be able to prove that:²⁰³

- The behaviour of the person in question materially affects residents in the area;
- The reasonable comfort and convenience of life of a class of Her Majesty's subjects is negatively impacted;
- The area affected by the nuisance behaviour can be described as "the neighbourhood";

- There are sufficient numbers of people within the local community affected by the nuisance behaviour to constitute a "class of the public". It is not necessary to prove that every member of the class has been affected: a representative cross-section will be enough;
- It is within the proper action of a local authority to put an end to all public nuisances to protect and promote the interests of the inhabitants of their area.

West Midlands police were able to use Section 222 to exclude dangerous individuals from certain areas so that they could no longer exert influence, trade drugs or intimidate residents there. It allowed them to control dangerous gang members by enforcing non-association or restraining orders, exclusion zones around certain areas (barring known gang members from the area in which their gang operates) and specific exclusions (buses or parks).

A similar strategy is built around the enforcement of ASBOs. If the police are able to identify and target a high-risk gang member, and are able to successfully prosecute them with an ASBO, then they can establish exclusion zones and seriously limit the individual's ability to pursue gang activity.

ASBOs were introduced under Section 1 of the Crime and Disorder Act 1998 and first used in 1999. The use of civil law procedures and the broad scope of authority granted to courts to impose restrictions and conditions on individuals were necessary and welcomed by local authorities. After receiving an ASBO, some gang members in Birmingham have entered gang exit programmes. According to Chief Superintendent Tom Coughlin, one gang member who received an ASBO later told police, "This ASBO saved my life".²⁰⁴

203 "Respect", Home Office, 30th April, 2007; see www.respect.gov.uk/members/article.aspx?id=7940

204 Interview with Chief Superintendent Tom Coughlin, Birmingham, May 2008

The Police Reform Act 2002 contains five important changes regarding ASBOs:²⁰⁵

- Courts may decide that an ASBO will be valid throughout the country;
- It will be possible to apply for interim ASBOs;
- Registered social landlords and the British Transport Police will be able to apply for ASBOs;
- It will be possible for a court to impose an order at the same time as passing sentence for a criminal conviction;
- County courts will be able to impose orders under certain circumstances.

ASBOs are another example of police creatively using the law to combat escalating gang related violence. However, existing legislation is simply not fit for purpose. The use of both section 222 and ASBOs is a testament to the ingenuity and resourcefulness of top police officers, but both face legal challenges. In January 2008, a high court judge ruled that use of section 222 was unlawful and consequently stripped the Birmingham police of a valuable tool against gang violence. Since this ruling, gang violence has risen sharply.²⁰⁶ Clearly, the police require new powers to defuse imminently violent situations.

Intelligence-led Policing and Risk Management

Rather than targeting gangs as a whole, police in the West Midlands, most specifically in Birmingham, focus their efforts on a well-documented, intelligence-led system of targeting dangerous individuals known to be a risk to themselves and others. Intelligence officers in the F3 operational command unit of West Midlands Police have developed a rigorous system or “risk matrix” for doing so. It means they can be sure that they are focusing resources on the most dangerous and most at-risk gang

members in their jurisdiction. Moreover, the risk matrix gives an element of accountability and oversight. Should any questions be raised over the methods used, Birmingham police can produce clear documentation outlining the reasons behind any action taken.

The first section of the risk matrix is based on intelligence about illegal use of firearms. It covers intelligence only and is not cross-referenced against offences or charges. This section also includes intelligence from police observations, forensic evidence, etc, indicating that the subject has access to firearms but has not yet been arrested or charged for offences.

The second section consists of information on possible drugs offences. Again, this covers intelligence only and is not cross-referenced against offences or charges. However, it does include arrests for offences where the subject has been bailed from a police station for further enquiries. As revenue from drug sales fuels a great deal of gang activity, this intelligence is extremely relevant to identifying the most active gang members.

Geography is a significant factor in patterns of gang crime. Gangs are extremely territorial in nature; they are known to dominate the areas in which they are active through witness intimidation, threatening violence or simply through peer pressure. When gang members commit criminal offences, they are most likely to do so in a specific area. As a result, geographic information on offending is the third part of the risk matrix. This covers intelligence about offences that are committed by the subject, and where they are committed.

The fourth section includes instances of previous arrests or public disruptions, whether the subject is wanted for offences by the police, is on police or court bail, or on licence from prison. Additionally, it assesses whether the subject appears to enjoy an expensive lifestyle but with no source of documented, legal income.

²⁰⁵ "Crime Reduction", Home Office, 23rd August 2007; see www.crimereduction.homeoffice.gov.uk/asbos/asbos9.htm

²⁰⁶ O'Neill S, "Police say loss of banning orders to blame for rise in gun crime", *The Times*, 22 May 2008; see www.timesonline.co.uk/tol/news/uk/crime/article3981082.ece

Finally, if the subject is currently serving a custodial sentence, then intelligence about activities in prison are incorporated into the risk matrix. It is important that both police and probation services keep close tabs on any intelligence coming out of prison. Gang activity is known to permeate prison culture.

After taking accounting of these various intelligence streams, each subject receives a risk rating: red, amber or green. At present, Birmingham police have identified approximately 10 category red individuals, 20-25 amber and more than 30 green. The main purpose of the matrix is to identify which gang members are the most dangerous, based on available intelligence. West Midlands Police were the first force to develop a system to track and document the specific targeting of dangerous individuals and remain the sole operators of such a system.

Surveillance

Crime in England and Wales is often classified on Levels 1, 2 or 3. Level 1 deals with local volume crime such as burglary, criminal damage and/or assault. Level 2 crime is that which crosses police force boundaries, and usually involves serious offences such as murder, armed robbery and/or organised crime. Level 3 crime is serious crime that crosses international boundaries, such as organised crime networks and terrorism.

Gun crime is extremely difficult to eliminate for many reasons. Chief among them is the fact that it is pervasive in all three levels of crime. Police must deal simultaneously with both the demand and supply side of gun crime, as they strive towards harm reduction. Although gun trafficking belongs in Levels 2 and 3, the consequences of illegal gun trafficking affect Level 1 crime as well. Combating gun trafficking requires national border control, but the movement and sales of firearms are

dealt with by regional forces and even by local Basic Command Units.

The most effective weapon against firearm trafficking is surveillance. Police surveillance can be used against both gun traffickers and potential firearms offenders. However, there are procedural barriers to both that make it difficult for police to use surveillance effectively. Interviews with West Midlands police intelligence officers revealed that there is not enough surveillance capacity to deal with illegal firearms supply.²⁰⁷ Moreover, as found by Manchester police, there are significant delays in getting phone taps, which need to be signed off by the Home Secretary.

On a local level, when the police have gathered enough evidence to place a targeted individual under surveillance for possible firearms crimes, there is an overriding protocol that must be observed: if there is any suspicion that a subject under surveillance may be in possession of a firearm, then an entire armed response vehicle team (ARV) needs to be present. This policy drains resources as there are a limited number of available ARVs. It should be amended to have an ARV team on stand-by or to have one firearms officer accompany a surveillance team. Surveillance policy needs to be more flexible in its approach to dealing with firearms crime.

Offender Management

West Midlands Police, and specifically police in Birmingham, have made significant strides in improving offender management for known gang members. Birmingham's gang exit programme puts a heavy emphasis on bringing offenders who have finished serving a custodial sentence out of gangs. Leaving a gang sounds simple – just walk away from the area and refuse to associate with gang members – but in practice it is fraught with difficulty and often requires support from a number of agencies, as well as relocation to another

²⁰⁷ Interview with Paul Etchells, Birmingham, May 2008

city. To support gang offenders who want a way out of their former lifestyle, Birmingham has developed a programme adapted from the multi-agency public protection arrangements (MAPPA).

MAPPA was created by the Criminal Justice and Court Services Act 2000 – originally to protect the public when a violent or sex offender was released back into society. In 2005 the National Offender Management Service (NOMS) realised that there was a gap in the management of gang members who wanted to leave the gangster life behind on release. NOMS worked with police in Birmingham to tailor the MAPPA system for them as well. The programme offers housing, counselling and employment support. Although still in a very early stage, the response has been positive and recidivism rates for clients are significantly lower than for non-members.

Mediation

The third pillar of Birmingham's gang strategy that has proved both innovative and successful is the independent mediation provided by the West Midlands Mediation and Transformation Service (WMMTS), brainchild of two former Birmingham police officers who have extensive experience dealing with gang crime in the city. The impact of the mediation service can best be illustrated by an overview of gang violence during the past five years.

In 2002 alone, there were 27 gang murders costing police roughly £37 million. In the past four years combined, there have been 11 gang murders costing just over £15 million.²⁰⁸ According to Chief Superintendent Coughlin, the number of murders is falling, though injuries are increasing.

Development of the Service

The WMMTS was established in 2004, in response to an escalating and chaotic wave of firearms offences across the West

Midlands. The majority of these offences involved either young men being shot or young men shooting their peers and rivals.

“ According to XTF officers, gang members spend most of their time indoors where they do not indulge in any obvious antisocial behaviour. However, once on the street, one text message could mobilise an entire gang ”

Following a series of high-profile shootings, Birmingham found itself the subject of unsavoury headlines and an unwelcomed media spotlight that led to a defensive posture and some much needed thinking on how to approach gun crime and gang violence. The West Midlands mediation and transformation service was one response. It found inspiration in the principles of the Good Friday Agreement in Northern Ireland, as it sought to unite disparate and fractured groups that were locked in a cycle of violence.

The mediation process first brings disaffected parties together to talk – though this is almost always done through an intermediary. Once they have established contact, the service looks to work through and beyond conflict, towards a structural break with cycles of violence. Essentially, the mediation process is driving towards two distinct phases of social cohesion. The first phase is making peace between the two groups. This entails framing the dispute, identifying the grievance, establishing relationships and building the confidence to take risks. The second phase is keeping the peace, which entails working with parties to remove normal barriers to co-operation and disarmament. It also entails creative thinking and introducing structural relationship changes – leading to transformation.

The mediation service built upon this twin structure to access communities and groups that were aggrieved but lacked the

208 Figures from interview with Kirk Dawes of WMMTS, Birmingham, May 2008

confidence to resolve matters. Early efforts from the mediation service were met with success. These consolidated efforts were then used on a number of occasions to identify and resolve pockets of conflict across Birmingham and the West Midlands.

One of the most important characteristics of the mediation service is its neutrality and independence from the police. Although there is a degree of information sharing, it is mostly a one-way stream: from the police to the mediation service. WMMTS maintains a good standing within communities, so much so that community leaders seek it out to assist in defusing tensions within and between gangs. It has become a *de facto* agent of cohesion, recognised by community leaders, local politicians, public authorities and even key individuals connected to gangs.

What the Mediation Service Does

The mediation programme in the West Midlands currently has the most effective harm reduction potential in the country. The WMMTS delivers four main services. The first is information dissemination, for example giving communities early warning of mounting tension between two conflicting gangs. The second is bringing people together and promoting creative social thinking. This allows the programme to deliver on its third service – facilitating the community, police and even gangs themselves to act to quell rising potential for violence between groups. Finally, it helps to keep the peace through monitoring and the transformation of gang attitudes and relationships.

In theory, the WMMTS is a near perfect model for curbing gang violence, but there are several issues that hinder its performance. The mediation is voluntary so the opposing parties must be willing to come forward. A growing number of acts of violent retribution occur within gangs. For

example, a younger gang member might disrespect an “elder”. According to West Midlands police intelligence officers, many violent offences involving gangs are seemingly motiveless and not susceptible to mediation.

The annual budget for the WMMTS is roughly £500,000, but this sum is quickly depleted by salaries. Moreover, the short-term nature of its funding is not conducive to a programme with long-term goals.

Staff turnover is another issue. The WMMTS employs a senior management team of 15 mediators who work at full stretch at all times. Because they are highly trained, they make attractive candidates for other schemes and are easily poached. There is also the risk of mediators suffering from burnout following an intense round of mediation between gangs when lives may be at risk.

WMMTS has to meet the challenge of achieving short-term results while keeping a focus on long-term sustainable gains. Balancing expectations can be difficult: some community stakeholders have unrealistic expectations of the service. It is important to define what the programme can and cannot do.

At times there has been a failure to respond quickly enough to clients’ requests for help in exiting the gang and gun culture. If gang members come forward asking for assistance through an exit programme and that help is not delivered, it can lead to serious damage to the programme’s credibility within the wider community.

Lessons

Birmingham’s efforts to reduce gang violence boast three innovative approaches that have shown a great deal of promise. However, there is little evidence that its success has been spread as best practice to other police forces that face the challenges of gang violence.

The city's success in curbing gun, knife and gang crime is built on its commitment to intelligence-led targeting of dangerous gang members, the use of mediation services in the face of conflict escalation, a multi-agency gang exit strategy and creative use of Section 222 of the Local Government Act 1972 and Anti-Social Behaviour Orders.

Birmingham has had success in reducing gang violence by co-ordinating multi-agency work, offender management, mediation, gang exit strategies and effective use of civil injunctions. However, the removal of Section 222 from the police tool kit has been a devastating blow. Although Birmingham has made strides to combat gang violence through all of the above mentioned initiatives, the cornerstone of its strategy was harm reduction through

the use of civil injunctions. Since their use was overturned in the high court, gang violence has surged.²⁰⁹

The loss of Section 222 should be a catalyst for new legislation that gives police and local authorities clear power to use civil injunctions against offenders posing an imminent threat to others in the community. As the Birmingham and Manchester case studies have shown, effective management of violent offending is only possible through a comprehensive approach that encompasses both long-term strategies aimed at tackling the causes of violent crime, and short-term tactics aimed at immediate harm reduction. If police do not have every opportunity to execute both short-term and long-term measures, violent crime will remain embedded within our society.

209 O'Neill S, "Police say loss of banning orders to blame for rise in gun crime", *The Times*, 22 May 2008 see www.timesonline.co.uk/tol/news/uk/crime/article3981082.ece

9

Conclusion

This research makes no claim to be an all embracing analysis of the problem of gun and knife crime. We have adopted a bottom-up approach and have looked at the perceptions and experience of those closest to the reality – the public and frontline practitioners; we have taken account of current policy and practice; and we have identified areas where policy intervention could be improved. These recommendations will be developed and fully costed for the second book in this series, to be published in Autumn 2008.

Principles

Based on our research, four clear principles have emerged that provide the context for the policy recommendations that follow.

These principles are:

1. *The long-term trends with respect to both gun and knife represent a real and developing problem in society*

We have commented in depth on the nature and extent of the problem, and the context and limitations of the British Crime Survey and recorded crime data. This data can be and is used to present a partial and misleading picture. The BCS is often cited to demonstrate a fall in overall violence (31% since 1997) for example; however, its figures exclude offences by young people under 16. The authors welcome the plan to pilot the inclusion of under 16s in the BCS

Minor variations in recorded crime from one year to another are sometimes used to present a picture of an improving situa-

tion, which is misleading. The Home Office Statistical Bulletin, *Homicides, Firearms Offences and Intimate Violence 2006-07*, will show that gun offences declined by 14% from 2006 to 2007. However, in the year to December 2007 there were provisionally 9,967 firearms offences – an increase of 4% compared with the 12 months ending December 2006. A further dimension is presented by the most recently available detailed analysis of figures. The 2005-06 figures show a rise over the previous year of 23% (from 78 to 96) in the number of serious (firearms) injuries in the 10-19 year-old age range. Young people are increasingly involved in impulsive firearms crime – 42% of firearms crime involved criminal damage, 54% involved violence and robbery.

Knife crime was not separately identified in the annual data until April 2007. However, the long-term trend in murder using a knife is worrying, notwithstanding a decrease in 2005-06. Long-term trends are more significant – as any informed follower of the stock market will testify.

2. *These issues cannot be addressed by a crime control approach alone – a comprehensive, cross-departmental and long-term preventive strategy that addresses the underlying causes as well as the symptoms is also required*

We have outlined in our analysis what we have described as an epidemiological approach: the effectiveness or otherwise of criminal laws on public health vis-à-vis

injury and death rates. In so doing we have drawn on research that sets out the risk factors involved, including poor educational achievement, erratic or harsh parental discipline, parental conflict or separation, low socioeconomic status, delinquent or violent peers and disorganised neighbourhoods.

3. *Serious policy responses need appropriate prioritisation and resources over the long term*

We have identified the problematic impact of performance management and the development, from April 2008, of the assessments of policing and the community safety regime. The principle promoted here is that police and community safety priorities should be locally derived and locally relevant within the broad context of national targets.

The youth offender team research undertaken for this study demonstrated how prevention, even when enshrined in statute, gets lost when practitioners are faced with the day-to-day reality of serving the criminal justice system with limited capacity and resources. The benefits of the TGAP initiative in Manchester were brief in terms of central funding support. In the absence of continuing central government funding the National Ballistics Intelligence Programme, for example, had to be paid for from local police force budgets.

4. *There is a need to recognise and build on effective and promising existing initiatives*

We have commented favourably on some of the emerging best practice in the case examples reviewed in Manchester (through TGAP), and in Birmingham (mediation). At a more strategic level, the Violent Crime Strategy 2008-11 seeks to address these issues in a cross-departmental way with central direction and impetus from a ministerial action group.

Recommendations

Information and funding

- *Recommendation 1*
Relevant agencies should agree to share information especially about individuals posing a risk of violence, individuals at risk and potentially dangerous locations. This sharing should be required by law in order to overcome differences in workplace culture and ethics.
- *Recommendation 2*
Central government should collate and publish recorded crime figures much faster than it does now, ideally every quarter, so that emerging trends can be identified promptly.
- *Recommendation 3*
The Government should fund the National Ballistics Intelligence System and National Firearms Intelligence Cell centrally to ensure their future and continuity.
- *Recommendation 4*
The National Ballistics Intelligence System should be extended to include Scotland and Northern Ireland to ensure a more comprehensive and effective intelligence framework.
- *Recommendation 5*
The performance targets of the police and other agencies should include prevention of gun and knife crime. They should reflect long-term prevention and management of risk as well as short term responses.
- *Recommendation 6*
Departmental and agency resources should be allocated, and ring-fenced, over the long term to enable the effective delivery of a preventive strategy.

Supply

- *Recommendation 7*
The UK Border Agency, supported by Revenue and Customs, should do more to detect the importation of firearms and component parts, ammunition and related material.
- *Recommendation 8*
A new procedure should be designed so that phone taps can be authorised more quickly.
- *Recommendation 9*
Deactivated weapons should be classified as imitation firearms under the Violent Crime Reduction Act 2006, and their ownership should be prohibited without a firearms certificate
- *Recommendation 10*
Intelligence-led operations under Section 60 of the Criminal Justice and Public Order Act 1994, which allows police to stop and search without suspicion in anticipation of violence, and screening equipment, should be implemented consistently. The scope of Section 60 should be extended to cover incidents of recent serious violence.

Demand

- *Recommendation 11*
Develop an early intervention strategy based around the Sure Start programme. An effective response to gun and knife crime needs to address the wider social and economic causes of interpersonal violence. Early intervention for children at risk, aged 0 to 5, is the best hope of having a long term effect on violent crime trends.
- *Recommendation 12*
An education strategy should be developed to address issues such as the fear and perceived need for self-protection

that prompts many young people to carry weapons; and guidance should be given to schools and parents on gangs, guns, and knives.

- *Recommendation 13*
Ensure that all agencies have access to examples of best practice in multi-agency intervention.
- *Recommendation 14*
Subject to independent evaluation, disseminate the Birmingham mediation approach with respect to gangs as “good practice” through the National Police Improvement Agency and other relevant agencies.
- *Recommendation 15*
Implement a system for spreading best practice, especially in risk management, across youth offender teams.
- *Recommendation 16*
Develop community engagement and overt community action.
- *Recommendation 17*
Develop the risk matrix approach for identifying individuals who pose a risk of violent crime.

Criminal Justice

- *Recommendation 18*
The legislation affecting both knife and gun crime should be subject to a thoroughgoing review with the object of simplification and clarification.
- *Recommendation 19*
Mandatory jail sentences with respect to gun and knife crime offending should be applied as intended.
- *Recommendation 20*
Civil law remedies, such as ASBOs, should be developed further to underpin prevention and management of risk.

- *Recommendation 21*
Contact with the criminal justice system for those involved in gang, knife and gun crime should be used as an opportunity to tackle the causes of offending, engage other services and provide intensive continuing support for young people on release from custody.
- *Recommendation 22*
Witness protection and support schemes should be improved given the danger of the criminality involved in gun and knife crime.

Glossary

ACPO: Association of Chief Police Officers is a professional police association representing members of chief officer teams: chief constables, deputy chief constables and assistant chief constables.

ACU: Armed Crime Unit is part of the serious and organised crime group in police forces and is charged with investigating and disrupting illegal arms sales.

APACS: Assessment of Community Safety indicators are used by Central Government (to track performance in local areas and include a focus on serious crime and protection, reflecting public service agreements (PSAs) agreed between government departments and the treasury

ARVs: Armed Response Vehicle is the term generally used to define a patrolling vehicle which contains firearms, usually in a secure armoury. The vehicle is crewed by at least two police officers suitably trained in the use of weapons and equipment to be carried in the vehicle, which provides immediate armed response to appropriate incidents.

BCS: British Crime Survey measures the amount of crime in England and Wales by asking people about crimes they have experienced in the last year. The BCS includes crimes which are not reported to the police, serving as an alternative to police records.

BCU: Basic Command Unit is the main operating unit of police forces. There are 228 of them in England and Wales. A force will divide its territorial area into a number of BCUs, each having its own complement of officers and staff

CDRP: Crime and disorder reduction partnership is an alliance of organisations, including police, fire service, NHS, local

authority departments, legal agencies and voluntary agencies, that is required to generate strategies for its area.

Community safety partnerships: partnerships between local agencies to identify and respond to crime and disorder within their local authority area.

COT: Chief officer team a team of officers at the force level, comprising chief constable, deputy chief constable, and assistant chief constables.

CPS: Crown Prosecution Service is responsible for prosecuting criminal cases.

Crime Levels: Level 1: local, high-volume crime characterized by antisocial behaviour, vandalism and petty theft. Level 2: more serious crime such as murder or organised crime. Level 2 crime often operates across police force borders. Level 3: terrorism and international crime that transcends national borders.

CSR: Comprehensive Spending Review is a governmental process in the United Kingdom carried out by HM Treasury to set three-year departmental expenditure limits and, through public service agreements, defines the improvements that the public can expect from these resources.

HMIC: Her Majesty's Inspectorate of Constabulary examines and improves the efficiency of the police service in England and Wales.

IAG: Police Independent Advisory Group comprises members of the community who provide the police with independent advice on a range of issues, including developing the plans and policies which will shape the way communities are

policed in the future. The IAG also liaise between police officials and the community, keeping a two-way stream of communication open.

LAAs: Local Area Agreements set out the priorities for a local area agreed between central government and a local area (the local authority and Local Strategic Partnership) and other key partners at the local level.

MAPPA: Multi Agency Public Protection Arrangements exist to deal with the risks that are presented by some released offenders who are thought to pose a risk to society or to themselves.

MMAGS: The Manchester Multi-Agency Gang Strategy (MMAGS), which was introduced in 2001, remains the UK's only Crime and Disorder Reduction Partnership (CDRP) team working solely to tackle the problems of street gangs involved in firearms use.

NABIS: The National Ballistics Intelligence Programme deliver a new database providing, for the first time, a national database for all recovered firearms and ballistic material such as complete rounds of ammunition, shell cases and projectiles. The database will also link those ballistics items to tactical intelligence recorded by the Police forces and other UK Law enforcement agencies.

NCRS: National Crime Recording Standards was adopted by all police forces in England and Wales in April 2002 (some had adopted the Standard earlier) in an effort to improve the consistency of police recording and to better reflect the demands made on the police by victims of crime.

NIM: National Intelligence Model is an information-based deployment system and cornerstone for the management of law enforcement operations in England and

Wales. NIM identifies patterns of crime and promotes a co-operative approach to policing, which requires the participation of other agencies and bodies.

NPI: Neighbourhood policing initiative is a programme aimed at putting more police officers out on patrol to increase police visibility and tackle quality-of-life issues that often cause distress, such as graffiti, rowdy neighbours, vandalism, offroad motorcycling, speeding and littering.

NOMS: National Offender Management Service was created in 2004 and is the system through which correctional services are commissioned and provided.

NPIA: National Policing Improvement Agency is new agency created to support self-improvement across the police service and to drive forward programmes outlined in the national community safety plan.

OCJS: Offending, Crime and Justice Survey is a nationally representative, longitudinal, self-report survey which asks young people in England and Wales about their attitudes towards and experiences of offending.

PA: Police Authority is an independent body with responsibility for the appointment of chief officers, managing finance and monitoring the performance of the force.

PCSOs: Police community support officers are civilian members of staff who wear a police-style uniform. Their main functions are to provide a highly visible police presence in public areas and to deal with low-level nuisance and antisocial behaviour.

Police Federation: The Police Federation of England and Wales is the representative body to which all police officers up to and including the rank of Chief Inspector belong.

PPAF: Police Performance Assessment Framework is an initiative led by the Home Office, with the support of Her Majesty's Inspectorate of Constabulary (HMIC), the Association of Chief Police Officers (ACPO) and the Association of Police Authorities (APA), which establishes policing targets throughout England and Wales.

PSA: Public Service Agreements are performance commitments agreed between government departments and the treasury on a national departmental level.

TGAP: Tackling Gangs Action Programme which the Home Secretary launched in September as the focus of renewed action to tackle gun crime and serious violence amongst young people. The Tackling Gangs Action Programme is overseen by a central Ministerial Taskforce on guns and gangs, chaired by the Home Secretary.

WMMTS: West Midlands Mediation and Transformation Service is an independent non-profit service that works with Birmingham police to mediate between different gangs when conflicts escalate. The programme is based on the Northern Ireland model of conflict mediation.

Xcalibre: Is the dedicated police task force created to gather intelligence and combat gang related gun crime in Manchester.

YOT: Youth Offending Teams exist in every local authority in England and Wales. They comprise representatives from the police, probation service, social services, health, education, drugs and alcohol misuse and housing officers. YOTs are responsible for young offender management and preventing youth offending.

Murders involving knives and firearms never fail to grab the headlines, yet they are relatively rare. Gun crime, for example, represents only 0.4% of all recorded crime in England and Wales. The public are often sceptical, however, when they read figures such as this – and they have reason to be so. The evidence collected for this report suggests that chaotic, street-level firearms offences, often associated with young people, have risen.

The research team, led by former Assistant Chief Constable Dr Bob Golding, have built a report around primary research taken from interviews and surveys with police constables and sergeants, Youth Offending Team Managers, young offenders, public polling and case studies in Manchester and Birmingham. The report shows that the nature of the threat from gangs, guns and knives is changing, and the Government must change its approach if communities are to stem the tide of youth violence.

The research findings support four primary arguments: that official crime figures do not reflect the experiences of many communities in England and Wales; that information and intelligence sharing between agencies is lacking; that early intervention and prevention work needs to be targeted and expanded and that the relevant legislation governing gun and knife crime is a mess.



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