



House of Commons
Home Affairs Committee

Work of the Committee in 2007

Fourth Report of Session 2007–08

*Report, together with formal minutes and
written evidence*

*Ordered by The House of Commons
to be printed 15 January 2008*

HC 226

Published on 24 January 2008
by authority of the House of Commons
London: The Stationery Office Limited
£0.00

The Home Affairs Committee

The Home Affairs Committee is appointed by the House of Commons to examine the expenditure, administration, and policy of the Home Office and its associated public bodies.

Current membership

Rt Hon Keith Vaz MP (*Labour, Leicester East*) (Chairman)
Mr Jeremy Browne MP (*Liberal Democrat, Taunton*)
Ms Karen Buck MP (*Labour, Regent's Park and Kensington North*)
Mr James Clappison MP (*Conservative, Hertsmere*)
Mrs Ann Cryer MP (*Labour, Keighley*)
David TC Davies MP (*Conservative, Monmouth*)
Mrs Janet Dean MP (*Labour, Burton*)
Patrick Mercer MP (*Conservative, Newark*)
Margaret Moran MP (*Labour, Luton South*)
Gwyn Prosser MP (*Labour, Dover*)
Bob Russell MP (*Liberal Democrat, Colchester*)
Martin Salter MP (*Labour, Reading West*)
Mr Gary Streeter MP (*Conservative, South West Devon*)
Mr David Winnick MP (*Labour, Walsall North*)

Powers

The Committee is one of the departmental select committees, the powers of which are set out in House of Commons Standing Orders, principally in SO No 152. These are available on the Internet via www.parliament.uk

Publication

The Reports and evidence of the Committee are published by The Stationery Office by Order of the House. All publications of the Committee (including press notices) are on the Internet at www.parliament.uk/homeaffairscom. A list of Reports of the Committee since Session 2005–06 is at the back of this volume.

Committee staff

The current staff of the Committee are Elizabeth Flood (Clerk), Jenny McCullough (Second Clerk), Elisabeth Bates (Committee Specialist), Sarah Harrison (Committee Specialist), Mr Tony Catinella (Committee Assistant), Mr Ameet Chudasama (Chief Office Clerk), Sheryl Dinsdale (Secretary) and Ms Jessica Bridges-Palmer (Select Committee Media Officer).

Contacts

All correspondence should be addressed to the Clerk of the Home Affairs Committee, House of Commons, 7 Millbank, London SW1P 3JA. The telephone number for general enquiries is 020 7219 3276; the Committee's email address is homeaffcom@parliament.uk

Contents

| Report | <i>Page</i> |
|--|-------------|
| 1 Introduction | 3 |
| Scope of this report | 3 |
| Overview of the Committee's activities in 2007 | 3 |
| 2 The Committee's performance in relation to the 'core tasks' | 7 |
| Inquiries carried out into: | 8 |
| (a) Government policy proposals and implementation of legislation and major policy initiatives | 8 |
| (b) Areas seen by the Committee as requiring examination because of deficiencies | 11 |
| (c) Departmental actions | 13 |
| (d) The work of the Department's agencies and associated public bodies | 13 |
| (e) Major appointments | 14 |
| Examination of draft legislation | 14 |
| Examination of expenditure | 15 |
| Examination of Public Service Agreements | 16 |
| Assisting the House | 16 |
| 3 The Committee's working methods | 17 |
| Innovations in working methods | 17 |
| Short inquiries and more rapid response to developments | 17 |
| The European dimension | 17 |
| Joint working with other committees | 18 |
| Relations with the Department | 18 |
| Formal Minutes | 19 |
| List of written evidence | 20 |
| List of Reports from the Committee during the Parliament | 21 |

1 Introduction

Scope of this report

1. This report is a review of the Home Affairs Committee's activities during the calendar year 2007. We begin with an overview of the main developments in 2007 and then present an analysis of the Committee's performance in relation to the indicative 'core tasks' for select committees specified by the Liaison Committee. We conclude with some comments on our working practices and on our relations with the Home Office.

Overview of the Committee's activities in 2007

2. Our principal remit, set out in House of Commons standing orders, is "to examine the expenditure, administration and policy of the Home Office and its associated public bodies".¹ In carrying out our remit we aim to strike a balance between undertaking inquiries into major policy issues, examining the Department's discharge of its duties across the range of its activities—including legislation and legislative proposals—and responding rapidly to important developments relating to the work of the Home Office and that of its associated public bodies.

3. Our major activities this year have been the completion of our inquiries into *Justice and Home Affairs (JHA) Issues at European Union Level* and *Young Black People and the Criminal Justice System*; our inquiry into the *Government's Counter-Terrorism Proposals*; on which we reported in December 2007, and an inquiry we have called *A Surveillance Society?* which we aim to complete early in 2008. A full list of subjects into which we inquired is set out in the table below.

¹ Until the beginning of the current Session of Parliament, the Committee was charged with inquiring into the administration and expenditure of the Attorney General's Office, the Treasury Solicitor's Department, the Crown Prosecution Service and the Serious Fraud Office (but excluding individual cases and appointments and advice given within government by Law Officers). These responsibilities passed to the Justice Committee (formerly the Constitutional Affairs Committee) as a consequence of Machinery of Government changes in May 2007.

Table 1: Subjects covered by the Home Affairs Committee in 2007

| Subject | Evidence sessions in 2007 | Outcome |
|---|---------------------------|------------------------------------|
| Young Black People and the Criminal Justice System | 4 | Report, May 2007 ² |
| Justice and Home Affairs Issues at EU Level | 3 | Report, June 2007 ³ |
| Police Funding | 1 | Report, July 2007 ⁴ |
| The Government's Counter-Terrorism Proposals | 6 | Report, December 2007 ⁵ |
| A Surveillance Society? | 5 | Report to be published |
| The Accession of Bulgaria and Romania to the EU: twelve months on | 1 | Report, January 2008 ⁶ |
| The Security Industry Authority: Licensing of Applicants | 1 | Report, January 2008 ⁷ |
| Knife Crime | 1 | Evidence, March 2007 |
| Towards Effective Sentencing | 1 | Evidence, May 2007 |
| The Future of the Home Office | 1 | Evidence, April 2007 |
| The Work of the Home Office 2007 | 1 | Evidence, July 2007 |
| UK Immigration Issues | 1 | Evidence, November 2007 |
| Home Office Annual Report 2007 | 1 | Evidence, December 2007 |
| The Government's Counter-Terrorism Bill | 1 | Evidence, December 2007 |
| Police Pay | 1 | Evidence, December 2007 |

4. During 2007, we went on a number of visits, as set out in Table 2 below. Our inquiry into *Justice and Home Affairs Issues at EU Level* included a visit to the headquarters of Frontex, the new European border control agency, in Warsaw. Our time in Warsaw gave us a useful insight into the work of what was then a young organisation, and the subject of some controversy. Our major overseas visit of 2007, to Washington DC, Annapolis and Baltimore, proved invaluable in gathering information in connection with two inquiries: *A Surveillance Society?* and the *Government's Counter-Terrorism Proposals*. In particular,

2 Second Report of Session 2006–07 (HC 181)

3 Third Report of Session 2006–07 (HC 76)

4 Fourth Report of Session 2006–07 (HC 553)

5 First Report of Session 2007–08 (HC 43)

6 Second Report of Session 2007–08 (HC 59)

7 Third Report of Session 2007–08 (HC 144)

meetings with interlocutors at the Department of Homeland Security and the Department of Justice informed our examination of the Government's proposal that further consideration be given to the admission of intercept material as evidence in court.

5. We undertook the last of our visits in connection with our inquiry into *Young Black People and the Criminal Justice System* early in 2007, when we spent a day at Her Majesty's Young Offenders Institute, Feltham. Once again we came away with much that helped us as we completed our inquiry, and we look forward to a series of visits within the UK to gather information for our inquiry into *Domestic Violence*.

6. We are most grateful to all of those who hosted us during our visits and in particular we thank the Foreign and Commonwealth Office, the National Parliament Office in Brussels and the staff of the Committee on Constitutional Affairs, Rights, Liberties and Guarantees of the Assembleia da República, Portugal, for their assistance.

Table 2: Visits by the Home Affairs Committee in 2007

| Location | Purpose of visit |
|--|--|
| Her Majesty's Young Offenders Institute, Feltham | Inquiry into Young Black People and the Criminal Justice System |
| Warsaw, Poland | Inquiry into Justice and Home Affairs Issues at EU Level |
| Lisbon, Portugal | Visit by the Chairman in a representative capacity to attend Portuguese EU Presidency Conference of Justice and Home Affairs Committees |
| Washington DC, Annapolis and Baltimore | Inquiries into A Surveillance Society? and The Government's Counter-Terrorism Proposals |
| Brussels | Visit by Mr Gary Streeter in a representative capacity to attend the Joint Committee Meeting of the LIBE Committee, European Parliament, and National Parliaments ⁸ |

7. In 2007 we have continued to explore new ways of working, and to extend the range of the Committee's work, by undertaking some shorter inquiries and holding one-off evidence sessions on topical issues, in addition to our more detailed scrutiny of major policy areas (see below at paragraph 54).

8. Machinery of Government changes in 2007 had significant implications for the work of the Committee. On 29 March 2007 the Home Office took on additional responsibilities in relation to security and counter-terrorism, and a transfer of responsibility for prisons, probation and sentencing to the new Ministry of Justice took effect on 9 May. The Machinery of Government changes announced in June 2007—which created the Department for Children, Schools and Families—have also had an impact on policy areas, such as Youth Justice, which are relevant to our work.

⁸ See below at para 57

9. The Home Office and the Ministry of Justice share a core focus on public protection and crime reduction; the effect of Machinery of Government changes and their main areas of responsibility are indicated in the table below.

Table 3: Main Departmental responsibilities following Machinery of Government changes in 2007

| Policy area | Effect of Machinery of Government changes on Departmental responsibility |
|----------------------------------|--|
| Security and counter-terrorism | Remains with the Home Office (which is to play an enhanced role) |
| Policing | Remains with the Home Office |
| Anti-social behaviour | Remains with the Home Office |
| Drugs | Remains with the Home Office |
| Crime reduction | Remains with the Home Office |
| Immigration, asylum and identity | Remains with the Home Office |
| Criminal law and sentencing | Transferred to the Ministry of Justice |
| Offender management | Transferred to the Ministry of Justice |
| Re-offending | Transferred to the Ministry of Justice |
| Prisons and probation | Transferred to the Ministry of Justice |

10. Having embarked on a major inquiry into *Towards Effective Sentencing* in February 2007, we had received a substantial amount of written evidence and taken oral evidence from Rt Hon Lord Woolf, former Lord Chief Justice, when the Machinery of Government changes took effect: it was with some regret that we ceased our work in this area. Before publishing the evidence we took the step of passing it to the then Constitutional Affairs Committee; we are glad to see that the new Justice Committee has taken up this inquiry alongside its scrutiny of draft Sentencing Guidelines issued under the authority of the Sentencing Guidelines Council, which was also formerly within the remit of the Home Affairs Committee.

11. On 24 April we took evidence on the implications of the Machinery of Government changes from the then Home Secretary, Rt Hon John Reid MP. We heard part of this evidence—that which concerned the context in which the Home Office was to take on a strengthened role in relation to counter-terrorism—in private. The Home Office subsequently provided us with a memorandum on how the Machinery of Government changes have been implemented and in 2008 we will continue to monitor the effect of the transfer of functions and responsibilities on those policy and operational areas within our remit.⁹

9 *The Future of the Home Office: oral and written evidence* (HC 499-i), published 26 October 2007

2 The Committee's performance in relation to the 'core tasks'

12. On 14 May 2002 the House, by Resolution, invited the Liaison Committee to establish common objectives for select committees. The Liaison Committee subsequently issued a list of indicative core tasks, and has asked departmental select committees to reflect these in their annual reports. The table below shows the relationship of our inquiries and evidence sessions to these core tasks. A detailed commentary is then set out in the paragraphs which follow.

Table 4: Liaison Committee criteria relevant to 2007 inquiries

| | Government and Commission policy proposals | Examination of deficiencies | Departmental actions | Associated public bodies | Major appointments | Implementation of legislation | Legislation / Draft legislation | Expenditure | Evidence from Minister | Public Service Agreements |
|--|--|-----------------------------|----------------------|--------------------------|--------------------|-------------------------------|---------------------------------|-------------|------------------------|---------------------------|
| Young Black People and the Criminal Justice System | | √ | √ | | | | | | √ | |
| Justice and Home Affairs Issues at EU Level | √ | | | √ | | √ | | | √ | |
| Police Funding | | | √ | | | | | √ | √ | √ |
| The Government's Counter-Terrorism Proposals | √ | | | √ | | √ | √ | | √ | |
| Knife Crime | | √ | √ | | | | | | √ | |
| Towards Effective Sentencing | √ | | | √ | | √ | | | | √ |
| The Future of the Home Office | | | √ | √ | | | | √ | √ | √ |
| The Work of the Home Office 2007 | √ | | | | √ | | | √ | √ | √ |
| UK Immigration Issues | √ | √ | √ | | | | | √ | √ | |

| | Government and Commission policy proposals | Examination of deficiencies | Departmental actions | Associated public bodies | Major appointments | Implementation of legislation | Legislation / Draft legislation | Expenditure | Evidence from Minister | Public Service Agreements |
|---|--|-----------------------------|----------------------|--------------------------|--------------------|-------------------------------|---------------------------------|-------------|------------------------|---------------------------|
| Home Office Annual Report 2007 | | | √ | √ | | | | √ | | √ |
| The Accession of Bulgaria and Romania to the EU: twelve months on | √ | | √ | | | | | | √ | |
| The Security Industry Authority | | | √ | √ | | √ | | | √ | |
| A Surveillance Society? ¹⁰ | | √ | √ | | | √ | | √ | √ | √ |

Inquiries carried out into:

(a) Government policy proposals and implementation of legislation and major policy initiatives

13. We have noted in our annual reports in recent years the high volume of policy proposals brought forward by the Home Office. In last year's annual report we commented that to these documents must be added "the stream of reviews of the Home Office itself, making recommendations as to future internal policy, which have been commissioned as a result of the Department's recent difficulties".¹¹ Machinery of Government changes which split the Home Office have increased the complexity of our task in terms of conducting sustained scrutiny of the Government's policy proposals and implementation of legislation and major policy initiatives.

14. Given the limited time and resources at our disposal, we have to be severely selective in deciding which policy proposals and initiatives to scrutinise. We carry out scrutiny in a variety of ways. We hold an annual evidence session with the Home Secretary (most recently in July 2007), to review Ministerial priorities and emerging policy areas as a whole. We aim to respond rapidly to developments where issues of major public concern are at

10 The Committee will complete its programme of oral evidence on this inquiry in 2008.

11 First Report of Session 2005–06, *Work of the Committee in 2005–06* (HC 296), para 8

stake (see paragraph 54 below). We also hold an annual evidence session with the Permanent Secretary (most recently in December 2007), to scrutinise Home Office administration, performance against Public Service Agreement targets and expenditure.

15. Our work on the Government's **counter-terrorism proposals** has once again been amongst the highest-profile aspects of our work. In 2006 we analysed the Government's proposal to extend the terrorism detention powers of the police, by empowering them to detain suspects for up to 90 days without charges. Having begun our inquiry after the House had decided to reject the Government's 90-day proposal and to substitute an extension of the powers to 28 days, we concluded that none of the evidence we reviewed would have justified a maximum detention period longer than 28 days, but that changes in the nature and scale of the terrorist threat might lead to the 28-day limit proving inadequate in future.¹²

16. In carrying out our inquiry into new proposals introduced in June and July 2007, we noted the Government's consultative approach to putting forward legislation on terrorism detention powers and other measures. We welcomed the opportunity to scrutinise the proposals in a way which had not been possible owing to pressure of time during the House's consideration of the last Terrorism Bill in 2006.

17. This consultative approach to the proposals gave us the opportunity to hear views from a wide range of organisations and individuals affected by or otherwise involved in efforts to tackle terrorism. These included Rachel North, a survivor of the 7/7 bombings, and Mr Abul Koyair and Mr Mohammed Abdulkahar, who were arrested as part of a counter-terrorism operation in Forest Gate in 2006. The evidence we took in the later part of our inquiry, from Rt Hon Lord Goldsmith QC, the former Attorney General, and Sir Ken Macdonald QC, Director of Public Prosecutions, was particularly helpful to our deliberations.

18. In considering these proposals, whilst we acknowledged the extent of the terrorist threat facing the UK and noted that some of those opposing an extension at present did not rule out the possibility that an extension might be needed in future, we once again concluded that neither the police nor the Government had made a convincing case that the current limit of 28 days was inadequate. We further concluded that whilst the proposal that Part 2 of the Civil Contingencies Act (CCA) 2004 be used in exceptional circumstances to provide for periods of detention longer than 28 days was not feasible, the Government should consider building support for proposals that effectively reformed the powers of the CCA, securing Parliamentary scrutiny and judicial oversight but stopping short of the requirement to declare a full-scale state of emergency.¹³

19. Shortly before we reported on our inquiry, the Government set out a further proposal, to increase the limit on pre-charge detention in terrorist cases to 42 days: we took evidence from the Home Secretary on this proposal on 11 December and intend further to examine this issue when it is before the House as part of a counter-terrorism bill in 2008.

12 Fourth Report of Session 2005–06, *Terrorism Detention Powers* (HC 910)

13 First Report of Session 2007–08, *The Government's Counter-Terrorism Proposals* (HC 43)

20. In our inquiry into **justice and home affairs issues at European Union level**, we considered the range of initiatives being taken by the European Commission under the aegis of the Hague Programme. We looked at developments in several fields, considering the extent to which the three possible approaches of practical co-operation, mutual recognition or harmonisation offered the best way forward. We examined selected issues from the perspective of the actual challenges faced by EU countries, particularly those of cross-border crime and border control, and attempted to assess the current and future effectiveness of EU action in meeting those challenges.

21. In our report, published ahead of the Justice and Home Affairs Council in mid-June 2007, we took the view that policy initiatives at EU level should only be pursued if there were solid evidence that they were likely to bring about a real improvement in the effectiveness of EU Member States in tackling common challenges in the JHA field. We concluded that practical arrangements for bilateral co-operation between police forces could be very fruitful and made a series of recommendations on the facilitation of data exchange. Amongst these we registered our concern that the Treaty of Prüm, an agreement by a small group of EU Member States on these matters, set a worrying precedent whereby a small group of Member States may reach an agreement among themselves which then is presented to the wider EU almost as a *fait accompli*. We did not believe that the case had been made out for a shift of decision-making in the area of European criminal justice or legal systems from the third to the first pillar. We also made recommendations for enhanced Parliamentary scrutiny of EU business.

22. We received responses to our report not only from the Government but also from the European Commission.¹⁴ Whilst the institutional changes effected by the Treaty of Lisbon—namely the replacement of the three pillar structure and the application of the qualified majority voting procedure to matters of police and criminal judicial co-operation and criminal law—have in some cases overtaken our recommendations, we hope that the Government will continue to take account of the conclusions we reached in our inquiry.

23. Again in 2007 we have continued to monitor **the Government's response to our own past reports**. In particular we have pursued undertakings from the Home Office to provide us with updates on the action it has taken in respect of accepted Home Affairs Committee recommendations. After we received the latest of these updates (which are appended to this Report) we took the opportunity to review and clarify the terms on which updates are provided. In correspondence with the Home Secretary (also appended to this Report) we agreed the following:

- The Department will provide an update on all the recommendations made by the Committee (and accepted by the Government) on a yearly basis within the lifetime of a Parliament.
- The update will be provided on a date one year from the publication of the initial Report from the Committee. Where this date falls within a period during which the House is adjourned, the first date after the House reconvenes will be the agreed publication date.

¹⁴ First Special Report of Session 2006–07, *Government Response to the Committee's Third Report: Justice and Home Affairs Issues at European Union Level* (HC 1021), p 18

- Updates will not be given on reports which relate to Home Office Bills and those policy areas which are now (or become) the responsibility of another Government department.
- Where an Election is called prior to the Government having provided at least one update on the recommendations in a Committee Report, the Department will instead provide an update in the new Parliament. This single update will be on the date one year from the publication of the relevant Report. If this date falls during the period of dissolution, the update will be provided three calendar months later (avoiding the risk that a Report made towards the end of a Parliament might not be the subject of an annual update).
- The ‘norm’ for updates should be a line-by-line analysis of Committee recommendations and any deviation from this for specific reports should be by exception.

24. Once again we record our gratitude to the Home Office for undertaking this work, which is of great value in enabling us to track progress in implementing our recommendations. We appreciate in particular the positive way in which the Home Secretary has engaged with us in order to put in place an effective and mutually beneficial system of continuing Parliamentary scrutiny—including post-legislative scrutiny—of the work of the Home Office.

(b) Areas seen by the Committee as requiring examination because of deficiencies

25. One of our major enterprises in the period since January 2007 has been a contentious area of policy: that involving **young black people and the criminal justice system**. Our inquiry into this area sought to assess and place in perspective young black people’s overrepresentation in the criminal justice system. We noted that data gaps prevented us from building a comprehensive picture of young black people’s overrepresentation but that the evidence we received suggested that young black people were overrepresented as suspects for certain crimes and that young black people were also more likely to be victims of violent crimes.

26. In conjunction with this inquiry, we commissioned research into public perceptions of young black people and the criminal justice system from Opinion Leader Research. The results of the research, which was based on the use of focus groups, were published with our Report.¹⁵ We also drew on the work of Dr Marian Fitzgerald, a Specialist Adviser to our inquiry, who conducted a statistical research project as part of her work.¹⁶

27. We examined the underlying causes of overrepresentation, identifying social exclusion as a key factor. We also heard evidence that factors within black communities, such as a lack of father involvement and other parenting issues, helped exacerbate disadvantage and fuel involvement in the criminal justice system. The criminal justice system itself—the

15 Second Report of Session 2006–07, *Young Black People and the Criminal Justice System*, Written evidence (HC 181-II), Ev 133

16 Published on the Committee’s website, at www.parliament.uk/homeaffairs.com

perception as well as the reality of discrimination—was also identified by some of our witnesses as an important factor in overrepresentation. Our Report called for the development of a coherent strategy to address the overrepresentation of young black people by drawing together departments' responses and set challenging goals to reduce overrepresentation.

28. We said in our last Report on the Work of the Committee that as part of this inquiry we set out wherever possible to contact young black people themselves and not just adults purporting to speak on their behalf. Having reported on our inquiry in 2007 we record here our gratitude to all those who were willing to connect not only with the subject of our inquiry but with the inquiry process itself. We very much appreciate the contribution these young people made to our work—on visits, in formal evidence sessions and informal meetings, and by other means such as the short DVD made by Young Black Positive Advocates (a group facilitated by the Metropolitan Black Police Association)—and whilst important policy areas relevant to our Report now fall outside our remit (see above at paragraph 8) we continue to take an interest in the progress of the projects and groups from which we learned such a great deal in our inquiry.¹⁷

29. Having completed our programme of evidence on young black people and the criminal justice system, and having ceased work on our sentencing inquiry, we embarked on an inquiry entitled *A Surveillance Society?* We set out to consider the growth of numerous public and private databases and forms of surveillance with a direct relevance to the work of the Home Office, which either derive directly from the work of the Home Office and its related public functions or are controversial because whilst they offer the potential to play a part in the fight against crime their use may impinge on individual liberty.

30. Surveillance plays a part in the life of the individual and in society as a whole that can often go unnoticed. It can also, however, be the source of deeply-felt unease and concern. A perception of the growth of surveillance—in particular the collection, storage and use of personal information—as an increasingly important part of the Government's policy in tackling crime, managing borders and delivering public services, lay behind our decision to undertake this inquiry.

31. In considering a wide range of issues we have looked at the use of databases in the private sector and databases and different forms of surveillance across Government, alongside our consideration of Home Office responsibilities in this area. We have sought to build on the work of the Information Commissioner in exploring the large strategic issues of concern to the general public, with a view to proposing ground rules for Government and its agencies.

32. These issues have taken on a much higher political profile since the loss of child benefit records by Her Majesty's Revenue and Customs. The Government is now engaged in several reviews of the security of personal data and systems for sharing it. Whilst we have not attempted to carry out a comprehensive survey of policy and protocol in this area, we follow the Government's response to recent data security breaches with interest and we hope that when we report on our inquiry our work will inform future policy and activity in this area.

17 See uncorrected evidence taken by the Committee on 4 December 2007, HC (2007–08) 60-i, Q 1

(c) Departmental actions

33. As in previous years, the Committee has questioned witnesses on specific departmental actions. In 2007 we have explored such actions in the context of long-planned evidence sessions on issues of ongoing concern and in response to developments as and when the need has arisen.

34. In March 2007 we took evidence from the Home Office on **knife crime**, having agreed to hold the session and issue a call for short written submissions as a means of addressing some of the systemic issues raised by Members' involvement in individual constituency cases. Following up an evidence session we held in December 2006, in November 2007 we heard from the Minister of State for Borders and Immigration on **UK immigration issues and the accession of Bulgaria and Romania to the EU: twelve months on**. On this occasion we also heard from Mr Aurel Ciobanu-Dordea, the Romanian Under-Secretary of State in the Department for European Affairs and Mrs Raduta Matache, Acting Romanian Ambassador to the UK (see paragraph 59 below).

35. Where necessary we have moved quickly to set up new evidence sessions and to alter the format of planned evidence sessions in response to developing events. In addition to giving oral evidence on the accession of Bulgaria and Romania to the EU, in November 2007 the Minister of State for Borders and Immigration answered our questions on the implications of recently-discovered **failures to carry out immigration status checks on individuals seeking employment in the private security industry**. In December 2007 (at the beginning of an evidence session on the Home Office Departmental Report for 2007) we heard from Sir David Normington KCB, Permanent Secretary at the Home Office, on the role of the Home Office in relation to these developments.

36. Following the announcement by the Home Office in December 2007 that it proposed to stage the 2.5% police pay award recommended by the Police Arbitration Tribunal, we took evidence from the Home Secretary (at the beginning of an evidence session on the Government's most recent proposal on pre-charge detention limits in terrorism cases) on her decision on **police pay**. After our evidence session with the Home Secretary, we heard from the Association of Chief Police Officers, the Police Federation and Mr Steve Green, Chief Constable of Nottinghamshire Police. After these evidence sessions we wrote to the Home Secretary to ask her to reconsider her decision.¹⁸

(d) The work of the Department's agencies and associated public bodies

37. The Committee has taken evidence from a wide range of witnesses representing bodies associated with the Home Office. In December 2007 we heard from **the Security Industry Authority** itself on immigration status checks. We continue to receive updates from the Border and Immigration Agency (BIA) on its progress towards the targets set following a series of major internal reviews of Home Office administration and working methods; we are currently reviewing the way in which these updates are provided and published. In November 2007 we heard from the Chief Executive of the BIA, Lin Homer, as part of our

¹⁸ For the text of the letter see:
http://www.parliament.uk/parliamentary_committees/home_affairs_committee/hacpn071218no15.cfm

evidence session on **UK immigration issues and the accession of Bulgaria and Romania to the EU: twelve months on.**

38. We have taken evidence from other witnesses representing bodies associated with the Home Office including the Serious Organised Crime Agency, the Metropolitan Police, the Association of Chief Police Officers, the Association of Police Authorities and the Police Federation. We also heard from the National Offender Management Service, the Youth Justice Board and the Office for Criminal Justice Reform, which are now associated primarily with the Ministry of Justice.

(e) Major appointments

39. We were pleased to have the opportunity of taking oral evidence from the current Home Secretary, Rt Hon Jacqui Smith MP, in July 2007, less than a month after she assumed her current responsibilities. Giving evidence on **the work of the Home Office** as part of the Committee's annual programme of scrutiny, the session (like a previous meeting with then Home Secretary Rt Hon John Reid MP shortly after his appointment) had something of the feel of an 'induction hearing' for the new Home Secretary, who appeared before us on two subsequent occasions in 2007 (see paragraphs 16, 19 and 36 above).

Examination of draft legislation

40. In our last Report on the Work of the Committee we urged the Home Office to make allowance in its forward planning for suitable bills to be referred to us for scrutiny in draft form, as a valuable supplement to the new parliamentary procedures under which Public Bill Committees hold evidence sessions on government bills (such as the UK Borders Bill and the Criminal Justice and Immigration Bill) before proceeding to clause-by-clause scrutiny.¹⁹

41. No Home Office Bills were published in draft form in 2007 but a draft Citizenship and Immigration Bill was announced in the most recent Queen's Speech. We understand that publication of the draft bill will follow the review of citizenship being carried out by Rt Hon Lord Goldsmith QC under the aegis of the Ministry of Justice; we are ready and willing to play our part in scrutiny of those draft measures which correspond with Home Office responsibilities.

42. We are grateful to the Home Office for providing us with draft clauses of its proposed counter-terrorism bill. Received in confidence, these draft clauses provided useful context for our work on the Government's counter-terrorism proposals.

43. Amongst our other responsibilities we have continued to review the level of scrutiny appropriate for revisions proposed by the Government to the Codes of Practices under the Police and Criminal Evidence (PACE) Act 1984.

¹⁹ First Report of Session 2006–07, *Work of the Committee in 2005–06* (HC 296), p 12

Examination of expenditure

44. In 2007 we carried out a short inquiry—consisting of a call for short written submissions and a single evidence session with the Minister of State for Security, Counter-Terrorism and Police, and police representatives—into *Police Funding*. We considered in particular how increased investment in policing over the past few years had been reflected in police performance and crime reduction, including numbers of front line police officers; and the scale and implications of a possible tighter funding settlement for the years 2008–11.

45. Whilst we acknowledged that it was difficult to draw firm conclusions from high-level data on overall crime and funding levels we found that the reduction in overall crime levels (as measured by the British Crime Survey) did not seem to have been directly related to additional resources. Noting recent assessments by HM Treasury and the Audit Commission that there was scope for significant further improvement in use of police resources we recommended that senior police leadership demonstrate that they were making concerted and sustained efforts to target their resources effectively. We also noted the increase in the proportion of total police funding raised through precept on council tax over the last ten years and recommended that the Government look again at the specific question of whether it was appropriate for police precept to remain effectively capped at 5% in line with other local authority budget increase limits. We concluded that the Government must be specific and realistic about the scale and nature of efficiencies it expected the police to make in order to meet any shortfall in the funding settlement.

46. We will monitor developments in this area following the announcement of funding settlements for the police for the three years of the Comprehensive Spending Review. Our inquiry also raised issues such as the deployment of Police Community Support Officers and the proportion of police officer time spent on casework. Scrutiny of the Home Office's responsibilities in relation to policing constitutes an important part of our remit and we intend to take up such issues as part of our work in 2008.

47. The Committee conducts annual scrutiny of Home Office expenditure by means of a questionnaire submitted after publication of the Department's annual report, usually followed by an evidence session with the Permanent Secretary and other relevant officials. In response to a request made in our 2007 questionnaire the Department provided us with efficiency reports it had made to the Office of Government Commerce (OGC). We acknowledge the potential sensitivity of the kind of material submitted by Government departments to the OGC and are grateful to the Home Office for acceding to our request. We took evidence from the Permanent Secretary in December 2007 and subsequently received further written information from the Department.

48. As in previous years, we wish to express our gratitude to the Committee Office Scrutiny Unit for supplying us with specialist advice on expenditure issues, and in particular for its analysis of Home Office Estimates. The Unit will continue to assist us in 2008 by advising on such matters as the Home Office Autumn Performance Report and the Department's new Public Service Agreement targets.

Examination of Public Service Agreements

49. Appearing before us in October 2005, the then Home Secretary (Rt Hon Charles Clarke MP) undertook to consult the Committee as part of the process of setting Public Service Agreement (PSA) targets in connection with the Comprehensive Spending Review.²⁰ We pursued this undertaking and in July 2007 the Home Office provided us with a paper on the Department's 'direction of travel' in connection with the formulation of new PSA targets, ahead of the announcement of the Comprehensive Spending Review (CSR) settlement and Public Service Agreements for the CSR period in October 2007.

50. Whilst—as the Home Office has noted—in future we would wish to see targets in draft, we are grateful to the Home Office for providing us with this paper and for supplying some of the further information we requested in our response (which was somewhat overtaken by the publication of the PSAs) to it. We will revisit this correspondence (part of which we have appended to the report) when we consider the new PSAs—and how they reflect the recommendations of our 2005 report on *Home Office Target-Setting 2004*—in the context of our consideration of the Home Office Departmental Report for 2008.

51. In addition to the general overview of the Department's approach to target-setting outlined above, we took a more detailed look at some individual Home Office targets in our report on *Police Funding*. We concluded that the Government's key crime reduction target, 'offences brought to justice', was not a good indicator of success in relation to the types of crime which the public feared most, and we recommended that in drawing up its next round of PSA targets relating to the police, the Government should aim for a better balance between clearly measurable targets and the less easily measurable aspects of police performance. In its response the Government said that the new 'Make Communities Safer' PSA (which will come into effect in April 2008) sought to address the Committee's recommendation by including a focus on increasing public confidence in the police and other agencies dealing with community safety:

This focus on the 'less easily measurable' aspects of policing is balanced in the PSA with more specific objectives on the most harmful violent and acquisitive crimes, to ensure continued focus on these important issues.²¹

52. Once again, we intend to follow up our work in this area, by means both of our annual programme of scrutiny and our programme of specific inquiries, in 2008.

Assisting the House

53. Our Report on *Immigration Control* was tagged on the Order Paper as relevant to the Second Reading of the UK Borders Bill on 5 February 2007.²² We hope that when the Government introduces new counter-terrorism legislation, our work on the Government's proposals will assist the House.

20 *The Work of the Home Office*, oral and written evidence, 25 October 2005 (HC 604-i of 2005–06), Q 43

21 Second Special Report of Session 2006–07, *Government Response to the Committee's Fourth Report of Session 2006–07: Police Funding* (HC 1092), pp 3–4

22 Fifth Report of Session 2005–06, *Immigration Control* (HC 775)

3 The Committee's working methods

Innovations in working methods

Short inquiries and more rapid response to developments

54. Although we have in the past held one-off evidence sessions and announced inquiries at short notice as the need has arisen, in 2007 we have made a concerted effort to ensure that our programme of work is flexible enough to allow us to run **short, tightly-focused inquiries** and complete brief reports to compressed timetables, alongside our more detailed work on major inquiries.

55. The substantial amount of written evidence we received and the extended evidence session we held on police funding formed the basis of a report containing substantive recommendations. More recently we have agreed shorter reports on *The Accession of Bulgaria and Romania to the EU: twelve months on* and *The Security Industry Authority: Licensing of Applicants*, based on single evidence sessions and, where we have had the opportunity, evidence from witnesses we had invited to appear before us in connection with other inquiries. These reports have not contained any substantive recommendations but have highlighted what in our view are the key issues raised by the evidence we have taken. Although we will continue to publish some oral and written evidence without such reports, our new practice has helped us to reflect on the evidence we have received and we intend to continue working in this way in 2008.

The European dimension

56. In our last report on the Work of the Committee we outlined our sustained attempt to scrutinise **the European dimension to Home Office policy-making**. The most important aspect of our work in this area in 2007 has been the completion of our inquiry into *Justice and Home Affairs issues at European Union Level*.

57. During 2007 the Committee has maintained its practice of agreeing that the Chairman and other Members should travel in a representative capacity to attend relevant EU-level meetings. In September 2007 the Committee was represented at a conference of justice and home affairs committees in the EU's national parliaments, and of the European Parliament, held to mark Portugal's presidency of the EU; and in November 2007 the Committee was represented at a meeting in Brussels of our 'sister committee' of the European Parliament: the Committee on Civil Liberties, Justice and Home Affairs (usually known for short as 'LIBE').

58. We wish to pay particular thanks to the staff of the UK National Parliament Office in Brussels, who have given us much-appreciated support in arranging these various visits and who provided us with high-quality briefing.

59. We are keen to foster good relations with our EU colleagues by participating in these meetings and our work is informed by the experience of other EU administrations. We have, for example, benefited from the expertise of a committee appointed by the government of the Netherlands to examine issues which are relevant to our inquiry into surveillance (see above at paragraph 29) and we were delighted that Mr Aurel Ciobanu-

Dordea, the Under-Secretary of State in the Department for European Affairs of Romania, took up our invitation to give oral evidence as part of our short inquiry into *The Accession of Bulgaria and Romania to the European Union: twelve months on*.

Joint working with other committees

60. In 2006 we set out to **liaise more closely with other select committees**. Whilst we have not held joint evidence sessions or joint inquiries, we have communicated on an informal basis with the Constitution Committee of the House of Lords, which is undertaking an inquiry into the impact of surveillance and data collection and considering a great many of the same issues as our own inquiry into surveillance.

61. In response to the machinery of government changes in March and May, we corresponded with the Constitutional Affairs Committee on the possible future need for joint working on areas of common interest in relation to the criminal justice system. We have not put in place or pursued proposals for any formal mechanism to facilitate such joint working but trust that our relationship with the new Justice Committee will be as effective as it has been with the Constitutional Affairs Committee in recent years.

Relations with the Department

62. We have maintained our good working relationship with the Home Office in 2007. The Department has been helpful in providing Ministers and officials to give evidence to our inquiries, often at short notice. Successive Home Secretaries have been generous in making time to appear before us and in 2007 we have very much appreciated the willingness of Ministers and officials to answer questions connected with several inquiries or matters of current concern on the same occasion and again often at short notice.

63. As we note above at paragraph 24 we are particularly grateful for the work that goes into supplying us with regular updates on progress with implementing past accepted Committee recommendations.

64. In 2007 the Department has in general provided prompt and helpful responses to our requests for written evidence and other material; the occasions on which we have had to follow up our requests have been few and we mention again our access to reports sent by the Home Office to the Office of Government Commerce (see paragraph 47 above). In the later part of 2007 in particular, the Home Office has been more pro-active in supplying information witnesses have undertaken to provide after oral evidence sessions and in volunteering to us specific material relevant to our inquiries even where we have not made particular requests: this latter development is in line with the wishes we expressed in our last report on the work of the Committee.²³

65. We also record our gratitude to the Ministry of Justice which has offered us assistance and kept us informed of developments connected with matters which are now within its remit but which remain relevant to the Committee's work.

23 First Report of Session 2006–07, *Work of the Committee in 2005–06* (HC 296), para 40

Formal Minutes

Tuesday 15 January 2008

Members present:

Rt Hon Keith Vaz, in the Chair

| | |
|--------------------|------------------|
| Ms Karen Buck | Gwyn Prosser |
| Mr James Clappison | Bob Russell |
| Mrs Ann Cryer | Martin Salter |
| Mrs Janet Dean | Mr Gary Streeter |
| Patrick Mercer | Mr David Winnick |
| Margaret Moran | |

Draft Report (The work of the Committee in 2007), proposed by the Chairman, brought up and read.

Ordered, That the Chairman's draft Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 65 read and agreed to.

Resolved, That the Report be the Fourth Report of the Committee to the House.

Ordered, That the Chairman make the Report to the House.

Several Memoranda were ordered to be reported to the House for printing with the Report.

[Adjourned till Tuesday 22 January at 10.00 am

List of written evidence

| | | |
|---|--|-------|
| 1 | Memorandum from the Home Office: Update on Home Office action in respect of accepted Committee Recommendations | Ev 1 |
| 2 | Correspondence relating to updates on Home Office action in respect of accepted Committee Recommendations: | Ev 40 |
| | Letter from the Home Secretary to Mr David Winnick MP, Member of the Home Affairs Committee (26 July 2007) | Ev 40 |
| | Letter from the Chairman to the Home Secretary (14 August 2007) | Ev 41 |
| | Letter from the Chairman to the Home Secretary (11 October 2007) | Ev 41 |
| | Letter from the Home Secretary to the Chairman (31 October 2007) | Ev 42 |
| | Letter from the Chairman to the Home Secretary (12 November 2007) | Ev 43 |
| 3 | Correspondence with the Home Office on Public Service Agreement Targets for the Comprehensive Spending Review Period 2008–09 to 2010–11: | Ev 43 |
| | Memorandum from the Home Office: Home Office–CSR07: consulting the Home Affairs Committee on the SR07 PSAs, July 2007 | Ev 43 |
| | Letter from the Chairman to the Home Secretary (11 October 2007) | Ev 45 |
| | Letter from the Home Secretary to the Chairman (25 October 2007) | Ev 46 |

List of Reports from the Committee during the Parliament

The reference number of the Government's response to each Report is printed in brackets after the HC printing number.

Session 2007–08

| | | |
|---------------|--|--------|
| First Report | The Government's Counter-Terrorism Proposals | HC 43 |
| Second Report | Bulgarian and Romanian Accession to the EU: Twelve months on | HC 59 |
| Third Report | Security Industry Authority | HC 144 |

Session 2006–07

| | | |
|---------------|---|---------------------|
| First Report | Work of the Committee in 2005–06 | HC 296 |
| Second Report | Young Black People and the Criminal Justice System | HC 181 (Cm 7217) |
| Third Report | Justice and Home Affairs Issues at European Union Level | HC 76 (HC 1021) |
| Fourth Report | Police Funding | HC 553 (HC 1092) |

Session 2005–06

| | | |
|----------------------|--|---------------------|
| First Report | Draft Corporate Manslaughter Bill (First Joint Report with Work and Pensions Committee) | HC 540 (Cm 6755) |
| Second Report | Draft Sentencing Guideline: Robbery | HC 947 |
| Third Report | Draft Sentencing Guidelines— <i>Overarching Principles: Domestic Violence and Breach of a Protective Order</i> | HC 1231 |
| Fourth Report | Terrorism Detention Powers | HC 910 (Cm 6906) |
| Fifth Report | Immigration Control | HC 947 (Cm 6910) |
| Sixth Report | Draft Sentencing Guideline: Sexual Offences Act 2003 | HC 1582 |
| First Special Report | Memorandum from the Home Office: Progress in implementing accepted Committee recommendations 2001–05 | HC 1007 |

Memorandum from the Home Office:
Update on Home Office Action in
Respect of Accepted Committee Recommendations

CONTENTS

- Police Reform
- Anti-social Behaviour
- Terrorism and Community Relations
- Terrorism Detention Powers

Police Reform. Date: 10 March 2005

| <i>Paragraph No. and text</i> | <i>Departmental response published June 2005 (Cm 6600)</i> | <i>Outcome/Latest progress—April 2007</i> |
|---|---|--|
| <p>Paragraph 66: We recommend that the Government should publish as soon as possible a more detailed elucidation of the proposed future division of responsibilities between the Agency and other bodies including the PSU, and that this should recognise the need to separate short-term from long-term interventions.</p> <p>Paragraph 67: In the light of the criticism we have received that the NCPE has hitherto been hobbled by inadequate funding, we emphasise the importance of providing adequate resources for the new Agency.</p> | <p>Accepted. The police service, the Government and wider stakeholders are committed to working together to support the continued improvement in police performance by greatly reducing the number of overlapping bodies from which police forces receive assistance and to which they are accountable. The Government welcomes the Committee's strong endorsement for significantly rationalising the number of bodies involved in policing improvement into a single National Policing Improvement Agency (NPIA), which represents a real opportunity to change the landscape of policing for the better and secure extensive headcount and other efficiency savings.</p> <p>The relationship between the NPIA and those wider organisations which will remain outside of the Agency is the subject of ongoing consultation with stakeholders. ACPO and other policing stakeholders have continued to have a strong programme governance role in determining the direction of the NPIA, so as to ensure that the police service has strong ownership of the work of the Agency. Once these consultations have been concluded, the Government will make public a more detailed prospectus on the role of the NPIA and the effect on the wider policing landscape, as the Committee recommends. In due course, this process will include Parliamentary scrutiny of provisions for the NPIA in a possible Police Reform Bill.</p> | <p>The National Policing Improvement Agency (NPIA) vested successfully on 1 April 2007. Its priorities, published in the NPIA Business Plan 2007–08, are clear and unambiguous and are the result of discussion and agreement by the Police Service and the tripartite partners in policing—Association of Chief Police Officers (ACPO), the Association of Police Authorities (APA) and the Home Office. The NPIA's role is clearly distinct from that of the Home Office Polices Standards Unit and HM Inspectorate of Constabulary.</p> <p>Discussions on the appropriate financial budget for the NPIA for 2007/08 are drawing to a close and the final agreed delegated budget will be issued imminently. As set out in the published NPIA Management Statement, the Home Office is committed to providing the NPIA with an appropriate budget which enables the Agency to deliver an appropriate framework of objectives and targets, taking into account the Home Office's overall public expenditure priorities.</p> |

Police Reform. Date: 10 March 2005

| <i>Paragraph No. and text</i> | <i>Departmental response published June 2005 (Cm 6600)</i> | <i>Outcome/Latest progress—April 2007</i> |
|--|--|--|
| | <p>The Committee differentiated the short-term performance improvements derived from PSU engagements from the longer-term aims of the NPIA to improve performance generally. The National Policing Plan 2005-08 stated clearly that the core functions of both Her Majesty's Inspectorate of Constabulary (HMIC) and PSU were separate and distinct from the NPIA. As the NPIA develops its scope and functions, the future direction of the PSU will be subject to further review.</p> <p>The Committee rightly states that the arrangements for the funding of the NPIA will be of critical importance in ensuring that the Agency can drive change and achieve improvement. The Government will fully scope and analyse the various funding options for the NPIA to ensure that the most appropriate option is adopted and that the level of funding is sufficient to meet the needs of the Agency.</p> | |
| <p>Paragraph 76: We share the concern of the Police Federation that police training is disproportionately targeted at the higher ranks. We recommend that the Home Office and ACPO should investigate whether this is the case. It is important that the training needs of police officers at sergeant and inspector level should not be neglected.</p> | <p>Accepted. The Home Office recognises the importance of available and appropriate training for all ranks and staff within the police service. The provision of training specifically targeted at sergeants and inspectors and equivalent police staff managers is currently delivered through the Core Leadership Development Programme. Fully funded by the Home Office, the programme is delivered via e-learning modules and workbooks, and is in the process of being rolled out to all forces. The 16 modules have been developed to provide flexibility towards different individual's learning needs, thereby maximising the appropriateness of the programme to a wide range of managers. In addition the Professionalising the Investigative Process project (PIP) is available to develop professional skills amongst various ranks, including those of sergeant and inspector. The Home Office will work with ACPO to consider whether further provision</p> | <p>Core Leadership development programme (CLDP). Overall, there has been a marked improvement with implementation of the CLDP over the past 12 months and most forces are progressing well, with a small handful of exceptions. Three regional CLDP seminars (held in September 2006) illustrated the high level of knowledge and understanding of CLDP implementation and the strong support from forces. The Metropolitan Police Service (MPS) is developing its own, alternative leadership development programme. There are now some well established "beacon" CLDP forces such as Dorset, Police Service of Northern Ireland (PSNI), British Transport Police (BTP) and Norfolk that provide excellent examples of what can be achieved. The Police Federation remains highly supportive of the CLDP. A draft evaluation plan has been written and is currently under consideration by NPIA and other stakeholders. The Home Office</p> |

Police Reform. Date: 10 March 2005

| <i>Paragraph No. and text</i> | <i>Departmental response published June 2005 (Cm 6600)</i> | <i>Outcome/Latest progress—April 2007</i> |
|-------------------------------|--|---|
| | of training to sergeant and inspector ranks is required, recognising the key managerial roles they play and influence they have in fostering a change in culture within the service. | <p>remains supportive of this programme.</p> <p>The High Potential Development Scheme (HPDS). In October 2006 the Leadership Services Board which provides tripartite governance for the HPD scheme, commissioned a project to revise the current HPDS. This project has two primary objectives:</p> <ol style="list-style-type: none"> 1. To develop a revised high potential development scheme that is robust and fits with 21st Century policing. 2. To establish a framework to enable others to develop their leadership skills. <p>Following consultation with appropriate stakeholders, proposals on the revised scheme was submitted to the Leadership Services Board in February 2007. The decision was that revision of HPDS should continue.</p> <p>Professionalising the Investigative Process (PIP). The objective of the PIP programme is to professionalise investigation by both police officers and police staff. PIP aims to deliver the professional development of personnel against robust national occupational standards by achieving</p> <ol style="list-style-type: none"> (i) Police staff who are better qualified in investigation; (ii) Police staff who are better skilled in investigation; (iii) More focused training for investigation; and (iv) Minimal accreditation assessment bureaucracy. |

Paragraph 126: However, these gains have been at the margins. There has been too little progress in introducing more effective information technology. It is here that the real potential lies for saving police time and resources. Sir Ian Blair and other witnesses drew attention to the long-standing failure to introduce an integrated case and custody system. There is

Accepted. The Home Office will provide the successor Home Affairs Committee with a strategy and timetable for the introduction of an integrated case and custody system by late summer 2005. Following this, we will also provide progress to reports to the Committee.

All police forces in England and Wales have committed to an integrated case and custody application. There are three applications available to forces which are accredited as meeting the integrated custody and case preparation requirement, namely NSPIS, Niche and OMEGA. The ACPO lead Custody and Case Preparation Programme has

Police Reform. Date: 10 March 2005

| <i>Paragraph No. and text</i> | <i>Departmental response published June 2005 (Cm 6600)</i> | <i>Outcome/Latest progress—April 2007</i> |
|---|---|--|
| <p>an acute need for an integrated transmission system allowing the police, the courts and the CPS to communicate electronically with each other. Police officers and staff are entangled in paperwork because they do not have the IT systems they need and want. Redressing this deficiency should be a Home Office priority. We recommend that in its reply to this report the Home Office should supply a detailed strategy and timetable for the introduction of an integrated case and custody system, and should continue to supply us or our successor Committee in the next Parliament with annual progress reports on this project until it has been fully implemented.</p> | <p>Accepted. The Government welcomes the Committee's recognition of the Home Office's success in reducing the rates of ill-health retirement and sickness absence.</p> <p>We also welcome the Committee's support in relation to Special Priority Payments (SPPs). SPPs were introduced to give forces flexibility to make payments for posts that are hard to fill or particularly demanding. This flexibility includes enabling forces to draw up their own arrangements for administering and authorising payments. Since the scheme's introduction, guidance has been issued that reminds forces of the need to ensure that assessment is simple and unbureaucratic. The Government also examines schemes on this basis. We will review the SPP scheme as part of developing options for further workforce reform.</p> | <p>overarching responsibility for the implementation of integrated case and custody applications across the country.</p> <p>Currently 32 forces have an accredited custody application in operational use, and 34 forces have an accredited case preparation application in operational use.</p> <p>The programme has experienced some slippage since the last update but, by the end 2006–07, only five forces will be yet to fully roll-out operational custody and case preparation applications and the programme will complete with full roll-out in the MPS by March 2008.</p> |
| <p>Paragraph 137: We congratulate the Home Office on its success in reducing high rates of ill-health retirement and sickness absence. We recognise that it is too early to carry out a full assessment of the effect of Special Priority Payments, which were introduced only just over 12 months ago. In general, we support the greater flexibility they will allow in the use of resources. However, we recommend that the Home Office should address criticisms of lack of uniformity in the process by which SPPs are authorised. In a year's time it should conduct a full assessment of the operation of SPPs.</p> | <p>Accepted. The Government welcomes the clear steer which the Committee has given on the sensitive issue of positive discrimination. We are pleased with the efforts made by the Metropolitan Police Service and other forces to attract more minority ethnic groups into the service but agree there is much more to do. We must create a</p> | <p>There has been a further reduction of sickness absence levels in the service, as measured in the Police Performance Assessment Framework (PPAF). Sickness absence fell by 3.4% for police officers and 1.4% for police staff between 2004–05 and 2005–06.</p> <p>Police forces have submitted their 2006 schemes for approval. The future of SPPs remains under review as part of the general consideration of police pay arrangements which support the operational requirements of the service: meet the need to recruit and retain officers; reward in the right proportions—the demands of the role, skills and contribution; and deliver value for money in terms of improved performance.</p> |
| <p>Paragraph 146: The issue of positive discrimination is a very sensitive one. There is undoubtedly a problem which needs to be tackled. Despite recent increases in recruitment from minority ethnic groups, many police forces remain unrepresentative of their wider communities. This is particularly the case in London. Doing nothing is therefore not an option. Equally,</p> | <p>Accepted. The Government welcomes the clear steer which the Committee has given on the sensitive issue of positive discrimination. We are pleased with the efforts made by the Metropolitan Police Service and other forces to attract more minority ethnic groups into the service but agree there is much more to do. We must create a</p> | <p>National recruitment standards for PCSOs were made available for forces from May 2006.</p> <p>After discussions with ACPO, work on direct entry at levels other than constable is no longer under consideration.</p> <p>During 2006 the police High Potential Development Scheme</p> |

Police Reform. Date: 10 March 2005

| <i>Paragraph No. and text</i> | <i>Departmental response published June 2005 (Cm 6600)</i> | <i>Outcome/Latest progress—April 2007</i> |
|---|--|--|
| <p>it would be counter-productive to take action which led to a lowering of recruitment standards, or which created a widespread sense of unfairness on the part of white police officers. We believe that the best way forward is through a combination of:</p> <p>(a) increased effort put into “positive action”, that is, promotional and outreach activities aimed at encouraging more members of minority groups to apply to join the police;</p> <p>(b) the prioritising in recruitment of certain abilities such as language skills and knowledge of cultural background, where relevant to policing needs in particular areas. A case can be made for doing this on a purely crime-fighting basis.</p> <p>We recommend that the Home Office should explore as a matter of urgency the extent to which proposal (b) above can be implemented without a change in the existing law, with a view to issuing guidance to individual forces on how best to modify their present recruitment practices. However, the position should be regularly reviewed by the Home Office, and if no significant progress has been made, then further action should be taken, including consideration of legislation to enable proposal (b) above to be implemented.</p> | <p>culture of openness and diversity within which members of ethnic minority groups feel that they are wanted and welcome. If we do not, we will not improve the representativeness of the service, we will not deliver greater public reassurance and we will not maintain the confidence of an increasingly diverse society.</p> <p>The police service has made considerable progress by removing barriers and opening up to a wider pool of talent. The introduction of Community Support Officers (CSOs) has also made a notable difference to diversity and we need to replicate this success at constable level. But much more needs to be done to ensure forces are doing all they can within the existing legislative framework. We are working with forces to draw on and disseminate good practice and to promote the police service through a range of highly targeted marketing and campaigning activity and materials. We are also considering what more can be done to target minority ethnic graduates.</p> <p>Forces with dedicated outreach workers and strong networks, such as South Yorkshire and Lancashire, are beginning to see the rewards of their efforts. This outreach activity is also helping to build the trust and confidence of minority communities. We will consider how we might extend and improve this activity in every force.</p> <p>Whilst one of the challenges is to attract sufficient numbers of talented black and minority ethnic (BME) officers, the other challenge is to appoint them speedily where they are most needed. We agree that there is no case (or support) for lowering the standards to increase recruitment of BME officers. In fact, there is some evidence to suggest that raising the standard at our assessment centre may lead to proportionately more BME officers.</p> <p>We agree that the police service should be able to prioritise the</p> | <p>(HPDS) was marketed extensively at graduate recruitment fairs and universities in England and Wales. Particular focus has been on attending events in areas with higher than average black minority and ethnic (BME) populations with the aim to engage with maximum numbers of BME undergraduates in conjunction with the general undergraduate market.</p> <p>The Police Advisory Board has approved new advice to forces relating to police officer recruitment and appointment. This new advice allows forces to consider using additional criteria based on operationally valuable skills such as knowledge of languages as a means of accelerating the appointment of candidates <u>who must have already passed the national assessment centre</u>. Advice was issued to all forces on 10 January 2007.</p> <p>A recent Police National Diversity Team (PNDT) survey of forces conducted in Autumn 2006 asked about progress against the Commission for Racial Equality’s recommendations from their formal investigation. The following analysis came from the questions relating to positive action:</p> <p>—All forces work with external partners, including communities and agencies.</p> <p>—All forces have incorporated the “Breaking through” action plan into local action planning.</p> <p>—86% of forces have an overarching action plan considering positive action.</p> <p>—82% of forces have an individual or team who deal specifically with positive action.</p> <p>—72% of forces have recently reviewed their practices to ensure it represents good practice.</p> <p>—The majority of forces have internal positive action schemes in place. The most popular are:</p> <p>—Training (81% if forces have schemes in place)</p> <p>—Mentoring (74%)</p> |

Police Reform. Date: 10 March 2005

| <i>Paragraph No. and text</i> | <i>Departmental response published June 2005 (Cm 6600)</i> | <i>Outcome/Latest progress—April 2007</i> |
|-------------------------------|---|--|
| | <p>appointment of individuals who have passed the assessment centre and who have relevant, additional skills, abilities and knowledge which are operationally desirable and which can be used to provide a better service to communities. We are therefore taking urgent legal advice to determine whether this can be done within existing legislation. We will provide further advice to forces on this as soon as possible.</p> <p>Although not specifically mentioned by the Committee in its report—but still on the subject of diversity—more also needs to be done to increase the representation of women within the police service. The culture of openness and diversity to which the Government is aspiring must make women feel wanted and welcome within the service, as well as ethnic minority groups. It is not acceptable that there are fewer women officers of ACPO rank now than there were seven years ago. The Government is committed to reversing this trend of decline and to ensuring that women are much better represented throughout the police service. This is one of the aims of the recruitment efforts described above. In addition, the Government is planning to review targets for the recruitment and progression of women in the autumn.</p> | <p>—Access to specialist/specific training (72%)</p> <p>—Career learning and development programmes (70%)</p> <p>—Management Development Programmes (67%)</p> <p>—Coaching (58%)</p> <p>—However, 73% indicate that less than 25% of BME officers and staff have utilised these initiatives in the past year.</p> <p>—43% of forces have or are planning to initiate evaluation on their internal PA initiatives.</p> <p>These project groups have been holding regional meetings within forces and communities. The information gathered from these visits on successful positive action initiatives being implemented by forces to increase recruitment, retention and progression of BME staff and trust and confidence with BME communities is being fed into a toolkit, which will be given to all 43 Forces.</p> |

Paragraph 154: We have no reason to believe that there are any major problems with the current system of police career breaks or that a full-scale review is called for. A limited use of career breaks, subject to the overall demands of the service, helps to motivate and retain staff. However, we note that HMIC describes individual force policies as being “likely” to contain “specific information in respect of criteria and eligibility for a career break and also court commitments”, and that “in some cases [our emphasis] this includes an undertaking by the individual concerned to advise of any known impending court commitments and to attend any court commitments as required”.

Accepted. We will progress the recommendation on career breaks and court commitments through the Police Negotiating Board (PNB).

The PNB staff side were consulted on the creation of the Secretary of State’s Determination which outlines the conditions of career breaks and was published in March 2007.

Police Reform. Date: 10 March 2005

| <i>Paragraph No. and text</i> | <i>Departmental response published June 2005 (Cm 6600)</i> | <i>Outcome/Latest progress—April 2007</i> |
|---|---|---|
| <p>The implication is that some forces do not require officers on career breaks to give undertakings in respect of court commitments. We recommend that the Secretary of State's national policy on police career breaks should be amended to make it a requirement that all individual force policies should contain stipulations in respect of court commitments following the model of the Metropolitan Police's policy, which we cite in paragraph 152 above.</p> | <p>Accepted. The Government sees neighbourhood policing as key to ensuring mainstream local policing services are driven by neighbourhood and community needs. We accept that it is those who are actually affected by problems of crime and disorder, who are often best placed to identify solutions for their area, helping to cut crime, make neighbourhoods safer and build greater respect in communities.</p> <p>What we have done in Government is to provide resources (and promise more) and to work with the police service to deliver our commitment of a neighbourhood policing approach across all forces by 2008. We want every to community to benefit from dedicated, accessible and responsive neighbourhood policing teams, led by regular police officers and involving special constables, Community Support Officers (CSOs), volunteers, neighbourhood wardens and others too.</p> <p>This approach, which we believe is in line with the Home Affairs Select Committee's view, is set out more fully in our booklet, <i>Neighbourhood Policing—your police; your community</i>, our commitment, published on 9 March 2005. Numbers, staffing mix, skills and powers will need to be appropriate to the particular needs of the neighbourhood and we have not sought to prescribe a one-size fits all approach.</p> <p>By 2005–06 we will have increased</p> | <p>In response to requests from the Association of Chief Police Officers (ACPO) and the Association of Police Authorities (APA) we announced on 21 December 2006 that we have suspended the criteria associated with the Crime Fighting Fund (CFF) from 2006–07 onwards. This now allows the service to determine the numbers and composition of their workforce and to have freedom to use the CFF funding to deliver improvements in front-line policing through workforce modernisation. The criteria had required police forces to maintain police officer numbers at target strength, currently at historically high levels, in order to receive full payment of their allocation.</p> <p>The Chancellor's budget in March 2006 made an extra £91m available in 2006–07 to accelerate the rollout of Neighbourhood Policing, including a new target of 16,000 CSOs by 30 April 2007. All except four forces agreed to speed up progress accordingly. The posts and funding not taken by these four forces were re-allocated to others who bid for them.</p> <p>Current estimations (although not validated by the Home Office) show that by the end of December 2006, dedicated neighbourhood policing had already extended to about 7,462 neighbourhoods which equates to about 2,857 teams in total as some teams cover more than one neighbourhood. Led by police officers, each team may comprise CSOs, special constables and volunteers, neighbourhood</p> |

Police Reform. Date: 10 March 2005

| <i>Paragraph No. and text</i> | <i>Departmental response published June 2005 (Cm 6600)</i> | <i>Outcome/Latest progress—April 2007</i> |
|---|---|--|
| | <p>Government supported spending on policing by 26% in real terms since 1997. We are setting aside additional money to support the increase in the numbers of CSOs, rising to £340 million in 2007/8. Research findings from forces show that CSOs are having a real impact in providing reassurance and making local communities safer places to live and work. However, the expansion of neighbourhood policing is not solely about CSOs, nor will it be funded solely from the Neighbourhood Policing Fund. It will also involve forces refocusing their activities on local communities. General grant and local partners—local authorities, businesses and others—can (and already do) play their part. We will discuss with stakeholders (ACPO and APA) opportunities for flexibilities, but we have made it clear that one of the key objectives of the fund is 24,000 Community Support Officers in 2008.</p> <p>This growth in CSOs will not be at the expense of officer numbers—the Government will carry on funding the service to enable it to continue to employ historically high numbers of police officers—but we do not want the constraints of the funding mechanisms to drive forces into making resource decisions which make no sense operationally. The Government would like to move the debate onto the service people are getting, not just the resources we are putting in or the job group of the people who are delivering it.</p> <p>There is no intention by the Government that CSOs should be anything other than visible on the streets and the powers provided for them in legislation are targeted on the sort of issues they routinely come across when out on patrol.</p> | <p>wardens and other authority figures as determined locally. A national CSO recruitment campaign was launched in Autumn 2006.</p> <p>A Written Ministerial Statement on 27 November 2006 noted the strong progress that was being made and agreed to requests from the police service for greater local freedom and flexibility. Ministers accepted the police service's view that full neighbourhood policing coverage did not necessarily need 24,000 CSOs. The settlement therefore provided £280m to continue support towards 16,000 CSOs in 2007–08 with no expectation that forces should increase their numbers further. An additional sum of £35 million was allocated to help forces manage the wider costs of delivering Neighbourhood Policing.</p> <p>In 2007, neighbourhood policing will reach every community in England and Wales. In 2008, every area in England and Wales will have a dedicated neighbourhood policing team providing visible, accessible and responsive policing. The National Neighbourhood Policing Programme Team (NPPT) continues to work with all forces across England and Wales on the implementation of neighbourhood policing. In April 2007, the NPPT became part of the NPIA.</p> |
| Paragraph 179: We support the Government's proposals to improve call-handling. At present it is often difficult for members of the public to contact the police. This is not acceptable. However, the Home Office must ensure that suitable training and staff resources are | Accepted. The National Call Handling Standards are a first step towards ensuring improved and consistent service delivery across all forces. Successful call handling is core not only to the satisfaction of users but also to effective investigation of crime and | <i>The National Call Handling Standard (NCHS)</i> was circulated to every Force in April 2005 after extensive consultation. The implementation date of 1 November 2006 was set to coincide with Forces agreement to the Quality of Service Commitment. |

Police Reform. Date: 10 March 2005

| <i>Paragraph No. and text</i> | <i>Departmental response published June 2005 (Cm 6600)</i> | <i>Outcome/Latest progress—April 2007</i> |
|--|---|---|
| <p>made available to ensure that the new systems are a success.</p> <p>Paragraph 180: We also welcome the proposed introduction of a single non-emergency number. We note the concern of the APA that appropriate back-up systems should be in place before the new number becomes available. We recommend that the Home Office should address these concerns in its planning for the new number.</p> | <p>management of intelligence. Improving force call handling will underpin key elements of the National Quality of Service Commitment, which aims to make it easier for the public to contact the police, including through clearer information about how to get in touch for non-emergencies, and will ensure everyone receives a professional and high quality service whenever they are in contact with the police. The National Call Handling Standards will help ensure that people receive a much better service when they contact the police and are confident about getting help quickly in an emergency.</p> <p>As part of the ACPO-led project on call handling, we are putting together a national accredited training course for force call handlers and supervisors. This will be rolled out to forces from April 2006. The Call Handling Standards will also include a guide for forces on how the demand for calls can be managed.</p> <p>We are pleased to note that the Committee welcomes the proposed introduction of a single non-emergency number. The Home Office has appointed a Project Director who is now recruiting a small project team. Their main role will be to ensure that a core service is available by the end of 2006, with a full national service by 2008. As part of the rigorous planning that will accompany the development of the service, the Project Team will ensure that suitable back-up systems are put in place.</p> | <p>Primary service levels have now been adopted by all forces and national call grades are now standardised across all forces.</p> <p>The implementation phase for the five test sites proved extremely valuable. The phase ran from July to December 2005 and highlighted the benefits available with the introduction of the NCHS. An independent review into the implementation was carried out early 2006 and recommendations from the subsequent report are now being analysed and acted upon.</p> <p>Quality skills have been improved in all forces and research is now being undertaken into developing a generic quality assessment protocol for call handling.</p> <p>Evidence is being provided from the “test sites” to demonstrate how the implementation has positively affected front line policing, how the introduction of the NCHS has improved satisfaction levels both internal and external. Complaints are down, there are reductions in repeat calls and service levels have improved.</p> <p>On-going development of NCHS transferred to the National Policing Improvement Agency (NPIA) in April 2007.</p> <p>As of November 2006, all forces have been compliant with the Quality of Service Commitment. User Satisfaction data, which is collected as part of PPAF, will be used to measure the impact of the Quality of Service Commitment on performance in this area.</p> <p>The Single Non-Emergency Number, 101, was successfully launched to the public in five Police and Local Authority partnerships across England and Wales over summer 2006. It is initially complementing existing local non-emergency numbers ensuring continuity and resilience, with plans for future development to be informed by further evaluation and</p> |

Police Reform. Date: 10 March 2005

| <i>Paragraph No. and text</i> | <i>Departmental response published June 2005 (Cm 6600)</i> | <i>Outcome/Latest progress—April 2007</i> |
|--|---|---|
| <p>Paragraph 192: There is great potential for increasing the effective use of DNA by the police. As HMIC has demonstrated, there remains unacceptable variation in the adoption of DNA technology by individual forces. The Home Office and ACPO should push for more rapid progress on the part of under-performing forces.</p> | <p>Accepted. Nationally the country is the global leader in using DNA technology to detect crime. The number of DNA profiles has increased since evidence was prepared for the Committee. As at the end of March 2005, the Database held just over 3 million DNA profiles (3,000,949). The projection of the number of profiles on the Database by 2007 has increased from 3,700,000 to just over 3,800,000.</p> <p>More recent figures than were available to the Committee indicate that in 2003–04 the overall detection rate rose from 23% to 43% where DNA had been successfully recovered from a crime scene. In 2003–04 there were over 45,000 “offender-to-scene” matches; over 20,000 ‘DNA detections’; and an increase of 138% in DNA detections over the figure for 1999–2000.</p> <p>The Home Office Police Standards Unit and Forensic Science and Pathology Unit (formerly the Science Policy Unit), will continue to work with ACPO to help under-performing forces make full and effective use of DNA.</p> | <p>assessment of the impact, costs and benefits of the service to be completed in Autumn 2007.</p> <p>The practical aspects of the Scientific Work Improvement Model (SWIM) are now completed and all site visits and diagnostics have been completed. To reinforce the work further—a number of additional work-streams have been commenced. These are:</p> <p>—To promote the outcomes of the work & draw together the good practice, generalised findings and recommendations from this world leading programme. The comprehensive written report was published in April 2007.</p> <p>—PSU hosted a further annual conference in January 2007. This is the latest in a series of yearly conferences where the performance of forensic science will be shared across the police service. The findings of SWIM will be shared at this event.</p> <p>—PSU have initiated a programme of national support centered on the demand management of scientific (and other) resources.</p> <p>Work has commenced to undertake an audit of scientific support data across England & Wales in conjunction with HMIC colleagues. The work will be delivered in 2007–08.</p> |
| <p>Paragraph 193: We note the concerns expressed by Sir Alec Jeffreys in relation to police use of DNA and recommend that, as a precautionary measure, the Home Office should consider whether changes in practice are necessary to deal with the potential problem of multiple identities. The Home Office should report to us the conclusions of this review.</p> | <p>Accepted. The Government notes this recommendation, which concerns a complex area with important ethical as well as scientific issues. Following evidence given by Professor Sir Alec Jeffreys, the National DNA Database Strategic Board’s Custodian, Dr R K Bramley, is to convene a meeting between Professor Sir Alec Jeffreys and other scientists to discuss the issues with a view to producing a joint paper for consideration by the National DNA Database Strategic Board. The Government, which is represented on the National DNA Database Strategic Board, welcomes this initiative and will carefully consider the contents of the joint paper.</p> | <p>The European Network of Forensic Science Institutes and the European DNA Profiling Group have agreed that a system be adopted across Europe which for the UK would mean using between 13 and 16 markers. It will take some time for manufacturing companies to develop this and for it to be validated by the ENFSI/ EDNAP. The current 10 marker system is however highly reliable as it gives a match probability which is conservatively quoted as 1 in 1,000 million but is probably closer to 1 in a million million.</p> |

Police Reform. Date: 10 March 2005

| <i>Paragraph No. and text</i> | <i>Departmental response published June 2005 (Cm 6600)</i> | <i>Outcome/Latest progress—April 2007</i> |
|---|---|---|
| <p>Paragraph 194: We welcome the Forensic Integration Strategy, aimed at integrating all forms of forensic evidence by 2008. We recommend that in its reply to this report the Home Office should supply us with an update on progress in implementing the Strategy.</p> | <p>Accepted. The Government welcomes the Committee's endorsement of the Forensic Integration Strategy (FIS). Agreement has been reached with ACPO to take forward the Strategy in a manner that increases the input of police officers and Scientific Support Managers in decision making compared with the arrangements for the DNA Expansion Programme. For the period 2005–06 the Home Office, with the agreement of ACPO, has identified the following key work streams:</p> <p>(i) Fingerprints: The Home Office is funding a project management team to oversee arrangements for the rollout of a national procurement and standard operational procedures for Livescan. It will also take forward developments with another pilot project into the electronic transmission of marks from crime scenes. The objective is to enable police officers in all custody suites to confirm the identity of individuals more quickly, for example, persons using an alias because they are being sought under any arrest warrant.</p> <p>(ii) DNA and International Workstreams: Continuing investment introduced via the DNA Expansion programme, of £51.5 million will be spent on DNA analysis, police force forensic capacity and National DNA Database services. The Government aims to use its Presidencies of the G8 and EU to seek to encourage greater trans-national exchange of DNA intelligence to more quickly identify and arrest criminals who commit serial offences in more than one country.</p> <p>(iii) Procurement Reform: The Home Office is working with ACPO and the APA to develop and implement a new procurement strategy for forensic science purchase by the police. The strategy moves is intended to achieve greater value for money in a £200 million plus market.</p> | <p>ACPO and NPfA have been developing the Forensic Integration Strategy into a Strategic Framework for Forensic Science with workstreams which they will jointly own and prioritise. Implementation continues including the following:</p> <p>—Livescan units to be in all custody suites by May 2007</p> <p>—A successful meeting of the G8 DNA Technical Working Group was held in Lyon in November 2006 and we are improving international sharing of DNA through the EU, G8 and Interpol.</p> <p>—Scoping the work of Project Ullswater with ACPO and National Fingerprint Board (objective to improve standard fingerprint operating procedures and develop options for the organization of the England and Wales fingerprint business).</p> <p>—A consultation exercise on the forensic science regulatory function has been completed and the shadow regulatory function is being carried out by the Forensic Science Quality Advisor team which was set up on April 2 2007, reporting to the Home Office Chief Scientific Advisor.</p> <p>—A conference on crime scene investigation in Europe was held successfully in Krakow in October 2006; web-based international crime scene investigation and methods database being developed with EU funding will be completed in July 2007; a launch conference is to be held in Zagreb in September 2007.</p> <p>—Phase 2 improvements to be made to the dedicated IT system used by Forensic Pathologists.</p> |

Police Reform. Date: 10 March 2005

| <i>Paragraph No. and text</i> | <i>Departmental response published June 2005 (Cm 6600)</i> | <i>Outcome/Latest progress—April 2007</i> |
|-------------------------------|--|---|
| | (iv) Forensic Pathology: The Home Office, in collaboration with the Royal College of Pathologists, has introduced new “codes of practice and standards” for forensic pathologists. A new IT system has been developed and will come into use shortly in order to support a comprehensive quality system. £3m of funding has been committed for improvements to forensic mortuaries, with a further £6m available for 2005–06. Twelve trainee forensic pathologists and conversion programmes for four consultant conversions are being funded in the current year. | |

Anti-social behaviour. Date: 5 April 2005

| <i>Paragraph No. and text</i> | <i>Departmental response published June 2005 (Cm 6588)</i> | <i>Outcome/Latest progress— February 2007</i> |
|---|--|--|
| <p>Paragraph 21: We are concerned that some organisations that do not wish to tackle ASB are in danger of ignoring the needs of victims and witnesses. We recommend that regular ASB public satisfaction surveys are carried out by CDRPs to improve the evidence base in this area.</p> | <p>Accepted in part. To tackle anti-social behaviour effectively, local agencies need to listen to, act upon community concerns and priorities and report back on what has been done. An important element of this is the three-yearly audit and strategy process by CDRPs. This should involve consulting the local community, and ensuring this feeds into the setting of priorities in local crime, drugs and anti-social behaviour strategies. We note the Committee's observation on regularity of surveys and will give this further consideration as part of the follow-up to our recent review of the Crime and Disorder Act 1998.</p> <p>Focusing on the needs of individuals, especially victims and witnesses, and communities that receive and use police services, and being responsive to those needs, are key priorities for Government for the next five years. The police reform white paper, <i>Building Communities, Beating Crime</i>, set out our proposals to deliver a more citizen focused police service, in which members of the public have confidence. As part of these proposals, we are changing the way in which police performance is measured to recognise that public satisfaction is an essential element of good performance. We have already introduced new performance indicators that focus on quality of service. We are continuing to develop this work so that the views of victims of anti-social behaviour can also be reflected in assessments of force performance.</p> <p>The white paper also sets out our proposals to delivering accessible and responsive neighbourhood policing across the country by 2008. Neighbourhood policing will mean a change in the way that problems of crime and anti-social behaviour are dealt with—the police and other agencies will work directly with local people to identify the problems that are most important to their neighbourhoods and take</p> | <p>National Standards for Crime and Disorder Reduction Partnerships (CDRPs) and Community Safety Partnerships (CSPs) will be set out in regulations which will come into effect from April 2007, with guidance in place by summer 2007 outlining how CDRPs can meet the national standards.</p> <p>The detail of involvement in delivering effective community engagement will be included in the guidance, which will set out the requirement on CDRPs to provide regular reports to local people. This includes 'Face the People' sessions as set out in the Respect Action Plan, and the Community Call for Action, which will enable local communities to hold the police, local authorities and their partners to account if they have failed to deal effectively with a community safety problem in their local area.</p> <p>Best practice guidance was produced by the Home Office Anti-Social Behaviour Unit on a step by step approach to supporting victims and witnesses. In November 2006 further guidance was issued to the police and practitioners responsible for identifying and supporting intimidated witnesses, including those suffering from anti-social behaviour.</p> <p>Special measures for vulnerable witnesses in ASBO hearings have been introduced through the Serious and Organised Crime and Police Act 2005.</p> <p>777 members of the public have been awarded for their commitment and determination in "Taking A Stand" and tackling anti-social behaviour in their community. A number of those winners also attended a seminar event run by Crime Concern to train them further on tackling anti-social behaviour and promoting their work in their communities.</p> <p>A total of 49 areas have established an "It's Your Call" dedicated single telephone line to enable</p> |

Anti-social behaviour. Date: 5 April 2005

| <i>Paragraph No. and text</i> | <i>Departmental response published June 2005 (Cm 6588)</i> | <i>Outcome/Latest progress— February 2007</i> |
|---|--|---|
| <p>Paragraph 78: We welcome the introduction by the Government of Community Justice Centres in Merseyside and Warwickshire and recommend that it expands this pilot scheme into other areas so as to achieve a stronger basis for evaluation. In the meantime, we recommend that local authorities and CDRPs develop mechanisms for ensuring that the views of local residents are taken fully into account as an essential aspect of their response to ASB.</p> | <p>joint action to deal with them.</p> <p>Accepted. The pilot marks an innovative departure in the delivery of justice, providing an opportunity to respond to community priorities and to have a positive and tangible effect on people's everyday lives.</p> <p>The pilot Community Justice Centre in Liverpool reflects the Government's agenda to crack down on anti-social behaviour. The community justice centre will deliver justice at a local level and a resource for the community through the co-location of agencies and service providers and the leadership of one judge, able to exercise multiple jurisdictions. It will adopt a problem-solving approach towards offenders to combine help for underlying problems with punishment that, as far as possible, makes visible reparation to the community, and it will engage with the community so that the criminal justice system reflects local priorities.</p> <p>The underlying aims of the centre are to: reduce offending, anti-social behaviour and fear of crime; increase victim and witness satisfaction and local confidence in justice; enable local people to become involved in, influence and feel ownership of justice; and to support them in taking a stand against crime and bad behaviour.</p> <p>Work has begun to develop an initiative in Salford to test which community justice problem-solving and community engagement features can be integrated into the mainstream magistrates' court system. This initiative is building upon the success of the anti-social behaviour response court which is already operating successfully in Salford.</p> <p>We agree that that the theme of the criminal justice system being accountable to and working on</p> | <p>communities to report anti-social behaviour problems quickly and easily. In all these areas there is a commitment to feed back action taken to people who have reported it.</p> <p>As part of the Respect programme, community justice, engaging with the local community and working in partnership with the range of criminal justice agencies, support services and community groups to solve the problems caused by offending in the local area, will be rolled out from April 2007 across 10 areas across England and Wales. Building on pilots that have taken place in Liverpool and Salford. An evaluation of these will be undertaken.</p> <p>Community justice will be mainstreamed across the country by the end of 2008.</p> |

Anti-social behaviour. Date: 5 April 2005

| <i>Paragraph No. and text</i> | <i>Departmental response published June 2005 (Cm 6588)</i> | <i>Outcome/Latest progress— February 2007</i> |
|--|---|--|
| <p>Paragraph 135: We were disappointed to hear that social services departments and other key players such as local education authorities, the Children and Adolescent Mental Health Service, Youth Services and some children's NGOs are often not fully committed to local ASB strategies. The failure to attend meetings of Crime and Disorder Reduction Partnerships is just one symptom of this. All these organisations are, or should be, working with many of the same young people: as the Association of Directors of Social Services has pointed out, anti-social young people frequently also have support needs. Whether these organisations are unable or reluctant to engage, it cannot be in the best interests of the young people they serve. We discuss at paragraphs 171–72 and 370–71 how some of the problems faced by social services could be overcome. But to the extent that non-participation reflects a rejection of the current ASB strategy as too punitive, social services and others are foregoing the chance actually to influence the way in which it is carried out at local level.</p> | <p>behalf of communities needs to be taken across all agencies. That is the driving force behind the establishment of the network of ASB response courts and our 14 Expert Prosecutors.</p> <p>The development of the “trigger mechanism” (see response to recommendation 67) will provide communities with a means to ensure that they receive an effective response to ASB problems.</p> <p>Accepted: We share the Committee's disappointment that some key players are on occasions not fully committed to anti-social behaviour strategies. Their full participation would improve local responses and meet the needs of communities and perpetrators. We are therefore examining what can be done to improve engagement from a range of partners.</p> | <p>Measures in the Respect Action Plan will help improve the co-ordination of local services in providing both support and challenge to tackle anti-social behaviour.</p> <p>For example, we are on track to establish 50 Family Intervention Projects (FIPs) around the country. These projects combine intensive support with supervision and sanctions for the most challenging families. The schemes pull together the work of other agencies to ensure the necessary support services are in place to respond to families involved in persistent ASB. In addition the Department for Work and Pensions and the Department of Health are providing a nominated officer to help the FIPs access the services they need for the families they are working with.</p> <p>The Respect programme is also working to increase the linkages that ASB co-ordinators have with other local support services who need to play a role in tackling ASB. For example new parenting practitioners linked to ASB teams will increase the links between these teams and wider parenting and family support services.</p> <p>DfES have placed new expectations on local authorities around the planning and commissioning parenting support. This will help ensure that parenting provision is planned and commissioned strategically to cover the full spectrum of local needs including ASB.</p> |

Anti-social behaviour. Date: 5 April 2005

| <i>Paragraph No. and text</i> | <i>Departmental response published June 2005 (Cm 6588)</i> | <i>Outcome/Latest progress— February 2007</i> |
|--|--|--|
| <p>Paragraph 136: It is clear that there are a number of misconceptions about the scope of data protection legislation. There is a need for some simple user-friendly guidance in this area, and we recommend that the Government should do more to publicise what it has already produced, disseminating its step-by-step guide to all agencies which have a responsibility for tackling ASB. We conclude also that section 115 of the Crime and Disorder Act is not having the desired effect. We recommend that the Government considers, as part of its review of that legislation, changing the power to share information into a duty in specified circumstances.</p> | <p>Accepted. We agree that there is a widely held view that the law can act as a barrier to the sharing of information. The DfES, together with the Home Office, Department of Health, Department for Constitutional Affairs and ODPM will publish in December 2005 cross-Government guidance on information sharing. The guidance is aimed at practitioners working in children and young people’s services to help them know when they can share information appropriately and lawfully within and between agencies, including youth justice. Improving information sharing through effective joint working and integrated processes underpins the building of a Children’s Trust to improve the well-being of children. In the medium term, the Children Act 2004 also provides for the establishment of a national system of information sharing indices to enable practitioners to quickly identify with other agencies are involved with a child or young person and to flag to other practitioners that there is a concern. Effective information sharing is also central to the Richard Inquiry</p> | <p>The DfES led Youth Matters proposals included a commitment to reform targeted youth support. Targeted youth support will help to build a cohesive response to many of the key risk factors associated with anti-social behaviour, such as poor attendance at school, low aspirations or poor parental support. Targeted Youth Support Pathfinders were established in 14 areas in November 2005, and as a result a Targeted Youth Support Toolkit for local authorities was made available on the “Every Child Matters” website in 2006. The Government is currently working up plans to secure delivery of targeted support in all areas by 2008.</p> <p>The Local Government White Paper also outlined a package of measures to help improve local authority accountability on local priorities like anti-social behaviour.</p> |
| | | <p>Practitioners’ guidance on information sharing was published by DfES in 2006. In addition, a consultation has been undertaken on the DfES-led information sharing (IS) index project. The consultation closed on 14 December 2006. The Information Sharing Index (England) Regulations are expected to come into force in the spring of 2007 and the Government will also develop and publish Statutory Guidance on index operation in the summer of 2007.</p> |

Anti-social behaviour. Date: 5 April 2005

| <i>Paragraph No. and text</i> | <i>Departmental response published June 2005 (Cm 6588)</i> | <i>Outcome/Latest progress— February 2007</i> |
|---|---|---|
| | <p>which followed the tragic events at Soham. A Code of Practice and guidance on information management by the police is being developed, and will cover all aspects of the recording, management and sharing of information by the police. Reviewing progress in December 2004, Sir Michael Bichard noted that significant progress had been made and put forward further recommendations aimed at effective implementation, all of which were accepted by the Home Secretary.</p> <p>The review of the partnership provisions of the Crime and Disorder Act 1998 specifically examined Section 115 and actively considered how best to encourage better data and information sharing between agencies. The findings of the review are currently under consideration and we will be publishing our proposals for change later in the year. If changes are made, then we will provide information to practitioners through the TOGETHER campaign.</p> | |
| <p>Paragraph 138: Overall, we conclude that more could be done to aid a joined-up response to ASB at local level. We recommend that the Government looks closely at ways in which performance regimes can be amended to reward partnership working. We welcome the Government's provision of funding for ASB co-ordinators/the introduction of these has often made a significant difference at local level/and recommend that it works to improve their performance through targeted national seminars and best practice guidance. We further recommend that the Government hosts a conference specifically for the voluntary sector to improve its response to ASB at local level.</p> | <p>Accepted. We note this recommendation. Tackling ASB is an integral part of CDRP work and the performance management framework system developed for CDRPs ("Performance Assessment and Delivery System") encourages a joined up approach.</p> <p>The development of the joint HO/ODPM Safer and Stronger Communities Fund and the wider Local Area Agreement Pilots provide a new opportunity to make progress in joining up and developing locally agreed outcomes for people on the ground. In essence, this is already rewarding partnership working by aiming to cut bureaucracy and streamline funding streams, and we are working to join up performance regimes, where possible, in line with these aims.</p> <p>It is also important to note continuing progress with the Every Child Matters reforms to children</p> | <p>The performance frameworks against which children's services and schools are inspected (through Joint Area Reviews and OfStED inspections), both contain elements relevant to the behaviour of children and young people, both in schools and in the wider community.</p> <p>The reform of targeted youth support (TYS) as part of the Youth Matters proposals will help aid a more joined up response to the needs of young people living in difficult circumstances, including their involvement in ASB. As a result of 14 Targeted Support Pathfinders, in 2006 DFES produced a Targeted Youth Support Toolkit to help partners in local authority children's trusts build on their existing work and redesign their (TYS) provision. This is available on the "Every Child Matters" website.</p> <p>The Respect Task Force and the</p> |

Anti-social behaviour. Date: 5 April 2005

| <i>Paragraph No. and text</i> | <i>Departmental response published June 2005 (Cm 6588)</i> | <i>Outcome/Latest progress— February 2007</i> |
|--|---|--|
| | <p>and young people's services which encourage the development of multi-agency working to tackle problematic behaviour, by taking an early intervention approach to address a wide range of risk factors.</p> <p>DfES is looking again at integration of programmes and funding streams designed to support young people in the context of the forthcoming Green Paper on Youth. It is also looking at proposals to improve support for all young people, including those at risk of becoming involved in negative and damaging behaviours.</p> <p>Academy events are open to any practitioners and we regularly review our programme to ensure that we are reaching target groups.</p> | <p>Home Office provide training for anti-social behaviour practitioners through Academies. Over 3,000 practitioners attended a series of Academy events held across the country in the summer and autumn of 2006. Action Days on specific issues are also provided for them by the Respect Task Force and its expert practitioners.</p> <p>Toolkits and briefing packs are also provided, for example, The Pocket Guide to Tools and Powers issued as part of the Academy literature (and reissued in March 2007) and Respect and Dispersal Powers issued in June 2006. The Respect website and ActionLine are also key resources for their use.</p> <p>To support the new approaches required of the Respect Programme, the Respect Task Force has developed a handbook to the Respect Programme to support partnership working at local agency level. This was launched nationally in January 2007.</p> <p>The handbook outlines the characteristics of effective delivery on the Respect programme. It is not binding but is intended to provide food for thought for senior managers locally about how they deliver their services and will help inform processes such as LAA discussions.</p> |
| <p>Paragraph 146: We welcome the introduction of targeted diversionary and support schemes such as Youth Inclusion Programmes and Youth Inclusion and Support Panels. All the indications are that these schemes are extremely successful and cost effective in terms of their impact on ASB.</p> | <p>Accepted. We welcome the Committee's comments on the value of both Youth Inclusion Programmes and Youth Inclusion Support Panels. The evaluation of the former has shown them to be both successful and cost effective.</p> <p>An evaluation of Youth Inclusion and Support Panels is underway. Without pre-judging the outcomes of that, we do nevertheless consider that such an approach is important in ensuring that there is early identification of risk factors for anti-social behaviour and criminality, together with a multi-agency response, involving mainstream or specialist services, to ensure that there is an appropriate</p> | <p>Following the £45m of additional funding given to the YJB for targeted youth crime/ASB prevention activities, Youth Offending Teams (YOTs) are now delivering increased numbers of youth prevention programmes (including YIPs, YISPs and parenting programmes). This has enabled us to deliver, ahead of time, the Home Office Strategic Plan commitment to increase by 50% the number of YIPs and YISPs by 2008.</p> <p>A YISP evaluation is ongoing and due to report shortly, and a new YIP evaluation is expected in 2007.</p> |

Anti-social behaviour. Date: 5 April 2005

| <i>Paragraph No. and text</i> | <i>Departmental response published June 2005 (Cm 6588)</i> | <i>Outcome/Latest progress— February 2007</i> |
|---|--|---|
| <p>Paragraph 159: Poor parenting is often an important factor in ASB by young people. We note the observation by Barnado's that in many cases parents have been seeking help with their children's behaviour for some time, but assistance is rarely given. Whilst funding has been made available for all parenting classes attached to ASBOs, there is more limited provision for parenting classes as an earlier preventative tool.</p> | <p>intervention to address the identified risks and the needs of the young person concerned.</p> <p>The Government has committed itself to increase the number of Youth Inclusion Programmes and Youth Inclusion and Support Panels by 50% by 2008.</p> <p>Accepted. The Government has taken on board the Committee's views on this issue and will explore with DfES what can be done to expand provision.</p> | <p>As part of the Respect programme, DfES have placed new expectations on local authorities to improve the planning, commissioning and funding of parenting services. All local authorities have been asked to nominate a senior parents' commissioner to ensure parenting is a priority for children's trusts and forms a key part of strategic planning in children and young people's plans.</p> <p>Eighteen pathfinder areas have begun working to deliver parenting programmes to children and young people at risk of or displaying anti-social behaviour.</p> <p>The National Academy for Parenting Practitioners (NAPP) will be set up by Autumn 2007 to support the training of the workforce to deliver effective parenting programmes and provide ongoing supervision.</p> <p>The Respect Task Force announced in November 2006 that it was providing an additional £4m across 77 local authorities in England to employ parenting experts to provide parenting provision linked to ASB teams.</p> <p>Training will also be provided to 1,000 practitioners in areas setting up a Family Intervention project to deliver evidence-based parenting programmes, with a particular focus on the most challenging families.</p> <p>A further £6m is being invested in parenting provision in the 40 Respect areas. These are areas that have earned the right to become exemplars in delivering the Respect programme and tackling anti-social behaviour in their communities.</p> |

Anti-social behaviour. Date: 5 April 2005

| <i>Paragraph No. and text</i> | <i>Departmental response published June 2005 (Cm 6588)</i> | <i>Outcome/Latest progress— February 2007</i> |
|---|---|---|
| <p>Paragraph 160: We welcome the introduction of parenting orders: it is apparent that a coercive approach is sometimes necessary and can ultimately be of great benefit to the parents concerned. However, they are underused. We conclude that, although some concern has been raised about levels of funding, the main reason for this is that not everyone committed to the notion that a coercive approach is sometimes necessary in order to help people to help themselves. Whilst family group conferences and other informal techniques can be successful, we believe that there must be a place also for a coercive order.</p> | <p>Accepted. Where parents are willing to take help, a coercive approach is clearly not necessary but we agree that where they are unwilling, requiring parents to comply with parenting programmes requires the use of parenting orders. We expect that numbers will increase as practitioners become more aware of the use of parenting orders linked to ASBOs and more familiar with them. We will be further promoting the use of parenting orders through the TOGETHER campaign.</p> | <p>New legislation means that more agencies can enter into parenting contracts and get parenting orders before problems really take hold.</p> <p>The Police and Justice Act 2006 will enable a wider range of agencies to seek parenting contracts and orders where there is anti-social behaviour by young people in the community.</p> <p>The Education and Inspection Act 2006 makes it easier for schools and local education authorities to enter earlier into parenting contracts and enables schools to apply for parenting orders before children are excluded.</p> <p>The Act also includes a new responsibility for parents and carers to make arrangements to ensure their child is supervised during the first five days of their exclusion and is underpinned by a new offence for parents when an excluded pupil is found unsupervised in a public place during school hours without a reasonable excuse.</p> <p>Youth Offending Teams have delivered just over 11,000 parenting interventions, double the number which were delivered during the year 2003/04.</p> |
| <p>Paragraph 171: Second, we have noted at paragraph 135 above our concern about the non-participation of social services and other agencies in ASB strategies. We recognise the strain on the budgets of social services departments and we recognise that they may often, quite legitimately, have other priorities. Nonetheless, the failure to participate is likely to undermine the success of ASB work and lead to young people not getting the assistance they require. We recommend that the Government should review urgently the barriers to participation and identify ways they can be overcome.</p> | <p>Accepted. We welcome these recommendations. Whilst we recognise that there are often competing financial demands and strains on social services and others, we do recognise that this issue needs to be addressed so that central Government policies add up to consistency on the ground for those who are working with children, young people and parents. We will therefore look at barriers to effective engagement of social services in partnership working. The HO and DfES will explore how to take this forward.</p> <p>The Home Office and DfES will work together to fully maximise the opportunities presented by the Every Child Matters reforms and the Children Act 2004 in taking forward a response to the above recommendation.</p> | <p>The taking forward of the commitment in Youth Matters to reform targeted youth support, and the lessons learnt from the 14 targeted support pathfinders will help all areas to have, by 2008, comprehensive arrangements for multi-agency support for young people. Benefiting those living in the most difficult circumstances and who are often involved in anti-social behaviour, both as perpetrators or as victims. As a result of the Pathfinders, DfES produced in 2006 a targeted youth support toolkit to help partners in local authority children's trusts build on their existing work and redesign their Targeted Youth Support (TYS) provision. This is available on the 'Every Child Matters' website.</p> |
| <p>Paragraph 173: Given the concerns expressed by the ADSS amongst others that the Government's ASB strategy is currently too punitive, we are somewhat disappointed that</p> | | |

Anti-social behaviour. Date: 5 April 2005

| <i>Paragraph No. and text</i> | <i>Departmental response published June 2005 (Cm 6588)</i> | <i>Outcome/Latest progress— February 2007</i> |
|---|---|---|
| social services are not making greater efforts to fund support measures such as ISOs and Parenting Orders. We recommend that social services departments reconsider whether, by attaching greater importance to tackling ASB, they could actually achieve more in relation to perpetrators with support needs than they are doing at present. | <p>Much is being done already, for example over 41% of resources for Youth Offending Teams (nationally) comes from Social Services (from Youth Justice— Annual Statistics 2003-4 published by the Youth Justice Board). However, clearly Home Office and DfES clearly need to explore issues further—for example looking imaginatively at the funding and promotion of parenting orders and ISOs.</p> <p>Preventing anti-social behaviour is reflected within the Every Child Matters Outcomes Framework— two outcomes in particular are relevant: Making a positive contribution (a key element of this is encouraging young people to choose to engage in law-abiding and positive behaviour in and outside of school), and Staying safe—(ensuring children and young people are safe from crime, and anti-social behaviour in and out of school.) The outcomes framework has been developed to act as the basis for agreeing local priorities and planning local change. Integrated inspection of children’s services will measure improvement against these outcomes.</p> <p>Children’s Trust arrangements will bring together local agencies to work towards achieving these outcomes, including a range of children’s services, social services and Youth Offending Teams (decisions on commissioning and pooling will rest with the Head of Service of the YOT). The wide range of services working with children and young people will be able to share knowledge, skills, resources and agree on shared priorities and goals in a collective effort to shift services to prevention. These arrangements will be underpinned by the duty to cooperate from the Children Act 2004, and the statutory Children and Young People’s Plan which provides the opportunity for tackling anti-social behaviour to be a priority for local services.</p> | |

Anti-social behaviour. Date: 5 April 2005

| <i>Paragraph No. and text</i> | <i>Departmental response published June 2005 (Cm 6588)</i> | <i>Outcome/Latest progress— February 2007</i> |
|--|--|--|
| | <p>Another crucial element of service integration that will help services prioritise, and deliver Every Child Matters outcomes, will be the pooling of budgets and resources under the powers either of section 31 of the Health Act 1999 or the Children Act 2004. Through this approach partners will have the ability to be more flexible in targeting funding to where children's needs can best be met.</p> | |
| <p>Paragraph 219: We welcome the suggestion from the recent Youth Justice Board research study that the use of ASBOs is not leading to the incarceration of young people who would otherwise have remained outside the criminal justice system. We note, however, that more work is being done in this area and recommend that the Home Office monitors closely the results of the September study. We would regret any evidence that the use of ASBOs has led to significant net-widening.</p> | <p>Accepted. We look forward to seeing the outcomes of the September study and we will consider the findings.</p> <p>We have received the findings of the report and are considering the recommendations that are still relevant given that the study took place up to January 2005.</p> | <p>We are clear that custody should be a last resort for young people who breach their ASBOs. This is recorded in joint YJB/Home Office/ACPO guidance. A study by the Youth Justice Board in December 2004 concluded that the use of ASBOs was not bringing a whole new group of young people into custody. The study identified the majority of young people entering custody as a result of breaching an ASBO as prolific offenders. In the study, 43 young people who received custody for breach of an ASBO had a total of 1,779 offences between them. Further research by the YJB published in November 2006 confirms this finding.</p> <p>The findings of the NAO report published on 7 December 2006, has also indicated that ASBOs are not bringing a new group of people into custody and that these are persistent offenders. In the cases sampled by the NAO, 65% of people stopped behaving anti-socially after one intervention; 86% of people stopped behaving anti-socially after two interventions; and after three interventions this rose to 93%.</p> |
| <p>Paragraph 220: We do not consider that the inappropriate issuing of ASBOs, or the issuing of ASBOs containing inappropriate conditions, is a major problem in practice. We observe also that where the terms of an ASBO prove to be inappropriate, it is relatively straightforward to apply to the court which made the Order for the terms to be varied. There is also a right of appeal to the Crown Court against the terms of an order. Cases</p> | <p>Accepted. We welcome the Committee's observation that ASBOs can be varied and in fact discharged (with the consent of both parties) if they are no longer appropriate. We encourage practitioners to set up mechanisms to review ASBOs so as to monitor compliance and to contemplate varying terms or discharging orders.</p> <p>It is important that ASBOs are</p> | <p>We will continue to monitor this issue and adjust policy accordingly. The NAO Report, published on 7 December 2006, was supportive of the Government's approach to tackling ASB and did not indicate that ASBOs were being issued inappropriately.</p> <p>Nevertheless such a risk will always need to be guarded against. Central guidance and training aims to set and maintain standards amongst</p> |

Anti-social behaviour. Date: 5 April 2005

| <i>Paragraph No. and text</i> | <i>Departmental response published June 2005 (Cm 6588)</i> | <i>Outcome/Latest progress— February 2007</i> |
|--|--|--|
| <p>in which these options are not being taken highlight the variable quality of legal representation rather than any difficulties with the current provisions for variation and appeal. However, the reliance on anecdotal evidence is damaging, and we recommend that the Home Office commissions wide-ranging research in this area. The research should seek to establish not only the extent of inappropriate ASBOs, but/of critical importance/the reasons for failures of this kind.</p> | <p>credible and are tackling severe forms of anti-social behaviour. From data reported to the Home Office we know that the courts have refused only 1% of all ASBOs applied for, indicating that applications for ASBOs are well thought out and applied for in those cases that warrant such action.</p> <p>The Home Office monitors ASBOs and their use on an ongoing basis and adjusts policy in response.</p> | <p>practitioners. For example, the Home Office has been working with the CPS and other delivery partners to help train practitioners in drafting prohibitions effectively. So far, more than 250 people have attended training, and further workshops are planned.</p> |
| <p>Paragraph 222: We agree with Barnado's and others that in relation to young perpetrators of ASB, it may be inappropriate to issue ASBOs that last for a minimum of two years. We recommend that, in the case of children under the age of 18, the law is amended so as to give magistrates greater discretion to set the duration of the ASBO.</p> | <p>Accepted. A 2 year minimum period was devised to give communities a decent period of respite from often long standing anti-social behaviour.</p> <p>While the order itself has minimum duration of two years, there is nothing to prevent a prohibition within an order being of more limited duration (R(Lonerghan) v Lewes Crown Court [2005]). In addition, the process of varying or discharging conditions is relatively straightforward. We do understand the concerns about the minimum period of ASBOs, particularly in respect of young people and will continue to monitor the position.</p> | <p>We are currently considering options to legislate on this issue.</p> |
| <p>Paragraph 230: We heard little evidence as to whether the section 30 dispersal powers are effective at local level, although they have now been in operation for over a year. We are concerned that this reflects a wider ignorance about the use of these powers, and recommend that the Home Office commissions research to examine issues of effectiveness and proportionality.</p> | <p>Accepted. It is disappointing that the Committee was not able to hear evidence first hand of the impact of dispersal powers in bringing peace to communities. We are in close touch with practitioners from both police and local authorities who consider them to be a key tool for tackling anti-social behaviour, often used alongside ABCs, ASBOs and other measures. We will keep the need for research under review.</p> | <p>We are keeping this under review. From April 2006 we have been collecting information on dispersal powers on a quarterly basis. This will provide data on the number of areas authorised and the number of people dispersed using these powers. These figures are still going through a quality control process.</p> |
| <p>Paragraph 268: We welcome the introduction of the new housing-based powers, in particular, the powers of injunction and demotion. However, it is unsatisfactory that the Government has created these powers but not collected the data necessary to know whether they are being used or used effectively. Despite the fact that several of the powers, such as possession orders and housing injunctions, have been in force for several years, the</p> | <p>Accepted. The Government recognises the importance of measuring take up and the effectiveness of housing based powers, particularly those recently introduced by Part Two of the Anti-social Behaviour Act 2003.</p> <p>We will work with local authorities and Registered Social Landlords through the Housing Corporation, in order to develop means to collect data on the use of Housing</p> | <p>The Department for Communities and Local Government has collected data on demotions and possessions in 2006/07 which will be published in due course. Subject to the standard discussions with local authorities in advance of introducing new data collection requirements DCLG also plan to collect data on uptake of anti-social behaviour injunctions from 2006-07.</p> |

Anti-social behaviour. Date: 5 April 2005

| <i>Paragraph No. and text</i> | <i>Departmental response published June 2005 (Cm 6588)</i> | <i>Outcome/Latest progress—February 2007</i> |
|--|---|---|
| <p>Government does know how or how often they are being used, whether eviction is being used appropriately, or the impact of its ASB measures on homelessness. We note that the Government has now committed to collecting data relating to possession orders, with first figures to be published in 2006, and we welcome this. However, it has no plans to do the same in relation to housing injunctions, despite recognising that this information is already available locally and that data relating to ASBOs—a not dissimilar legal power—is collected. We do not believe that asking local authorities and registered social landlords to keep and supply records of their injunction applications would place an undue burden on them, and we recommend that the Government asks them to do so. In addition, we recommend that in-depth qualitative research studies should be conducted as a matter of urgency to determine take-up of the main housing powers, their effectiveness in tackling ASB and their impact on homelessness.</p> <p>Paragraph 269: It is essential that the available powers and tools are used together in the most effective manner. We have heard, for instance, of the strong advantages of offering adequate support in conjunction with demotion orders and of using ASBOs in conjunction with possession orders, and we recommend that both of these points are promoted by the Government as examples of best practice.</p> | <p>injunctions from 2006–07 onwards.</p> <p>We agree that in-depth qualitative research on the effectiveness of housing powers would be of value. However, given the fact that many of these powers have only been available to social landlords since summer 2004 we believe that research of this kind would be more productive if conducted in the longer term.</p> <p>In the interim, we will undertake an immediate review of injunctive measures. The review will examine take up, the circumstances under which injunctions are commonly used and any barriers to their use and effectiveness.</p> <p>Accepted. We agree with the Committee that there is a need to promote the effective use of powers and tools in combination with each other. This includes both the use of support and enforcement tools, which are often mutually reinforcing, and packages of legal interventions. We will continue to promote these approaches through the TOGETHER campaign.</p> | <p>DCLG have asked PA Consulting to carry out a Priority Review of the use of ASB powers in social housing to enable them to better understand the barriers to the uptake of these powers, and to identify ways in which they can be used most effectively. A summary of the findings (Housing Research summary 232) was published on January 15 2007 and is available on the DCLG website.</p> <p>Best practice on use of tools and powers is promoted to frontline practitioners through the Respect Academy programmes, through Action days and the Respect Squad which works with individual areas to troubleshoot particular problems. The ActionLine and website also provide advice on best practice.</p> <p>The Together website has been replaced with the Respect site, www.respect.gov.uk; an online resource for anti-social behaviour practitioners which promotes examples of best practice and case studies demonstrating the effective use of tools and powers, as well as a frequently updated news section and events of interest to practitioners. (All the resources available under on the Together website are now available on the Respect website, together with updated resources related specifically to Respect.).</p> |

Anti-social behaviour. Date: 5 April 2005

| <i>Paragraph No. and text</i> | <i>Departmental response published June 2005 (Cm 6588)</i> | <i>Outcome/Latest progress— February 2007</i> |
|---|--|---|
| <p>Paragraph 314: We welcome many of the new powers that have been introduced to target individuals who are committing alcohol-related disorder. Fixed penalty notices, in particular, have been helpful to the police, and have allowed them to deal with more drunk and disorderly behaviour than they were doing previously. We believe also that the designated public places orders are useful powers, and have the benefit of encouraging joint working between police and local authorities. We accept the need for greater powers to tackle underage drinking.</p> | <p>Accepted. We welcome the Committee's support for the use of fixed penalty notices which the police are using to good effect.</p> <p>We also welcome the Committee's acceptance for the need for greater powers to tackle underage drinking. That is why we are taking forward proposals outlined in <i>Drinking Responsibly</i> which includes measures to close premises for up to 24-hours where there is evidence of persistent underage sales, and on 4 April we introduced a new fixed penalty for buying or attempting to buy alcohol while underage. We will keep the penalty notices system under review and add further offences to support enforcement action to tackle alcohol misuse if needed. Furthermore, from November 2005, the Licensing Act 2003 will also increase the penalties against licensed premises, and personal licences, for underage sales.</p> | <p>The police continue to make effective use of penalty notices for disorder (PNDs) in tackling alcohol-related anti-social behaviour. In all 146,481 PNDs were issued in 2005 of which 43,575 were for alcohol offences (30%). In addition, based on evidence compiled as part of the PND Review (published in February 2006) if it assumed that between half and two-thirds of PNDs issued for Section 5 offences were for alcohol-fuelled acts of disorder, there is no reason to believe that the actual proportion is any less than 74%.</p> <p>Under provisions in the Police and Justice Act 2006, Trading Standards Officers have been given direct accreditation to issue PNDs to people who sell age-restricted products so avoiding the complexities of accreditation under a community safety accreditation scheme.</p> |
| <p>Paragraph 327: We welcome many features of the Licensing Act 2003 as sensible measures that are likely to have a positive impact on reducing alcohol-related disorder. In particular we welcome the transfer of functions to local authorities to prepare statements of licensing policy and the greater powers to modify and vary licence conditions and to enforce breach of those conditions. We note, however, that the effectiveness of all these measures will depend on how they are implemented.</p> | <p>Accepted. From 2005 the Corporate Assessment of the Comprehensive Performance Assessment will look at Local Authorities work with partners in creating safer communities. If extended opening hours were indicated as a particular issue for a local authority prior to an inspection, the CPA may look at how local authorities are working with the police regarding decisions to grant extended opening hours.</p> <p>The Government has made clear that we will review the Licensing Act 2003 one year on from when it comes into force. If there is a need to strengthen or alter any of the provisions, then we will do so.</p> <p>The Scrutiny Council initiative concluded in July 2006 with the publication of a report on its findings. This suggested that the new laws were starting to have a beneficial impact on residents, police and local councils, but also recommended some areas for improvement.</p> | <p>The Scrutiny Councils found that:</p> <ul style="list-style-type: none"> —residents are now far more aware of their rights with regard to licensed premises; —licensees are more aware of their responsibilities; —the police, fire service and other responsible authorities are engaging in the process and are making representations in a way that helps licensed premises; —police are increasingly using the enforcement powers under the Act to deal with problem premises; and —in many areas the Act has helped the various local authorities to work better together. <p>There has been widespread acknowledgement that the new regime has been well implemented and is generally working well. The Government is, nevertheless, happy to continue to refine the regime in the light of experience. Several reviews are in hand, including fees, statutory Guidance and a</p> |

Anti-social behaviour. Date: 5 April 2005

| <i>Paragraph No. and text</i> | <i>Departmental response published June 2005 (Cm 6588)</i> | <i>Outcome/Latest progress— February 2007</i> |
|--|--|--|
| <p>Paragraph 329: We are concerned also about the legal robustness of the Licensing Act 2003. We have heard of the potential for challenges in relation to saturation and diversity and believe that there may be a possibility of legal challenges to decisions about closing hours. We welcome the Government's commitment to keep the Licensing Act 2003 under review and urge it to act quickly and decisively if there is any evidence that there are difficulties in these areas.</p> | <p>Accepted. We welcome the Committee's support for our approach. Where Court judgements contradict our policy intentions or the advice in the Guidance to licensing authorities we will consider whether we need to take any further action.</p> | <p>simplification plan as a contribution to the wider better regulation initiative.</p> <p>Although the Scrutiny Council initiative has formally concluded, DCMS has maintained its relationship with the participating councils and continues to seek their views on how the regime is bedding down.</p> <p>In particular, we are taking forward their recommendations through the review of statutory Guidance that was launched in January 2007 and the DCMS better regulation simplification plan.</p> |
| <p>Paragraph 330: We conclude that there is no clear-cut evidence as to whether more flexible licensing hours will make current problems worse or will improve the situation. We accept that there is unlikely to be wholesale moves towards a 24 hour opening as such, but it is to be expected that many licensed premises will after time apply to stay open longer, and in some cases much longer than currently. Moreover, once one place does extend its opening hours then others in the area are likely to follow suit because of competition. Staggered drinking hours may reduce some flashpoints, but the changes may make it more difficult</p> | <p>Accepted. As the Committee noted, we fully intend to evaluate the impact of the legislation on crime and disorder and with the consent of Parliament to change the law if that is appropriate.</p> | <p>There have been no significant challenges to the regime or wide spread challenges to licensing authority policies or decisions. The Government believes that the judgement in a High Court case supports the ability of licensing authorities to adopt cumulative impact policies where necessary, as set out in the guidance. DCMS has considered whether the guidance should be amended in relation to cumulative impact areas, but the consensus from the stakeholder group considering the revision of the guidance is that the existing references require no change. DCMS will, of course, consider any points made in this regard during the formal public consultation exercise on the new guidance.</p> <p>Ongoing monitoring continues to support the early findings that a range of terminal hours have been adopted and that there has been no adverse impact on crime and disorder levels.</p> <p>DCMS carried out a short snapshot survey of all authorities (28% response) to gauge an indication of the level of licensing activity. While this was only a small sample, the survey confirmed feedback from the trade that only a small minority of premises, about 2% had 24 hour licences. There was also no evidence in the sample of a move to a new single terminal licensing hour. Overall, 4 in 5 pubs, bars and</p> |

Anti-social behaviour. Date: 5 April 2005

| <i>Paragraph No. and text</i> | <i>Departmental response published June 2005 (Cm 6588)</i> | <i>Outcome/Latest progress—February 2007</i> |
|---|---|---|
| <p>for the police in an operation sense to predict where and when officers need to be deployed. We recommend that local licensing authorities work closely with police to ensure that this is addressed. In the meantime, we urge the Government to monitor the situation on the ground extremely closely and to seek to change the law if necessary.</p> | | <p>nightclubs are closed by 1am at the latest: many have to close earlier. Approximately half of all pubs, clubs and bars must close by midnight at the latest—a fifth by 11pm. Under the old regime about 80% of pubs, public bars and nightclubs had licences until 11pm. About 15% (mostly nightclubs) opened until 2am. Only a small percentage (London based) was licensed until 3am.</p> |
| | | <p>Home Office led evaluation will provide a robust assessment of the impact of the reform of licensing laws on crime and disorder nationally and in five case study areas. It will also provide an authoritative assessment of whether the crime and disorder objectives of the Act have been effectively promoted. The results of this work will inform any future consideration of whether legislative changes to the licensing laws are required, and a report is planned to be produced at the end of 2007. In addition to the evaluation a more limited assessment of the impact of the Licensing Act on levels of crime has been conducted based upon recorded crime “time stamped” data from a voluntary sample of police forces. Early findings suggest there is no overall rise in the levels of offences; however, there has been a small increase in the number of offences between 3am and 5am. It is, however, still too early to confirm if this is a trend.</p> |
| | | <p>While it is too early to draw any firm conclusions about the impact of new licensing hours on crime and disorder, There is encouraging anecdotal evidence from some areas that the new regime is having a positive impact.</p> |
| <p>Paragraph 362: We recommend that ASBU should take over some of the responsibility for promoting and monitoring the housing based injunctive powers. Whilst we accept that re-organisation should not be done for its own sake, we believe that it would be particularly valuable to extend the</p> | <p>Accepted. ODPM have and will continue to work closely with the Home Office and the Housing Corporation in promoting the role of social landlords in tackling anti-social behaviour and the measures available to them as part of the TOGETHER campaign.</p> | <p>DCLG has published a Respect Standard for housing management as we undertook to do in the Respect Action Plan. Following public consultation the standard was launched in August 2006. The standard seeks to act a simple and clear summary of the critical factors that constitute an effective response</p> |

Anti-social behaviour. Date: 5 April 2005

| <i>Paragraph No. and text</i> | <i>Departmental response published June 2005 (Cm 6588)</i> | <i>Outcome/Latest progress— February 2007</i> |
|--|--|---|
| <p>TOGETHER approach here given the similarity of these powers to ASBOs and our earlier observations about the current level of knowledge in this area.</p> | <p>We recognise the need to continue and intensify the promotion of injunctive powers. The review outlined in response to the recommendation at paragraph 268 will help inform this.</p> | <p>to ASB and creating a culture of respect. In signing up to the standard on a voluntary basis we are asking landlords to make a public commitment to delivering an effective service. The standard also acts as a platform for an extensive campaign to drive up performance as part of the wider respect campaign. Sign-up to date has been encouraging and latest figures show that there are now 1.25 million social housing units covered in England covering up to 2.5 million residents.</p> |
| <p>Paragraph 370: We welcome the Government's commitment to the prevention of ASB through diversionary and support measures and believe that the balance of its strategy is about right. We conclude that substantial resources are already being made available that could assist in preventative work with young people and dysfunctional families. However, the funding streams are complex and we are not confident that the resources are always being targeted on those most in need of support. Services which are required to play a key role in ASB strategies, like social services and Children and Adolescent Mental Health Service not always seem to have access to additional funding, whilst other activities funded through DCMS or DfES may not be reaching the right people.</p> | <p>Accepted. The Government accepts that it is essential for funding streams to be used in a way that supports the preventative approach to work with children, young people and families. Further progress of the children's services reforms will help address this recommendation. A more co-ordinated approach to often complex funding streams is, as the recommendation implies, part of the changes brought in by the Children Act 2004. The changes will see local agreements on pooling of budgets and resources across children's services. These agreements will be instrumental in enabling local partners to work together, set priorities for action and plan services accordingly, thereby helping resources reach those who are in most need of help.</p> | <p>In addition to the continued development of the pooling of budgets for local children's services by DfES, some specific budgets were launched in 2006 targeted at empowering disadvantaged young people (often those most at risk of negative outcomes such as involvement in ASB), and engaging them in positive activities. The most significant investment is the £115 million (over two years from April 2006) for the Youth Opportunity and Youth Capital Funds through which young people themselves can have a voice on what sorts of opportunities the funding is spent.</p> |
| <p>Paragraph 371: We recommend that the Government undertakes a review of these funding mechanisms with a view to allowing more flexible use of these funds at local level. We believe that this move would be in keeping with the general direction of children's policy.</p> | <p>The key advantage of pooled funding is that it opens up the prospect of original thinking about how better outcomes might be achieved. It permits thinking that is independent of any unhelpful traditions, vested interests, ways of working and constraints on the spending of funds that have hitherto existed. Joint commissioning that is not underpinned by formal pooled budget arrangements can lead partners to avoid tackling critical issues and the need to integrate service delivery to meet the needs of certain children.</p> | <p>Local Area Agreements (LAAs) pool a number of funding streams allowing local authorities and their partners to deliver more effectively on a range of local priorities. From April 2007 every area will have an LAA including a mandatory outcome on building respect and tackling anti-social behaviour. The Local Government White Paper signaled the intention to build on the success of LAAs.</p> |
| | <p>Therefore one of the benefits of this approach is that it encourages</p> | |

Anti-social behaviour. Date: 5 April 2005

| <i>Paragraph No. and text</i> | <i>Departmental response published June 2005 (Cm 6588)</i> | <i>Outcome/Latest progress— February 2007</i> |
|--|---|---|
| | <p>innovative and user-focused service design. As funding loses its identity within a pool, maintaining pooled funds increases local partners' operational flexibility to commission services that reflect users' cross-boundary needs rather than being driven by the constraints of funding located in different budgetary silos.</p> | |
| <p>Paragraph 372: Notwithstanding this, we have also identified four specific areas in which we believe that a small amount of additional Government spending will have a disproportionate impact on reducing ASB. First, we urge the Government to listen to the arguments put forward by the Youth Justice Board and recommend that additional funding be provided for a very significant expansion of the Youth Inclusion Programme in particular, with extra funding for Youth Inclusion and Support Panels awaiting the outcome of full evaluation. We believe that this would ultimately be a cost-saving decision. Second, we welcome the introduction by the Government of a Parenting Fund and welcome the provision of £1.5 million during 2003-04 to the Youth Justice Board for additional parenting work associated with ASB. We recommend that this £1.5 million becomes a regular investment in order to allow parenting programmes to be targeted for parents whose children have been identified as being most at risk of future anti-social behaviour. Third, we recommend that £0.5 million be invested (to match the £0.5 million already being provided by the Youth Justice Board) so as to improve the take-up of individual support orders. We believe that additional investment would reduce the breach rate of ASBOs and therefore again be a cost-saving measure. Fourth, we welcome the £2.25 million investment for targeted family interventions: however, we recommend that the Government increases this in order to help ensure that the deepest-rooted ASB</p> | <p>Accepted. The Government has made a commitment to increase the number of YIPs and YISP schemes by 50% by 2008. The Government will also be making £25 million available (announced in the 2005 Budget) to fund targeted early intervention programmes to improve outcomes for children and young people most at risk. The Home Office is engaging in cross-departmental discussions to determine how to make the most effective use of these additional resources. The Committee's recommendations will now be included as part of this consideration.</p> <p>The Government recognise the value of parenting programmes where children or young persons are engaging in anti-social behaviour. In addition to the initial £1.5m provision, as a result of the latest Spending Review a further £2m has been identified for YOT parenting programmes for both 2006-07 and 2007-08.</p> <p>The Government and the YJB recognise the value of ISOs. Further investment in this area is, however, dependent on other pressures and future funding provision.</p> <p>In January 2004 ODPM commissioned a two year study, which is expected to conclude in early 2006, to evaluate a number of existing projects which provide residential and/or outreach support for families at risk of losing their homes because of their behaviour. This research will seek to identify the broad social and financial costs and benefits of these projects, which</p> | <p>The Home Office has already met the commitment in its strategic plan to increase the number of YIPs and YISPs by 50% by 2008.</p> <p>£52 million of new funding has been made available to start a national programme of change in the way public services respond to parents. This funding will contribute to a series of measures such as Children's Centres, Extended Schools and expanding parenting services and a range of measures to improve the quality, co-ordination and availability of parenting services as set out in our response to paragraph 159.</p> <p>Concerted action by the Home Office, the Department for Constitutional Affairs and the Youth Justice Board and practitioners to increase the take up of Individual Support Orders (ISOs) is continuing. Following meetings with practitioners around the country at the beginning of 2006 an action plan was devised. This included reinforcing information on ISOs on key practitioner websites such as the Respect and the YFB; promoting ISOs at a series of practitioner events and conferences including the Respect Academies; the publication of good practice stories and an article on ISOs published in The Magistrate (March 2006). Longer-term funding for the use of ISOs from 2006 was included in the £45 million prevention fund to Youth Offending Teams. We are also about to embark on a three month survey of the Respect action areas, the outcome of which is intended to provide information about the use of ISOs and other</p> |

Anti-social behaviour. Date: 5 April 2005

| <i>Paragraph No. and text</i> | <i>Departmental response published June 2005 (Cm 6588)</i> | <i>Outcome/Latest progress— February 2007</i> |
|---|--|---|
| problems are not simply recycled from area to area. | <p>will help inform Government's consideration of future funding provision.</p> <p>The £2.25m funding for targeted family interventions provided by ASBU was intended purely as seed funding to get schemes off the ground and we are therefore working to prioritise this funding with existing agencies' arrangements.</p> | <p>interventions that young people may be receiving to help them address their anti-social behaviour. We expect future figures when published to support anecdotal reports that the take up of ISOs is increasing.</p> <p>We are on track to establish 50 Family Intervention Projects to work with the most challenging families. Funding of up to £28 million is available to get these schemes of the ground and provide targeted parenting help for this group. In addition, a cross government strategy on the most challenging families will be taken forward by the Social Exclusion Task Force and this will include anti-social families. It will examine services can better respond to the problems they cause themselves and their communities.</p> |

Paragraph 379: We conclude that, in responding to ASB, Government Departments have been working together in a generally coherent manner. However, we have also identified areas in the course of our inquiry in which co-ordination could be improved further. We note also that there are now a number of local partnership arrangements, each being promoted by their respective Departments. These include Crime and Disorder Reduction Partnerships, local Criminal Justice Boards, Children Strategic Partnerships, Children's Trusts and Local Strategic Partnerships. We recommend that the Government should look closely at the links between these partnerships and ensure that there are no unnecessary overlaps.

Accepted. We recognise that the landscape of different partnerships can cause some confusion at a local level. As a step towards ensuring close, effective working arrangements, we are examining the issue of how to ensure that Basic Command Units and CDRP boundaries are co-terminous.

We are also examining other links to ensure there are no unnecessary overlaps. The review of the partnership provisions of the Crime and Disorder Act 1998 examined how CDRPs relate to other local partnerships and addressed the important inter-relationships between CDRPs and LCJBs, Children's Trusts and LSPs. We will be publishing proposals for change later this year.

Regarding the issue of overlapping partnerships this was looked at during the review of the partnership provisions of the Crime and Disorder Act 1998. The findings of the review were published in January 2006 and proposals arising from it are contained within the Police and Justice Act 2006. With particular reference to the Local Strategic Partnership and the important role CDRPs have to play in the delivery of the LAA Safer and Stronger Communities block, we believe that the key strategic roles and responsibilities between CDRPs and Local Strategic Partnerships should be clarified. We are working closely with stakeholders as well as key other government departments to reflect in more detail through national standards how we expect CSPs/ CDRPs to define their roles and responsibilities.

Paragraph 383: We welcome the actions of the Government in improving the redress of individuals and communities whose concerns around ASB are not being addressed. In particular, we welcome the proposals in the White Paper on police reform for trigger powers to force local agencies to

Accepted. The Local Government Strategy documents, Citizen Engagement and Public Services: Why Neighbourhoods Matter (January 2005) and Securing better outcomes: developing a new performance framework (March 2005) suggests triggers could operate on a neighbourhood basis

The Police and Justice Act, which received Royal Assent 12 November 2006, contains a provision for the Community Call for Action. This is a way for local communities to demand a response from agencies to persistent local community safety or anti-social behaviour problems, via an

Anti-social behaviour. Date: 5 April 2005

| <i>Paragraph No. and text</i> | <i>Departmental response published June 2005 (Cm 6588)</i> | <i>Outcome/Latest progress— February 2007</i> |
|---|--|---|
| <p>respond to ASB. We recommend that, if these proposals are adopted, the Government ensures that the use of the trigger powers is closely monitored and used to feed into the evidence base about the quality of local responses to ASB.</p> | <p>with people triggering action when the quality, accessibility and standards of public services in their neighbourhood fall below the level they have a right to expect.</p> <p>The Home Office and ODPM are working closely together to ensure that where such trigger mechanisms are put in place, they are responsive to local people's needs, avoid duplication, are non-bureaucratic and that their use is monitored.</p> | <p>approach to their ward councillor. The Act extends the remit of local authority scrutiny committees to consider community safety issues, and the councillor will be able to refer particularly difficult matters raised in this way to the committee. CDRP partners will have a duty to respond to a report of the scrutiny committee, and to explain any decision not to take action. The date of implementation is April 2008.</p> |

Terrorism and Community Relations. Date: 6 April 2005

| <i>Paragraph No. and text</i> | <i>Progress report 2005</i> | <i>Outcome/Latest progress</i> |
|--|--|---|
| <p>Paragraph 153: Nonetheless, we accept that there is a clear perception among all our Muslim witnesses that Muslims are being stigmatised by the operation of the Terrorism Act: this is extremely harmful to community relations. We recognise the efforts being made by police forces, notably by the Metropolitan Police Diversity Directorate, to engage with minority communities. But we believe that special efforts should be made by the police and Government to reassure Muslims that they are not being singled out unfairly.</p> | <p>Accepted. We are aware that sections of the community—in particular the Muslim community—are concerned about the use of counter terrorism powers. We are working with stakeholders to identify the issues surrounding the powers and how these might be tackled, with a view to producing nationally accepted guidance for police on the use of the powers and promoting public awareness of the powers and how they are used by police.</p> <p>Ministers have made a number of visits to local communities (in Oldham, Burnley, Leicester, Leeds, Bradford, Bolton, Manchester, Birmingham and London) specifically to give people the opportunity to express and discuss their concerns about counter terrorism powers and a wide range of other issues.</p> | <p>Regarding S.44 Stop and Search, national guidance for police on the use of the powers was published in July 2006. The guidance was subject to a 7 week public consultation and was formally published in July as part of the wider CENTREX Stop and Search Practice Advice. The guidance deals comprehensively with community consultation and assessment of the community impact of section 44 powers. It also explains the background and purpose of section 44 powers, the different circumstances in which they might be used and the approach to take depending on the information and intelligence available.</p> <p>Ministers, led by Communities and Local Government Minister, Phil Woolas completed a series of revisits in summer 2006 to the 9 areas visited by Ministers immediately after 7/7. These areas were Oldham, Burnley, Leicester, Leeds, Bradford, Bolton, Manchester, Birmingham and London. The revisits were an opportunity for both Government and these Muslim communities to update each other on progress made in this area since the original visits. The visits also allowed for Government's network of stakeholders to be widened, ensuring that many individuals that we work with have direct access into grass root communities.</p> <p>Much of the perception of unfair targeting was the result of publicity about arrests with little follow up reporting because people were in custody. Over the past few months we have seen a number of prosecutions end with convictions and the imposition of substantial custodial sentences. Now that it is possible to discuss these cases openly the feeling of unfair targeting may lessen.</p> <p>Nevertheless, the police service continues to work closely with Muslim communities at local and national level to create greater understanding of the threat from international terrorism and the police service response. ACPO</p> |

Terrorism and Community Relations. Date: 6 April 2005

| <i>Paragraph No. and text</i> | <i>Progress report 2005</i> | <i>Outcome/Latest progress</i> |
|---|--|--|
| <p>Paragraph 154: We have no doubt that this perception is fuelled by the high profile reporting of some police raids and arrests. Such coverage also helps to fuel more widespread fears of the Muslim community. It is particularly damaging when little coverage is given when suspects are subsequently released without trial. It seems clear that some of the most sensational coverage has sometimes been caused by unauthorised briefing from within the police service. It is essential that police forces take firm action against any officers or staff involved.</p> | <p>Accepted. We are continuing to work with the police service as part of our normal practice to liaise closely with them on all terrorist related issues, including briefings and press releases when appropriate.</p> | <p>recently hosted a training exercise for police officers and Muslim community members in which the community took the role of police investigating terrorism related information. The exercise is being evaluated and four local forces have expressed interest in hosting follow up events.</p> <p>Home Office and CLG work with the Police Service as part of their normal practice on terrorism and cohesion related issues. This includes briefings and press releases when appropriate. However, the Home Office does not brief on operational matters, which is a matter for the appropriate police force and the National Co-ordinator for Terrorist Investigations as appropriate.</p> |
| <p>Paragraph 155: We believe that there should be independent scrutiny, involving the Muslim community, of police intelligence and its use as a basis for stops and searches and arrests. We do not recommend adding religion to extensive information already required on stops and searches, but do believe that some additional research could be carried out into the impact of these police tactics on different religious groups.</p> | <p>Accept in part. We are aware that faith monitoring is something that some members of the Muslim community have argued for, though others oppose. We recognise that this is a highly sensitive issue and the Home Office would not wish to introduce such an initiative if we had any concerns that it would damage, rather than support, community relations and confidence in the police. We remain committed and open to looking at ways of increasing the confidence of all communities in the police use of this power. We have commissioned independent research to determine the Muslim community's potential reaction to monitoring faith. Data on ethnicity is collected and this is published in the annual report under section 95 of the Criminal Justice Act 1991.</p> | <p>CLG held a cross-government workshop to consider the issue of faith monitoring and is currently considering how to take the outcomes forward.</p> |
| <p>Paragraph 156: It may also be the case that stops and searches of Asians under legislation other than the Terrorism Act are nonetheless perceived by Muslims but not by Hindus or Sikhs as being related to terrorism. This possibility should be examined by the Home Office's Stop and Search Action Team.</p> | <p>Accepted. We have been working with the Metropolitan Police Service to further develop Customer Satisfaction surveys which can determine (among other things) community reaction; whether an individual understands the power used to affect the Stop and Search; and whether the results</p> | <p>A survey of 8,000 people was conducted. Although this did not raise any particular issues of concern in the use of this power, the figures for those Muslims Stopped and Searched were too low to reach any conclusive findings. The work is ongoing and the methodology will continue to be revised to try to</p> |

Terrorism and Community Relations. Date: 6 April 2005

| <i>Paragraph No. and text</i> | <i>Progress report 2005</i> | <i>Outcome/Latest progress</i> |
|--|--|---|
| | <p>vary for those of differing ethnicity or faith. British Transport Police have shown an interest in this work and will be part of the project. We expect there to be a period of 12 months before any results are available. Following the events of 7/7 ACPO published a guidance note to all forces reminding them of the importance to inform individuals of the nature of the Stop and Search at the start of the encounter.</p> <p>Following publication of the HAC Report, the SSAT used a series of community consultation events to test the hypothesis that Muslims believed the majority of stops and searches to be terrorism related. There was strong anecdotal evidence to support this.</p> <p>We continue to investigate ways of ensuring as many people as possible who are stopped and searched understand the powers that have been used following an encounter. We are also in the process of producing public information that will emphasise the right of individuals to be told the power used conduct the Stop and Search.</p> | <p>get a significant response.</p> |
| <p>Paragraph 158: We believe that statistics on the length of time that individuals are held under the Terrorism Act before being released without charge should be collated centrally and published as soon as possible, since they will be an important indicator of whether the counter-terrorism detention powers are being misused. They should also show whether the extension of the period of detention without charge to 14 days, permitted since early 2004, is being used.</p> | <p>Accepted. The police are in the process of reviewing the material which they make available to the public on the outcome of arrests made under the Terrorism Act. The Home Office have been working with the police on this review and hope to publish extra material, including that on length of detention, shortly.</p> | <p>The Home Office continues to research with the police the future publication of Terrorism Arrest statistics. Detention period statistics are included in this review. Where information is available on periods of detention it has been provided, for example, the following has been released in Parliamentary Questions:</p> <p>—The 14 day detention period came into effect on 20 January 2004. Until 25 July 2006 (the date the 28 day detention period came into effect), 15 people were held for a maximum of 13–14 days. Of these 15 individuals, 1 was released without charge.</p> <p>—The maximum period of pre-charge detention was extended to 28 days by the Terrorism Act 2006 which came into effect from 25 July 2006. Statistics compiled from police records show that 10 people were held for a period over 14 days. Of those 10 individuals 1 was held for 14–15 days, 3 were held for</p> |

Terrorism and Community Relations. Date: 6 April 2005

| <i>Paragraph No. and text</i> | <i>Progress report 2005</i> | <i>Outcome/Latest progress</i> |
|--|--|---|
| | | 19–20 days and 6 were held for 27–28 days. 3 individuals held for 27–28 days were released without charge. |
| Paragraph 176: If recruitment of prisoners to extremist groups is a problem in both France and the Netherlands, it is likely to be one here. The Government should examine the issue as a matter of priority. | Accepted. The Government continues to examine this issue through existing partnership structures. | HM Prison Service is developing a package of measures including the development and implementation of processes to identify and deal with extremist recruitment in prisons. |
| Paragraph 195: We welcome the Government's efforts so far to ensure that foreign ministers of religion have the language skills and knowledge of this country to make a contribution to communities here. The success of these efforts should be kept under review and, if necessary, ideas from other countries should be studied. | Accepted. The consultation closed on the 8th July 2005 and Ministers are currently considering the options. We expect to make an announcement on the way ahead shortly. | The Home Office is considering the way forward in the context of the design of the new Points Based System for managed migration. Discussions are taking place with DCLG and external stakeholders about this change. We expect to make an announcement on the way ahead shortly. |
| Paragraph 223: We are concerned that, although leaders of the Muslim community may have an accurate appreciation of the limits of the proposed legislation on incitement to religious hatred, this is not shared by their community as a whole. It is vitally important not to raise unrealisable expectations in minority communities, and rather than trusting to dialogue with leaders of faith groups, the Government should develop a strategy to ensure that the extent and limitations of the proposed offence are fully understood by all. We suspect that the extent of the legislation, and how often it is likely to be used, may also be misunderstood by some who oppose it. It is of course important to emphasise, as Ministers have tried to do, that such a change in the law should not be seen as a ban on criticism of any particular religion. The right to practice a religion, to criticise religious practices or to propagate non-religious belief is a basic right in a free society. | Accepted. The Government introduced the Racial and Religious Hatred Bill in June 2005 and it received Royal Assent in February 2006. | The Racial and Religious Hatred Act 2006 is likely to be implemented in April 2007. It amends the Public Order Act 1986 by creating new offences of stirring up hatred against persons on religious grounds. In order for the offence to be committed, the words, behaviour, written material, recordings or programmes must be threatening and intended to stir up religious hatred. There is specific protection of freedom of speech in the Act, which will not prevent rigorous political debate or criticism or ridicule of a religion. |

Terrorism Detention Powers. Date: 3 July 2006

| <i>Paragraph No. and text</i> | <i>Departmental response published September 2005 (Cm 6906)</i> | <i>Outcome/Latest progress</i> |
|--|--|--|
| <p>Paragraph 30. We recognise the value of seeking to achieve cross-party consensus on these issues. The immediate response to the July bombings was a strong cross-party approach to new counter-terrorism powers. By the time the Terrorism Bill was debated in the House, this consensual approach had broken down.</p> | <p>Accepted. We agree it is always desirable to achieve cross party consensus on terrorism issues and there was co-operation between Government and the Opposition parties before and during the passage of the 2006 Act. Although we recognise there will inevitably be issues on which the parties disagree, we continue to believe it is important to have cross party consensus and will strive to achieve this in relation to future counter terrorism legislation.</p> | <p>We have made it clear that, should there be future counter terrorist legislation, we will seek to take this forward on a consensual basis wherever possible. As announced on 1 February this year, we would like to seek a consensus on how we address the risk that the current limit on pre-charge detention may prove inadequate at some point in the future.</p> |
| <p>Paragraph 38. It is important to take into account the effect on the Muslim community of a longer period of detention. Muslims were amongst the casualties in the atrocities of 7 July, and the authorities cannot combat terrorism without the confidence and trust of Muslims. Extended pre-charge detention carries the danger, which should not be underestimated, of antagonising many who currently recognise the need for co-operating with the police, and hence the need to be very cautious before extending the period of detention beyond 28 days.</p> | <p>Accepted. We note the Committee's recommendation and we are committed to working with the Muslim community with the shared goal of combating terrorism. It is our intention that any future legislative proposals will be discussed with a full range of stakeholders including community representatives.</p> <p>Legislation is not aimed at any particular section of the community—it is aimed at terrorists. And legislation and security measures alone will not defeat terrorism. We recognise that the assistance of the public is vital in combating the terrorist threat. The threat affects us all and it is essential that we work together to achieve the balance between maintaining security and upholding civil liberties.</p> <p>The arrest of suspects for terrorism raises many community issues for the police service regardless of the background of those arrested. The Government recognises the potential for the extension of pre-charge detention time limits to 28 days to magnify these, especially in instances where charges may not be subsequently brought. Police are aware of the need to ensure that an individual's needs are catered for in detention, including any religious needs, a need for the detainee's family to be provided for and protected from possible media attention, and meeting any community concerns around the validity of arrests.</p> | <p>We recognise the importance of working with stakeholders including members of Muslim communities. We are committed to ensuring that any future counter terrorist legislation is discussed fully with a wide range of stakeholders, including representatives from Muslim communities. We will ensure that representatives from Muslim communities are involved in the discussions on how we address the risk that the current limit on pre-charge detention may prove inadequate at some point in the future</p> <p>We are mindful of the need for balancing measures to reassure the public when introducing any moves that could be perceived as an increase in the arbitrary use of state power.</p> |

Terrorism Detention Powers. Date: 3 July 2006

| <i>Paragraph No. and text</i> | <i>Departmental response published September 2005 (Cm 6906)</i> | <i>Outcome/Latest progress</i> |
|--|---|---|
| <p>Paragraph 67. Clearly, bringing Part III of RIPA into force would not solve the problem of encrypted data; it could nonetheless provide a useful instrument in some cases. We therefore welcome the Home Office's expressed intention,</p> | <p>Welfare of the person(s) to be arrested and their family feature very highly throughout this process. In addition, the broader community issues are considered and planned for.</p> <p>Provision is made for religious observance for all detainees. The specific provisions for religious observance for Muslims include a pack containing prayer mat, compass and Koran, which is offered to each prisoner. Arrangement of interviews and other investigative processes is made with consideration of allowing for religious observance. This includes breaks for prayers and interviewing earlier in the day should investigations happen during fasting periods of Ramadan. The Code of Practice for detention of terrorist suspects envisages moving them to prison after 14 days, where there is better developed infrastructure to cope with long term human needs.</p> <p>A community impact assessment is completed for every operation. Senior officers, at Chief Officer level and local to the area(s) in which an operation is to take place, are involved in community impact assessment and management planning at a very early stage. Depending on the impact—local, regional or national—a community impact management plan is designed using appropriate resources. For example, after the anti-terrorist raid in Forest Gate in June there was a very focused community reassurance activity in the rest of London. The police National Community Tension Team coordinated the national response, keeping all forces informed of developments and suggesting policing responses to deal with any apparent community concerns.</p> | <p>Officials have considered over 60 detailed, helpful and generally positive responses from information technology providers, financial institutions, communications service providers, civil liberties groups, academics and individuals.</p> |

Terrorism Detention Powers. Date: 3 July 2006

| <i>Paragraph No. and text</i> | <i>Departmental response published September 2005 (Cm 6906)</i> | <i>Outcome/Latest progress</i> |
|--|--|--|
| <p>following consultation on a code of practice, to bring Part III into force. It should do so as soon as possible.</p> | <p>June, which is available online at www.homeoffice.gov.uk/documents/cons-2006-ripa-part3/. We are seeking views on the contents of a draft statutory code of practice on investigation of protected electronic data, relating to the exercise and performance of the powers and duties that will arise from the implementation of Part III of RIPA (and on an amendment to Part III to increase the maximum penalty for failing to comply with a disclosure requirement in cases related to the possession of indecent images of children). The consultation period ended on 30 August. After considering representations made about the draft and incorporating any changes to it, the Home Office will lay the draft code of practice before Parliament. The code of practice will be brought into force upon affirmative resolution of both Houses of Parliament and concurrently with implementation of the provisions of Part III. Subject to the Parliamentary process and Parliamentary timetable Part III and its code of practice may enter into force very early in 2007.</p> | <p>Respondents to the consultation have been given the opportunity to review a revised draft Code of Practice. Work on that is now complete and it is being submitted to Ministers for agreement to lay before Parliament.</p> |
| <p>Paragraph 109. Post-charge questioning alone would not be sufficient to replace extended pre-charge detention, but it could be a useful addition. We therefore urge the Home Office not to allow its consultation to slip any further.</p> | <p>Accepted. The issue of post charge questioning will be included in the Government's review of policing powers and procedures. The consultation is planned to begin in September 2006.</p> | <p>Post charge questioning is currently allowed in a number of limited circumstances (for example where there is a risk to public safety or where clarification is needed on answers previously given by a defendant).</p> <p>We believe there may be benefits in enabling post charge questioning to occur on the basis of the needs of the investigation and the wider criminal justice system. This might include being able to draw adverse inferences from a failure to mention something in questioning that is later relied on in court.</p> <p>On 14 March, we went out to consultation on post charge questioning as part of a wider consultation on the Police and Criminal Evidence Act, but there may be a case for introducing it in terrorism cases before any extension to a wider range of offences.</p> |

Terrorism Detention Powers. Date: 3 July 2006

| <i>Paragraph No. and text</i> | <i>Departmental response published September 2005 (Cm 6906)</i> | <i>Outcome/Latest progress</i> |
|---|---|--|
| <p>Paragraph 116. Outside the Government there is universal support for the use of intercept evidence in the courts. The Home Office has not produced convincing evidence that the difficulties are insuperable: they have presumably been tackled in other jurisdictions. We therefore urge the Government to conclude its review of the issue, with the aim of reporting as soon as possible. In the absence of any new information, we assume that it will recommend the use of intercept evidence.</p> | <p>Accepted. Under current legislation Regulation of Investigatory Powers (RIPA) 2000, there is a statutory ban on the use of intercept as evidence. There is ongoing work to re-examine the case for, and the likely benefits of, using intercept as evidence to secure more convictions, primarily against organised criminals and terrorists.</p> <p>The debate on intercept as evidence is not new—and has been considered on a number of occasions over the last 10 or so years. A comprehensive review of intercept as evidence was conducted in 2003–04 following a request from the Prime Minister in 2003. Following the review’s completion in 2004, the Government concluded that was not the right time to change the law and that the impact of new technology needed to be properly considered and factored into the decision making process.</p> <p>There is a clear commitment to this work but also recognition of the need to protect our intercept capability. We are committed to finding, if possible, a legal model that would provide the necessary safeguards to allow intercept to be used as evidence.</p> | <p>The Regulation of Investigatory Powers (RIPA) 2000 currently bans the use of intercept evidence. Although there have been calls from a number of public figures recently to lift the ban it is not true to say there is universal support for this. The subject is complex and sensitive. Nevertheless, the Government is considering whether intercept evidence could be introduced into court in ways which do not compromise our intelligence techniques and which do not put significant additional burdens on the security authorities. The starting point is identifying a workable legal model that puts in place the necessary safeguards for protecting sensitive material and takes into account the effects of changes in the underlying communications technology.</p> <p>The debate on intercept as evidence is not new and this has yet to be shown to be achievable over the last 10 years or so. The current shift to Voice Over Internet Protocol communications adds to the difficulty of finding a solution. Following the last review’s completion in 2004, following a request from the Prime Minister, the Government concluded that was not the right time to change the law and that the impact of new technology needed to be properly considered and factored into the decision making process.</p> <p>The right approach for any responsible Government is to address these issues carefully before reaching a final view on using intercept as evidence. That is what is happening.</p> |
| <p>Paragraph 151. Many of the difficulties the Government experienced in the passage of the Terrorism Bill arose from the speed with which it was drafted and presented to Parliament: this inquiry did the job of examining the police arguments for extended detention which the Home Office should have done before introducing the Terrorism Bill. Any new legislation on terrorism should</p> | <p>Accepted in part. The timetable for the Terrorism Act 2006 was accelerated with the agreement of the Opposition parties. This reflected the urgent need to put in place measures to tackle terrorism following the bombings of 7 July. Because of this the period for consultation on the bill was necessarily curtailed, however, the bill did received extensive scrutiny during its passage through</p> | <p>The Home Secretary has been discussing the issue of the limits on pre-charge detention in terrorist cases for some time with the leaders of the Police Service and others. The Police Service has now concluded that it is right and proper for government to address this issue and wanted the Home Secretary to discuss it with colleagues in government and more widely with a view to seeing whether a consensus</p> |

Terrorism Detention Powers. Date: 3 July 2006

| <i>Paragraph No. and text</i> | <i>Departmental response published September 2005 (Cm 6906)</i> | <i>Outcome/Latest progress</i> |
|---|---|---|
| not in our view propose a longer period of detention than 28 days unless there is such compelling evidence as we have already referred to earlier. The new legislation on terrorism, including the promised consolidation of existing measures, should be extensively examined in draft, either by this Committee or by a joint committee of both Houses. The Government should ensure that it meets the commitment to build this into the timetable. | Parliament. In his statement to the House on 2 February this year, the previous Home Secretary indicated that it is our intention to introduce a bill consolidating the existing counter-terrorism legislation next year. He made clear that it is intended to publish the bill in draft for pre-legislative scrutiny. It is hoped that the bill can be taken forward, wherever possible, on the basis of cross party consensus. Any future proposals to extend the period of pre-charge detention beyond 28 days will only be put forward on the basis of evidence that such a change is needed for operational reasons. | can be achieved. The Home Secretary is currently considering how best to do this. |

CORRESPONDENCE RELATING TO UPDATES ON HOME OFFICE ACTION IN RESPECT OF ACCEPTED COMMITTEE RECOMMENDATIONS

Letter from the Home Secretary to Mr David Winnick MP, Member of the Home Affairs Committee

Further to the recent update provided by my Department to the Committee on the progress of recommendations made by the Committee, I thought it useful to clarify my perspective on this process and how we might formalise it for the future.

The Home Office is committed to ensuring that Parliament and its institutions are at the forefront of the Department's goal of "Protecting the public and secure our Future". I believe that the Home Affairs Select Committee has an invaluable role in both holding the Department to account and in providing an external perspective on that which we do and that which we could do to achieve our goals.

I have recently written to the Committee outlining how I would welcome their involvement in the formulation of the Department's key PSAs for the coming years. Similarly, I am hugely appreciative of the Committee's willingness to act as an additional consultative body as the Government seeks to build a consensus, wherever possible, on the measures that are to be included in the Counter-Terrorism Bill for the Third session.

I am aware that there has been some discussion on how best the Department should respond to those recommendations made by the Committee and on which the Department has, to date, provided an initial formal response and, subsequently, updates on an ad hoc basis. This includes one instance where updates on the recommendations of reports from the previous five years were provided en masse in March 2006. I note that the Committee has expressed a wish to formalise this arrangement and have requested that "the Government (should) continue to supply us with annual updates (preferably on a rolling basis so that in each case the period under consideration is the previous five years)."

Within the context outlined above and mindful of the need to strike a balance between the practicalities of the Department responding annually on the recommendations and the need to strengthen the effectiveness and Authority of Parliament, I propose the following:

- The Department will provide an update on all the recommendations suggested by the Committee on a yearly basis within the lifetime of a Parliament. The response will be on a date one year from the publication of the initial report from the Committee. Where this date falls within a recess period, the first date after Parliament reconvenes will be the agreed publication date. It will exclude those reports which relate to Home Office Bills (as the House itself will, through the passage of a Bill, agree what should and should not be included within the final Act of Parliament) and those Policy areas which are now (or become) the responsibility of another Government Department.
- In addition, I am aware that the Committee published three reports in the final months before the General election—on Police Report, Anti-Social Behaviour and Terrorism and Committee Relations. I am also proposing that, for next year only, my Department will also provide the Committee with an update on these three reports as we have done this year.

I have attached a table which outlines how this will affect the updates that the Committee will receive over the coming years (up to the end of the Parliament). As the Committee provides additional reports and recommendations, the principles of yearly updates within the lifetime will apply.

I would welcome your views on my proposal.

26 July 2007

Letter from the Chairman to the Home Secretary

Thank you for your letter of 26 July to David Winnick, a the then acting Chairman of the Home Affairs Committee, setting out proposals for the Home Office to report on the progress of recommendations made by the Committee.

This will be on the Committee's agenda for our first meeting after the summer recess, and I will respond to you formally after that meeting.

However, I would like to comment at this stage that I very much welcome the contents of your letter. As you know, the Committee has in the past expressed appreciation of the work done within the Home Office in preparing detailed reports on the implementation of accepted recommendations. Nonetheless, I gather that earlier this year there was some concern that the most recent tranche of reports was not received on time and was not as comprehensive as had previously been the case. Your letter gives reassurance that these issues have been addressed, and although there may be one or two matters of detail to be looked at further following the Committee's discussion in October, overall in my view your proposals provide a sound basis on which to proceed.

14 August 2007

Letter from the Chairman to the Home Secretary

Further to my letter of 14 August, I am now writing to say that the Home Affairs Committee at its meeting this morning discussed your letter of 26 July to David Winnick.

My colleagues and I very much welcome your offer to supply the Committee with annual updates on progress in implementing our recommendations. This regularises the previous situation whereby updates were supplied on an ad hoc basis at irregular intervals, and will significantly assist us in the important task of carrying out follow-up work on past inquiries.

There are, however, a number of areas where we have concerns or would appreciate clarification. These are as follows:

(1) You propose that yearly updates should only be supplied during the lifetime of a Parliament. If interpreted literally, that would mean that a report published in the first Session of a four-year Parliament would receive three annual updates, while one published in the final Session would not receive any—which does not seem logical. It was to avoid this pitfall that the Committee originally suggested that updates should be provided on a five-year rolling basis. We would be grateful if you could revisit the latter idea. (However, we would be content to substitute four for five years as the period in question, because this corresponds better to the usual length of a Parliament.)

(2) Previous updates from the Home Office were in respect of accepted Committee recommendations only. The Committee accepted that no particular purpose would be served for the Government to keep restating the original reasons why it had rejected recommendations. Your letter does not draw this distinction between accepted and rejected recommendations, and we would be grateful if you could clarify what was meant.

(3) The annex to your letter states that the Committee's report on Young Black People and the Criminal Justice System is now a matter for the Ministry of Justice and therefore the Home Office does not propose to produce updates on these recommendations. In fact, many of the recommendations in that report relate to continuing Home Office responsibilities, such as police behaviour and crime prevention. We therefore feel, and hope that you agree, that it would be appropriate for the Home Office to supply updates on those aspects of the report.

(4) In the past week we have received the first of the Home Office's annual updates, dealing with the Committee's Immigration Control report. That report was published in July 2006 and the original government reply received in October 2006. However, the update, unlike that original reply, does not address individual recommendations. In a covering email, the Parliamentary Clerk at the Home Office comments:

The initial report was quite extensive and, as a consequence, rather than a recommendation by recommendation breakdown, the Government response has been separated into 18 separate sections covering the main areas highlighted within the original document.

The report was indeed "quite extensive"—605 paragraphs, containing 140 recommendations. The Committee considers that the Home Office's latest update, by not dealing with individual recommendations, fails to engage with the detail of our report. That suspicion is reinforced by the length of the update, which is less than a quarter of the length of the original government reply (15 pages as against 64).

We fear that this may set a most unwelcome precedent, which, at its worst, might lead to future updates becoming little more than bland résumés of government policy, avoiding the hard questions of what progress has been made with regard to specific recommendations. If this were to happen it would, in our view, largely vitiate the purpose of having updates. It also appears to breach the undertaking given in your letter of 26 July, viz. that “the Department will provide an update on all *the recommendations* [my italics] suggested by the Committee on a yearly basis within the lifetime of a Parliament”.

For these reasons the Committee would very much welcome a reaffirmation by the Government that future updates on progress with Committee recommendations should specifically deal, as they have done in the past, with each and every accepted recommendation in a report.

11 October 2007

Letter from the Home Secretary to the Chairman

Thank you for your letter of 11 October the contents of which I have considered over the last week.

Firstly, may I reiterate my belief that your Committee has an invaluable role in both holding my Department to account and in providing an external perspective on the work that we do. I include in such oversight the various inquiries that you have undertaken (Police Funding, Domestic Violence, Counter-Terrorism, Surveillance, Young Black People and the Criminal Justice System, Iraqi Interpreters, A2 accession-to name 8 current inquiries) and the recommendations that stem from them. Indeed, it is my view that, in providing written evidence, witnesses and responses to these inquiries, the Department is afforded a further opportunity to review the effectiveness of its policies and activities.

However, as I stated in my letter of 26 July, I have to be mindful of the need to strike a balance between the practicalities of the Department responding annually on the recommendations made to it and the need to strengthen the effectiveness and authority of Parliament. The proposals contained within my letter were an attempt to strike such a balance and to offer a solution that, I believe, exceeds those undertakings provided by any other Government Department in respect of recommendations from their respective Departmental Committees. Indeed, I am not aware that such updating arrangement exists at all in relation to the Departmental Select Committee for Treasury, Foreign Affairs, Education, Health and Justice.

Within this context, I am happy to propose the following further suggestions:

1. The Department will provide an update on all the recommendations suggested by the Committee on a yearly basis within the lifetime of a Parliament. The response will be on a date one year from the publication of the initial report from the Committee. Where this date falls within a recess period, the first date after Parliament reconvenes will be the agreed publication date. It will exclude those reports which relate to Home Office Bills (as the House itself will, through the passage of a Bill, agree what should and should not be included within the final Act of Parliament) and those Policy areas which are now (or become) the responsibility of another Government department. In addition, where an election is called prior to the Government having responded at least once (beyond the initial 60 response), the Department will, instead, respond within the new Parliament. This single response will be on the date one year on from the publication of the report. If this date falls during the period of dissolution, the response will be three calendar months after the programmed date. This compromise does, I believe, avoid the anomaly that you highlight whereby a report may receive no annual update.

2. I am happy to confirm that the response will only relate to accepted recommendations.

3. I note the unique nature of this report in that it was subject to change as a result of the Machinery of Government announcement. Accordingly, I am happy to confirm that, within the framework as outlined above, my Department will also provide an update on those accepted recommendations within the Government Response which are the responsibility of the Home Office.

4. I note your concerns regarding the update provided to you on accepted recommendations contained within the Immigration Control Report. You correctly point out my undertaking to respond to “all the recommendations suggested by the Committee on a yearly basis” and it is my view that what has been provided does this—albeit in summation—rather than recommendation by recommendation. For this report alone, I took the view that an update based on individual recommendations was likely to be both large in volume and repetitious and that the summarised narrative reflected both the activity of the Agency since the publication of the report and allowed for it to be contextualised within the wider agency work. I was also mindful that, in addition, the Chief Executive of the Border and Immigration Agency continues to provide regular written updates to the Committee.

Notwithstanding these points, I am happy to reassure the Committee that the “norm” for future updates should be a line analysis and that any deviation from this for specific reports (such as Immigration Control) should be by exception.

31 October 2007

Letter from the Chairman to the Home Secretary

Thank you for your letter of 31 October 2007, which the Committee noted at its meeting last week.

My colleagues and I very much welcome your comments on the opportunity to review the effectiveness of Home Office policies and activities that supplying evidence to the Committee provides. We are grateful for your considered response to our concerns in relation to updates on our reports on Young Black People and the Criminal Justice system and Immigration Control and we acknowledge the practical implications of providing such updates: we agree that arrangements for Home Office updates on Committee recommendations should proceed on the basis you set out in your letter.

Our thanks to you once again for your assistance: we very much appreciate the undertaking you have given the Committee.

12 November 2007

CORRESPONDENCE WITH THE HOME OFFICE ON PUBLIC SERVICE AGREEMENT TARGETS FOR THE COMPREHENSIVE SPENDING REVIEW PERIOD 2008–09 TO 2010–11

Memorandum from the Home Office:

Home Office—CSR07: consulting the Home Affairs Committee on the SR07 PSAs, July 2007

INTRODUCTION

1. This note outlines the changes to the PSA framework across government that we may see in CSR07. It then describes the direction of travel the Home Office is considering for the committee's comments.
2. The PSAs, performance indicators and targets are under development and have not yet been finalised.

OUTLINE OF THE CHANGES TO THE PSA FRAMEWORK IN CSR07

3. We anticipate that across government there will be a significantly reduced number of PSAs in CSR07 compared with the number set in SR04. The PSAs will aim to capture the Government's top national priority outcomes. It is therefore likely that many of the PSAs will cover outcomes that a number of government departments will contribute to. Underpinning each PSA will be a small number of key national performance indicators. User satisfaction or experience will be included among these indicators where appropriate.
4. Each department will have strategic objectives for the CSR period that will cover the totality of their business. The PSAs will sit alongside these objectives, and are delivered through them, but they will not be constrained by departmental structures or cover everything that departments do.
5. The PSAs will be published at the CSR. They will be underpinned by documents that set out the PSA outcome, the performance indicators, delivery strategy, contributions from government departments and governance arrangements. With a measurement section similar to the Technical Notes of previous Spending Reviews. These underpinning documents will also be published.

THE HOME OFFICE'S DIRECTION OF TRAVEL—OVERVIEW

6. Those PSAs that the Home Office contributes to are likely to have an increased emphasis on public protection with indicators that seek to capture severity and vulnerable groups rather than purely incidence volumes.
7. There is likely to be an increase in local flexibility with fewer centrally mandated targets so that local agencies have greater freedom to respond to local priorities. The 2006 Local Government White Paper set out proposals for a new Local Government Performance Framework (LGPF) in which the aim is to have a maximum of 200 performance indicators that apply to Local Authorities working alone or in partnership. There will be a new policing and community safety performance framework that joins up performance assessments used by the police and their partners and that directly supports the crime and community safety aspect of the LGPF.
8. There will be a continued emphasis on user satisfaction in order to incentivise local service providers to orientate their services towards the expectations of the local community.
9. We expect there will be more emphasis on government departments working together to tackle cross cutting issues such as crime reduction and the harms caused by alcohol and drugs which are not just about policing activity but also dependant on providing opportunities for young people, tackling social exclusion, and reducing re-offending.
10. We expect target levels will be consistent with the CSR financial settlement for the Home Office and other government departments.

THE HOME OFFICE'S DIRECTION OF TRAVEL—DETAIL

Departmental Strategic Objectives:

- Help people feel safer in their homes and local communities.
- Support visible, responsive and accountable policing.

11. In SR04 we set a PSA to reassure the public and increase confidence. We expect to retain an emphasis on these issues in order to incentivise local delivery partners to orientate their services towards the expectations of the local community.

12. We are looking to improve some of the performance indicators. For example, we are considering alternatives to the British Crime Survey (BCS) fear of crime indicator currently used as the figures are already low which makes it difficult to track improvements.

Departmental Strategic Objective: protect the public from terrorist attack

13. We are looking to see whether it would be possible to develop a PSA in this area to reflect the strategic importance of counter terrorism across government. This is ambitious as we have never had a counter terrorism PSA before. If we do develop a PSA in this area, the details will not be public.

Departmental Strategic Objective: cut crime, especially violent, drug and alcohol related crime

14. In SR04 we set a target to reduce the overall volume of crime by 15% (measured by the BCS) and further in high crime areas. We are considering the following improvements:

- A framework that provides local areas with greater freedom to set their own targets rather than having them set centrally. This might include the use of national minimum standards.
- Performance indicators that recognise the level of severity of different crime types. We have looked at various options for weighting including the economic cost of crime and sentencing severity. But weightings are complicated and we may therefore opt for grouping different crime types by bands of severity.
- Since implementing the National Crime Recording Standard the quality of Recorded Crime data has continued to improve. Although the BCS was not subject to the same quality issues, it too has limitations. It does not capture crimes against youths or businesses and it can not be used at a local level or to track those crime types that are relatively rare but more serious. We are therefore re-assessing the tradeoffs between the limitations of these data sets and whether it is now appropriate to make greater use of Recorded Crime statistics in the PSA, to support effective management of performance at both the national and local levels.
- The SR04 re-offending standard counted the proportion of offenders that re-offended within a set period compared with a predicted rate. We are considering a development of this indicator that takes into account the frequency and severity of re-offending. However, this inclusion of both these dimensions is complex and measures are still being fully developed. We are considering including re-offending as a PSA performance indicator rather than as a separate standard as in SR04.

15. In SR04 we set a target to reduce the harms caused by drugs as measured by the Drug Harm Index. Although the Harm Index captures the outcome, in practice stakeholders and delivery partners use the constituent statistics in performance management. We are therefore considering whether to use these statistics for the PSA rather than the Harm Index. These statistics might include: use by young people, the links to social exclusion, the health impacts and drug treatment, acquisitive crime (a proportion of which is used to fund drug habits), violent crime (a proportion of which is related to alcohol abuse) and as part of these, reducing re-offending.

16. We are considering whether to include tackling the harms associated with excessive consumption of alcohol in the new PSA set to assist delivery of “Safe, Sensible, Social. The next steps in the National Alcohol Strategy” which was published on 5 June 2007.

17. Anti-social behaviour remains a priority concern and we expect a continued focus on anti-social behaviour.

Departmental Strategic Objective: strengthen our borders, fast track asylum decisions, ensure and enforce compliance with our immigration laws and boost Britain's economy

18. In SR04 we set a PSA to reduce unfounded asylum claims as part of a wider strategy to tackle abuse of the immigration laws and promote controlled legal migration. We set targets to reduce unfounded asylum claims and, although not formally part of the PSA, a target to remove more failed asylum seekers than there were unfounded applications. For CSR07 we are looking to develop a PSA on controlled and fair migration that protects the public and contributes to economic growth. This would include a set of performance indicators that track delivery of the strategy published last July particularly in the areas of:

- Secure borders, where the outcome is difficult to measure directly and so we are considering proxy measures.
- Fast tracking asylum claims.
- Ensuring and enforcing compliance with our immigration laws. A proxy for this might capture enforcement action taken to tackle and remove failed asylum seekers, illegal workers, overstayers, and increasing the identification and removal of the most harmful cases that present a risk to the public. As a further deterrent, a target to increase sanctions on those who profit from illegal working and trafficking is being considered.
- Boosting Britain's economy by bringing the right skills here from around the world and ensuring this country is easy to visit legally. A proxy for which might be a measure of the economic benefit of migration and further work is underway to determine appropriate data. However there are difficulties in being able to performance manage this directly.

Departmental Strategic Objective: safeguard people's identity, and the privileges of citizenship

19. During the CSR07 period we will put in place the infrastructure for the National Identity Scheme and begin to issue ID cards to British Citizens. The National Identity Scheme will deliver significant benefits in terms of protecting the public, improving government services and enabling business efficiencies. But the bulk of these will not accrue until after the SR07 period. Consequently there may not be a specific outcome target in this area in the CSR07 period.

Departmental Strategic Objective: work with our partners to build an efficient, effective and proportionate Criminal Justice System

20. In SR04 we set a target to increase the number of offences brought to justice to 1.25m. We are considering with the Ministry of Justice and the Attorney General's office whether the performance indicator might be adapted to:

- account for different levels of severity; and
- align better with crime reduction by using an indicator that is a proportion of recorded crime.

21. We are considering a continued emphasis on victim and witness satisfaction, tackling disproportionality and the general public's confidence in the system.

22. We are looking to include in the PSA set an incentive to tackle organised crime. However, options for performance indicators in this area are limited as they often count the volume of police activity rather than a reduction in organised crime. The value of criminal assets recovered may be the best proxy indicator at this stage.

Letter from the Chairman to the Home Secretary

Thank you for the paper on the development of Home Office Public Service Agreement targets for the Comprehensive Spending Review 2007. As you say in your letter the Committee has pursued the undertakings given by your predecessors to consult the Committee about the next round of targets.

We had hoped to have more information on the targets by the end of May and regret that we did not have the opportunity to consider the paper as a Committee before the summer adjournment. We are grateful for notice of the "direction of travel" the Department has been considering. In future, however, we would also wish to see a draft of the PSA targets themselves before they are finalised. In our report on Home Office Target-Setting in 2005 we recommended that when the Home Office next reviewed its targets, "a higher proportion of targets should contain 'realistic but stretching' quantitative elements". We would welcome the opportunity to comment on how the new PSAs reflect the Government's undertaking to "consider the appropriate use of quantitative and directional targets in our PSA set".

In relation to the "direction of travel" we would be grateful for a more detailed account of the options for a PSA target for protecting the public against a terrorist attack and in particular would be interested to see the case for a "secret" Public Service Agreement set out. Having looked at crime measures in connection with our Police Funding report we are also interested in the Government's assessment of Recorded Crime and British Crime Survey data in measuring performance. In relation to the Departmental Strategic Objective on borders, asylum and immigration, it would be helpful for us to have more detail on the kinds of proxy measures to be used in formulating targets, particularly for performance on border security.

Finally, if there is not to be a specific outcome target on safeguarding people's identity, and the privileges of citizenship, we would be grateful for an account of how the Government intends to measure the benefits delivered by the National Identity Scheme.

11 October 2007

Letter from the Home Secretary to the Chairman

HOME OFFICE LED PUBLIC SERVICES AGREEMENTS

Thank you for your letter of 11 October 2007.

I am grateful for your comments on the direction of travel that we proposed for our new PSAs and will explain in this letter how we have addressed the points you make. I acknowledge that the Committee would prefer, in future, to be given a copy of the PSA targets before they are published. The extent to which I will be able to do this will depend upon the circumstances at the time including any HM Treasury advice on the cross government process that may apply.

I note you felt that this set of PSAs should contain a higher proportion of realistic but stretching quantitative elements than those set in SR04. The Government's approach to striking this balance is set out in the new performance management framework which is described on page 35 of the CSR white paper available on the web (reference 1 below). This explains that a small number of performance indicators will be used to measure progress towards each PSA and national targets have been limited to a small subset of these indicators. This provides far greater space for service providers to set their own targets in response to the priorities of local communities. Where no national target has been set, the PSA indicators are expected to improve over the course of the spending period. A summary list of the PSAs and their performance indicators, that identifies which indicators have targets or minimum standards, has been published and can be found at reference 2 below.

The new cross government PSAs set out the key priority outcomes the Government would like to achieve in the next spending period. Reducing the risk to the UK and its interests overseas from international terrorism is among those priorities. Alongside each PSA we have published a Delivery Agreement setting out the vision, measurement detail and the delivery strategy. By its nature, the Counter-Terrorism PSA Delivery Agreement contains information about the UK counter-terrorism effort that could potentially be useful to those who threaten the UK and its interests. For this reason, the Delivery Agreement has not been published although a summary has been published and can be found at reference 3 below.

You ask for an assessment of recorded crime and British Crime Survey (BCS) data in measuring performance. The BCS is a better measure of the broad level of crime nationally but as a sample survey it is not able to provide local estimates, nor is it able to measure more serious crimes that are low in volume. The BCS has provided a consistent measure of crimes against adults living in private households for 25 years and will continue to provide a check on the trends produced from police statistics. The BCS was particularly important in recent years due to the changes in police recording practices, which necessitated that we rely wholly on the BCS to show national changes in crime over that period.

The new Make Communities Safer PSA uses a combination of BCS and recorded crime that provides both national rigour and local accountability. Information from the BCS on the nature of crime and public perceptions will continue to inform policy development. The new PSA features:

- an increased focus on relatively low volume but serious crimes better measured in the police statistics;
- a continuing drive against high volume property crimes, where BCS and recorded crime trends have been broadly consistent; and
- greater flexibility for local areas to address other crime and anti-social behaviour, where surveys of the public better measure whether issues of greatest concern to local people are being dealt with.

More detail about the measurement can be found in the Make Communities Safer Delivery Agreement which is available at reference 4 below.

The Departmental Strategic Objective on "secure our borders, and control migration for the benefit of our country" links directly to the new PSA "Ensure controlled, fair migration that protects the public and contributes to economic growth" PSA. The performance indicators for this Delivery Agreement are set out in the measurement annex which can be found at reference 5. This includes an indicator to "deliver robust identity management systems at the UK border". More detail about the measurement of this indicator can be found in the Delivery Agreement.

You also asked about measuring the benefits to be delivered by the National Identity Scheme. We published in December 2006 in the Strategic Action Plan for the National Identity Scheme (reference 6 below) the benefits we anticipate the scheme will deliver. These include helping to:

- secure our borders and tackle illegal immigration;
- prevent identity fraud;
- build a key defence in the fight against crime and terrorism;
- enhance employment checks including on those working with the vulnerable; and
- improve customer service when people need to identify themselves especially when receiving public services.

We also published in June 2005, alongside the introduction of the identity cards legislation, an overview of expected benefits (reference 7 below). This concluded that the overall benefit of the Scheme is in providing a common secure means of identity management that will be used by a range of public and private sector organisations.

We have now launched the procurement phase of the National Identity Scheme and are beginning to develop more detailed delivery plans that will include specific plans for the realisation of benefits. I will of course be ready to provide any further information the Committee may require as we proceed with implementation. I hope that you have found this information helpful.

25 October 2007
