



A response from British Irish RIGHTS WATCH

 **OCTOBER 2005** 

## **PSNI Policing with Children and Young People**

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British Irish RIGHTS WATCH is an independent non-governmental organisation that monitors the human rights dimension of the conflict and the peace process in Northern Ireland. Our services are available free of charge to anyone whose human rights have been affected by the conflict, regardless of religious, political or community affiliations, and we take no position on the eventual constitutional outcome of the peace process.

BIRW welcomes the opportunity to comment on the draft 'Policing with Children and Young People' policy. We have only commented on those aspects of the policy which fall directly under our remit.

BIRW believe that the drafting of a youth specific policy has the potential to contribute to improvements in the relationship between the police and young people. However, for this potential to be realised, any policy put into place must take real and precise steps towards positively engaging young people and their communities. BIRW feels that while this policy is a step in the right direction; the policy ultimately fails to provide a blueprint for sufficiently significant changes to police/youth interaction.

#### **The special case of Northern Ireland's children.**

Young people in Northern Ireland have grown up, for the most part, in a more socially and politically charged environment than their counterparts in, for instance, Leeds or London. While direct experiences of violence are dependent on factors such as economic and social background, location and nature of community life, most children in Northern Ireland have been effected to some extent by violence within their communities.

Experience of violence, particularly sectarian violence, contributes to the divisions between communities. Combined with the impact of segregated education, children in Northern Ireland can grow up in isolated enclaves where prejudice and ignorance about other communities is a feature of daily life.

On a wider scale, as in Britain, young people's access to drugs and alcohol is increasing, and beginning at an earlier age. In Northern Ireland, this becomes particularly pertinent where one can see the impact of the conflict, through behavioural or psychological problems, and their interaction with drugs. For instance, suicide rates among Northern Ireland's young people are high.<sup>1</sup>

The interaction of the security forces with this violence has led to a complex set of perceptions by Northern Irish young people of the police and of authority. For instance, research carried out in 2004 indicated that the police were viewed as

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<sup>1</sup> Research has shown suicide is most prevalent amongst young men. *Equality and Inequalities in Health and Social Care in Northern Ireland: A Statistical Overview*. May 2004. <http://www.nics.gov.uk/press/hss/040527i-hss.htm>

potential assailants rather than protectors among nationalist youth.<sup>2</sup> Considering the current relationship between the loyalist community and the police, and the violence seen in September 2005, it will be interesting to see if similar attitudes develop among young people from this community. Previous research commissioned by the Policing Board into the attitudes of young people towards community violence, found that the police were viewed as an acceptable target for youth violence.<sup>3</sup> This attitude is also reflected in research by the Institute for Conflict Research, which claims: 'some young people, particularly males, seemed to find clashes with the police a sources of excitement, activity and entertainment .... some of these encounters seemed to have a game-like quality in the eyes of the young people'.<sup>4</sup>

A lack of authority, a reputation for harassment, the favouring of one community – these are some of the issues raised by young people in Northern Ireland when describing the police. Clearly there is a need to build a strong and positive relationship between the police and young people of all communities.

### **PSNI Policing with Children and Young People**

As already noted, the need for an appropriate policing policy for working with children and young people has never been so vital. However, it is critical that for any policy to have a real and long-lasting effect on the relationship between the police and young people, it must strive to be the best current policy available. BIRW does not believe that the PSNI have been successful in this draft policy.

Our comments below reflect the headings that appear in the draft policy.

### **Policy**

It is not clear to us why the PSNI has opted to use the age of 20 as the delimiter for "young people". We note that OFMDFM uses 21, which is the age at which many young people complete any further education or training. To our mind, 21 is a more logical choice.

### **Introduction**

The proposal for Independent Advisory Groups for Young People (IAG) appear to promote effective interaction with youth. The emphasis upon ensuring that the membership to such forums reflects the local community is encouraging. However, BIRW is concerned about the purpose of and opportunities provided by these forums, as outlined in the draft policy; in particular their scope appears to be relatively limited. For example: 'Identify positives as a receiver of police services'.<sup>5</sup> While it can be assumed that the draft policy includes only an outline

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<sup>2</sup> *The impact of Political Conflict on Children in Northern Ireland*. Institute for Conflict Research. 2004. <http://www.conflictresearch.org.uk>. p. 77

<sup>3</sup> *Young people's attitudes and experiences of policing, violence and community safety in North Belfast*. Policing Board. June 2005.

<sup>4</sup> *The impact of Political Conflict on Children in Northern Ireland*. Institute for Conflict Research. 2004. <http://www.conflictresearch.org.uk>. p. 77

<sup>5</sup> *PSNI policing with children and young people*. PSNI. 2005. p. 4

of the full nature of the IAGs, BIRW hopes that young people will be given the space and opportunity to explore and discuss with the PSNI both the positives *and negatives* of being a recipient of police services. If the PSNI seeks to stifle the debate before it has begun, young people will lose interest, and there will be only limited improvement in the relationship between police and young people.

BIRW is concerned by the notion that schools might be used as bases for policing patrolling. If problems at a school are so bad that a police presence is required, whether throughout school hours or at certain times of day, then the PSNI's aim should be to tackle the reasons for that need with a view to removing them, in full consultation with the school, parents and, where appropriate, pupils. Police presence in a school should always be seen as a last resort, and for police officers to be stationed at a school for any other purpose than helping the school to operate safely, let alone using the school as a patrolling base, should be avoided. Confusion between the role of the school and that of the police could only be unhelpful and may reinforce some young people's negative attitudes towards the police.

### **Aims and Objectives**

The aims and objectives of this policy appear to address many of the concerns raised by previous research regarding the interaction between the police and young people. The emphasis upon involving young people by listening to their views, and 'constructive dialogue' is positive. BIRW would be interested to know if any young people were consulted in the development of this policy?

BIRW is encouraged by the cross-sectoral approach developed in this policy. The need for involvement from all agencies who work with young people was previously highlighted in research commissioned by the Policing Board, and it is encouraging to see the inclusion of their recommendations.<sup>6</sup> We are also encouraged by the inclusion of an emphasis on human rights. 'To ensure that children and young persons who offend are dealt with in a manner which is consistent with Human Rights, the UN Convention on the Rights of the Child, and Section..'<sup>7</sup> However, we draw attention to the fact that the current placing of girl prisoners (i.e. those under 18 years of age) in Ash House, part of Hydebank Detention Centre, breaches several of the articles on the Rights of the Child. Likewise, BIRW has previously criticised the PSNI's overall approach to human rights, and as a result, we are hesitant to endorse such proposals until they are more clearly delineated.

The inclusion of restorative interventions to work towards the aim of reducing crime is a positive development.<sup>8</sup> Restorative justice, as a counter-weight to

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<sup>6</sup> *Young people's attitudes and experiences of policing, violence and community safety in North Belfast.* p. 12

<sup>7</sup> *PSNI policing with children and young people.* PSNI. 2005. p. 6. (Crime Reduction -Interventions by Police)

<sup>8</sup> *PSNI policing with children and young people.* PSNI. 2005. p. 6. (Crime

internal policing by paramilitaries, has the potential to reduce a community's reliance on paramilitaries, and develop more positive community relationships. However there is concern regarding the politicisation of this process, and the potential for restorative justice to undermine the role of the police and the courts system.

BIRW would welcome further details on Objective 6, which plans 'To research and develop in partnership with other agencies the targeted provision of appropriate diversionary programmes/measures for children and young people'.<sup>9</sup> Substantive research on young people and violence/crime in Northern Ireland has found that limited opportunities, in often socially and economically deprived areas, low levels of education and limited resources, have contributed to a rise in youth crime. The riots in the Summer 2005, clearly indicated the power of 'recreational rioters'; bored young people encouraged by the paramilitaries to take place in communal violence. Precisely targeted and appropriate programmes which could loosen the control of the paramilitaries over their community's young people, and provide a productive and enjoyable alternative to rioting, violence and crime, must be encouraged.

### **Procedures and Service delivery**

The Citizenship and Safety Education (CASE) Programme outlined in the policy appears to be a positive development, in particular, where the Programme 'informs young people of their rights and responsibilities'.<sup>10</sup> However it would be beneficial to know the exact meaning of rights – are children for instance taught about their rights under the UN Convention? Equally significant, are children empowered to access mechanisms and services when their rights have been abused? BIRW is similarly interested in the training provided to officers who will deliver the CASE programme in schools. Previous training by the PSNI on human rights has been patchy, and undermined efforts to make the PSNI a human rights compliant police force.<sup>11</sup>

URZONE is an area of youth engagement which seems to be successful. The website is diverse, interactive and relevant to young people – it manages to avoid being patronising while still being informative. BIRW would welcome publication of the number of 'hits' the website receives, to further understand the impact of the website. It might also be useful to include a questionnaire for visitors in order to find out how many children and young people, as opposed, say, to professionals, are using the site, how often they visit the site, and what they like and dislike about it.

The extensive use of partnerships is an encouraging sign, and furthers the concept of investing socially on a local level. BIRW is confused by the

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Prevention and the Safety of Children and Young People)

<sup>9</sup> *Ibid.* p. 6.

<sup>10</sup> *Ibid.* p. 10

<sup>11</sup> See previous documentation on both BIRW and Northern Ireland Human Rights Commission's concerns on the Course for All.

involvement of the organisation, Globalclub, which the policy claims will 'allow matters to be addressed by children and young people head-on and provide feedback of mutual benefit'. A brief view of the Globalclub website states 'We have pioneered and developed a new youth brand which delivers a unique and valuable service to young people, and a conduit to organisations who wish to access the youth market.' While it is unfair to judge such an organisation based solely on their website, it is not clear to us how Globalclub is able to positively engage and interact with young people with a 'brand', and contribute to improving the relationship between the police and young people.

The development of forums for young people to contribute to the development of police policy on issues which effect them is a positive development. However, such forums must be open to the widest number possible. While it is encouraging to see that the PSNI has identified 'hard to reach' groups such as gay and lesbian youth, it is worth sounding a small note of caution at the potential over-emphasis of the marginalised at the expense of the mainstream. In other words, 'ordinary kids', without special needs, can be overlooked in such consultation.

Though minor, the use of the word 'Province' in the policy is automatically exclusionary.<sup>12</sup> Language is contentious and in fragile post-conflict situations where the reform of major institutions is supposed to contribute to a sustainable peace, the appearance of such language undermines the principles of reform. BIRW would advise the PSNI to monitor the use of terms which may exclude some sections of the community.

### **The ACPO Strategy For Children and Young People**

BIRW is encouraged that the PSNI has utilised existing and well established resources in the drafting of this policy document, namely the ACPO Strategy For Children and Young People. However, we are curious about the two year time delay between the issuing of the ACPO strategy in 2003 and the development of this policy in 2005. We believe it would be more beneficial for the PSNI to develop changes to strategy and policy within a more effective time-frame; and before both research and thinking become 'out of date'.

Several elements of the ACPO strategy have been omitted from the PSNI draft policy, and it may be pertinent for the PSNI to revisit these elements. BIRW is interested to know the conclusions drawn from the pilot projects which focussed on the concept of 'beneficial turning points'.<sup>13</sup> Bearing in mind the ACPO strategy is over two years old, some research data must have emerged from these pilots which could aid in improving the PSNI policy.

BIRW is confused by the absence of the 'Targeting Persistent Young Offenders' section from the PSNI draft policy; which in the context of Northern Ireland, would appear relevant.<sup>14</sup> For instance, 'to ensure the targeting of "spree

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<sup>12</sup> *PSNI policing with children and young people*. PSNI. (2005). p. 3

<sup>13</sup> *ACPO Strategy for Children and Young People*. ACPO. (2003). P. 3

<sup>14</sup> *Ibid.* p. 7

offenders" and PYOs is an objective ...'.<sup>15</sup> Considering the high levels of youth participation in community violence and rioting, it may be beneficial to reconsider how the PSNI policy addresses persistent young offenders.

The PSNI policy is strengthened by two key differences from the ACPO document. Firstly, the level of detail within the policy, ensures that the PSNI's interaction with young people is clearly defined, and hence, one hopes, easy to implement. Secondly, the policy places a stronger emphasis upon opening dialogue with young people, and upon consultation. BIRW feels this latter element in particular, if fully developed, will be of particular benefit to the improvement of the relationship between the police and young people.

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<sup>15</sup> Ibid. p. 7