

# include YOUTH

## **Comments on priority areas for the Policing Plan 2016-2019 and on the EQIA of the Policing Plan 2015-2016**

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*“They need to get out of their squad cars, walk about areas, be more approachable.”*

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## **Include Youth**

Include Youth is an independent non-governmental organisation that actively promotes the rights, best interests of and best practice with disadvantaged and vulnerable children and young people.

The young people we work with and for include those from socially disadvantaged areas, those who have had poor educational experiences, those from a care background, young people who have committed or are at risk of committing crime, misusing drugs and/or alcohol, undertaking unsafe sexual behaviour or other harmful activities, or of being harmed themselves.

The Give and Take Scheme aims to improve the employability and increase the self-esteem of young people in need or at risk from across Northern Ireland. The Scheme supports young people to overcome particular barriers that prevent them from moving into mainstream training or employment and towards independent living. Seventy-five per cent of young people on the Scheme are care experienced, while over a third have a background in offending.

Include Youth also delivers an Employability Service on behalf of Health Trusts for young people aged 16 + who have had experience of the care system. This service is designed to offer tangible and concrete opportunities to assist young people leaving care to prepare for, and engage in work.

The organisation also leads on the collaborative initiative START which operates across several sites in Northern Ireland, working with community based organisations to improve education, employment and training outcomes for the most disadvantaged young people.

Include Youth's participation work is a way of delivering participative democracy to marginalised young people in Northern Ireland. Its main aim is to support marginalised young people to become involved in decision making processes which impact on their lives, particularly in social welfare, education and criminal justice matters. The project works with a range of groups of young people in the community and in Woodlands Juvenile Justice Centre.

Include Youth's policy advocacy work is informed by relevant international human rights and children's rights standards, is evidence based, including that provided by young people and practitioners and is based on high quality, critical analysis.

## **Policing Plan consultation processes and EQIA**

Include Youth welcomes the opportunity to respond to a pre-consultation seeking priority areas for the Policing Plan 2016-2019 and to provide comments on the “Equality Impact Assessment of the Policing Plan 2015-2016” and trust our comments are constructive and useful.

Policing is a priority area for Include Youth, we therefore very much welcome the role we play in various engagement bodies of the PSNI, Policing Board and Police Ombudsman. We view these as valuable opportunities to represent the views and best interests of the young people we work with, to advocate on their behalf and to ensure their rights are met within a policing service which meets their needs as individual rights holders and as citizens. It is with this attitude and ethos that we engage in consultation around the Policing Plan.

Include Youth are enthusiastic about the role we can play in helping to develop a positive and effective Policing Plan. We have however over recent years consistently raised concerns over the consultation process in place around the plan. We have engaged with all initiatives and meetings and in the process highlighted where improvements can be made and raised concerns when standards or requirements have not been met. There has been undeniable, positive progress on some of these issues and the existence of an Equality Impact Assessment this time around is such an example. That is not to say that there are not still areas of concern and room for further and substantial improvement around consultation on the plan and on the associated EQIA. Include Youth remain committed to being a part of this process and will continue to be constructive within it.

Within this consultation, there is confusion around the relationship between the consultation on the Equality Impact Assessment and on the calls for comment on the priority areas which should form part of the Policing Plan 2016-2019 and how they fit in with the development time-lines. As it stands it appears this is a pre-consultation exercise seeking priorities for the 2016-2019 plan while conducting an EQIA on a plan which is already operational. It has also not been clear what the boundaries are between these processes or on the methodologies for gathering and recording views on each. There remains ambiguity around what is intended as pre-consultation, consultation and full public consultation on the contents of the Policing Plan and EQIA. Further clarification on what was intended, on what lessons can be learned from this and on how this will change plans for the 2016-2019 cycle would be helpful. What would also be helpful is a time-line covering all aspects of the development and consultation around the 2016-2019 Policing Plan and associated EQIA. Include Youth are viewing the request for priorities for policing as a form of pre-consultation in the drafting of the 2016-2019 plan but would hope for this to be clarified alongside a forward work plan on the rest of that process.

It is the position of Include Youth that Policing Plans should incorporate pre-consultation, a full public consultation with associated direct engagement with young people and that child friendly versions of the documents are produced. It is clear that an Equality Impact Assessment is a statutory equality obligation, it is also clear particularly around timing and engagement that improvements are required for the 2016-2019 process.

A full public consultation is an obligation under section 75 of the Northern Ireland Act 1998. In relation to the EQIA, Policing Plan and associated consultations, guidance on best practice should be sought and acted upon from relevant experts including those within the Youth Advisory Panel. An EQIA and consultation process around the 2016-2019 plan should begin at the earliest possible time and certainly before the plan is operational so that the results can inform the plan's development. There is an obligation to assess and consult on likely impacts but also to amend policies as a result, this is only possible before a plan becomes operational.

Within this current consultation, there is a weakness in the engagement methodology particularly in relation to children and young people. Include Youth through membership of the Youth Advisory Panel discussed suggestions from the Policing Board on possible engagement initiatives; these included but were not limited to a survey. Include Youth outlined that while a survey was a possible and positive method of gathering the views of young people that this should be accompanied by a range of other methods including focus groups and the production of a young people's version of all documentation. This would ensure a broad range of young people can engage with the process. Unfortunately only the survey seems to have formed part of the formal process. Include Youth would reiterate that the development of the Policing Plan should be informed by direct engagement with children and young people. Young people are the group most likely to be impacted by the Policing Plan and associated policies. Direct engagement, consultation and acting upon feedback from children and young people is also essential in order to comply with Article 12 of the United Nations Convention on the Rights of the Child.

The survey used, while a good step, can be improved. The language used in the survey was appropriate but the scope was narrow in the views it sought from young people. Focussing so closely on keeping young people safe is only one element of their views on policing. Young people as shown in some of the comments below have strong views which should be heard and considered on a range of policing priority issues and which would enrich and improve the Policing Plan.

The survey did not collect the full range of Section 75 information from young people, it is an obligation to collect this information and it is vital in developing and assessing the impacts of policies including the Policing Plan. The addition of a requirement for parental consent was somewhat confusing, we do not believe that this was a necessary step and in practice it created a barrier for young people in engaging with

the request for priorities. In line with the Equality Commission's guidance, all unnecessary barriers to full participation should be removed. Equality Commission guidelines also state that information should be available in accessible formats and that specific consideration is given to how best to communicate information including to children and young people. Include Youth suggest that in order to meet these standards that sufficient time and resources are found to conduct a range of engagement initiatives with young people and that expertise and guidance are sought in advance to ensure these are inclusive, comprehensive and effective.

While progress on consultation has been made in recent years, further work is still required. With a new Policing Plan cycle beginning on the 2016-2019 it is imperative that lessons are learned around both consultation and engagement on the plan itself and on the Equality Impact Assessment. We trust the planning for that entire process is already underway and that engagement directly with young people will play a key role. We look forward to being involved fully in the 2016-2019 process.

Include Youth suggest the current EQIA process is quickly assessed and measured against best practice and advice received including from the Equality Commission. Given a March 2016 starting point for the 2016-2019 plan, expertise should be sought on planning for and conducting an improved EQIA. Include Youth would suggest that expertise is sought from both the Equality Commission and Children's Law Centre and that this is done at the earliest possible point. The existence of an EQIA was a positive step, the next is improvements in that process.

### **Include Youth methodology for this response**

Include Youth as part of our own work in consulting with and including the voice of young people (which we do in every aspect of our work) have carried out focus groups facilitating discussions in a young person friendly format, however this type of methodology should form part of the formal consultation process.

In order to construct this response Include Youth carried out the following practical actions:

- Promoted the completion of the survey. This involved not only encouraging young people on our programmes to complete the survey but also facilitating this as part of the young people's ICT essential skills class where this was appropriate. As these were completed individually and anonymously we do not have information on the content or views expressed within those responses.
- To ensure the views of our young people are accurately reflected we carried out a number of focus groups on this subject including within Woodlands JJC. A total of 4 visits to Woodlands with 3 small group sessions per visit were facilitated. Two sessions were run with Include Youth's own forum 'Ideas,

Voice, Action' one in Belfast and one in Omagh as well as an additional session in Bangor with participants from the START programme. In total 50 young people took part in discussions.

As part of our consultation with young people, a number of groups requested direct engagement with the police or queried why the PSNI and Policing Board were not talking with them directly. On behalf of the young people, Include Youth brought this message back to the NI Policing Board and the PSNI and plans are in place to follow up on that request.

### **Priority areas for policing**

The PSNI regularly reference that a high percentage of a Police Officer's work involves young people in some way, either as a victim, perpetrator or witness. With this in mind there are limited direct references within the current Policing Plan to young people, to the areas of policing which affect them most or their major issues of concern. It is the view of Include Youth that these issues should be visible and central. As an example, discussions have previously taken place and assurances given around the inclusion of 'stop and search', this is just one issue of central importance and impact for children and young people which has remained overlooked within the Policing Plan.

Below are comments on areas which Include Youth and the young people we engaged with believe should be included and prioritised within the next Policing Plan.

### **Young people's confidence in policing**

Include Youth are pleased that work on measuring the confidence level of young people is ongoing. Include Youth alongside our sectoral colleague lobbied heavily for this to form part of the plan and have made ourselves available through extensions of the Youth Advisory Panel to make sure this is implemented effectively. Once a baseline is established (currently targeted for March 2016) Include Youth believe the priority should be to analyse and disaggregate that information and begin targeting improvement in confidence levels. Until such times as there is an accurate baseline, we can only gauge confidence levels on the comments and engagement with young people we work with. Currently this paints a fairly bleak picture.

While there was the odd individual comment within focus groups on how an incident with a specific officer had been more positive, this was the exception. Even those with an individual positive experience held little confidence in the

PSNI overall. Below is a selection of quotes reflective of general confidence levels:

*“They don’t do their jobs right.”*

*“They take ages to come.”*

*“They definitely don’t do a good job.”*

*“They don’t come when you need them.”*

*“I live in a (care) home and some police are awful and treat me badly.”*

*“I feel nervous or scared when I see them.”*

*“The community does a better job of helping than the police.”*

*“They do have a job to do but they always take it too far. They think they can do what they want.”*

*“They don’t do a good job, they discriminate against young people.”*

This will not be the experience and views of all young people however it is illustrative of the challenge to be faced and the potential for drastically different experiences of the police from different demographics (this applies to both adults and to young people). With that in mind, being able to disaggregate the confidence levels of both adults and young people is of paramount importance. Only when we can see the levels of confidence disaggregated by different demographics can we drill down and see where problems lie and also accurately measure what impact any initiatives and actions undertaken are having.

The suggestion that a baseline for measuring confidence in “a selected number of areas of higher/social deprivation” be found was an interesting addition to the 2015-2016 plan which is an example of disaggregation in practice however Include Youth would like to see more detail on this, how those areas will be “selected” and what is or will be possible to analyse from that data. With this work being undertaken we believe it would be a wasted opportunity if a way is not found to disaggregate the data on confidence levels on a wider scale taking in a broader range of factors and demographics. This should be a priority within the 2016-2019 plan.

### **Addressing antisocial behaviour**

Include Youth welcomes some focus on antisocial behaviour in the 2015-2016 plan, this is an area of concern for many including young people. Antisocial behaviour is a complicated subject which often impacts upon confidence levels in the police, the stereotyping of young people, 'stop and search', community relations, the use of public space and children's rights. Often 'antisocial behaviour', used in relation to young people, can describe both legal and illegal actions and indeed some activities young people are completely entitled to engage in (such as congregating in public places). In practice this creates a point of conflict between young people and the PSNI, a conflict which has substantial impact on the confidence levels of young people and which has the potential to dramatically affect the tone of how individual young people interact with the criminal justice system as a whole. It is an area where substantial discussion should take place and a pilot scheme such as that proposed could provide opportunity for this. Space for such a discussion should be created. At this point Include Youth would outline the importance of a shared and understood definition of antisocial behaviour. It is clear that there are drastically different interpretations on what constitutes antisocial behaviour with variations between the police, some members of the public and young people. If unresolved this will continue to have an impact on the number and types of incidents reported, the police response to those, the relationship between young people and the police and perceived levels of antisocial behaviour.

While welcoming the focus on addressing this issue within the current plan, we believe substantial dialogue should take place. Include Youth are happy to be involved in this discussion. In relation to the currently attached targets, we would raise concerns about the practice of committing to implement 90% of recommendations before they have been written, analysed or costed.

### **Failure in duty, oppressive behaviour and incivility**

Include Youth believe that the current practice of targeting set percentage reductions in the number of allegations of; failure in duty, oppressive behaviour and incivility can only be justified when satisfied that the levels of reporting and complaints are at an accurate level. Until that point such a target is counterproductive and provides a disincentive to formalise and take complaints seriously. The levels of complaints from young people in particular, their knowledge of complaints structures including the Police Ombudsman and their levels of confidence in these are not at a level which accurately reflects their experiences. With that in mind we need to be working

on increasing the reporting of incidents and complaints, and only when there is an accurate baseline should a reduction in allegations be targeted. Include Youth fully supports prioritising a reduction in incidents of failure in duty, oppressive behaviour and incivility - we are simply concerned that if we target allegations we do not necessarily cut out the incidents.

Being on the receiving end of incivility from police officers was a regular comment raised within our focus groups. Some of the young people recognised they had played a role in that negative encounter but many felt the officers brought that attitude. Most of the young people raised the need for officers to communicate better with young people and those outcomes and their own responses would be more positive. The consensus request was that officers treat all young people with respect and that encounters would improve as a result. There were also a number of young people who claimed to have been the victim of excessive force. None of those who considered themselves to have been treated badly by the police were confident in the complaints process. Below are a series of quotes covering comments made by young people on their experiences of incivility and unprofessionalism of officers and also their associated comments on complaints. All of these illustrate a disconnect and Include Youth's concerns on this issue. Focus should be placed on building the confidence, faith and trust of young people in complaints procedures.

#### Incivility and unprofessionalism

*"They talk nice when in front of parents but not when they get you on your own."*

*"Some police could be a lot more professional."*

*"They are very arrogant and on a power trip."*

*"They are not professional to young people."*

*"They show no respect and no fairness."*

*"They talk down to you, makes you feel angry."*

#### Complaints

*"There is no point in complaining, it goes in the bin."*

*"Police gang up on young people when there is a complaint."*

*“I did put in a complaint to the Ombudsman but nothing happened. One of them beat me up.”*

*“Cops just have each other’s backs, there is no point in complaining – they just make an eejit out of you.”*

## **Demonisation**

Young people tell us they feel targeted and demonised by the PSNI and it is clear this has an associated negative impact on their level of confidence in the police service. Almost unanimously the young people within focus groups felt their age, appearance, location and family history meant they were demonised and specifically targeted by the Officers. They believe this manifested itself as extra attention, excessive use of ‘stop and search’, constantly being viewed with suspicion, being looked down on by officers, being forced to disperse from public spaces and in many cases incivility. They believed the attention they receive from the police, including being questioned or searched on the street had a knock on effect on how young people are viewed by the communities in which they live.

Police action plays a role in the overall demonisation of young people however this is one part of a bigger issue involving other factors including the portrayal of young people in the media and how the police engage with the media on issues concerning young people.

If we are to address any of this, it is essential that building better relationships, understanding and engagement between the police and young people is made a priority for the Policing Plan.

*“They treat young people differently, we are branded.”*

*“They make assumptions and judgements about young people.”*

*“You are more likely to be stopped because of what you are wearing.”*

*“They always stop you if you are wearing a hoodie.”*

*“They treat you worse if you are from a worse area.”*

*“The PSNI harass young people.”*

*“Young people are treated differently.”*

## **Stop and Search**

Almost of all of the young people we spoke to had negative experiences of being stopped and searched, more often than not this was on a consistent basis and was itself a factor in the level of confidence they held in the police. In some cases it was reported that negative stop and search incidents had led to additional charges for young people. Include Youth consistently raise the issue of 'stop and search' and have called for its inclusion in the Policing Plan. Young people feel targeted and victimised as a result of the use of 'stop and search' powers. They also report inconsistent experience of Officers' communication when it comes to providing a rationale for the 'stop and search' and their rights within that process. Young people also believe that 'stop and search' powers are used against them at a much higher rate than against adults. Include Youth are concerned about the extensive use against young people and also the experiences of those young people when they are stopped.

'Stop and search' and associated targets should form a part of the Policing Plan. Alongside this, Include Youth would like to see the effectiveness of 'stop and search' assessed. The experiences of young people suggest that not only does the excessive use of 'stop and search' damage relationships but also subsumes substantial police resources, with this in mind an analysis of the data and the effectiveness of this practice would be extremely useful. All powers to stop and search children should be exercised in compliance with human rights and in particular with key provisions on the UN Convention on the Rights of the Child, including Article 2 (non-discrimination) and Article 3 (best interests). The use of stop and search powers should also comply with the PSNI's obligations under Section 75 of the Northern Ireland Act 1998. Data on the use of stop and search and the age of the person against whom the powers have been used would enable the Policing Board (and others) to monitor statistics and address any concerns regarding patterns which emerge.

*"They stop and search me all the time."*

*"They stop you just because you are young."*

*"They stop you depending on how you are dressed."*

*"They use the terrorism law to stop and search us, not allowed to do this but because we are young they get away with it."*

*"There has to be an actual reason to stop you - but there never is."*

*“They don’t give you a reason for stopping you, they just say it’s about drugs or weapons, but they don’t give an actual reason.”*

*“I have asked for a stop slip before, they just laughed at me and said there were none.”*

*“They harass young people; I get stopped all the time.”*

### **Looked after children**

The fact that looked after children are over-represented within the criminal justice system is well documented. This is a well-known and long standing issue which should be a focus of the Policing Plan. The Policing Board and PSNI should give consideration to provisions to ensure that this extremely vulnerable group only come in contact with the criminal justice system in exceptional circumstances. The young people we engaged with spoke at length on this issue, highlighting that they felt young people from the care system were in their experience both known and viewed with suspicion by PSNI officers. They also highlighted that those in residential care were much more likely to come in contact with the police and for incidents which did not warrant police involvement and would not have done so had the incident in question taken place in a family home. For this reason they believed that care experienced young people are brought into the system and into contact with the police where their peers living in family homes would not. This is an equality issue and is an area of ongoing concern for Include Youth. It is alarming to hear directly from young people. The Policing Board and PSNI should give consideration to what provisions can be put in place to prioritise action to protect this especially vulnerable group of young people.

### **Drugs**

Many of the young people raised the issue of drugs as one which should be a priority for the police. They were concerned about the availability of drugs in their communities and many highlighted heroin as a growing concern and felt the police should be focusing on this. In almost all focus groups the issue of ‘legal highs’ were also raised as an area of massive concern for young people. They raised concerns around their prevalence, content, availability, side effects and the grip they take on people’s lives. “Legal highs” were often linked with heroin as substances the police should be focusing on.

### **Young people’s suggestions for improvements the police could make**

Despite having a clearly negative experience of policing, the young people we spoke with did have constructive suggestions as to how the police could improve:

*“Look at different ways of working with young people, focus on rehabilitation.”*

*“Have better relationships with young people, break down barriers.”*

*“It would be good for cops to hear from young people more.”*

*“They need to be involved in young people’s communities, come in and chat to them.”*

*“They need to get out of their squad cars, walk about areas and be more approachable.”*

*“They need to engage with more groups and hear things both ways.”*

*“They need more training.”*

*“They should have more training, like youth work training and communication.”*

A consistent comment from the young people was that officers did not understand them or their issues and did not communicate well with them. As a result many of the young people suggested that additional training for officers in relation to working with children and young people would be beneficial. Specific training on working with young people and children’s rights has been an issue raised by Include Youth on a consistent basis and we believe current and future training should be assessed and that this should form part of the Policing Plan. United Nations Convention on the Rights of the Child Articles 4 and 42 stress that all professionals working with children and young people should be aware of, and receive training about, the UNCRC and children’s rights.

## **Conclusion**

The comments of young people reiterate the volume of work which is needed, the need for their full participation in future consultations and the value that can bring to the process.

We are happy to continue to be involved and provide whatever assistance we can as this process develops and look forward to hearing the thoughts and future plans once cognisance has been taken of views and concerns raised within this

consultation process. We look forward to engaging with a further improved process on the 2016-2019 plan.