



GUN CRIME AND GANGS

Response to the Home Secretary

SEPTEMBER 2007

Produced by the

Association of Chief Police Officers

“ACPO is an independent, professionally led strategic body. In the public interest and, in equal and active partnership with Government and the Association of police Authorities, ACPO leads and coordinates the direction and development of the police service in England, Wales and Northern Ireland. In times of national need, ACPO - on behalf of all chief officers - coordinates the strategic policing response.”

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Preface

In August 2007 the Home Secretary wrote to me to request a situation report following a number of gun-related tragedies. In September 2007 I responded with the ACPO assessment on the phenomenon of guns and gangs, with particular reference to young people.

A great deal of activity has taken place since this report was presented to the Home Secretary, not least the Tackling Gangs Action Programme, which has produced the Home Office publication: Tackling Gangs, A Practical Guide for Partnerships.

ACPO has chosen to release a public version of its response to the Home Secretary now that Government policy has settled in this area. At a time of heightened public concern over guns, gangs and knives, it is important to place the ACPO position on record, representing the professional views of those charged with leading the police service. Where appropriate statistics have been updated and specific references to intelligence have been removed.

The devastating effect of gun crime on victims and communities cannot be underestimated and the police service is committed to tackling it wherever it occurs. Indeed, a great deal of action is already underway by local police and agencies.

The document defines and examines the key issues emerging from knowledge of the problem and invites further consideration for what more may be done across government and law enforcement to address the issues described.

I commend the report for consideration in the wider public debate on tackling serious violence in our communities.

A handwritten signature in black ink, appearing to read 'K. Jones', written over a horizontal line.

Ken Jones QPM
Chief Constable

[President of ACPO](#)

Foreword

30 September 2007

Home Secretary

This is a snap shot of the issues from the perspective of operational chief officers in the field. Their views have been informed by those they lead, of all ranks and grades, who deal daily with the realities behind the statistics and headlines. We have added context by drawing on some research, and the views of our partners and others. This is not an academic paper, rather a platform for action and further work. It is very much a working paper and reflects work in progress.

The views of the people living in those neighbourhoods which lack confidence and security, and suffering from the predations of gangs, are also critical. They daily influence police officers and police staff, Chief Constables / Commissioners, and Police Authorities in their approaches across England, Wales and Northern Ireland. Successful Neighbourhood Policing is allowing chief officers to see beneath the all too obvious signals of insecurity.

Where local confidence in policing is an overt stand alone issue (thankfully rare) its presence is invariably a proxy for wider and deeper problems (and opportunities) which are more generally manifested. In short, gangs thrive where security and confidence is either absent or insufficient in neighbourhoods. Such neighbourhoods must be made hostile to those intent on their domination through intimidation and fear. This is the outcome that law abiding people suffering from the bullying of gangs deserve.

I refer to your letter of 24th August 2007 regarding gun crime and gangs in which you sought:

1. *“An assessment of the scale and nature of the problem of gun crime – and in particular that involving gangs and young people – across England Wales and Northern Ireland*
2. *Proposals from the police service for what more we, yourselves, and the full range of statutory and non-statutory agencies others could be doing to tackle gun crime and gangs issues. In particular, suggestions around:*
3. *What more we could do to address the supply of guns*
4. *Further work we could take forward with young people to stop them wanting to use guns or carrying them in the first place;*
5. *How we can improve witness engagement;*
6. *More widely, how we can enhance links between the police and neighbourhoods, in order to strengthen neighbourhood confidence in this area; and*
7. *Any other issues you feel are relevant.”*

Gaining an agreed view of the ‘gun and gang’ problem and its causes has not been straightforward. Differences of view within and without the Service have been less about issues of substance and more about points of emphasis about where and how group offending materializes on the ‘continuum of harm’ ranging from anti-social behaviour to the gratuitous use of lethal force. It is not clear whether there is

inexorable movement along the continuum and if so, what causes deterioration and how it can be identified and prevented. Achieving that understanding must form part of our task if we are to succeed in the longer term.

For the purpose of this report, however, we have framed our thinking to address the following (adapted) YJB research description of the challenge:

“Young people, whom are mainly male and teenagers, often operating within an organised or semi organised group, using lethal or potentially lethal force, primarily through guns and knives, against other young people, where the motive may or may not be related to gain, but symptomatic of a developing culture of violence.”¹

In examining gang culture we have noted emerging thinking on combating radicalisation identifies some common causal factors and we are keen to explore any such synergies to improve our understanding of how crime phenomena reflect deeper social problems. In fact the “prevent” approach to CT has much to offer.

The developing picture we present is sufficiently clear to allow conclusions to be drawn; not least support for the intensified action by police and others. Our analysis confirms that the phenomenon is markedly different in different areas and, as such, will be resistant to simplistic top down solutions. While some areas display similarities in the origins and activities of their gangs, others are distinctively different. Therefore strong ‘local’ engagement must be a pre-requisite particularly when designing multi-location initiatives. The cross government Ministerial group you chair is a welcome acknowledgement of the complex nature of this issue. Complex does not equate to insurmountable. There have been notable operational successes across the UK.

Many of the responses from Chief Constables / Commissioners identified the need for a “different” and more focussed style of coordination of activity, locally and nationally, with clearer operational imperatives underpinning accountabilities. Engaged Chief Executives of local authorities, *and local political leaders of all parties*, are crucially influential in leading and coordinating the kinds of concerted activity that will be necessary to deliver.

Local action teams will need strong support from the centre which the Ministerial group you are leading can provide. Support needs to include clear direction about priorities, a *positive duty* (where relevant) to eliminate barriers to information sharing and risk identification, avoidance of silo working and avoidance of ‘paralysis by partnership’. We need to consider, in this context, moving beyond routine partnership toward more active single focus coalitions. Routine partnership work has, and is delivering but is perhaps too diffuse to adapt itself to the urgent need we are addressing. The best local coalition analogue is the A & E model where specialists are deployed together in action. Each professional having a specific role but, sharing and accountable for, the outcome.

Similarly, the perceived effectiveness of the criminal justice system is another broad indicator of neighbourhood ‘health’ and confidence. The challenge is clear; we have to compete with and defeat corrosive ‘street justice’ through speedy, empathetic and enduring victim and witness protection measures which build and retain confidence. It is important that LCJBs and CDRPs understand their mutually supportive roles in delivering safe and confident neighbourhoods. Performance frameworks such as APACS should better reflect business need rather than what we can currently and easily measure. This must also include directing attention to those areas that have

¹ Groups, Gangs and Weapons (2007) Youth Justice Board for England Wales and Northern Ireland

emerging problems in order to prevent them 'tipping' into more serious gang violence. Such interventions require the development of neighbourhood tipping point knowledge as part of APACS.

Embedding a performance regime across agencies focusing on serious violence and favouring prevention must become 'business as usual' as it now is for volume crime. ACPO led, and government-sponsored, initiatives over recent years have been very successful in tackling high-volume, low-risk offending especially with regard to acquisitive crime. Any transition towards greater engagement with lower-volume, higher-risk offending will require new approaches, understanding, thinking and knowledge.

Neighbourhood policing is an established platform for much of the work that needs to be done from the perspective of law enforcement. It is a distinct 'positive' that we have an embedded, and increasingly sophisticated, means to help the most vulnerable neighbourhoods. There is every reason to believe that, properly utilised in a multi-agency setting, it can be highly effective in delivering the sustainable solutions we seek. We should build on it and retain its core value and appeal to the public. That said, there is no escaping from the challenge of the forthcoming CSR, and linked Home Office budgets, to current approaches to neighbourhood policing. ACPO looks to government for support in meeting the inextricably linked challenges of local and strategic policing.

Tragedies involving our young people do have a profound effect on all neighbourhoods. Chief Constables / Commissioners have signalled clearly their desire to continue to lead and play their full part with partners in stabilising the situation in the most affected areas. Working with government and others to develop and implement a coordinated strategic approach to address the causes of violence over the longer term.

Beyond neighbourhood policing the work has reinforced ACPO's views on the need to continue strengthening linked strategic policing responses. The nascent Level II structure which ACPO and government is building across England and Wales has already made a significant contribution to our understanding of this issue in general and this report in particular. That said, the Level II project is not yet secure in the way that the ACPO National CT structure now is. Contesting the risk of dangerous organised criminality, who are involved in gun, people and drug trafficking, requires that we must scale up our capability in this area. We have also been struck by the need to continue to evolve our approach to securing our borders. ACPO supported the recent reforms in this area but strongly feels that what we are implementing is an early, and necessary, first step to further reforms.

The theme of increased coordination running through much of the report leads us to conclude that the complexities of this, and other manifestations of serious violence, may require the development of a ACPO National Violence Strategy. We hope that the approach you have now adopted to ACPO national policy in this area will influence the debate around the need for such a strategy.

Finally, I must comment on our shared desire for measured and sensitive progress despite the imperative to act. The over-representation of some minority ethnic groups, from this country and elsewhere, in some gang activity will test all that we have achieved in improving neighbourhood confidence in the fairness of policing and public policy more generally. The report draws attention to a number of emerging findings and to areas which we feel need further consideration.

I am indebted to the Commissioner and Chiefs for their active support and assistance in producing this report. Staff from the MPS, West Midlands, Manchester and

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Merseyside – the forces carrying the greater risk in this area – made a significant contribution and confirmed an earlier view that there already is a great deal of effective ongoing action. For example in their obvious abilities to target and convict gang members. I am also grateful to Chief Constable Keith Bristow and the staff within the ACPO Criminal Use of Firearms Secretariat as well as those in the National Firearms Intelligence Cell who all contributed to the detail and analysis contained within the report. I also need to thank DCC Brian Moore, who readily agreed to gather, assess and assemble the material which follows and to Chief Constable Ian Johnston, who as Head of the ACPO Business Area, initiated and co-ordinated much of the work involved.

I commend the report for your consideration.

A handwritten signature in black ink, appearing to be 'K. Jones', written over a horizontal line.

Ken Jones QPM
Chief Constable

[President of ACPO](#)

SUMMARY OF EMERGING FINDINGS AND KEY IDEAS

EMERGING FINDINGS

- **Recorded crime figures do not give a complete picture:** Recorded firearms crime fell by 13% in 2006/07 to 9,608 offences. However, figures do not reflect the experiences of many Forces and communities in England and Wales and firearms offences often go unreported. An incomplete picture of firearms crime and the slow collation process for recorded crime figures impedes the response and the early identification of emerging trends.
- **Young people are increasingly involved in firearms crime:** There are rises in the levels of more chaotic, street-level firearm offences often associated with young people. The number of serious injuries caused by firearms to 10-19 year olds has significantly increased and figures for 2007 from the Metropolitan Police show that 28% of victims of Trident murders and shootings were aged under 20.
- **Illegal firearms are available within the UK:** A number of illegally held firearms in circulation within the UK tend to be shared and have a long lifespan. Modified firearms (converted and, to a lesser extent, reactivated) form a significant threat, the majority of which were legally held prior to successive tightening of legislation. Deactivated weapons are sold without control and are exempt from the controls on imitation firearms imposed under the Violent Crime Reduction Act. However, the government is consulting on potential controls which are due to be introduced by the end of 2008.
- **Firearms are sourced from overseas:** Border controls are circumvented primarily where intra-EU traffic is not heavily scrutinised, and through the postal system, where the volume of traffic is difficult to police. Weapons, in small numbers, are also imported from overseas military operations and in some isolated case firearms have leaked to the criminal market. Registered Firearms Dealers (RFDs) acquire most of their firearms from overseas, which are vulnerable to diversion, although such cases are rare.
- **Firearms are sourced over the internet:** The internet provides an accessible means for sourcing firearms, as well as for making contacts and viewing information detailing how to modify firearms.
- **'Gang' culture in England and Wales:** 'Gangs' provide young people with 'something to do' and are perceived to afford both status and protection. 'Gang' culture is glamorised by peers and various media, and is 'normalised' within computer games, music and film. .

KEY IDEAS

- **Risk based:** The joint approach to tackling gangs and guns must be risk based. Gangs and their level of offending exist along a 'continuum of harm,' from delinquent peer groups, to street gangs, to organised crime groups. Joint agency interventions must be framed on this basis, and measures to judge success structured accordingly.

- **Joint and early interventions:** The role of education in making early interventions with children and families to prevent a propensity for violence is critical. Equally, support from children's, social, housing and employment services in providing young people with alternatives to gang membership is an essential aspect of any anti-gang strategy. Approaches are unlikely to have a lasting effect unless there are meaningful longer-term plans to deal with the problems of poor education and life skills, deprivation, lack of family and role model support, and employment opportunity. In this there are potential synergies with the 'prevent' strand of the counter terrorist strategy in tackling radicalisation.
- **Legislation should be reviewed:** The volume of firearms legislation is considerable and also included within non-firearms specific Acts. There could be great benefit in revising and consolidating all the existing firearms legislation into one all encompassing Act. In addition, legislation may be required to ensure a positive duty to share information when seeking to prevent serious violence. However, ACPO do not consider that legislation making gang membership a criminal offence is required.
- **Youth justice:** It is vital that there are robust interventions for those young offenders causing the most harm to reduce their influence on their peers and demonstrate the ability of the CJS to deal with their offending. This must be combined with a robust approach in youth courts and accompanied by greater support for those who do come forward as witnesses.
- **Witness care:** Witness Care Units are constructed to deal with routine cases and are not generally well equipped to manage difficult cases of intimidation. This weakness is visible to those accessing our services. Similarly, the lack of consistency, and robustness of approach, by all service providers in properly identifying and managing cases of intimidation are concerns raised by colleagues.
- **Witness protection:** The high level of resources and specialism required to properly equip formal witness protection schemes to operate at consistent standards is a challenge for the Service. It is not desirable that this responsibility should rest solely with the police.
- **Witness engagement:** Giving people the confidence to report firearms crimes to the police and to give evidence in court is an issue far-wider than 'witness protection / engagement.' It includes all types of community engagement and Neighbourhood Policing. Building confidence is a multi-faceted day-to-day activity, developed over a sustained period of time but is essential to engage the trust and help of communities.
- **Community protection:** Improving joint agency approaches to protecting people within their own community is essential to ensuring community confidence in 'the system'. Sentencing and bail policy that properly consider community impact, in the same way victim impact is presented today, are measures that would add transparency and are likely to enhance confidence.
- **'Special Measures':** The lack of precision in providing assurances about 'special measures' to witnesses early in the criminal justice process, inhibits the successful prosecution of serious violence and provides fertile territory for corrosive intimidation.
- **Drugs policy:** The specific role of drugs as a driver for, or consequence of, serious violence remains unclear. However, when young people become involved in the drugs trade they are inevitably exposed to violence, and at the

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extremities, firearms offending. It is important that an appropriate policy line is maintained which does not ignore the potential nexus between drug crime, serious violence and firearms.

- **Neighbourhood Policing:** Communities are beginning to appreciate the benefits brought by neighbourhood policing teams and any approach to tackle gun and gang violence must build upon this arrangement. To be successful, neighbourhood policing teams will require the very direct support from agencies at a local level and ready access to specialist services that are able to deal with more serious threats.
- **Data collection:** Definitions, intelligence collection, data sharing and performance measurement are all areas that require changes in order to improve our response to serious violence.
- **Coordinated Response:** Any response must be directed across Government departments and signal, at an early stage, a shift in social, education and criminal justice policy. This must be followed through by local leadership and within this the role of Chief Executives and Local and Education Authorities and local political leaders are pivotal.
- **Violence Strategy:** There is a need for an overarching violence strategy. The current infrastructure to coordinate effort across agencies to prevent and reduce serious violence is considered inadequate. ACPO, in taking a broad view of serious violence, has identified six key 'missing' elements, or areas for change, and commends a National Violence Strategy.

Section 1

INTRODUCTION

1.1 BACKGROUND

- 1.1.1 The Association of Chief Police Officers (ACPO) is an independent, professionally led strategic body. In the public interest and, in equal and active partnership with Government and the Association of Police Authorities (APA), ACPO leads and coordinates the direction and development of the police service in England, Wales and Northern Ireland. In times of national need, ACPO - on behalf of all chief officers - coordinates the strategic policing response.
- 1.1.2 An earlier version of this report was commissioned from ACPO by the Home Secretary in the wake of the tragic murder of Rhys Jones in Liverpool although this was not the sole driver for considering the issues in hand.
- 1.1.3 This document has therefore been produced by ACPO and aims to provide an assessment of the scale and nature of firearms crime within England Wales and Northern Ireland, with particular reference to young people. It will define and examine the key issues emerging from current knowledge of the problem and invite further consideration for what more may be done across government and law enforcement to address the issues described. It is intended to contribute to the wider public debate.

1.2 METHODOLOGY

- 1.2.1 Intelligence and information held by, or available to, the ACPO National Firearms Intelligence Cell have contributed to this assessment. The report also draws on results from the ACPO Gangs Audit, led by DCC Brian Moore and an audit of Organised Crime Groups led by DCC Mick Creedon. Academics with current research on gangs and neighbourhood security were consulted, as was a focus group of patrol officers. In addition Chief Constables and Commissioners in England, Wales and Northern Ireland were consulted by ACPO President, Chief Constable Ken Jones, and responses were analysed for key themes and suggestions for inclusion.
- 1.2.2 In addition, the views of the police authorities through the APA were also sought. However, the comments of those that responded largely and unsurprisingly replicated those of their forces who had responded previously. However, it was important to recognise that police authorities are accountable to the wider local partnerships and can, and do, reflect the views of those in the neighbourhoods that forces police and serve.

1.3 SCOPE

- 1.3.1 This report provides and addresses the following:
- An assessment of the scale and nature of the problem of gun crime and, in particular, that involving gangs and young people.

- What more could be done to address the supply of guns?
- Further work to be carried out with young people to stop them from wanting to use guns or carrying them in the first place.
- How can witness engagement be improved?
- More widely, how can links be enhanced between the police and communities, in order to strengthen community confidence in this area?
- Suggestions for how we can move, together, beyond guns and gangs, to develop a National Violence Strategy.

1.4 INFORMATION GAPS

- 1.4.1 In compiling the report a number of information gaps have been confirmed. The absence of an agreed definition of gangs across agencies means that information is not always collected and recorded in a common format. In addition there is an absence of multi-agency measures that properly assess the harm caused by gangs. Hence assessments on gangs and organised crime groups are made in the absence of complete information. In addition, the delay in availability of detailed recorded firearms related crime statistics, together with the difficulties of classifying offences where weapons are not recovered, impedes the early identification of trends. These issues are dealt with later in the report.

1.5 PROTECTIVE MARKING

- 1.5.1 It is intended that the audience for this report should be as wide as possible to allow a thorough consideration of the issues; hence it is not protectively marked. The report was initially written in September 2007 and edited for wider circulation in June 2008.

Section 2

ASSESSMENT OF THE SCALE AND NATURE OF FIREARMS CRIME WITHIN ENGLAND AND WALES AND ITS PREVALENCE AMONG YOUNG PEOPLE

2.1 INTRODUCTION

- 2.1.1 A joint approach to tackling gangs and guns must be risk based. It is clear from this assessment, and from academic research, that gangs and their level of offending exist along a 'continuum of harm'. From delinquent peer groups, to street gangs, to organised crime groups. Joint agency interventions must be framed on this basis, and measures to judge success structured accordingly.
- 2.1.2 Frequently where firearms are brandished between gangs and no injuries are caused, the incident often goes unreported. Therefore, a standard operating procedure relating to police handling of 'shots fired', where there is no obvious victim, is necessary.
- 2.1.3 There is reason to believe that a small number of firearms are accessible to, and transferable between, criminals, inflating the perception of the available supply of criminal firearms.
- 2.1.4 Our analysis reveals that while firearms trafficking into the UK is policed by all law enforcement agencies, it is necessary to ensure this is as comprehensive as possible and is prioritised appropriately. It is imperative to continue to develop joined-up and collaborative working, seeking to ensure all partners are supported by the best possible information and resources to responding to firearms crime at all levels.
- 2.1.5 There are also continued difficulties in managing converted and reactivated firearms, where aspects of the law require clarification. ACPO will engage in consultation examining potential controls to be placed on deactivated weapons.
- 2.1.6 We remain concerned about the ease with which people can upload violent images, involving real and imitation firearms, to social networking sites, and download instructional material on how to modify firearms.
- 2.1.7 Some academic research suggests that such networking sites and other violent media have a disproportionate impact on certain 'at risk' groups. 'Gangsta' culture in music, film, computer games and clothing cannot be eliminated as a relevant factor in desensitising young people towards violence. It is our view that steps must be taken to bring the manufactures and distributors of violent media, and the providers of such networking sites, to the negotiating table to help address the proliferation of violence and violent images in our society.
- 2.1.8 The role of education in making early interventions with children and families to prevent a propensity for violence is critical. Equally, support from children's, social, housing and employment services in providing young people with alternatives to gang membership is an essential aspect of any anti-gang strategy.
- 2.1.9 The specific role of drugs as a driver for, or consequence of, serious violence is not always clear. However, when young people become involved in the drugs trade they

are often exposed to violence and at one extreme, firearms offending. It is important that an appropriate policy line is maintained which does not ignore the potential nexus between drug crime, serious violence and firearms.

- 2.1.10 A criminal justice consideration raised by a number of chief officers and policy leads was a lack of consistent sentencing for specified firearms offences, particularly those which attract a five year mandatory minimum sentence upon conviction. It remains our view that any effective approach must include appropriate deterrent sentences for those convicted.
- 2.1.11 In terms of coordinating firearms data collection and analysis, it is logical to propose that the consolidation of the ACPO National Ballistics Intelligence Service with the National Firearms Intelligence Cell occurs and this joint service is extended to include Scotland and Northern Ireland.
- 2.1.12 A number of recurring themes highlight the need for a thorough understanding of firearms crime and the importance of comprehensive data collection, recording, analysis and dissemination.
- 2.1.13 There is no agreed definition of gangs on which to base data collection. This means that there is no basis to be clear on whether or not initiatives and tactics have been successful. Consequently, there is limited ability to determine policy choices and resource allocation.
- 2.1.14 The absence of the 'live time' sharing of data and intelligence mitigates against the rapid management of high risk cases. Given that this absence of join-up is manifest to individuals and neighbourhoods routinely affected by gun and gang violence, it has the effect of undermining confidence in the ability of the authorities to keep people safe in their neighbourhoods. Furthermore, it inhibits bringing offenders to justice, because of the reluctance of witnesses to 'engage' if gaps in the CJS are palpable to them.
- 2.1.15 Finally, the above improvements need to be supported by the following, which should all be reflected in the development of APACS:
- Timely availability of firearms offence data.
 - Timely data, at neighbourhood level, providing an indication of 'neighbourhood health'.
 - A 'harm index' including serious violence to enable resources to be properly targeted.

2.2 THE SCALE OF THE PROBLEM

- 2.2.1 Despite a reduction in overall recorded firearms crime of 13% in 2006-07, firearms crime is increasing in some areas of particular concern, especially the more chaotic, street-level offences often involving young people. This reported reduction in 2006-07 does not generally reflect the perceptions of neighbourhoods.
- 2.2.2 Firearms crimes are recorded where a firearm is used in an offence and is discharged, used as a blunt instrument against a person, or used to threaten. There were 9,650 firearms offences (excluding air weapons) recorded by the Home Office in 2006-07, a 2154 or 13% reduction from 11,804 offences in 2005-06. Although firearms (excluding

air weapons) are only used in 0.2% or 1 in 600 recorded crimes, the use of firearms can have a lasting, devastating effect on individual lives and neighbourhoods.

- 2.2.3 Firearms crime among young people, like gang activity, has largely been concentrated in the major conurbations. In London, 144 people aged under 20 were victims of Trident murders and shootings during 2006 and 2007. The age of both Trident suspects and victims peaks at 18. In 2007, 28% of Trident victims were under the age of 20 but in 2003 they comprised 16%.
- 2.2.4 Such criminality is also visible – but at a smaller scale - in smaller cities and towns often in conjunction with drugs markets. The most recent available detailed analysis of figures (2006-07) show that in 28% of recorded firearms crime (excluding air weapons), the victim was aged between 5 and 20, with over a third of those being aged between 11 and 15.
- 2.2.5 The overall reduction in firearms offences is underpinned by decreases in more “traditional” gun crime, such as firearm-enabled robberies of banks, which fell by 34% in 2005-06 and a further 31% in 2006-07, and is at less than a third of the level recorded in 2001-02. Similarly, Building Society robberies involving a firearm are at 10% of the level recorded in 1996. Increases over the past two years have tended to be at the more chaotic end of firearm offending: during 2005-06, firearm-enabled robbery rose by 11% from 3,728 to 4,120, residential burglary by 44% from 448 to 645 and robbery of shops and stalls, by 14% from 1,036 to 1,173. However, reductions in these key areas were recorded in 2006-07, with decreases of 3.5%, 5% and 3% respectively. It has not been possible to separate the data with regard to the use of stun guns, sprays and air weapons in these offences.

RECORDED CRIME FIGURES

- 2.2.6 Detailed recorded crime statistics are available nine months after the reporting period ends – the most recently published statistics on firearm-enabled crime date back to April 2006 and no more recent than March 2007. It is also difficult to classify a weapon that has been used in a crime where it is not recovered, which means that statistics on firearms must be carefully used. Delays in the publication of recorded crime figures mean the response is not based on up-to-date information and can hamper the early identification of emerging trends.
- 2.2.7 CS spray, pepper spray, and stun guns are included within the category of firearms / gun-enabled crime categories within Home Office definition. It is important to recognise and tackle this threat, particularly as they may be an ‘entry-level’ weapon for young offenders. However, their inclusion within firearms crime statistics alongside lethal purpose firearms skews the picture of the level of gun-enabled crime. Bracketing these weapons as “firearms” inhibits understanding and stokes fear. Lethal purpose firearms are submerged within data on stun guns, sprays and air weapons. (This mirrors problems elsewhere with HO definitions of violence.)

UNDER REPORTING OF FIREARMS CRIME

- 2.2.8 Most forces in England, Wales and Northern Ireland perceive that the extent of criminal-on-criminal firearm offences means that a great deal of firearms crime will go unreported. This under-reporting is inevitable where victims who are engaged in criminal activities do not wish to draw attention to themselves, and non-criminal victims fear reprisals should they report incidents. Many forces and other sources state that under-reporting is of a sufficient level for statistics not to reflect the experience of many neighbourhoods. The understanding government and law enforcement have of firearms crime needs to match public experience and it is important to close the gap between perceived and recorded levels of gun crime.
- 2.2.9 There are different views on what constitutes a gang. A major consequence of this is that the available picture can only be described as 'incomplete'.
- 2.2.10 The proportion of crime attributable to 'gangs' is therefore difficult to determine. This is in part due to the question of definition but also absence of a mechanism to capture group offending within current crime recording processes. Difficulties are compounded by under-reporting associated with gang-related crime.
- 2.2.11 Caution should be taken before presuming that any increases in firearms offences amount to corresponding increases in the supply or availability of weapons; it is judged that increases are also driven by a greater willingness on the part of offenders to use or share firearms they already have access to. With this in mind, it is essential to consider the factors that make people more likely to use a firearm. The drivers for increased usage are explored later in this assessment.
- 2.2.12 The launch of the ACPO National Ballistics Intelligence Service in September 2008 will give a comprehensive, contemporary view of the number and types of ballistic items recovered in England and Wales and improve understanding of the scale of firearms crime. Speeding up the publication of recorded crime statistics and enhancing the reporting of firearms crime (for example through neighbourhood engagement that helps give people the confidence to report crimes and work with the police and criminal justice system) will enable an up-to-date and better informed response to firearms crime and, crucially, the early identification of emerging trends. The timely provision of data to HMRC / UKBA will also assist the development of tactical and risk intelligence to inform deployment decisions.
- 2.2.13 The 2004 HMIC Thematic Inspection 'Guns, Neighbourhood and Police', recommended that processes be established to allow statistics relating to gun crime to be available more promptly.

2.3 THE ILLEGAL SUPPLY OF FIREARMS

- 2.3.1 Firearms are subject to stringent controls on their sale and ownership within the UK, although they are legitimately manufactured and sold all over the world. Those seeking an illegal firearm are faced with choices including sourcing weapons from abroad, modifying non-lethal barrelled firearms, stealing legally-held live weapons (primarily shotguns), or using imitation or deactivated weapons to threaten.
- 2.3.2 The UK is vulnerable to the illegal supply of firearms from a number of sources, and there is evidence of a market for this supply across all levels of criminality. The 'supply' aspect of firearms crime is an area where law enforcement can, and does, impact.

However, there are challenges presented by inconsistent international legislation and standards, and law enforcement could be more effective if supported by unified policy at an international level and across government departments.

- 2.3.3 Forces do not regularly seek to identify the 'upstream' origin of a firearm as part of a criminal investigation as doing so may not be regarded as profitable. Use of the National Ballistics Intelligence Service when it is launched in September 2008 will go a long way towards identifying the sources of weapons; investigators should also be encouraged to make use of the recently enhanced firearms tracing capability currently managed at NFIC.

UK SOURCES

- 2.3.4 There are a significant number of firearms already in circulation within the UK, although the actual amount is impossible to quantify (a Home Affairs Select Committee in 1996 suggested that the figure could be anything between 200,000 and 4 million.) Misappropriated / stolen firearms amounted 1087 in 2006-07, although 355 of these were imitation weapons. Of greater concern is the problem posed by handguns which have been retained or illegally transferred after they were made prohibited weapons in the Firearms Acts of 1997.
- 2.3.5 Firearms designed to discharge with self-contained air cartridges, such as those manufactured by Brocock, were made illegal in January 2004 under the provisions of the Anti-Social Behaviour Act 2003. Owners of these weapons were compelled to surrender them or apply for a firearms certificate before May 2004. Figures supplied to the Home Office show that sales of these weapons prior to the new legislation were between 50,000 and 70,000, yet as of July 2004 only 8,300 had been certified or surrendered. There is recent evidence of these weapons being recovered following criminal use.

REGISTERED FIREARMS DEALERS (RFDs)

- 2.3.6 Registered Firearms Dealers (RFDs) are not judged to divert firearms to the illegal market on a large scale, but they operate within an area of some legal ambiguity where there are differing interpretations of where certain firearms sit within the law.
- 2.3.7 Some RFDs are known to stockpile weapons which could be vulnerable to theft and diversion.
- 2.3.8 RFDs purchase most of their stock from overseas and many will act as an intermediary before lawfully onward-shipping firearms that are nevertheless prohibited for private use in the UK. RFD importations require authorisation from the Department for Business, Enterprise and Regulatory Reform. Licenses are then checked by HMRC, who are also able to undertake post-importation audits.
- 2.3.9 Isolated instances of RFDs receiving live firearms as payment for other deactivation work have also occurred.

CONVERTED AND REACTIVATED FIREARMS

- 2.3.10 Modified (converted and, to a lesser extent, reactivated) firearms form a significant proportion of recoveries of criminally-held lethal-barrelled firearms within the UK. Once

a gun has been deactivated it is no longer a firearm within the meaning of the Firearms Acts and there are no restrictions on the sale or ownership of such weapons. It is also legal to sell a deactivated firearm together with the equipment necessary to reactivate it.

- 2.3.11 While stringent deactivation standards were set in 1995, some pre-1995 deactivations can be easily reactivated and continue to be sold without restriction. They attract a premium price (although this can also be affected by the legitimate collectors' market) and are advertised prominently in gun magazines and on internet sites. Far from being obsolete weapons, pre-1995 deactivations include a large volume of modern, efficient firearms, freely sold within the UK. Deactivated weapons are used in crimes and, even where they are not reactivated, these guns retain the appearance of prohibited weapons and can be used to threaten and intimidate.

It is difficult to accurately quantify the extent of the use of deactivated and reactivated firearms in crime. It is often not possible to categorise a firearm used in an offence, especially if it is not fired and / or recovered, and in 60% of firearms crimes (excluding air weapons) in 2006-07 the weapon was not fired. Categorisation depends on statements of victims and witnesses, who will often presume a gun they have been threatened with to be genuine. Reactivated firearms, when discharged, will usually be recorded as a genuine handgun unless it is recovered. For these reasons the true number of deactivated and reactivated firearms used in crimes is judged to be higher than is recorded. Certainly, the ability of people to easily purchase deactivated firearms is judged to be a source of weapons for the criminal market.

- 2.3.12 The controls imposed on realistic imitation firearms under the Violent Crime Reduction Act 2006 (VCRA) will not include deactivated weapons. The measure seeks in part to prevent imitation guns from being used to threaten and intimidate, although deactivated firearms, which exactly replicate the live firing guns they once were, can be expected to continue to enable crimes, threatening and intimidating victims.

The Home Secretary has announced plans to enter into consultation with a view to introducing controls on deactivated guns by the end of 2008.

- 2.3.13 Converted firearms pose a major threat and as at December 2007, 43% of all lethal-barrelled firearms submitted to the Forensic Science service (FSS) since April 2003 were converted imitations. The majority of these converted firearms were originally legally held prior to the tightening of firearms legislation. Some conversion enterprises are conducted on a large and highly-professional scale, and UK law enforcement has had some notable successes in tackling these.

- 2.3.14 Although measures within the VCRA prohibit the sale and importation of further categories of weapon (such as realistic imitations) exemptions to the ban (eg for airsoft skirmishers and historical re-enactors) leave vendors and authorities fallible to differing interpretations of firearms types that are complex to classify. Exemptions also mean that these guns remain in circulation. Those wishing to purchase imitation firearms can also source them from abroad, either making purchases online or travelling to outlets overseas.

OVERSEAS SOURCES

- 2.3.15 It is estimated that around 8 million small arms are manufactured each year by 1,200 companies operating in over 90 countries and recoveries of firearms reflect this plethora of sources. However, the USA is a prominent source of weapons and is the origin of the majority of HMRC seizures (102 in 2006). Belgium and Germany also

figure prominently in HMRC seizures, reflecting both their proximity to the UK and that firearms are manufactured in those countries on a large scale.

- 2.3.16 Criminals attempting to supply weapons from overseas will attempt to do so circumventing border controls which, within the EU, are set-up to allow the free movement of goods, and through the postal system.
- 2.3.17 Central and Eastern Europe, particularly the Baltic States and Albania, also consistently feature as source countries for firearms in recent years. There has been a recent threat from Russian Baikal gas pistols entering the UK from Lithuania. These weapons are converted to a very high standard in Lithuania and smuggled in 'kits' complete with ammunition and silencers.
- 2.3.18 The majority of HMRC seizures relate to regulatory breaches rather than interdicted attempts to smuggle firearms into the UK. The UK is a major transit hub between the US, Europe and Africa. HMRC assess that the UK is not subject to the regular bulk import of illegal firearms, although the import risk cannot be eradicated. The volume of traffic crossing the UK border each day means good intelligence is needed to target resources effectively.
- 2.3.19 Firearms tracing (whereby the provenance of a firearm is sought through cooperative international arrangements) can identify significant source countries and manufacturers, and it is important for cohesive upstream disruption or enforcement activity to tackle identified threats.

FIREARMS EMANATING FROM THE MILITARY AND OVERSEAS OPERATIONS

- 2.3.20 The prominence of firearms originating from Balkan states reflects the number of weapons circulating in places of current and recent armed conflict and, in the case of Albania, the looting of state owned arms depots. Firearms are freely available in Afghanistan and Iraq and in a small number of isolated cases, British Armed Forces' personnel have been discovered to have brought firearms back from war-zones to the UK.
- 2.3.21 HMRC and the Ministry of Defence have processes for monitoring military traffic, and close cooperation and information sharing continues to develop.
- 2.3.22 MoD sanctioned firearms that are imported as 'memorabilia' from overseas operations are required to be deactivated to UK standards and centrally registered. Firearms are imported in a 'live' condition and should then be provided to a registered firearms dealer (RFD) for deactivation. Firearms possessed and imported by the MoD are exempt from the requirement for domestic certification and import and export licensing. However, this exemption does not apply to non-military issue firearms, such as locally acquired 'souvenirs', which are subject to the standard controls.

THE INTERNET

- 2.3.23 The internet also provides an accessible means for sourcing firearms. Most websites operate legally within their own countries and are willing to dispatch firearms and component parts to UK-based customers. There is evidence of firearms criminals networking online and of instructions and videos being posted that show, for example, how to convert blank firers into working prohibited firearms.

- 2.3.24 Many overseas websites advertise that they will dispatch firearms to any country, including the UK, and most post convenient disclaimers stating the onus to comply with international laws rests with the purchaser.
- 2.3.25 Most recoveries of internet-sourced firearms are of readily-convertible blank firers. Such weapons are legal in most parts of the world, are manufactured in vast quantities, and can easily be identified for sale online. The internet is also an excellent source for deactivated firearms which are widely sold without regulation and attract a premium price.
- 2.3.26 Although the scale at which this happens is not known, there is clearly potential for uncontrolled and unlicensed firearms to be imported and diverted to criminal hands.

UK BORDERS

- 2.3.27 The huge volume of traffic crossing UK borders makes comprehensive scrutinising of all movement unfeasible and UKBA controls are deployed on a risk and intelligence basis. The timely provision of accurate, up-to-date intelligence from all sources is fundamental and illustrates the need for cohesive partnership working.
- 2.3.28 Criminals have come to light attempting to circumvent UK Border controls by making, mis-declared or mis-described commercial imports in the hope that they will evade detection. Foot and vehicle passengers have attempted to exit through Green ('nothing to declare') and Blue ('intra-EU') channels, hoping they will evade detection amid a huge volume of traffic.
- 2.3.29 The free movement of intra-EU traffic in goods is enshrined in EU law. European firearms legislation is not uniform which means firearms that are prohibited in the UK circulate within the EU. In November 2007, the European Parliament voted to amend directive 477/1991, imposing stricter controls on firearms, which member states have two years to comply with.
- 2.3.30 HMRC have increased the number of seizures of illegally imported firearms. They assess that channel ports are the principal nexus points for non-postal traffic firearms entering the UK. They consider 'high risk' modes of entry to include postal traffic, roll-on roll-off ('ro-ro') services, and unaccompanied personal effects.
- 2.3.31 Previous assessments have judged the threat from air passengers smuggling firearms as minimal, although recent figures show small numbers are entering the UK this way, perhaps reflecting lax security in certain countries or the potential for officials to be bribed or coerced.

THE MOVEMENT OF FIREARMS IN THE POST

- 2.3.32 Issues with monitoring postal traffic, where the cooperation of fast parcel courier companies is necessary, helps illustrate that policing borders goes beyond government and law enforcement policy and is underpinned by developing relationships.
- 2.3.33 There are several known examples of criminals receiving firearms through the post. The Greater Manchester police operation CARBON linked 274 firearms to one crime group who travelled regularly to Germany and posted weapons to addresses in the North West.

- 2.3.34 Coventry International postal hub is a nexus point for incoming parcels from overseas and between 20,000 – 30,000 parcels transit the hub each day. Given the challenge of monitoring such a huge volume of post, it is important to work effectively with other control agencies and postal operators.

THE EASE WITH WHICH YOUNG PEOPLE CAN ACQUIRE FIREARMS

- 2.3.35 Firearms possessed and used at street-level are predominantly modified (converted and reactivated) or imitation weapons, and often are those of a poorer quality. Some of these firearms sell for as little as £50, a sum not beyond the means of many young people. Much anecdotal reporting from young people that they have access to firearms is thought to be merely bravado. Nonetheless, there are other opportunities, such as the internet, for those wishing to acquire a firearm to do so.
- 2.3.36 The availability of lethal purpose firearms to young people appears to be overestimated. A single firearm can have a severe and lasting impact, circulating over many years within and between criminal groups: firearms are known to be shared and hired. If a twenty-strong group have access to a firearm, although only one firearm is 'available,' it can appear as if there are twenty firearm-carrying individuals. In spite of this, there does appear to be a gradual upward trend in young people accessing firearms. It is likely that this is symptomatic of a general increase in the availability of firearms.
- 2.3.37 Within street-level criminal groups, younger, junior members often carry out tasks on behalf of senior members who distance themselves from dangerous or visible activities. Where young people are armed to undertake such tasks, their weapons will usually be acquired from a more senior member, as they do not have the contacts or ability to acquire their own firearms.

THE LINKS BETWEEN FIREARMS AND DRUGS MARKETS

- 2.3.38 The highly lucrative and competitive UK drug market is controlled in many respects by threatened and actual violence. In an environment of territorial disputes, those operating at street-level can view access to a firearm as a necessity.
- Although some forces have yet to be knowingly affected by drug-related firearms crime, the prevalence of drugs markets (in particular crack cocaine) brings the prospect of turf wars that can result in violence and shootings. This dispersal of the problem to less obvious areas is compounded by proactive police work displacing criminals. In the ACPO Gangs Audit 2007, eight forces not traditionally associated with significant gun crime problems report increases in their local experience of firearms crime, which is perceived to be driven by drugs dealing.
- 2.3.39 The existence of drugs markets in most cities and towns is mirrored by the incidence of gun crime away from the three forces of the Metropolitan, West Midlands and Greater Manchester police, which had 66% of all firearms offences in 2003-04 but 55% in 2006-07. There have, for example, been reported increases in firearms crime in South Yorkshire and Essex reflecting drugs markets in these regions. That said it is of a much lesser magnitude than that which prevails in the major conurbations.
- 2.3.40 Where shootings are not yet a feature, violent incidents (such as finger amputations) related to drug disputes have been identified as a precursor for firearms usage. As drugs markets are fought over, young people can become embroiled in a criminal

environment where they are recruited to support the activities of others. The successful conviction of senior gang members often results in younger members being “promoted”. They tend to be less circumspect in their behaviours which can lead to a false local perception that a new phenomenon is emerging.

2.4 ARMED CRIMINALITY AMONG YOUNG PEOPLE AND AN APPARENT ‘GANG’ CULTURE

- 2.4.1 There is a growing perception in the UK of an emergent ‘gang’ culture. Violent deaths of young people, frequently involving guns or other weapons in crimes that are not linked to financial motives, have emphasised the wider problem of serious violence within some neighbourhoods.
- 2.4.2 The London Metropolitan University and the MPS have developed definitions of the types of criminal associations that young people form, which are now being taken up by the police service, Home Office, Youth Justice Board and HM Prison service. There are three groups defined, which are paraphrased below:
- Peer Groups – these are relatively small, unorganised and transient entities that coalesce in public spaces. Delinquency and criminal activity is not integral to the identity or practice of the group, but it can occur in situational contexts with little or no engagement in serious assault.
 - Gangs – these are relatively durable, predominantly street-based groups who are recognised as a discernible entity and for whom violence is intrinsic. Crime as well as violent crime in the gang is instrumental (to achieving an outcome) as well as expressive.
 - Organised Crime Groups – these are composed to undertake criminal activity, which is intrinsic to their identity and purpose. Crime is an occupation and business venture. It is likely that this group would have mutated out of the gang who stands in subordinate relation to it.
- 2.4.3 Increasing levels of gang activity are identified by the police, by neighbourhoods and by young people themselves, who describe both allegiances to and fears of this phenomenon. Of the fifteen forces in the 2006 ACPO Gangs Audit who reported little operational pressures due to gangs one year on seven now say they have a problem.
- 2.4.4 Many sources quote chaotic ‘gang’ activity as being behind the increases in the criminal use of firearms. Forces widely claim that these groups have access to, and are willing to discharge firearms, either to further their principal criminality of drug dealing or in disputes with rival groups or individuals.
- 2.4.5 A number of the forces report that gangs are in dispute with other gangs and this has resulted in murders, firearm discharges, wounding and other assaults. Other violent criminality includes witness intimidation and kidnap.
- 2.4.6 Those involved in ‘gang’ culture do not generally limit their use of firearms to enabling criminal activities such as street robbery and drug dealing. Many groups do not operate primarily to undertake a specific criminal activity, and as such members will often carry firearms for offensive and defensive purposes and for the status that carrying a gun entails. While the illegal drug market remains the single most important theme in relation to the criminal use of firearms, ‘gang’ membership and the need to emulate successful criminals appears to be increasingly important.

- 2.4.7 A major factor behind the desire to be armed is the perception among these criminals that their rivals are similarly armed. Even quite trivial disputes can result in shootings because the presence of guns aggravates threats or perceived slights and makes pre-emptive attacks more likely: the so-called 'shoot or be shot' scenario. As much as 'bravado' is cited in assessments of guns and gangs, fear and the need to protect oneself are strong drivers for both owning a firearm as well as for group membership. Absence of security and confidence more widely in the neighbourhood for whatever reason accelerates these trends.

FORMING CRIMINAL ALLEGIANCES AND LIFESTYLE CHOICES

- 2.4.8 Within the UK, there are a number of disadvantaged and insecure neighbourhoods, primarily within urban areas, where some young people are at risk of turning to crime and disorder. There are both attracting and coercing forces that drive young people to join criminal groups and gangs. Young people can be excited by the prospect of mixing in certain circles, by the thrills, financial rewards, friendships and sense of belonging. This culture also corresponds with extremely attractive portrayals of a 'gangsta' [sic] lifestyle, widely represented in music, fashion, video games and film and eulogised by peers. Others are reluctantly drawn to gangs as a device for self protection.
- 2.4.9 The internet enhances the opportunity for promoting a 'gang' lifestyle. Research suggests that young people use social networking websites such as Facebook and video clip sites such as YouTube to network and post information and films about their activities. Posting extreme material creates a sense of kudos and helps perpetuate more extreme and violent behaviour.
- 2.4.10 A parallel alternative lifestyle and economy has become established within some neighbourhoods, seemingly offering greater rewards for less effort and less risk, particularly where young people without positive role models are lacking educational or vocational qualifications – the so called 'get rich quick or die trying' philosophy. Joining (semi) organised groups can be viewed by young people as a route to an exciting and glamorous life, and senior group members are happy to turn this desire to suit their own ends.
- 2.4.11 The relationship between older and younger group members is usually an exploitative one. Young people will be coerced to undertake certain acts or chores, often following an act of violence by means of initiation, and are threatened that leaving or reporting on the group will result in severe retribution. This exploitative relationship may also involve young people being requested to hold or carry firearms for others.
- 2.4.12 While groups of young people may often be involved in illegal activities, very few identify themselves as joining these groups for this reason. Allegiances are usually formed for social reasons ('something to do'), a sense of belonging or for the perceived protection provided. The place a young person lives (so-called post-code gangs) or goes to school can often be a more important factor than ethnicity in determining 'gang' membership.
- 2.4.13 There is much anecdotal evidence that young people in areas of social deprivation align themselves to criminal groups through fear for their own personal safety. Making such neighbourhoods visibly safer places to live in would go a long way toward addressing this problem by allowing the majority to assert their right not to live in fear.

- 2.4.14 Gangs are reported to be able to access all types of weapons with 59% reported as having access to firearms and knives and 40% with access to firearms. This varies across the country with all the most violent gangs reportedly not only having access to, but also using, firearms. The use of firearms is, however, only one aspect of gang weaponry; it is also very common that these gangs utilise knives and other weapons (eg, dangerous dogs) to enforce their activities.

THE PROLIFERATION OF GANGS

- 2.4.15 It appears that the proliferation of gangs (and our knowledge of them) is increasing. It is reported that of the gangs identified, only twenty (6%) have been in existence for five years or more. This offers an opportunity to look in to the more recently created gangs to discover what opportunities were present to intervene. It is noted that violent disputes are common place amongst the older established gangs, again emphasising the dynamics of turf wars, territorial supremacy and 'respect'. All the major conurbations have at least one example of a long standing violent gang whose motivation centres on gain, turf and "respect".
- 2.4.16 The geographic offending range for each gang varies significantly. The vast majority cause greatest impact within their own locality, however, there are a small number of gangs that are crossing force and regional boundaries. There is limited evidence available of gangs from one city having 'friendly contact' (as opposed to organised collaboration) with gangs elsewhere. This last point should not be seen as surprising given geographic mobility, extended families and friends, but this allows the potential for a gang culture to move to new locations.
- 2.4.17 From our study, it is apparent that gangs who commit crime or threaten or use violence are in some cases also Organised Crime Groups (OCGs) under the definitions adopted by the ACPO Level 2 Project. A notable difference between gangs and OCGs does appear to be based on a need for identity, and a key issue for a gang appears to be the 'badge' of the gang name; they appear to want to display their affiliation to each other and against rivals, which is not the case with other crime-motivated OCGs. This variant shares some common traits with gangs in the older USA cities where the pressure for young people to adopt this or that "colour" in some deprived neighbourhoods is unrelenting.
- 2.4.18 Any process of escalating 'gang' activity is concerning. This may occur because members of a group move into criminal activity and then resort to violence to enforce control over their enterprise. It may also occur when a group becomes successful in avoiding apprehension, which leads to a greater sense of 'invincibility' on the part of the perpetrators and a corresponding fall in security and confidence for the neighbourhoods concerned. Over time this may lead members to perceive themselves (and be perceived) as 'all powerful' and, as such, untouchable. This sense is likely to be reinforced when they believe that bystanders around them will remain silent.
- 2.4.19 Some OCGs will and do collaborate, even within force areas. However, an analysis of gang data suggests the opposite, with very little evidence of collaboration reported between gangs. The existence of more than one local gang frequently creates a threat through rivalry as they seek to protect their criminal businesses or territory. This emphasises the need for local neighbourhoods and forces to identify all gangs and their motivation in order to recognise potential future threats. Denying the presence of gangs in a neighbourhood significantly hampers effective prevention during the early stages when violence is more likely to be absent or less serious.

- 2.4.20 This last aspect, which we do not have a complete view of, does draw attention to possible gang activity amongst some of the 'new' neighbourhoods across England, Wales and Northern Ireland. Intelligence, information and convictions in a number of forces provide indications of a gang mentality amongst criminal elements within some minority ethnic neighbourhoods, including Chinese, Albanian, Turkish, Somalian, Vietnamese and Lithuanian groups. This list is by no means exhaustive but is indicative of further potential for gang-type criminal behaviour to become embedded in less obvious cities and towns.
- 2.4.21 At present, we must conclude that our understanding of 'street gang' activity across England Wales and Northern Ireland is still developing. The reasons for this are many and includes the fact that the drive on volume crime has limited the attention we can give to the harm and impact of violent groups.

EXTERNAL INFLUENCES: THE 'NORMALISATION' OF VIOLENCE AND WEAKENING OF INTERNAL CONTROLS

- 2.4.22 Questions are often asked about the relevance of violent lyrics, films and computer games within what is perceived as a burgeoning culture of violence. A correlation may exist between 'offending cycle' research into child sex offenders and the issue of the normalisation of violence. Research has identified the importance of child pornography and networking, which 'normalises' offenders' sexual feelings. This 'normalisation' is crucial as it breaks down the psychological barriers (that their fantasies may be abnormal or wrong) that prevent them from offending.
- 2.4.23 There is limited evidence that exposure to extreme and glamorised violence in the media actually drives young people to commit violent offences (although high exposure to such material is frequently cited by teenagers). However, the ever-present glamorisation of power and status in the playground, music, in computer games and on television, inevitably desensitises those that are exposed to it the most. Such media is not purely a malignant influence; young people are actively attracted to the glamour portrayed, which is reinforced through their peers and experiences of violence within their neighbourhoods. No one would argue that normalisation as described helps to strengthen the barriers that prevent young people from choosing to arm themselves and exert (lethal) force on others.
- 2.4.24 Any 'normalisation' of violence is likely to be compounded where young people have relatively easy (and occasionally lawful) access to knives, air guns and BB guns. Tackling the supply of these weapons through legislation should be matched by encouragement to surrender existing guns of these types.
- 2.4.25 While content in broadcast and print media, music and video games is vetted and processes exist for censorship, classification (restricting the age at which media can be purchased), and the posting of warnings of extreme content, young people do not seem to be prevented from acquiring such material. This will in part be down to parents and guardians who allow or do not stop children possessing such material. It may be that parents and guardians are not always aware of the content of video games and seeking to address this awareness could help prevent their allowing children to play certain games.
- 2.4.26 It is assessed that vendors' compliance with age restrictions is not universal. Many retail outlets are thought to sell restricted material to minors and compliance relating to computer game and DVD sales is not at the same level as with cigarettes and alcohol.

- 2.4.27 Some new computer consoles can be programmed to block certain games from being played (in the same way as web browsers can block selected websites from being accessed) and the development of similar technology is to be encouraged.
- 2.4.28 The recent attempts to ban the computer game Manhunt 2 because of its extreme and graphic violent content was, it appears, met with broad approval from the public and in the media, and it should not be presumed that censorship is always an undesirable course of action.

Section 3

DEVELOPING AN ACPO NATIONAL VIOLENCE STRATEGY: BEYOND GUNS AND GANGS

3.1 STRATEGIC COORDINATION

- 3.1.1 The incidence of violent deaths of young people, frequently involving guns or other weapons, has emphasised the wider problem of serious violence in our neighbourhoods. This is a broad ranging and deep rooted problem, sometimes driven by alcohol or drugs, alienation or lack of opportunity, an absence of parental or role model guidance and where the pursuit of 'respect' and meted out 'street justice' sometimes result in lethal consequences.
- 3.1.2 There are many responses already in place to this complex problem: from the implementation of neighbourhood policing; concerted work on the criminal use of firearms; the ACPO Strategy for Children and Young People; Safer Schools; knife campaigns; auditing of delinquent peer groups, gangs and OCGs to better understand the problem.
- 3.1.3 However, these programmes and other initiatives such as the Prolific and Other Priority Offender Programme, Tackling Violent Crime Programme, Alcohol Misuse Enforcement Campaigns, Tackling Gangs Action Programme, Domestic Violence Enforcement Campaigns and the Street Crime Initiative, do not yet amount to a coherent strategy for the prevention of violence, especially serious violence. A firm consensus among chief officers has emerged around the need for an overarching violence strategy. The current infrastructure to coordinate effort across agencies to prevent and reduce serious violence is considered in need of development.
- 3.1.4 This move beyond guns and gangs, to a broader National Violence Strategy aimed at preventing serious violence by protecting vulnerable people, tackling dangerous offenders and managing risky places.
- 3.1.5 The wide-scale adoption of a National Violence Strategy would then mandate each local area to design and implement a complementary strategy based on its own violence profile, with due regard to the drivers of violence, including alcohol and drugs.
- 3.1.6 The implementation of such strategies will require a governance structure that embraces local, regional and national coordination by accountable individuals.
- 3.1.7 ACPO would welcome further consideration of the establishment of a Violence Reduction Unit, based on the Scottish experience, consisting of a small team of practitioners from across agencies to provide the impetus for change and advice on implementation. This is worthy of contemplation when discussing any longer term remit beyond that of the established task force. Substantial cultural and operational change will be required to put in place the 'missing elements' and ensure effective working across agencies.

DEVELOPING A NATIONAL VIOLENCE STRATEGY

- 3.1.8 Going back to May 2006, the ACPO Crime Business Area (CBA) considered a number of submissions on the issue of violence predicated on the fact that serious violence has not reduced at the same rate as less serious violence and ongoing high levels of public concern. It was apparent that there are a number of commendable initiatives taking place involving the police service and which engage a number of partners. The Street Crime Initiative, the Tackling Violent Crime Programme, the Domestic Violence Enforcement Campaigns, and the Alcohol Misuse Enforcement Campaigns are some recent examples. The Prolific and Other Priority Offender Programme has tended to target 'volume' crime and offenders, rather than those posing higher risk of harm but lower incidence of committed offences.
- 3.1.9 In addition, it was apparent from homicide reviews over a period of years and from research into domestic violence, that a significant proportion of serious violent crime – and homicides - had the potential to be prevented through better risk assessment and risk management processes. Further, it was apparent that there was insufficient coordination of effort – including within government and the caring and law enforcement agencies – to address the root causes of serious violence.
- 3.1.10 ACPO CBA then commissioned the establishment of a violence strategy lead within ACPO to determine the current state of policy development and its coherence, conduct a gap analysis and identify the strategic and tactical requirement. This work would also enable ACPO to better inform and advise government.
- 3.1.11 In parallel, analysis was undertaken of the array of initiatives to establish whether collectively they amounted to a clear, strategic intent on behalf of government and relevant agencies to provide an holistic response to violence. The conclusion was drawn that a number of strategic facets were absent. Furthermore, these were essential to the delivery of a framework for the prevention of violence – particularly serious violence and homicide.
- 3.1.12 Cognisance was also taken of the requirement within the new PSA to reduce serious violence.
- 3.1.13 The essential 'missing' factor was the overall coordination of effort already described and elaborated in the six points below.
1. **Targets and Resources** – the performance regime supporting the PSA must address the requirement of reducing serious violence. Relevant performance targets should help define the priorities and resource allocation of public authorities for the prevention and detection of serious violent crime, with greater emphasis on, and 'reward' for, prevention rather than detection.
 2. **Public Confidence** – any violence strategy must seek to address and improve public confidence to enable individuals and neighbourhoods to thrive; to uphold confidence in the effectiveness of the police and other agencies and to improve the satisfaction of victims with their experiences of the CJS. There should be an explicit strategic requirement to improve public confidence in respect of:
 - The capability, capacity and willingness of government and agencies to prevent and detect serious violence.
 - The mitigation of the effect of 'signal' serious violent crime events on public confidence.

- Improving the quality of service provided to victims and witnesses, particularly of serious violence, through reforms in criminal justice in order to further manage vulnerability and the fear and effect of intimidation.

3. **Risk Management** – the ability to identify, assess and manage ‘risky people’, ‘at risk people’ and ‘risky places’ are essential to an effective strategy. An appropriate risk management regime, which is dynamic, flexible and available to identify local risks and to intervene prior to criminal justice engagement (managing a risk to prevent a crime, rather than managing the offender after the crime) is required. Local risk management panels should be active in preventing crime and preventing the escalation of harm, eg, preventing a delinquent peer group from becoming a violent gang.
4. **Information Sharing** – risk management can only be effective if multi-agency intelligence and information is used appropriately to inform the risk management process. The absence of an effective information sharing regime amongst public authorities undermines current effectiveness. Information and intelligence about risky people needs to be leveraged to maximum potential to inform risk management decisions.
5. **Tactics** – ensuring that evaluated, good practice tactics (based on ACPO National Intelligence Model principles) on preventing and managing violence are readily available to those who need them, when and where they need them.
6. **The ‘moral threshold’** – this means agreeing, establishing and mobilising the collective will in individuals, families, neighbourhoods (including socially responsible business) and society to repudiate unlawful violence. It was apparent from analysis of existing initiatives that the perceptions of moral decline, social values, respect for institutions and public officials were not being addressed. The essential elements of the moral framework had been eroded and many social commentators had reported on the decline in respect, sense of neighbourhood and values amongst many citizens. In the crime prevention context this translated to an inadequate regime of protective factors in place for individuals, families, neighbourhoods, business and society – a dearth of standards other than the criminal law.

3.1.14 A number of themes emerged from the portfolio analyses and presentations over the course of this work. The themes – largely viewed from a policing perspective - were collated and placed in priority order by chief officers. They were:

Coordination (ACPO, Partners, Government)

3.1.15 This was consistently a key issue for portfolio leads. The absence of coordination amongst all stakeholders was felt to be having a direct effect on the ability of the police service and government to bring about lasting change. A key aspect of coordination is the development of a clear vision, mission and strategy which requires the engagement of all agencies and concerned neighbourhoods.

Identifying and Managing Risk

3.1.16 In order to identify and manage risk it must first be understood. The absence of doctrine, codes, guidance or advice on ‘risk’ inhibits the ability of the police service to manage violence. The absence of doctrine is also considered a risk for agencies other than the police.

Sharing Information

3.1.17 Intrinsicly linked to coordination and risk management is information sharing. Without this, policy, strategy, tactics and partnership activity are incomplete and ineffective. The

law places no obligation on partners to share information about violence albeit the law is permissive.

Data Collection

- 3.1.18 Data collection refers to the 'practical' side of information sharing. While information sharing is based on agreement between stakeholders to divulge information, data collected needs to be relevant and in a format that can be readily used and analysed to inform decision-making about violence. Many examples were cited during presentations of the inadequacy of relevant data.

Risky People Groups and Places

- 3.1.19 Intrinsically linked to the identification and management of risk and data collection is how the information is presented. The ability to analyse data to establish which individuals are involved in violence, as victims and as perpetrators, the prioritisation of those individuals / groups and the identification of the locations where violence occurs is key to the understanding, targeting and reduction of the problem.

Compliance with Standards

- 3.1.20 The success of a violence strategy must be based firmly in the expectation of compliance with evaluated good practice. Compliance agencies, eg, HMIC, must play a key role in the oversight of violence strategies at national and force level. Non-compliance to standards provides 'loopholes' in service provision which can have significant consequences on performance and public confidence.

Disseminating Good Practice

- 3.1.21 It is clear that there is a wealth of good practice for tackling violence. However, a clearly defined and rigorous process for the evaluation, recording and dissemination of good practice needs to be established to maximise the benefits across all portfolio areas. Such practice needs to be readily available to strategists and tacticians at all levels and at a time and in a format which is conducive to users' needs.

Witness Protection

- 3.1.22 The care and protection of victims and witnesses was identified as an important issue across all the violence portfolios; particularly in maintaining the safety and confidence of victims and witnesses involved in protracted legal proceedings. The consequences of inadequacies in this area were frequently commented on by chief officers.

Performance Measures

- 3.1.23 The definition of what constitutes a violent crime and the accuracy of crime recording have implications for all agencies – especially with regard to focusing resources. Prevention activity should count for more in any performance regime and should be the primary measure for serious violence as opposed to detection based outcomes which are arguably now overly influential in CJS activity.

National and International Links

- 3.1.24 The potential for violent offenders to operate at national and international levels has increased significantly. Advances in technology and readily available transport networks require that strategies to deal with such individuals must be sophisticated enough to understand and overcome geographical factors. The absence of a specific and developed national / international violence focus must be addressed. Within this, the sensitivities of new neighbourhoods and cohesion must be considered.

- 3.1.25 ACPO has also identified the benefit of developing a clear national vision and mission and statement of strategic intent in respect of prevention and reduction of serious violence to inform priorities and target setting.

‘Preventing serious violence by protecting vulnerable people, tackling dangerous offenders and managing risky places.’

The essential criteria which ACPO feels must be addressed are the need for effective, coherent local and national coordination, with clear accountabilities.

3.2 ACPO ACTIVITY IN RESPECT OF THE STRATEGIC GAPS

STRAND 1 – TARGETS AND RESOURCES

- 3.2.1 The requirement in the new PSA for serious violence reduction is to be welcomed. However, it poses some challenges to the service and partners. Serious violence offences amount to only 5% of all reported violent crime. A change of emphasis and resource shift into this less visible area of high risk could potentially affect the resourcing of other strategic programmes, for example, neighbourhood policing. A second significant challenge is the absence of relevant targets associated with the reduction. While such an approach is to be welcomed, it does leave the service and partners wrestling with how best to achieve reductions in the timescale set in a sensible and proportionate way.
- 3.2.2 To address these challenges discussion has taken place in ACPO in the context of the following principles:
- Preventing and tackling serious violence are issues of high importance for the service having regard to the effect on individuals, neighbourhoods, public confidence and the costs to the public purse.
 - Chief constables / commissioners should have the clearest picture available to them of the risks of serious harm and fear of violence faced by their populations in order to inform professional judgements about performance requirement and resource allocation.
 - Those areas with the greatest problem – measured in some consistent way – would be given more and expected to ‘do more’.
 - So far as possible, the police service identifies and articulates a performance regime that is practical, simple and efficacious to operate.
 - Perverse incentives are to be discovered and avoided.

STRAND 2 – PUBLIC CONFIDENCE

- 3.2.4 As stated earlier, the requirement here is threefold:
- To demonstrate the capability, capacity and willingness of government and agencies to prevent and detect serious violence.
 - To remove or mitigate the effect of 'signal' serious violent crime events on public confidence.
 - To improve the quality of service provided to victims and witnesses particularly of serious violent crime, through reform in criminal justice in order to further manage vulnerability and the fear and effects of intimidation.
- 3.2.5 Given the requirement in the new PSA on victim satisfaction, ACPO CBA (with the ACPO Criminal Justice Business Area) has already engaged this element. In July 2007, dialogue commenced with the Ministry of Justice about the concept of Victim Advisory Panels. The proposal is that these groups would support LCJBs by providing the means to seek and receive feedback on the CJS 'experience' and enable LCJBs to consult on proposals.
- 3.2.6 These panels would also enable CJ agencies to better understand how to support reluctant witnesses and potentially to act as mentors in appropriate cases locally. During recent consultations within ACPO on how to improve public confidence in this area a number of other areas for criminal justice policy reform have emerged and are worthy of further consideration:
- The introduction of funded training for all service providers to identify and deal with risks of intimidation and violence.
 - The ability to agree the provision of special measures at the earliest opportunity to secure witness testimony and swifter justice.
 - An improvement in multi-agency working to protect people within their own neighbourhood, supported by an ability to secure convictions, if necessary through use of adverse inferences in cases of intimidation.
 - Robust interventions for those causing the most harm in order to reduce their influence on their peers and demonstrate the ability of the CJS to deal with their offending, combined with a more robust approach in the youth court with greater support for those who do come forward as witnesses
 - Steps are taken to better understand and mitigate the national effect of 'signal' serious violent crimes on public confidence.
 - Steps are taken to improve the quality of service provided to victims and witnesses particularly of serious violence through reforms in criminal justice with a particular emphasis on vulnerability and intimidation.

STRAND 3 – RISK MANAGEMENT

- 3.2.7 There is reason to suppose that risk management processes (which deal with people at risk of harm and those who pose a risk [as individuals or groups] and places where

risks arise) are not wholly engrained within public protection agencies, including the police service. Much effort and emphasis has properly been directed at 'high-risk' offenders within and exiting the CJS. Considerable emphasis has also been placed on improving risk management for some victim cohorts e.g. domestic abuse and child victims. Less emphasis has been directed at the risk management process to support those people identified as being at risk through the combined effects of deprivation, exclusion and exposure to a 'toxic' culture or lifestyle.

- 3.2.8 It does not appear that all agencies feel obliged or empowered to identify and act in respect of those at such risk. Even where they do identify such people, no clear and accountable mechanism or process appears to operate at neighbourhood level to facilitate this. Caring professionals must feel obliged to act and must feel empowered to help provide the 'moral compass' within neighbourhoods. However, they must be supported in the face of opposition and operate in a clear and properly resourced framework.
- 3.2.9 The concept of a MAPPA process for those at risk as well as those individuals and groups posing risk is considered essential to any coordinated violence strategy.
- 3.2.10 In March 2007, ACPO Cabinet agreed to propose a commission to the NPIA to develop violence risk management doctrine and products for the police service which it is anticipated may be available in stages commencing in late 2008.
- 3.2.11 Debate is necessary on the efficacy of a joint risk management academy for all agencies where research, lessons learned and good practice inform individual and joint agency doctrine.

STRAND 4 – INFORMATION SHARING

- 3.2.12 An essential precursor to effective risk management is a regime in which relevant information can be readily identified and shared within and between agencies to inform their risk management decisions. The primary pieces of legislation relating to information sharing in this context are the Data Protection Act, the Human Rights Act, the Crime and Disorder Act and the common law duty of confidentiality.
- 3.2.13 It is readily accepted that the existing legal framework could generally permit agencies to share more information about risk than they do at present. However, it is clear that there are a significant number of inhibitors which prevent this happening. These include a risk averse culture which is concerned about being sued for inappropriate disclosure, lack of awareness of what the law will permit, and the absence of effective partnership relationships. Noting these barriers, it is still the case that the law is only permissive, eg, agencies may share information and there is no sliding scale of obligation according to the risk of harm. Agencies may share information about theft of a motor vehicle; agencies should, and indeed must, share information about a potential murderer or murder victim or violent gang. In the absence of such an obligation it can be said that the present arrangements continue to prove inadequate to support violence reduction effort.
- 3.2.14 Since July 2006, a joint ACPO CBA and Home Office Working Group has been considering this difficult issue. A high level model has been designed and has been discussed with key stakeholders. However, it has not been possible to secure the support of certain key agencies, notably Health and CDRPs through DCLG. It is understood that Ministers are concerned about the level of reluctance expressed by some stakeholders. ACPO CBA has undertaken a substantial engagement exercise

with those who have reservations and our strategy is one of developing a 'coalition of the willing'.

- 3.2.15 The objections raised by partners relate to confidentiality and the volume of extra work. ACPO CBA is of the view that these concerns can be addressed.
- 3.2.16 It remains the case that unless information sharing is improved and that there is a mechanism in which it can confidently and legally be transacted, risk management to underpin violent strategy will simply not be effective. It is the view of ACPO CBA that the law needs to be clarified, strengthened, and, if necessary, changed to make this an obligation on public authorities rather than merely being permissive.

STRAND 5 – TACTICAL OPTIONS

- 3.2.17 There is an abundance of good practice available within the police service and partners on 'what works' based on the experience of tacticians and strategists over many years. Some of it is evaluated and some not. It has yet to be collated, assessed and made available in a coherent format to support the development of a violence strategy.
- 3.2.18 ACPO CBA and Home Office have provided funding for an appropriately skilled person on a temporary contract to undertake such a collation and review exercise. However, this is from a policing perspective and, as argued, multi-agency engagement is key.
- 3.2.19 ACPO CBA contends that given the scale of the challenge and change required, together with the cultural hurdles to be overcome, consideration should be given to establishing a multi-agency team of practitioners to coordinate the development of violence strategy along the lines of the Violent Crime Unit in Scotland.

STRAND 6 – MORAL THRESHOLD

- 3.2.20 This is a very difficult strand to develop into tangible activity. As has been outlined earlier, the 'problem' is the absence for some individuals and groups of a moral framework which values empathy and non-violent resolution of the problems they encounter in their lives and rejects violence as a means of securing the things they value.
- 3.2.21 Many speak of the decline in respect for institutions and with it the moral authority of traditional figureheads such as parents, teachers, police officers, local and national politicians and faith leaders. At the same time, oversight arrangements intended to secure greater public confidence in agencies of the State have inculcated a risk-averse culture amongst some public officials which constrains their sense of duty and discretion to exercise their professional judgement to 'do the right thing' to protect the public. Perversely, therefore, arguably the outcome is that public confidence in the effectiveness of key agencies has actually been undermined rather than strengthened. This situation must be addressed, given the central role of public officials – personally and collectively – in delivering and maintaining safe and thriving neighbourhoods.
- 3.2.22 Many also describe how securing and maintaining so-called respect is a feature of the lives of a number of people in the 'at risk' groups to which this report refers. Indeed, such is the significance of 'respect' for some at risk people, that they can even consider it more valuable than life itself. Clearly, alternative perspectives of respect and ways of seeking and securing it must be articulated and pursued within any strategy.

- 3.2.23 The goal must be to secure a society in which unlawful violence is repudiated at every stage in a person's life by all responsible citizens with whom individuals come in contact. This is an ever more challenging social and political imperative for the State and one in which the police service must play its full and proper part as the primary agency of law and order.
- 3.2.24 What ACPO seeks to do is stimulate the debate which identifies the moral and social standards to which all citizens will aspire to and make personal and collective efforts to achieve. In the absence of such standards and which are formally and informally enforced, it is clear that certain individuals and groups will adopt their own moral code, which has a criminal and violent element, and which can be deeply damaging to the safety, confidence and cohesion of people around them.
- 3.2.25 In order to get a 'toe hold' on this undertaking, our efforts have been directed during 2007 at generating political and public debate on the issue of violent video games and so-called 'happy slapping' where violent assaults are filmed and published on internet sites. This early foray has seen some limited success in terms of generating debate but a great deal more has to be done to maintain the momentum and stimulate leaders at all levels to repudiate violence and mobilise their neighbourhoods to resist violence and violent images in their midst.
- 3.2.26 A leading academic in the area of violence in the media, Professor Kevin Browne, is assisting ACPO CBA to take forward certain proposals about the corrosive effects of violent media on 'high risk' groups.

Section 4

RESPONDING TO GUN CRIME AND GANGS

4.1 INTRODUCTION

- 4.1.1 Forces widely report that the continued development of integrated neighbourhood policing is fundamental to tackling youth crime and any emergent gang culture. It can be a challenge to give people the confidence to report firearms crimes to the police, and even more so to give names of perpetrators and give evidence in court. This issue goes well beyond that of 'witness protection/engagement' and includes all types of neighbourhood engagement and neighbourhood policing. Building confidence is a multi-faceted day-to-day activity, developed over a sustained period of time but is essential to engage the trust and help of neighbourhoods.
- 4.1.2 Further measures to enhance public confidence in witness protection, such as the early provision of special measures or granting of public interest immunity will empower people to feel able to provide testimony without fear of reprisals.
- 4.1.3 Much work has taken place since 2005 toward improving cross-agency architecture and coordinating a response to firearms crime. Consolidation of law enforcement architecture through the provision of long-term funding will support and enhance our ability to be successful in responding to firearms crime.

4.2 LAW ENFORCEMENT ARCHITECTURE

- 4.2.1 The primary role of the ACPO Criminal Use of Firearms (CUF) Group is to reduce the threats and harm caused by firearms crime together with reducing the fear of crime through prompting, facilitating and coordinating the development and implementation of an effective national multi-agency partnership strategy on firearms crime.
- 4.2.2 CUF has aligned its activity to the National Intelligence Requirement promulgated by SOCA, and all ACPO CUF intelligence activities now feed into this prioritised, measured requirement, ensuring knowledge is developed in an agreed, structured way.
- 4.2.3 The ACPO CUF group is supported by an expert practitioners' group, a National Independent Advisory Group (IAG) and a secretariat that coordinates activity and oversees the programme management of delivery plans. The National IAG provides independent advice from non-police persons on tackling firearms crime within the UK, and monitors or observes ACPO CUF activity, providing advice and feedback through regular and ad hoc meetings.
- 4.2.4 SOCA has a Programme of Activity in relation to firearms that brings together key representatives from a variety of agencies and coordinates activity that tackles the serious, organised-end of firearms crime. The ACPO CUF lead is also the Senior Responsible Officer for the SOCA Firearms Programme, helping ensure activity led between ACPO CUF and SOCA is shared and joined-up.

- 4.2.5 A firearms tracing desk has been established at the National Firearms Intelligence Cell that provides an international conduit for enquiries regarding the origin of recovered weapons. Firearms tracing can track a weapon from its last known legitimate manufacturer or owner to help identify its origin and, potentially, its point of diversion from the legal to illegal market.
- 4.2.6 A multi-agency National Firearms Intelligence Cell (NFIC) was established in December 2006 and operates within the ACPO CUF architecture, supporting the intelligence needs of ACPO CUF, SOCA and other key partners. The role of NFIC is to coordinate intelligence and increase understanding of firearms-related crime and the key criminals involved in order to support activity to reduce the harm caused. .
- 4.2.7 The ACPO National Ballistics Intelligence Programme (ACPO NaBIP) will deliver a forensic intelligence service in September 2008 that will be free at the point of service for all participants, enabling 100% submission of items as opposed to the current estimated 40% rate. The service, which will link ballistic items to intelligence, will enable tactical comparisons to be made, identifying links between crimes, and will provide a far more complete strategic picture of firearms crime.
- 4.2.8 ACPO National Firearms Licensing Management System (NFLMS) was established in 2007, giving forces and agencies access to ACPO National Information on firearms license holders, including the weapons they keep and details of where a license has been revoked or refused.
- 4.2.9 HMRC currently notify seizure information (such as the address of consignees of intercepted firearms shipments) to the MPS, who then forward this to the relevant force for action. NFIC will be taking over this service during 2008.
- 4.2.10 The varying strategies and processes for managing a response to firearms crime and related issues concerning young people cross many areas of government and police business as well as involving, for example, the voluntary sector, neighbourhoods and schools. All agencies and organisations involved must take responsibility for sharing firearms intelligence.

FIREARMS LEGISLATION

- 4.2.11 Firearms legislation was consolidated in the Firearms Act 1968. Although this remains the principal law today, additional legislation has been introduced in piecemeal fashion at regular intervals in the years since 1968, either in response to emerging threats, or tragic mass killings such as those that took place at Hungerford and Dunblane.
- 4.2.12 The volume of firearms legislation since 1968 is considerable and not always easy to decipher – for example, even experts have difficulties in arbitrating which weapons are ‘readily convertible’ under 1982 legislation. Firearms law is also contained within non-firearms legislation, such as the Criminal Justice and the Anti-Social Behaviour Acts of 2003. While acknowledging the size of such a project, there seems to be a strong argument for consolidating all the existing firearms legislation into one all encompassing Act, in the same way that the 1968 Act was introduced as a measure designed to consolidate previous legislation.

4.3 ADDRESSING THE SUPPLY OF GUNS

- 4.3.1 There is a market for firearms at all levels of criminality and as described in Section 2, a large number of illegally held firearms are already in circulation within the UK, which tend to have a long lifespan and are passed within and between criminal groups. Criminals also seek to circumvent UK border controls, smuggling firearms amid a huge volume of traffic.
- 4.3.2 It is not easy to form a comprehensive picture of the sources of illegal weapons, especially where they are not recovered. Forces do not regularly seek to identify the 'upstream' origin of a firearm as part of a criminal investigation as doing so may not be regarded as having benefit beyond the needs of the immediate investigation.

INTERNAL SUPPLY

- 4.3.3 Converted and reactivated firearms form the largest threat and comprise 43% of all lethal barrelled firearms submitted to the Forensic Science service (FSS) since April 2003. The majority of these weapons were legally held prior to successive tightening of UK legislation, although deactivated firearms are exempt from the controls on realistic imitation firearms under the Violent Crime Reduction Act 2006.
- 4.3.4 While stringent deactivation standards were set in 1995, many pre-1995 deactivations can be easily reactivated. These weapons attract a premium price and form a large volume of modern, efficient firearms that are freely sold without restriction within the UK.
- 4.3.5 Under 2003 legislation, owners of convertible blank firing guns with self-contained gas cartridges were compelled to surrender them or apply for a firearms certificate before May 2004. Prior to the new legislation, between 50,000 and 70,000 of these weapons were sold in the UK, yet as of July 2004 only 8,300 had been certified or surrendered. There is recent evidence of these weapons being recovered from criminal use.
- 4.3.6 RFDs do not appear to be diverting weapons into criminal hands on a large scale. There have, however, been some high profile instances of RFDs, often operating in an area of legal ambiguity, supplying significant quantities of weapons that end up in criminal use.
- 4.3.7 There is much movement of stock between RFDs, and stock purchased speculatively often sits for many years in storage. HMRC and the police service are currently addressing this issue. Long-term stockpiling can be vulnerable to diversion, theft or other loss, particularly where large volumes are held pre-packed in crates.

EXTERNAL SUPPLY

- 4.3.8 The UK is not subject to large-scale importation of firearms from overseas. The huge volume of traffic crossing UK borders makes comprehensive scrutiny of all movement unfeasible and BIA / HMRC controls are deployed based on intelligence. The timely provision of accurate, up-to-date intelligence from all sources is fundamental and illustrates the need for cohesive partnership working.

- 4.3.9 BIA / HMRC recoveries of illegal firearms indicate that channel ports are the principal nexus points for non-postal traffic. The 'high risk' modes of entry are currently assessed to be postal traffic, roll-on roll-off ('ro-ro') services, military personnel returning from operational theatres and unaccompanied personal effects.
- 4.3.10 Firearms are known to be smuggled via the postal system. The volume of traffic through Coventry International Hub (20,000-30,000 parcels per day) plus the 20,000+ parcels shipped by fast parcel couriers make detection of weaponry very difficult. Resources to monitor the post are limited and there are no profiling indicators currently being used.
- 4.3.11 A small number of British Armed Forces bring military issue and locally acquired firearms back from overseas operations to the UK and there are instances of these weapons being recovered from criminal use. However, it is anecdotally reported that checks of returning personnel and equipment do not routinely take place. Furthermore, procedures for 'live' weapons to be brought back by military personnel to be deactivated by Registered Firearms Dealers (RFDs) can be vulnerable to the diversion of weapons to the illegal market.
- 4.3.12 The USA, Belgium, Germany and Lithuania feature as prominent source countries for weapons among BIA / HMRC recoveries, reflecting their proximity to the UK and the scale of local weapons manufacture in these countries. The Balkans, Afghanistan and Iraq are also prominent source countries for firearms, indicating the availability of weapons in zones of current or recent military conflict.

HOW THIS APPLIES TO GANGS AND YOUNG PEOPLE

- 4.3.13 Firearms possessed and used at street-level are predominantly converted and reactivated or imitation weapons, and often those of a poorer quality. Some of these firearms sell for as little as £50. However, most young people lack the contacts to acquire a firearm even where they have the desire or finances to do so.
- 4.3.14 The availability of firearms to young people appears to be overestimated and is concentrated in areas with higher levels of gang activity. Tackling the availability of weapons such as defence sprays is essential, although this presents different issues to addressing the supply of 'lethal' firearms.
- 4.3.15 Young people seeking to establish themselves within a gang or criminal group are often exploited by senior members who coerce them into undertaking violent acts on their behalf. Where such acts involve firearms it is likely that weapons have been provided on a temporary basis by a senior member of the group. In some cases, young people will also be asked to look after a firearm on behalf of someone else, which they do to gain approval or because they are coerced.
- 4.3.16 The internet provides easy access to a plethora of merchant and auction websites selling firearms and ammunition that are illegal in the UK and is an easy starting point for young people who lack criminal contacts. Many online companies are willing to dispatch weaponry to UK-based customers without any checks and almost all websites are operating lawfully in their own country.
- 4.3.17 The internet is also a source of information and advice on how to convert or reactivate firearms, and some social networking sites contain instructional videos demonstrating these processes.

WHAT MORE COULD BE DONE

- 4.3.18 The illegal supply of firearms crime is an area where law enforcement impacts. However, there are challenges presented by inconsistent national and international legislation and standards, and law enforcement could be more effective if supported by unified policy internationally and across UK government departments.
- 4.3.19 Higher strategic priority and increased resource should be provided for BIA / HMRC to tackle the illegal movement of firearms across UK borders. This would also enhance monitoring legitimate firearms movements. Nonetheless, policing borders goes beyond government and law enforcement policy and strategy and is underpinned by developing effective commercial relationships.
- 4.3.20 Including firearms crime as a Joint Intelligence Committee priority would enable a wider contribution to tackling the supply of firearms to be made by intelligence and security agencies.
- 4.3.21 Processes should be developed and/ or enforced to ensure that military personnel and equipment returning from overseas operations are subject to expert scrutiny as a matter of routine.
- 4.3.22 Cooperation between BIA / HMRC and the Ministry of Defence is developing to control the importation of weapons from overseas operations. Comprehensive, stringent post-importation checks on non-military issue weapons to ensure their authorisation and continued accountability should be undertaken as a matter of routine.
- 4.3.23 Tackling the supply of firearms over the internet should be included within government, law enforcement and future ACPO National Ballistics Intelligence service and ACPO National Firearms Intelligence Cell strategy.
- 4.3.24 The consolidation of the ACPO National Ballistics Intelligence service with the National Firearms Intelligence Cell will ensure a longer-term, intelligence-led response to firearms crime. It is also recommended that this joint service is extended to include Scotland and Northern Ireland.
- 4.3.25 Deactivated firearms should be classified as imitation weapons as defined by section 38 of the Violent Crime Reduction Act or ownership should be prohibited without a firearms certificate.
- 4.3.26 The enhancement of neighbourhood engagement can help further improve the flow of intelligence from within neighbourhoods. It can be a challenge to give people the confidence to report firearms crimes to the police, and even more so to give names of perpetrators and give evidence in court. This issue includes all types of neighbourhood engagement and neighbourhood policing. Building confidence is a multi-faceted day-to-day activity, developed over a sustained period of time but is essential to engage the trust and help of neighbourhoods.
- 4.3.27 Increasing pressure on illicit sources of supply is an important strategic goal. Resources and sanctions must continue to reflect this imperative.
- 4.3.28 With the above considerations in mind, the key concerns to address are:

- Improved controls and intelligence sharing regarding the trafficking of firearms into the UK.
- The legal anomaly concerning deactivated firearms.
- Consolidating and expanding the remit of the National Ballistics Intelligence service and National Firearms Intelligence Cell.
- Encouraging and enabling investigators to seek to identify the 'upstream' origin of a firearm as part of a criminal investigation. Making use of the recently enhanced firearms tracing capability currently managed at SOCA will help achieve this end.

4.4 PREVENTING YOUNG PEOPLE FROM WANTING TO USE OR CARRY GUNS

THE CURRENT PICTURE

- 4.4.1 As described elsewhere, there is a growing perception in the UK of an emergent 'gang' culture. The violent deaths of young people, frequently involving guns or other weapons, in crimes that are not linked to financial motives, have emphasised the wider problem of serious violence within neighbourhoods.
- 4.4.2 Some young people living in disadvantaged neighbourhoods are more vulnerable to becoming subsumed within a gang culture, particularly where they don't have positive role models and are lacking educational or vocational qualifications.
- 4.4.3 The desire among some young people to join a gang and carry a firearm is driven by a number of factors. Carrying a firearm is thought to bring kudos and respect – it is entrenched in attractive portrayals of a 'gangsta' lifestyle, glamorised in internet forums, computer games, music, fashion and film and eulogised by peers.
- 4.4.4 Where a person lives or goes to school can often be a more important factor than ethnicity in determining gang membership. Allegiances are usually formed for social reasons ('something to do') a sense of belonging or, in many cases, for the perceived protection provided. Young people frequently report fear for their own safety as a motive for joining a gang or carrying a weapon.
- 4.4.5 The availability of lethal firearms to young people appears to be overestimated. However, a single firearm can have a severe and lasting impact, circulating over many years within and between criminal groups.
- 4.4.6 The use of firearms by young people is frequently as a result of 'tasking' from senior gang members that will usually be related to drug dealing activities, debt recovery or acts of strength or revenge. Young people carry out these tasks either because they are coerced or wish to establish themselves within the group.
- 4.4.7 Controls on the sale of certain media, such as age-restricted computer games, are not judged to be widely enforced. Many parents and guardians also appear to allow

children access to violent media, perhaps as they do not fully appreciate its content or because it is cheap and convenient 'babysitting'.

WHAT MORE COULD BE DONE

- 4.4.8 Any intervention with young people must begin early. As the WAVE Trust Report 2005 outlined, the propensity to violence primarily results from poor treatment before age 3. The following points are taken from that Report to stress the importance of this issue.
- 4.4.9 Empathy is the single greatest inhibitor of the development of propensity to violence. Empathy fails to develop when parents or prime carers fail to attune with their infants. Absence of such parental bonding combined with harsh discipline is a recipe for violent, antisocial offspring.
- 4.4.10 Violence is more often exhibited within neighbourhoods affected by social factors such as unemployment, poor housing, overcrowding, economic inequality, declining moral values and stress. Alcohol is a significant contributing factor to violent behaviour. Since these factors reflect long term cultural trends that are difficult to reverse, investment in reducing the number of people with a propensity to violence is a strategic imperative.
- 4.4.11 In highlighting these findings from the WAVE trust it is apparent that any response to our current situation must involve shifts in social and educational policy if it is to have any long term impact. This is further reinforced by the work on 'Roots of Empathy', which is an evidence-based classroom programme that has shown dramatic effect in reducing levels of aggression and violence among school children while raising social / emotional competence and increasing empathy.
- 4.4.12 In addition, there are lessons in the recent REACH Report on role model support required, in particular, by young black males.
- 4.4.13 Chief officers who have experience of policing gun crime issues stress the importance of involving children's services, social services and housing in the review of local circumstances, and to identify those most at risk of offending.
- 4.4.14 Education, with input from policing, but led by education professionals, can help to highlight to young people the perils of engagement in knife and gun crime. Young people must understand the consequences of becoming involved in violence in a 'hard hitting' way. The use of ex-offenders and positive role models in this process may be beneficial, as it must be shown that there are more attractive alternatives than getting involved in gangs. Such interventions must be properly evaluated.
- 4.4.15 As suggested by Sir Ian Blair, in his letter to you of 7th September 2007, changes could also be centred on the new Youth Crime Strategy, to bring and hold to account other government departments with responsibilities in this area. Clarifying priorities and accountability is a recurrent theme of this report.
- 4.4.16 In addition to intervention, guidelines governing violent content within different media should be reviewed and the sale of age-restricted media to minors must be actively scrutinized, with strict penalties for offences. In this regard, manufacturers and distributors must be brought to the negotiating table. Businesses must understand, or be made to understand, their social responsibility in repudiating violence.

- 4.4.17 It is important that the ban on imitation firearms and restrictions on air guns and BB guns under the Violent Crime Reduction Act is effective. Its impact should be monitored so that provisions and controls can be adapted as necessary. Some chief officers have suggested that BB guns should also be subject to a complete ban.
- 4.4.18 It is clear that there is a role for enforcement. Avoiding detection only serves to strengthen the resolve of young offenders. Stop and search is one of our most effective tactics in detecting weapons and we welcome proposals to reduce the bureaucracy with this important aspect of policing.
- 4.4.19 Increasing the use of search arches at key transport locations and social venues is worthy of exploration. Increased use of 'search wands', which are less invasive for young people, may help to maintain good relationships between police officers and young people, as well as with other public officials including teachers.
- 4.4.20 Similarly, enforcement activity that disrupts local drug markets, and effective licensing controls both have a part to play. A 'risky locations' approach also requires the support of other agencies, whether this is responsible town-centre planning, or the availability of drug/alcohol treatment for young people. Public misuse of alcohol by young people is a recurring issue. The ready availability of ever cheaper alcohol to young people impacts severely on neighbourhoods, undermining confidence. The negative costs of this "business" are effectively exported to the CJS and Health sectors. It seems that those engaged in alcohol product development will stop at nothing to increase the appeal of hard liquor to young people. Such product development and marketing to children on the part of major businesses in the UK is grossly irresponsible and government needs to contest it more strongly.
- 4.4.21 Mediation and neighbourhood advocate schemes should be expanded, and youth/gang-related firearms offenders included within Prolific and Other Priority Offender Programme and Multi-Agency Public Protection Arrangements strategies (or a new sub-MAPPA forum).
- 4.4.22 From a criminal justice perspective, some chief officers would welcome wider debate on developing aggravating offences for gang membership, and extending the statutory minimum sentence for possession of firearms to 10 years (for offenders aged 18 years and over).
- 4.4.23 It would be easy for law enforcement and other activities to be misinterpreted, particularly among some sections of our neighbourhoods. Tackling criminal gangs must be seen to be fair and even-handed.
- 4.4.24 There must be direct and sustained communication with young people providing a simple, uniform message: 'violence must stop'. Leaders at all levels and opinion formers need a clear script and mandate to mobilize those in their sphere of influence around the above message. We must look to government to develop this aspect of the moral threshold.

4.5 IMPROVING WITNESS ENGAGEMENT

- 4.5.1 It can be challenging to give people the confidence to report firearms crimes to the police, and even more so to give names of perpetrators and give evidence in court. This issue goes beyond that of 'witness protection / engagement' and includes all

types of neighbourhood engagement and neighbourhood policing. Building confidence is not straightforward, but should be an integral part of all policing as it is essential to engage the trust and help of neighbourhoods.

- 4.5.2 The national roll-out of Witness Care Units since 2004 has been instrumental in improving the support given to witnesses. These units provide a single point of contact from the initiation of charges through to case conclusion, and conduct a needs assessment for any witness called to Court. It would fair to say, however, that these units were designed to deal with 'routine' cases.
- 4.5.3 'Special measures' were introduced under the Youth Justice and Criminal Evidence Act 1999, although they are only recently being actively used to their full extent in gang related cases. We suggest that police, prosecutors and the Courts remain on something of a learning curve.
- 4.5.4 In 2006, the Central Witness Bureau (CWB) was established by OCJR, with financial support from the Home Office, CPS and Ministry of Justice. Though still in its infancy, it is driving improvement in witness protection services, as well as supporting operational activity through direct assistance to forces and practitioner working groups. Part of the Bureau, the National Witness Mobility service, has handled over sixty gun crime cases in the last year.
- 4.5.5 To develop good practice, a number of local projects are in progress. For example, the Breckfield Project 'Making WAVES: Witness and Victim Encouragement and Support', sponsored by OCJR, is due to report in 2008 on improvements to tactics at neighbourhood level. Feedback will comment on training requirements for first responders, so that they are able to properly identify and risk assess cases of intimidation.
- 4.5.6 On the broader point of risk assessment, police are working with NPIA on a proposed commission for violence risk management, to improve decision making of officers and embed good practice.
- 4.5.7 It is still too early to judge the impact of the legislation introduced under the Serious and Organised Crime and police Act 2005 in relation to witness protection. This Act sets out the duties of protection providers, obligations on other public authorities to provide assistance and creates offences of wrongful disclosure of arrangements.
- 4.5.8 Practical measures for protecting witnesses have long been established, and specific witness protection units or collaborative arrangements are in place between many forces. There are some pockets of good practice, for example, in the East Midlands region Home Office funding has been made available for the creation of a joint regional Protected Persons Unit as a demonstrator site. While there are specific witness protection units in some forces and collaborative arrangements between others, there remains inconsistency in standards of service, which the CWB is trying to address. We are not yet convinced that a comprehensive strategy, and thus service, is routinely available to all witnesses in need of specialist support.

HOW THIS APPLIES TO GANGS AND YOUNG PEOPLE

- 4.5.9 A 'no fear' (of the criminal justice system) culture has developed amongst some young people who have no desire to co-operate with the CJS. There have been occasions when rival gangs have attended court in the knowledge that certain

defendants are appearing. This indicates that the court is regarded as a place where intimidating behaviour will be tolerated, yet such behaviour is distressing for witnesses. Police officers were once routinely based within courts but have now been withdrawn and replaced by a range of cheaper private security providers. It is fair to say that these providers do not always command respect.

- 4.5.10 Engaging young gang members who may be victims or witnesses can be very difficult, as there is evidence from some chief officers of a 'no grass' policy amongst gangs. This is a powerful constraint on potential witnesses.
- 4.5.11 For some observers in the neighbourhood, the CJS is not seen to effectively deal with the most dangerous young offenders, and so the consequence of giving evidence - potential reprisals from offenders at liberty or unrestrained by the CJS - is a potent disincentive to would be witnesses.
- 4.5.12 The focus, especially where bail is concerned, is too often on the offender's 'interests' rather than on achieving harm reduction. There are examples of young people who continue to offend despite involvement in diversionary schemes. Often this is because although they are involved they are not engaged. They participate as a condition of a particular order or sentence, but they have no interest and the 'pull' of their lifestyle and peers is greater.
- 4.5.13 Even when a witness is engaged, formal witness protection is sometimes a less desirable option where those involved are juveniles, or very young adults with extended families. These factors make the process very complex to manage and maintain.
- 4.5.14 The CWB is addressing the difficult issues related to young people entering witness protection, as part of the practitioner working groups, and through the development of guidance. The magnitude of the task has not been underestimated.

WHAT MORE COULD BE DONE

- 4.5.15 Developing public engagement with the police and criminal justice system is rooted in building and maintaining the confidence of neighbourhoods. Witness engagement should not be viewed in isolation, and issues relating to witnesses must be developed in the context of wider confidence building.
- 4.5.16 Effective mechanisms to ensure witness protection are expensive, resource intensive and require skilled and dedicated staff from across a range of agencies. The level of commitment required lends itself to brigading resources across boundaries in order to provide the necessary resilience and consistency of service. It follows that more regional or virtual collaboration between forces, and across the relevant agencies, may achieve these goals. The 'protective services' review of policing has done much to focus attention on specialist support. It is arguable whether the same can be said of other agencies' contribution to enhancing protective services.
- 4.5.17 A number of chief officers, particularly those with regular experience of witness protection, indicated that an increase in resources is now required. Clearly, the introduction of any regional / collaborative arrangements will take time to implement and in the interim the ability of local forces to meet these challenges will be tested.

- 4.5.18 One force suggested a national witness protection and care programme, with a degree of independence from the CJS. In any event, stronger interdepartmental working by all public agencies would be welcomed to assist in the delivery of an efficient and effective witness protection scheme. In particular, chief officers have reported that the issue of payment of benefits by DWP to protected witnesses 'in transition' needs to be resolved as a matter of urgency.
- 4.5.19 There are advantages to making decisions regarding special measures at the earliest opportunity so as to engage and secure witness involvement, rather than waiting for a case to commence. With due regard to upholding the rights of defendants, the ability to provide witnesses with solid assurances over anonymity early in an investigation is important but, in practice, is not currently available to investigating officers. This issue represents the first – and, regrettably, sometimes the last – test of the bond of trust between witness and investigator.
- It is important that the basic measures available to support witnesses are applied from first contact, through to case conclusion, in order to encourage the engagement of witnesses with the CJS.
- 4.5.20 The 'presumption of special measures' in gang related cases is worthy of wider consultation. Giving choices to young witnesses as to how they give their evidence, making the best use of technology, would be a further improvement.
- 4.5.21 There are occasions when victims and witnesses feel intimidated while at court, with defendants and their associates in close proximity, prior to them giving evidence. The provision of separate entrance and waiting rooms for young victims and witnesses at youth courts would help to alleviate their fears and make the court experience safer for them. Facilities at youth courts to support the provision of special measures for witnesses are variable; the full range of options needs to be available at all youth courts. We have already referred to court security which ought to be reviewed.
- 4.5.22 A practitioner group reporting to ACPO has suggested an extension of PII allowing earlier decisions to be taken on the editing of statements to avoid witnesses being identified by the nature of their evidence, when special measures alone offer insufficient protection.
- 4.5.23 The group also suggest extending the application of 'adverse inferences' to allow a jury to be directed to draw an inference if the defendant has been shown to have intimidated, or attempted to intimidate, a witness. More radically, attaching the balance of probabilities test to this proposal would further deter those engaged in witness intimidation.
- 4.5.24 The issue of compelling witnesses, through legal obligation, to give evidence in serious crime cases involving gang-on-gang violence, while difficult, demands further exploration.
- 4.5.25 The use of specialist prosecutors and enlisting neighbourhood support through 'cocoon' watches go towards a package of measures to improve witness engagement proposed by the group. ACPO would support wider consultation on the points raised.
- 4.5.26 It is important that the basic provisions available such as 'special measures' and Witness Care Units, are reinforced through publicity, perhaps through the promotion of successful prosecutions that have, for example, used pseudonym witnesses.

- 4.5.27 Some neighbourhood opinion formers have reported that bailing people whom they believe to be guilty of serious crime, from either the police station or the Court, has a profound effect on their confidence. In such cases there must rest a higher obligation on the courts to conduct a neighbourhood impact assessment, and better communication of the reasons for the decisions taken, if bail is granted. Neighbourhoods are often shocked to see a gang suspect back in their midst having been bailed against the advice of police officers.
- 4.5.28 Some chief officers see the need to 'fast-track' gang related cases, through better case management, in order to speed up the process for vulnerable and intimidated witnesses. Better case management should include judges or magistrates of sufficient seniority and robustness who, as far as possible, should be involved with the case throughout.
- 4.5.29 In addition, proactive tracking and attendance at court hearings by case managers has been highly effective in respect of PPOs, particularly in relation to informing the courts and prosecutors of up to date antecedents and patterns of offending on bail. As a result, courts have been properly informed and been able to make effective decisions about key offenders.
- 4.5.30 Chief officers suggested a review of the witness charter, as well as dedicated witness liaison officers, working within witness care units, specially trained for gang related offences. As identified earlier, all service providers within the CJS need to be trained to identify and deal decisively with intimidation.
- 4.5.31 It is necessary to provide for the safety of potential witnesses, empowering them to give testimony. The police need not only to be able to reassure people that their safety is secured, but also that law enforcement is able to effect tough enforcement action where it is needed.
- 4.5.32 If it is known that a violent offender has intimidated or attempted to intimidate a witness, it is currently not possible for a jury to be made aware of this.
- 4.5.33 To address intimidation and standards of behaviour, particularly in youth courts, the MPS deploys two PCSOs to each of six identified priority Youth Courts to provide reassurance on a daily basis. These PCSOs will shortly be posted on a permanent basis to the Courts to provide reassurance and ensure effective information sharing between agencies. This is not what we intended for PCSOs and reinforces an earlier point. Sadly our courts are no longer universally recognised as a haven for the law abiding, this needs to be urgently addressed by the MoJ.
- 4.5.34 There has been public debate on making gang membership a criminal offence. ACPO is not yet persuaded that this is a necessary course of action at this time though clearer sentencing guidelines – aggravated levels - would be welcomed. Notwithstanding the difficulties of definition, and risk of alienating a wider body of young people, the burden of managing such a measure would fall disproportionately on the police. Gang membership as an offence per se would not address the more deep rooted social problems that require concerted effort across agencies. In addition we have concerns over the potential for a 'badge of honour' cementing a gang's identity.
- 4.5.35 In summary, the effectiveness of these measures must be judged against the scenario of a lone, or intimidated, witness who is a member of a vulnerable family, living on an estate where there is a 'no grass' intimidatory culture. ACPO is not

convinced that the current package of measures is sufficiently resourced, routine and available through multi-agency activity to deal effectively with this situation.

- 4.5.36 The creative use of intrusive surveillance techniques and ‘assisting offenders’ can, however, be used to offset some of these vulnerabilities. The ethos of a lateral law enforcement approach, as used effectively against the Mafia in the United States and Italy, is to attack from within their ‘world’, rather than solely relying on easily intimidated witnesses. This doctrine has greater relevance for gangs motivated by gain.
- 4.5.37 Lawfully audacious and creative applications of available techniques will undoubtedly be of benefit, where resources are available and risk assessment approaches are sufficiently mature. With this in mind, there are therefore a number of issues for further consideration.

4.6 ENHANCING LINKS - STRENGTHENING NEIGHBOURHOOD SECURITY AND CONFIDENCE

- 4.6.1 Neighbourhood policing provides a framework to identify local concerns and take action together with partners and neighbourhoods. Effective implementation requires a sophisticated framework of organisational and tactical activity, including:
- Thorough, representative and effective engagement with a range of mainstream and diverse neighbourhoods.
 - Identification and analysis of information and intelligence from varied sources including neighbourhoods and partners.
 - Use of the ACPO National Intelligence Model to develop and prioritise actions; set strategic and local priorities.
 - Robust collaborative problem solving activities.
 - Timely and effective feedback to neighbourhoods.
- 4.6.2 Dealing with youth disorder and violence (as perpetrators and victims) represents a large percentage of the work undertaken by neighbourhood policing teams. Many successes are reported and a number of forces are implementing creative solutions to engage with young people and reflect their concerns in local policing priorities. Such initiatives include restorative justice at the neighbourhood level, Youth Advisor Groups and expansion of the Safer Schools Partnership schemes.
- 4.6.3 Neighbourhood policing should be viewed as the centre-piece for tackling gangs, around which other specialist services and support should be coordinated. Supplanting current mechanisms with additional structures for delivery would not help and may even hinder.

HOW THIS APPLIES TO GANGS AND YOUNG PEOPLE

- 4.6.4 As outlined above, neighbourhood policing is actively engaged in work with young people. For example, The Neighbourhood Policing Youth Toolkit is being developed and ensures that young people at risk, or posing a risk, can be:
- Locally identified.
 - Risk-assessed.

- Made the subject of a multi-agency action plan to reduce the risk of their involvement in criminality.

4.6.5 However, there is a need to develop a strategic approach to tackling gang related offending from the neighbourhood level upwards. We must continue to learn lessons from good practice in forces, for example Trident in the MPS and Xcalibre in GMP.

4.6.6 Neighbourhood engagement is far wider than a police issue and the coordination of partners in conjunction with neighbourhood leaders is critical. Joint ownership of problems and local accountability helps neighbourhoods participate in the policing of their neighbourhoods and have a say in the health and quality of life within the neighbourhood. A joint problem-solving approach will also go some way to addressing conflicting messages that may exist within neighbourhoods as a result of adverse and alarmist media coverage.

4.6.7 HMIC assessment indicates that significant progress is being made in neighbourhood policing. However, this approach has been primarily focussed on dealing with young people in response to anti-social behaviour and youth disorder generally, not specifically as a consequence of 'gang' membership. Where 'gang' issues are tackled, for example through mediation techniques and neighbourhood advocates, there have been sustained successes in conflict identification and resolution.

4.6.8 By managing violent young offenders in the same way as Prolific and Other Priority Offender Programme, with a joint risk management panel under a prevent, deter, catch and convict framework, further progress can be made.

WHAT MORE COULD BE DONE

4.6.9 As outlined, neighbourhood policing has thus far been focused on dealing with young people as part of the response to anti social behaviour and youth disorder generally, not as a consequence of gang membership (unless local intelligence has identified this specifically). It is clear that this approach now needs to be broadened to address gang driven issues, although many examples exist of positive interventions by neighbourhood policing teams in street-gang affected areas.

4.6.10 Chief officers' responses centre on the effective implementation of neighbourhood policing, ensuring that emphasis is placed on improving ways to engage with young people, exploiting neighbourhood intelligence, and understanding threat and risk at a neighbourhood level.

4.6.11 Specific guidance to neighbourhood teams on how to identify, assesses and intervene against delinquent peer groups to prevent escalation into gang criminality needs further development. Specifically, how to gather and analyse neighbourhood intelligence relating to gang structures and membership. Again, we are struck by the 'continuum of harm' concept and the need to develop our knowledge on how such a continuum operates.

4.6.12 A form of MAPPA level risk forum is necessary. Identifying and targeting individuals at risk requires a broader and more considered approach. Such a forum is a receptacle for specific concerns about specific people and negates the need for perceived coercive, saturation tactics by police which serve to alienate rather than inspire, confidence in policing. We are not convinced that the law and culture of information sharing are currently poised to make this approach a reality.

- 4.6.13 In this regard, there are links with developing thinking around combating extremism. In a report commissioned by ACPO (TAM), there are two key areas of CT prevent work which overlap with gang phenomena. A structured systematic approach to neighbourhood engagement is necessary. Crucially, this must be of sufficient quality to be able to identify changes from the norm. 'Ingredients' for gang membership are similar to those for extremism. Clearly, the ideology is different, but the following may apply to both scenarios:
- Creeping disaffection amongst some young people
 - Seeking a sense of identity and purpose
 - Associating with a group that overrides previous social norms
 - Triggered by an event for joining, or seeking to join.
- 4.6.14 With this in mind further training appears necessary for public officials working in neighbourhoods, on how to identify and assess the 'signals' of risk. Understanding youth sub cultures and the dynamics of gang membership is an important first step.
- 4.6.15 The importance of local context must be stressed because, as we have commented, the guns and gangs phenomenon is not homogeneous; it presents differently in different areas. It is worth repeating that the recent intelligence audit across England Wales and Northern Ireland has shown that a continuum exists: from those groups which engage in low-level crime and disorder which are by-products of group association, through groups for whom violence (armed or otherwise) and crime is a distinguishing feature of the group, to organised crime groups for whom serious crime and the use of violence are innate in their purpose. As such, approaches must be based on joint local problem solving.
- 4.6.16 Elsewhere, studies showed that young people group together to ensure their safety in a hostile environment. Situations such as this will require approaches based primarily on prevention and diversion as well as enforcement. Expansion of Safer Schools Partnerships, extended opening hours for schools and other places of safety for young people are needed.
- 4.6.17 Greater use of restorative and neighbourhood justice approaches, such as reparation may help to reduce fear of crime. Also, it may demystify the sometimes misleading media view of gangs and group offending, by building relationships between different age groups in an area. Fundamentally, this will require better alignment and connectivity to the criminal justice system, so that these types of interventions are formally monitored and 'credited' as an offence brought to justice.
- 4.6.18 In scenarios where engagement is difficult or there is a need to de-escalate conflict, the use of neighbourhood advocates, and particularly mediation, has been found to be beneficial. Mediation is an underdeveloped skill in police officers, which either needs to be improved through enhanced Skills for Justice, or sourced from elsewhere. In addition it must be readily available, for example during the custody process. Consideration should be given as to what changes may be necessary to the police and Criminal Evidence Act to incorporate a harm reduction ethos.
- 4.6.19 There are emerging examples of good practice involving the use of internet technology to allow young people to report concerns anonymously and seek advice. Often these local, neighbourhood driven initiatives, need long-term financial support.

- 4.6.20 We have accepted that there are gaps in our knowledge and that we should continue to seek lessons from other jurisdictions. Similarly, effective practice in dealing with youth disorder is available in the UK, but there needs to be more investment in its evaluation and dissemination.
- 4.6.21 There is a consistent view from chief officers that any activity must be coordinated nationally, regionally and locally with other agencies. This includes shared performance indicators for 'neighbourhood health', which should be reflected in the development of APACS. To that extent we agree with Sir Ronnie Flanagan's interim issue for further consideration regarding a fundamental review of the Annual Data Requirement on the police service.
- 4.6.22 Underpinning performance alignment must be information and intelligence sharing between partners, in 'real time'. This will enable a rapid and robust joint response to any emerging patterns of gang violence. Related to this, an extension of the use of VISOR technology (Violence and Sex Offenders Register) to gang related violent offenders is worthy of consideration.
- 4.6.23 Without a shared public-service vision, and shared duty to protect the public, it is believed that the effectiveness of police interventions will be short lived. By managing violent gangs in the same way as prolific offenders – with a joint risk management panel perhaps at a sub-MAPPA level under prevent, deter, catch and convict – progress can be made.
- 4.6.24 In some areas the engagement of the BIA into this risk management panel is needed, because of the demographics of some groups and their immigration status.
- 4.6.25 As with witness engagement, credible communications to provide accurate information on the scale of the problem at a local level is important to allow neighbourhoods to make informed decisions on the level of risk they face. Positive news stories and strong public leadership repudiating violence are also considered important, as we have outlined.
- 4.6.26 These changes will not be possible without the co-ordinating role of local authorities, and pivotal to this is the local leadership of Chief Executives and their political leaders. It is the consistent view of chief officers that in any place where successes have been achieved, the personal support and engagement of the Chief Executive has been to the fore.
- 4.6.27 In summary, there are four key aspects to improving neighbourhood confidence:
- A continued commitment to the neighbourhood policing approach, as an established framework through which additional specialist services can be directed.
 - Equipping front line staff and partners in those areas where gang violence is an issue, or emerging issue, in understanding gang culture, dynamics and membership. This training should be underpinned by effective identification, evaluation and dissemination of guidance on tactics that work, particularly mediation.
 - Concentration on shared, real-time intelligence processes that enable police and partners to identify risky locations people who pose a risk, and those at risk.

- Escalating the leadership role of Chief Executives is vital. They are regarded as key leaders in co-ordinating the necessary changes on neighbourhood cohesion and resource allocation within local areas.

UNDERSTANDING THE PROBLEM – FROM A NEIGHBOURHOOD AND CRIMINAL JUSTICE PERSPECTIVE

- 4.6.28 It is apparent that existing Witness Care Units are constructed to deal with routine cases and are not generally well equipped to manage difficult cases of intimidation. This weakness is visible to those accessing our services. Similarly, the lack of consistency, and robustness of approach, by all service providers in properly identifying and managing cases of intimidation are concerns raised by chief officers.
- 4.6.29 The lack of precision in providing assurances about ‘special measures’ to witnesses early in the criminal justice process, inhibits the successful prosecution of serious violence and provides fertile territory for corrosive intimidation.
- 4.6.30 The high level of resources and specialism required to properly equip formal witness protection schemes to operate at consistent standards is a challenge for the service. It is not desirable that this responsibility should rest solely with the police.
- 4.6.31 Improving joint agency approaches to protecting people within their own neighbourhood is essential to ensuring neighbourhood confidence in ‘the system’. Sentencing and bail policy that properly consider neighbourhood impact, in the same way victim impact is presented today, are measures that would add transparency and are likely to enhance confidence.
- 4.6.32 It is vital that there are robust interventions for those young offenders causing the most harm to reduce their influence on their peers and demonstrate the ability of the CJS to deal with their offending. This must be combined with a robust approach in youth courts and accompanied by greater support for those who do come forward as witnesses.
- 4.6.33 Neighbourhoods are beginning to appreciate the benefits brought by neighbourhood policing teams and any approach to tackle gun and gang violence must build on this arrangement. To be successful, neighbourhood policing teams will require the very direct support from agencies at a local level and ready access to specialist services that are able to deal with more serious threats.
- 4.6.34 New guidance, properly evaluated, must be made available to enable neighbourhoods to join together with the police and other agencies in taking a stance that clearly signals that ‘the violence will stop’. Furthermore, we must not allow these positive signals to be overwhelmed by irresponsible business activity in the promotion of violent media and cheap alcohol.
- 4.6.35 However, any approaches as outlined are unlikely to have a lasting effect unless there are meaningful longer term plans to deal with the problems of poor education and life skills, deprivation, lack of family and role model support, and employment opportunities.

- 4.6.36 Any response must be directed across government departments and signal, at an early stage, a shift in social, education and criminal justice policy. This must be followed through by local leadership and within this the role of Chief Executives and Local and Education Authorities are pivotal, as described.
- 4.6.37 If these longer terms plans are put in place, we will be better able to reach beyond the immediate issue of young people, guns and gangs, and begin to address the wider problem of serious violence in our neighbourhoods.

Appendix A

LETTER FROM THE HOME SECRETARY



HOME SECRETARY
2 Marsham Street, London SW1P 4DF
www.homeoffice.gov.uk

Mr Ken Jones QPM
President of the Association of Chief Police Officers
1st Floor
10 Victoria Street
London
SW1H 0NN

24 AUG 2007

Dear Ken

GUN CRIME AND GANGS

I am writing further to work already underway between the Home Office and the police on tackling gun crime and gangs, and following the tragic murder of Rhys Jones, to ask for some police advice about how we can best take forward our work in this vital area.

I know that Keith Bristow is already leading the programme of work on the gun control strategy, and I am grateful to him and colleagues for the progress they have made.

However, I feel there is still more we could do. In particular, I would be grateful if you could work with your chief officer colleagues to provide me with an assessment of the scale and nature of the problem of gun crime – and in particular that involving gangs and young people – across England and Wales. This will help inform the further development of our cross-Government activity in this area.

BUILDING A SAFE, JUST AND TOLERANT SOCIETY

NOT PROTECTIVELY MARKED

I know that gun crime in this country is very rare. But because of its particularly devastating consequences, we do need to make sure that we target our resources appropriately in tackling it, especially where young people are involved. The work we announced earlier this week on focusing our efforts on those localities with the greatest challenges will help with this. But I think there is more we could do to gain a clearer picture of the situation, and I would appreciate your help with this.

Secondly, I would be grateful for proposals from the police service for what more we, yourselves, and the full range of statutory and non-statutory agencies others could be doing to tackle gun crime and gangs issues. In particular, I would appreciate suggestions around:

- (i) what more we could do to address the supply of guns;
- (ii) further work we could take forward with young people to stop them wanting to use guns or carrying them in the first place;
- (iii) how we can improve witness engagement;
- (iv) more widely, how we can enhance links between the police and communities, in order to strengthen community confidence in this area; and
- (v) any other issues you feel are relevant.

I would be very grateful for your response to this within one month. I have copied this letter to Keith Bristow.


Jacqui Smith

Appendix B

BIBLIOGRAPHY

ACPO Violence Seminar Report, December 2006.

Finn, P and Murphy Healy, K. (1996) *Preventing Gang and Drug-Related Witness Intimidation*. Washington D.C., USA: National Institute of Justice.

Flanagan, Sir R. (2007) *The Review of Policing: Interim Report*.

Fyfe, N and Sheptycki, J (2005) Facilitating witness co-operation in organised crime cases: an international review. Home Office On-line Report 27/05. London: Home Office.

Youth Justice Board for England Wales and Northern Ireland (YJB) (2007) *Groups, Gangs and Weapons*. London: YJB.

Hales, G. and Muir, E. (2007) *Operationalising the definition of gang*. SCD7. London: MPS

Hallsworth, S. et al. Beyond the Gang: Reinterpreting Violent Street Crime. A discussion document. Draft unpublished. London Metropolitan University.

Hallsworth, S. and Young, T (2007) *On gangs and guns: A critique and a warning*. London: London Metropolitan University.

Hallsworth, S, and Young, T (2005) *Urban Collectives: Gangs and Other Groups*. A report prepared for the Metropolitan Police Service and Government Office for London. London: London Metropolitan University.

Hallsworth, S. and Young, T. (2004) *Confronting the European Gang*. A report for the European Commission AGIS Programme. European Commission.

Innes, M. et al (2004) *Signal Crimes and Reassurance Policing*. Volumes 1 and 2. Guildford: University of Surrey.

Innes, M. (2007) Hearts & minds, eyes & ears: Reducing radicalisation risk through reassurance orientated policing. Unpublished report for ACPO (TAM). University of Surrey.

Kennedy, D.M. (2007) Making Neighbourhoods Safer: Youth violence and gang interventions that work. Prepared testimony before The House Judiciary Subcommittee on Crime, Terrorism and Homeland Security, 15th February 2007.

Marshall, B., Webb, B. and Tilley, N. (2005) *Rationalisation of current research on guns, gangs and other weapons: Phase 1*. London: Jill Dando Institute of Crime Science, University College London.

Metropolitan Police Service (2007) Pan London Gang Profile. Update, July 2007. London: MPS.

National Firearms Intelligence Cell (2007) Assessment: The Scale and Nature of Firearms Crime in England and Wales and its prevalence among Young People. Unpublished report for ACPO (Crime).

REACH: An independent report to government on raising the aspirations and attainment of Black boys and young Black men, August 2007.

Seaman, P. et al (2006) *Parenting and children's resilience in disadvantaged neighbourhoods*. Joseph Rowntree Foundation.

Tarling, R. et al (2000) Victim and witness intimidation: Findings from the BCS, Home Office RDS Occasional Report.

Tuffin, R., Morris, J. and Poole, A. (2006) *An evaluation of the impact of the ACPO National Reassurance Policing Programme*. Home Office Research Study 296. London: Home Office.

WAVE Report (2005) *Violence and what to do about it*. Wave Trust.