

CONFIDENTIAL

# 10 DOWNING STREET

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FILE TITLE:

FAMILY POLICY

SERIES

HOME AFFAIRS.

PART:

11

PART BEGINS:

24 JANUARY 2000

PART ENDS:

10 MARCH 2000

CAB ONE:

LABOUR ADMINISTRATION

Part closed

PREM49/1403

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**PART**  
**CLOSED**

|                    |               |
|--------------------|---------------|
| <b>DATE CLOSED</b> | 10 MARCH 2000 |
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Series : HOME AFFAIRS

File Title : Family Policy

Part : 11

| Date       | From              | To      | Subject   | Class | Secret |
|------------|-------------------|---------|---|-------|--------|
| 24/01/2000 | SS/DoH            | LP      | 10 minute rule bill: Tuesday 25 January 2000                        | U     | 0      |
| 31/01/2000 | HS                | MS/DoH  | 10 Minute Rule Bill: Tuesday 25 January 2000                        | U     | 0      |
| 01/02/2000 | FCS               | SS/MOD  | UN Optional Protocol on Children in Armed conflict                  | R     | 0      |
| 07/02/2000 | WO                | SS/WO   | North Wales child abuse tribunal inquiry                            | C     | 0      |
| 09/02/2000 | HA/PS             | WO      | North wales child abuse tribunal of inquiry                         | C     | 0      |
| 10/02/2000 | MS/DETR           | DPM     | North Wales Child abuse tribunal of inquiry                         | R     | 0      |
| 11/02/2000 | ms/cabinet office | DPM     | North wales child abuse tribunal                                    | C     | 0      |
| 11/02/2000 | WO                | HA/PS   | North Wales Child Abuse Tribunal of Inquiry                         | U     | 0      |
| 11/02/2000 | HS                | SS/WO   | North wales child abuse tribunal                                    | C     | 0      |
| 12/02/2000 | SS/DoH            | SS/WO   | North Wales Child Abuse Tribunal of Inquiry                         | U     | 0      |
| 14/02/2000 | LC                | SS/WO   | North Wales Child Abuse Tribunal of Inquiry                         | U     | 0      |
| 14/02/2000 | SS/SO             | SS/WO   | North Wales Child Abuse Tribunal of Inquiry                         | U     | 0      |
| 15/02/2000 | DPM               | SS/WO   | North Wales Child Abuse Tribunal of Inquiry                         | U     | 0      |
| 16/02/2000 | PU                | PM      | Adoption  | C     | 0      |
| 18/02/2000 | H/PRESS           | PM      | Moving forward on adoption  | R     | 0      |
| 22/02/2000 | SS/DfEE           | PM      | Parental leave  | U     | 0      |
| 23/02/2000 | SS/WO             | LP      | Care standards Bill : Children's commissioner for wales             | U     | 0      |
| 24/02/2000 | MS/DETR           | SS/DfEE | Local Government Bill : Amendment on Local Authority charging for   | U     | 0      |
| 03/03/2000 | SS/DfEE           | CST     | Cross Cutting Review of Sure Start and Services for the Under Fives | U     | 0      |
| 03/03/2000 | CDL               | DPM     | Children (Leaving Care) Bill: Care Leavers Aged 18-21               | U     | 0      |
| 03/03/2000 | SS/DfEE           | PUS/DSS | Childcare   | U     | 0      |
| 06/03/2000 | PU                | Cab Off | Sure Start Review   | U     | 0      |
| 07/03/2000 | SS/DSS            | DPM     | Children (Leaving Care) Bill: Care Leavers Aged 18-21               | U     | 0      |
| 07/03/2000 | LP                | MS/DoH  | Children (leaving care) Bill: Care leavers aged 18 - 21             | U     | 0      |
| 08/03/2000 | PUS/NIO           | HS      | Working Families Tax Credit   | U     | 0      |
| 09/03/2000 | DSS               | SS/DfEE | Childcare   | C     | 0      |
| 09/03/2000 | HA/PS             | DoH     | Adoption  | U     | 0      |
| 10/03/2000 | MS/HO             | DPM     | Listen Up - A dialogue between Government and Young People          | U     | 0      |



Top: HATPS  
cc PU  
Press  
SCU

(f)

Home Office

The Rt Hon John Prescott MP  
Department of the Environment,  
Transport and the Regions  
Eland House  
Bressenden Place  
London  
SW1E 5DU

10<sup>th</sup> March 2000

Dear John

**LISTEN UP - A DIALOGUE BETWEEN GOVERNMENT AND YOUNG PEOPLE**

This letter seeks clearance for the publication of a report on the 'Listen Up' dialogue between Government and Young People on 6 April 2000. Responses are sought by Friday 18 March 2000.

We are pleased to enclose the joint Home Office and Women's Unit report *Listen Up - a dialogue between Government and Young People*. Colleagues may be aware of the consultation exercise with young people which we have led over the past year. We have worked with voluntary organisations to consult over 500 young men and women from all over the country and from a variety of backgrounds. This report sets out how we consulted young people, what their views were and how Government is responding to their concerns.

This consultation was new in that it consulted young men and young women separately for the first time on developing Government policy. The consultation succeeded in making the young people feel valued and increasing their self-esteem.

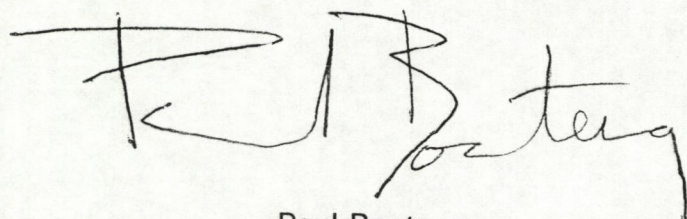
The key messages to come out of the report are:

- The central role of the family, the difference in the parenting attitudes toward, and needs of, young men and young women. The need for Government to do more in supporting parents.
- Young people are crying out for more and better preparation at school for the challenges they will face as young adults; better PSHE, better sex education, better advice on subject choice and careers, less stereotyped and more targeted exposure to the work place.
- Girls and boys are vulnerable to different risks and in different ways. They face different sources of health issues, for example, reveal different patterns of stress behaviour and different ways of coping with stress.
- There are issues for both sexes about feeling compelled to conform to outside image pressures, be they driven by the media or by the peer group.

The text of the report has been cleared at official level. We have approved the text in detail. We are not, therefore, asking for detailed textual comments at this stage, but rather seeking your agreement that the report should be published and launched on 6 April 2000.

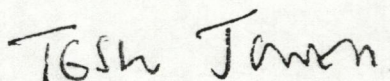
If you do have any comments we would therefore be grateful if you could respond by 5.00 pm on **Friday 18 March 2000**. We do apologise for the short deadline, which is necessary if we are to be in a position publish the report in early April.

Copies of this letter go to the Prime Minister, HS colleagues, Sir Richard Wilson, Geoff Mulgan (No 10) and Moira Wallace.



Paul Boateng  
Minister of State  
Home Office

Chair, Ministerial  
Group on Teenage Boys



Tessa Jowell  
Minister of State  
Department for Education and  
Employment

Minister for Women

**Listen Up**

March 2000

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## Foreword by Ministers

The teenage years are a time of adventure, exploration and expansion into adult life through learning, achievement and new experiences. There is much to celebrate as we see the young at the cutting edge of new developments in technology, music and culture. But this can also be a time of uncertainty and pressures. Young people need support to fulfil their potential.

In Government we are taking a long hard look at how our policies impact on young people's lives. At the heart of this strategy is consultation. Today's young people are at the cusp of major changes in population and family structures. Tomorrow's adult population will be more diverse socially, economically and ethnically than today's. We cannot devise and implement effective policies without hearing what young people have to say. This report makes young people's voices heard. What they have told us will affect policy across the board.

We talked to young women and men separately and found that they progress through the teenage years in different ways. They have different experiences of education; they enter the labour market with different expectations; and they have different views of their own future.

We heard much about young people's major concerns, their family, school and how it prepares them for adult life, vulnerability and the risks they face, and how peer pressure and media image affects them. In *Our Response* we set out what the Government is doing to tackle these issues. We must enable our young people to live in supportive families, to do as well as they can at school, to reach their full potential both at work and outside it and we must do all we can to protect them from risk.

We thank all those who took part in the consultation. Without their help we would not be able to make a difference.

## Introduction

This report is based on a major consultation with young people that took place between June and November 1999. It is divided into three parts.

**The Dialogue** explains how this consultation was different. Across Government we need to find out and understand what young people think. We need to be more innovative and inclusive in our approaches to consultation. In this section we outline one model. In particular we wanted to see whether and to what extent young men and young women have different views and different needs.

**The Message** section summarises the issues which young people raised. We identify where the issues for girls and boys are different and where they are the same. Our evidence from the consultation is supported by a wider review of current research conducted for us by the Trust for the Study of Adolescence. Many of the areas of concern will be familiar to all those who work with young people. The added value in this consultation is that it embraced all young people, not just the socially excluded, that it introduced gender analysis and secured the direct involvement of hundreds of young people.

**Our Response** outlines some of the key policies that the Government has recently put in place and others that are being planned. Listening is not enough. Talking is not enough. Young people in particular get weary of words. What, they ask, is going to happen? And when? A range of initiatives right across government is being put into action, while others are in preparation. Some of the problems are not easily solved. Others require long-term social change. But the Government is committed to creating more and better opportunities for today's teenagers and young people to improve their lives and the lives of those close to them.



## The Dialogue

*Listen Up* is a Government initiative designed to encourage and facilitate constructive dialogue between Government and young people. The principles behind *Listen Up* respond directly to the recommendations of the Policy Action Team (PAT) on young people, set up by the Government's Social Exclusion Unit in September 1998. The PAT 12 report, published in March 1999, reviews current services and policies for young people, makes radical proposals for change in the delivery, funding and organisation of those services and stresses the need for consultation. Specifically it recommends that consultation should be an ongoing process, should involve dialogue, should ensure representation of ethnic minority and socially excluded groups and be sensitive to the differences between young men and young women.

To facilitate the wide programme of consultations for *Listen Up*, the Government worked with the National Youth Agency (NYA) and YouthNet, a young people's internet company. YouthNet's *The Site* ([www.thesite.org](http://www.thesite.org)) is a free online resource providing information to young people across a range of subjects. *The Site* will contain a new section called 'Tell It' dedicated to *Listen Up*, allowing young people to see what their contemporaries think and to participate in an ongoing dialogue.

NYA, funded by Central Government and the Local Government Association, works to improve and extend youth services and youth work, enhance and demonstrate youth participation in society and to promote effective youth policy and provision. NYA recruited over 500 young people from all over England to take part in *Listen Up*. The participants came from different backgrounds and circumstances. They lived in urban and rural areas and represented a variety of ethnic groups. They were gay and straight, at school, at risk of exclusion or already excluded, in work, in training, employed and unemployed. Some were in prison and some were already young parents.

All the *Listen up* consultation work was done in single sex groups.

*"You can't say what you think when there's girls there. It was good to be in a group with a bloke as youth worker."*

(Young man: Wirral)<sup>1</sup>

*"I can only talk like this with girls...and we can have a good laugh."*

(Young woman: Liverpool)

### **Group work and vox pops**

The young women and men were aged between 13 and 25. Many of them were already participating in youth groups. This was an important starting point as the youth workers already had a relationship with the young people and knowledge of a range of ways in which to engage them. They met locally in their youth groups over a six-month period and were asked to think about the issues that mattered to them generally. In addition, we sent the groups a questionnaire and discussion guide on developing areas of youth policy, such as the new youth support or 'ConneXions' Service.

The groups used the questions in different ways. Some responded directly; others used them as a basis for group work and discussion.

The messages fed back to us from these six months of work came in many and varied forms, through videos, songs, rap dances, artwork, poetry, magazines, drama, CD ROMs, puppets, posters, diaries and digital imagery.

[Note to designer: insert illustrative material of above and attribute it to group sources if possible]

Vox pops and focus groups involving young people were also used by YouthNet in the process of developing their website. YouthNet were working in association with Research International Qualitatif (RIQ), a company that specialises in consultation with young people.

The consultation culminated in an all day event at the Sound Republic nightclub in Leicester Square on 25 November 1999. Over 150 young people from 37 projects nationwide met Ministers and Government

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<sup>1</sup> All quotes used throughout this report are anonymous but we have identified, where possible, the young person's gender and where they are from.

officials to talk about the issues they had been working on in their groups. The Home Secretary, Jack Straw, Paul Boateng, (who chairs a group of Ministers looking at issues affecting boys and young men), and Ministers for Women, Baroness Jay and Tessa Jowell, attended and talked with young people about their concerns.

*"Did we feel listened to? Yes! We asked questions and we got answers."*

*"We were listened to; they spoke to us as adults."*

*"I hope to think people will look at us with a bit more respect than they did before as we went and did something, got a point across and didn't just sit there and do nothing."*

(Young people after the event)

*"I sat at a table listening to these young guys and I understood that what they were saying would mean I needed to think again about advice services."*

(Official from the Department of Education and Employment)

Young people displayed their creative work, performing raps and dances and using digital media, PowerPoint displays and visual imagery to get their messages over. They also worked with Ministers and officials in discussion groups that focused on individual issues and produced action points. We look at the results of these discussions in chapter 2, *The Message*.

*"I was delighted to be at this ground breaking event.. A real opportunity to listen and learn. The voices, displays and powerful performances of the young people themselves have stayed with me ever since. We must and will seek ways of building a youth perspective into future work across Government."*

(Paul Boateng)

*"Listen Up has laid bare the vulnerabilities and strengths of young people. Their messages are crystal clear. We must now respond. Their participation is in part of the solution of delivering better policy, not part of the problem."*

(Tessa Jowell)

The event at Sound Republic provided a fitting end for the months of discussion. For many, it was their first trip to London, for some their first time on a train, and certainly their first contact with Government. They clearly relished the experience and their enthusiasm, interest, sense of occasion and obvious enjoyment struck all who were there.

*"She [Baroness Jay] was really interested in the work we'd done...and she knew where Fleetwood was.... It was brilliant."*

(Young woman: Fleetwood)

*"Buzzing.... Top.... Best day I've had in ages."*

(Young man: Bradford)

*"I really enjoyed myself and I thought we all got our views across.... I got more confident as the day went on and I think the Ministers learnt a lot."*

(Young woman: Girl Guides)

It is not over. Many of the groups have developed on-going work locally and regionally with MPs, local authorities and the media. Across Government further consultation with young people is planned. Some examples are highlighted in section 3; "Our Response".

## The Message

In this chapter we look at what the young people told us and the key messages we took from a gender-specific study of available research. There were two messages that came across particularly strongly. The first is the changing nature of young people today. The second is about identity.

Society is changing; falling birth rates, increased divorce, single parenthood and the increase in ethnic minority representation are just some examples. Young people are not what they were even twenty years ago.

### Research

- There are 5.1 million teenagers living in Britain. A quarter of the population is under 20. 21 per cent of males and 19.6 per cent of females are under 16.<sup>1</sup>
- In ethnic minority groups there is, overall, a much younger age structure. For example, 43 per cent of Bangladeshis are under 16.<sup>2</sup>
- 23 per cent of households are a couple family with dependent children, compared with 38 per cent in 1961.<sup>3</sup>
- Lone mother families have increased from 7 per cent in 1971 to 22 per cent in 1999.<sup>4</sup>

1. Office of National Statistics 1998

2. Labour force survey, 1998-99.

3.

4.

[Note: incomplete references]

One theme that underlies all the issues raised by young people was the central importance of self-esteem, confidence and identity. The correlation between high self-esteem and the choices and behaviour young people display is well known, ie. high self-esteem leads to high achievement. The young people who spoke to us confirmed this:

*"For yourself you need confidence and self-esteem. Belonging to a group is best – don't be alone."*

(Young woman: Manchester)

*"Girls are taking over the world. We are much better than boys and we will get better jobs and careers."*

## RESEARCH

- Can-do attitudes – confident, optimistic and motivated, fluctuate differently among girls and boys according to age.<sup>2</sup> Both girls and boys at 13 show high levels of confidence, but at 14, girls experience a dramatic drop. The girls regain their confidence and momentum and their progress is steady. This is reversed for boys as 19 years old is a difficult time as they make the transition into work and adulthood or Further education.<sup>1</sup>
- There are more can-do boys than girls (25% compared with 21%). The boys in the middle tend to believe it harder for men these days and are more insecure. At the lower self-esteem range there are more boys than girls (12%, 8%)<sup>2</sup>
- For girls, ethnic identity is of more importance than gender identity. Young black women in Britain do well at school, they do well in society, are good efficient workers, and yet as a group they consistently fail to secure the economic advantages and occupational prestige they deserve.<sup>3</sup>

<sup>1</sup> Katz, A (1999) *Leading lads*

<sup>2</sup> Katz, A (1999) *Leading lads*

<sup>3</sup> Mirzah (1992)

The young women in *Listen Up* showed that they wanted to look beyond the all singing, all dancing, all achieving images of girls and young women to what was really going on for them as individuals. Body image, in particular, plays a large part in determining confidence and the girls were keen to point out how damaging media images can be. There was vehement dislike of the size 8, tall, usually white, glamorous image displayed in the fashion industry.

*"Where are the black girls.... Do you not think we are beautiful?"*

(Young woman: Girls Talk Event)

Similar issues arise for young men. Many of them feel enormous pressure to behave in ways traditionally seen as 'masculine'.

*"You're supposed to be dead 'lechy' to women – coming onto them all the time but inside you think 'What am I supposed to do?'"*

(Young man: Manchester)



*"I feel good when I'm with people who respect me for who I am...not what I can do."*

(Young man: Telford)

Much of what the young people said about family, school, education and other aspects of their lives is underpinned by this vital need to feel good about themselves and to be valued.

Finally, we heard less than might have been expected about the good things about being young. Perhaps this is an inevitable product of asking for views on what needs to change; but it is not all bad news and findings here should be seen alongside the visible optimism and success of many young people.

### **The family and family life**

*"A family is somewhere you stay and you are loved and cared for but it doesn't often happen."*

(Young man: Listen Up event)

*"Child care facilities are really difficult when you want to work or access courses."*

(Young woman: Listen Up event)

*"The smallest thing that we do wrong, they go running back to our parents and say it out loud. Or they'll go to the mosque and say it out loud. That's bad for the family's reputation."*

(Young man: Bedford)

#### **RESEARCH**

- 28 per cent of 16 year olds will have experienced their parents divorcing.<sup>1</sup>
- Children of divorced families are more likely to grow up in low-income households and poor housing.<sup>2</sup>
- Boys and girls show their anxieties in different ways. Boys are more likely to become involved with delinquency and anti-social behaviour.<sup>3</sup>
- Evidence suggests that the reaction to the new step-parent, educational and adjustment outcome for girls are poorer.<sup>4</sup>
- Young working-class males remain in the parental home for longer than young women.<sup>5</sup>
- Young men with step-parents were more likely to leave home earlier than their same-sex peers.<sup>5</sup>

- Reasons for young women leaving is often related to marriage or cohabitation.<sup>5</sup>
- There are gender differences in parenting. Mothers are perceived to use psychological control methods, especially with girls. Fathers are perceived to use physical control methods, especially with boys.

<sup>1</sup> Rodgers and Pryor (1998)

<sup>2</sup> Rodgers and Pryor (1998)

<sup>3</sup> Rodgers (1994)

<sup>4</sup> Hetherington and Stanley- Hagan (1999)

<sup>5</sup> Jones (1995)

<sup>6</sup> Becker (19xx)

When asked what was the most important thing in their lives, most young women and men involved in the dialogue said family and friends. It was obvious from what they said that, when things go wrong, they are deeply affected. Many had had unhappy family experiences and told us about divorce, absent parents, step-families and parents who showed little interest in them.

*"My step-dad understood me until he and my mum had their own kids."*

(Young man: *Listen Up* event)

*"It's really difficult when parents use you against each other...but after divorce it gets easier after a while."*

(Young man: *Listen Up* event)

While there has been a reduction in traditional family households and there are now more one-person and other non-traditional households, this does not necessarily imply a reduction in the strength of family ties. Most people maintain regular contact despite distance and family events are regarded as the most important aspect of people's lives. Membership of three generational families is now common. However, the changes in the traditional patterns can be associated with problems for some people.

Many young people said they were worried about the difficulties facing them when they leave home. Others raised wider social issues such as isolation in rural areas and transport. Those who had left home experienced problems such as lack of support, serious financial hardship, and, in some cases,

homelessness. Those still at home told us of the problems of not being able to claim benefits and not getting council tenancies in their own right. A lack of supported hostels and patchy housing provision can make leaving home a risky business.

*"It's really difficult to access benefits if you live at home. You end up saying you've been kicked out in order to get money of your own."*

(Young woman: *Listen Up* event)

*"Living in hostels stigmatises inmates-knocks your confidence. It feeds into your lack of self esteem."*

(Young man: *Listen Up* event)

#### GIRLS AND YOUNG WOMEN

Girls tend to be closer to their parents, especially to their mothers, who are usually seen as an important role model. Some young women cited their mums as their 'best friend' and felt that they could turn to her for help, support and information on many issues. But others carry enormous responsibilities within the home. This is especially hard if there are many children, or if one or both parents suffers from a disability. Girls who take on domestic responsibilities are clearly less able to continue in education or take up training.

*"I was the oldest of four so when my mum and dad got ill when I was nine, I started to look after the family. Nobody knew about the problems – it was the family secret."*

(Young woman: Merseyside)

#### BOYS AND YOUNG MEN

Boys and young men participate less in family life than girls and young women. Yet, on average, young men remain in the family home much longer than young women, and need the support of their parents as much as young women. Though fathers are important for both sexes, having a male role model around seems especially important for young men.

Teenage boys told us they often feel excluded from discussions about parenthood and family life. Young fathers also feel shut out, as professionals fail to recognise that they want to play a role in their children's upbringing.

*Young people want:*

- more support for teenagers affected by divorce and family breakdown;
- better housing provision for those who cannot remain in the family home;
- revision of the benefits system for those living at home after the age of 16; and
- improved transport for those in isolated rural communities.

*Girls and young women want:*

- recognition of carer responsibilities; and
- better opportunities to return to education or training.

*Boys and young men want:*

- more education on what it is like to become a parent;
- services attuned to their needs, especially where they are young fathers; and
- increased support for fathers of teenagers to be actively involved with their children.

## **School and school life**

*"School did not feel like our school. It did not belong to us, there was no way we could identify with it."*

(Young man: *Listen Up* event)

School is of central importance to most teenagers. They were keen to tell us of their experiences, what they thought was important in a teacher and what they thought of the work and of school life in general.

### *Research*

- 53 per cent of young women achieved at least 5 A-Cs, compared to 43 per cent of young men. The pattern of gender differences varies by subject.<sup>1</sup>
- Young men's relatively low levels of achievement and higher levels of exclusion suggests that they are reacting to the changing role of men in society. Their role in the family is less clear and this could be having an impact upon young men's attitudes and motivations within education, creating a group who are disaffected.<sup>2</sup>
- Young men are more likely to study Physics, Chemistry, Computer Studies, Economics and Design and Technology, while young women study Home Economics, social sciences and art subjects.<sup>1</sup>

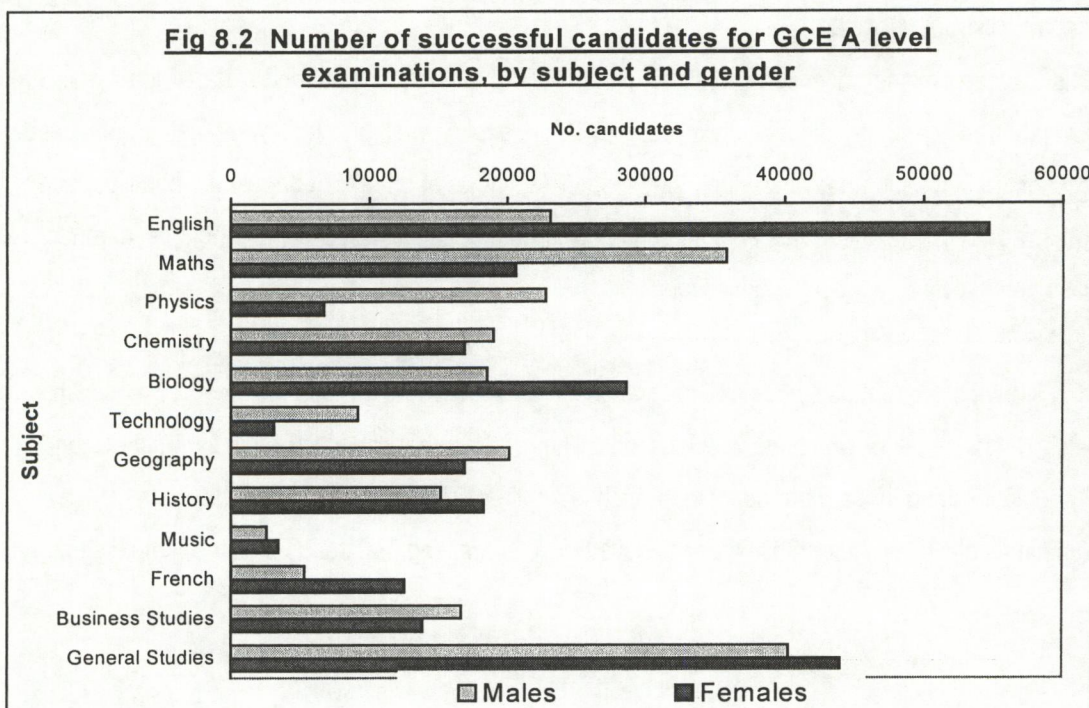
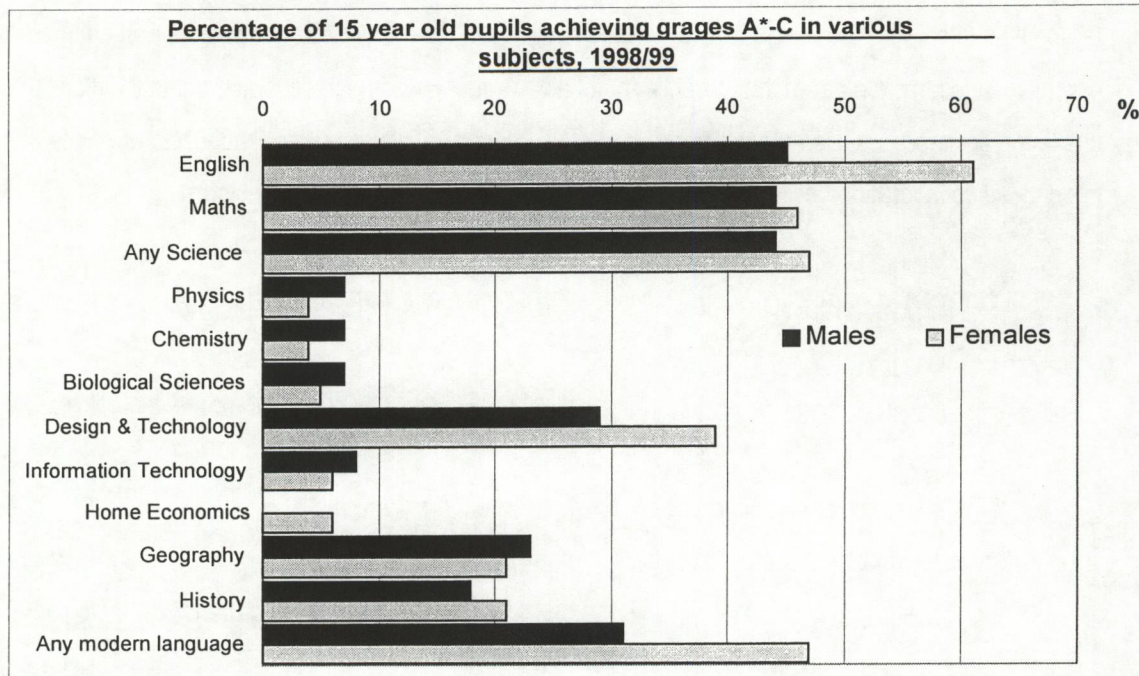
- Statistics show that the levels of school exclusion are substantially higher among young men. In the academic year 1997/98, 12,300 children and young people were permanently excluded from school. The majority were of secondary school age, 83 per cent female and 84 per cent male.<sup>4</sup>

<sup>1</sup> Department for Education and Employment (1999)

<sup>2</sup> Sewell (1998)

<sup>3</sup> Ofsted (1998)

<sup>4</sup> SFR 11/99



However, some young people are alienated from the educational process. They told us about teachers who are insensitive to the needs of particular pupils. They say that some teachers stereotype

individuals, according to past behaviours. Schools do not take sufficient notice of cultural difference, with many young people experiencing a lack of sensitivity to their own racial or religious background.

*"Teachers do not let you move on from your past mistakes."*

(Young women: *Listen Up* event)

A surprising number of young people talked of bullying, saying that schools do far too little to combat the problem. They were dismissive of token policies. The boys in particular spoke of feeling insecure. We heard that parents do not always feel welcome in school and find it difficult to challenge the teachers. Parents are not expected to 'interfere'. This is especially difficult for pupils who need close collaboration between home and school to help them solve their problems.

*"Don't tell your teacher about bullying, it will only make it worse."*

(Young woman: *Listen Up* event)

*"Parents won't go into school to challenge teachers, they are a law in themselves."*

(Young man: *Listen Up* event)

#### GIRLS AND YOUNG WOMEN

Girls focused on differences between teachers and the characteristics of good and bad teachers. Good teachers treat young people as individuals; they listen, explain well, give help when asked, are friendly and not too strict and, most important, they respect the views of others. Bad teachers humiliate and embarrass people, concentrate on some and exclude others, disclose personal problems in front of the class and show no respect for individual pupils.

Girls are sensitive to those who need special help. We discussed the problems faced by those who are behind in their work or who have special needs. The girls feel that schools are not sympathetic enough to such pupils and that a more caring approach is required. They also mentioned the obstacles sometimes placed in their paths when they want to do something that does not fit the female stereotype.

*"I needed careers help throughout school, once in two years isn't worth having."*

(Young woman: *Listen Up* event))

## BOYS AND YOUNG MEN

Boys' concerns are in many respects similar to those of girls. Notably, many boys talked of being bored and said that education had little relevance to them.

*"If you have reading or writing problems you are stuck. It's hard to find people who will help you."*

*"School should be exciting. Instead it's boring."*

*"I was bored at school. There was too much academic study. I should have been doing practical things."*

Both girls and boys think that schools are insensitive to the needs of those who fall behind. Race and culture are also important. Many boys had experienced racism or intolerance of their culture.

### *Young people want:*

- schools and teachers to demonstrate greater cultural sensitivity;
- more relevant personal and social education; and
- more and better careers advice and guidance.

### *Girls want:*

- schools to be more caring, especially for those with special needs;
- gender stereotyping in schools to be addressed; and
- careers services and advice to focus on their needs.

### *Boys want:*

- a varied curriculum to combat boredom for those who are less academic; and
- strict anti-bullying strategies in all schools.

## **Pathways after 16**

*"We are not taught at school how to learn to get jobs."*

*"When I went on placement from school I gave the careers officer a list of jobs I thought I would enjoy but they sent me to something completely different that I didn't enjoy."*

*"Careers services do not offer the education and training that 16–18 year olds need."*

*Research*

- More young women than young men stay on in education (73.4 per cent and 63.6 per cent respectively) and more young men than young women go into full-time employment (11.1 per cent compared with 6.8 per cent) or government supported training at 16 (10.4 per cent compared with 7 per cent).<sup>1</sup>
- Those outside education, training or employment are more likely to:
  - have poor or unemployed parents;
  - be members of certain ethnic minority groups;
  - be carers;
  - be teenage parents;
  - be homeless;
  - be from or currently in private care;
  - have learning disabilities, a physical disability or mental illness; and
  - be drugs or alcohol misusers and otherwise involved in offending.<sup>2</sup>
- There still remains a very strong bias towards males entering skilled manual employment and females entering personal-service occupations, such as health care, child care and hairdressing.<sup>3</sup>
- Once GCSE results have been taken into consideration, careers advisers are more likely to advise young women to stay on at school than young men.<sup>4</sup>

<sup>1</sup> Careers service (1998)

<sup>2</sup> Social Exclusion Unit (1999)

<sup>3</sup> Equal Opportunities Commission (1999)

<sup>4</sup> Department for Education and Employment (1999)



Gender composition of year 11 students entering various categories of occupation (DfEE, 1998)

| Occupation                     | Young women % | Young men % |
|--------------------------------|---------------|-------------|
| Managerial/ professional       | 24.3          | 75.7        |
| Clerical/ secretarial          | 65.5          | 34.5        |
| Skilled construction           | 1.3           | 98.7        |
| Skilled engineering            | 2.1           | 97.9        |
| Other skilled trades           | 6.7           | 93.3        |
| Protective services            | 14.5          | 85.5        |
| Personal services              | 76.7          | 23.3        |
| Sales                          | 54.7          | 45.3        |
| Plant/ machine operatives      | 33.5          | 66.5        |
| Agriculture/ forestry/ fishing | 32.4          | 67.6        |
| Labouring/unskilled industrial | 19.2          | 80.8        |
| Mail workers                   | 14.2          | 85.7        |
| Unskilled service              | 37.9          | 62.1        |

Source: DfEE Statistical First Release, October 1999

[Note to designer: these figures to be made into bar chart]

In most young people's experience, careers guidance only happens once or twice. Some older adolescents need continuing guidance as they adapt to new ideas and opportunities. Young people criticised the narrow view taken by some careers officers. They had been offered very limited advice, concentrating on jobs that were unsuitable or undemanding.

Many of the young people were dismissive about the supposed preparation for employment through work experience. Few of those we spoke to had the opportunity to do even a one-week session of work experience and many who had started did not complete the time.

*"Work experience is not long enough – it could be one day a week for a year."*

*"At my school all we are offered is working in a supermarket. If you want to do something else you have to organise it yourself and it's not easy. I was worrying about my GCSE grades, not about what I wanted to be."*

*"Careers people just try to get you to do what they've got, not what you want or need."*

Many people said they need wider guidance in addition to careers advice. For some young people work experience confirmed an interest in a career area or enabled them to reconsider earlier choices. There was a concern that it was a one off activity in year 10 and that there was little scope for more targeted exposure to work later on.

## GIRLS AND YOUNG WOMEN

"I work in a chip shop to afford things. So every day is the same. Get up, go to school, do homework, go to work, go to bed. I'll have to work for a year if I want to go to university."

(Young woman: *Listen Up* event)

Young women face many barriers to independence. They are caught between dependence on their parents and their desire to leave home and build an independent life. They need to stay on in further education to obtain a good job, which means they cannot afford to leave home. They encounter gender stereotyping at all points in their careers. They feel they are being pressured into 'women's' jobs and careers and want advice and support that will allow them to pursue whatever course they believe is right for them.

## BOYS AND YOUNG MEN

Young men raised similar themes. They worry about the difficulties for their parents in supporting them through college or training and yet they see leaving home only as a last resort.

*"One of the best courses I have done was called 'Stop, look and achieve'. This helped me immensely and I got a job straight away."*

Their other pressing concern is the low level of jobs and training offered to those without good qualifications or a clear idea of what they want to do. Colleges are no more interesting to them than school and they feel more could be done to improve the choices available.

They also told us about prejudice against those with disabilities and the lack of support for this group.

### *Young people want:*

- much better, more comprehensive careers services;
- ways through financial hardship; and
- support for families where young people remain at home to study.

### *Girls want:*

- something done about gender stereotyping in education and training; and
- support for those who are pregnant or parenting so that they can return to

education or training.

*Boys want:*

- more flexibility in post-16 education and training; and
- more support and guidance, especially for those who do not have academic qualifications.

### **Sex, sexuality and relationships**

Most of the young people agreed that adults believe they are obsessed by sex. They told us that jobs, relationships and family are all more important than sex, although they still need accurate information. Sex education in school does not give them the information they need. They told us that they learn more from their friends, from magazines and from youth work activities than from conventional sex education classes. Many described how their teachers are embarrassed or reluctant to discuss moral and ethical issues or taboo subjects such as homosexuality.

#### *Research*

- While young men have sex earlier than young women, young women are seen to move through the stages of sexual behaviour at a faster rate.<sup>1</sup> By the time, the 16-19 age group is reached, young women are slightly more likely to have had sex in the previous year than young men.<sup>2</sup>
- Young men are often omitted from sex education in the home where discussion is most likely to take place between daughters and mothers.<sup>3</sup> Overall, young men have less access to 'balanced' information.<sup>4</sup>
- Sex is a strong contributor to a young women's reputation, in a negative way. Those who express their sexuality too soon or too often are viewed by both male and female peers as 'sluts', while those who abstain from sexual activity are 'drags'.<sup>5</sup>
- Young people need to be in an environment where they feel safe to be able to express their concerns and emotions. This can be greatly helped by providing single gender settings.<sup>12</sup>
- Risk factors for becoming a teenage mum are:
  - exclusion from school;
  - poverty;
  - being in care or fostered;
  - not being in education or training at the age of 16;
  - having emotional or behavioural difficulties or being 'at risk'; and
  - being daughters of young mothers, mothers with no educational qualifications or fathers absent from the family home.<sup>13</sup>

- Young fathers are more likely to come from the lowest social economic socio-economic status families and have higher rates of unemployment than those at the same age.<sup>14</sup>
- Boys' concerns are to do with access to sexual partners and with their own sexual performance. Girls on the other hand are interested in sex for what it can provide in terms of mutually intimate relationships and this need appears to be met significantly less often than those of boys.<sup>4</sup>

[Note: insert source references]

*"As a lad, it's difficult to talk about what you really feel about girls with your mates.... Dave [youth worker] really helps us to feel OK and support each other...."*

*"You need to learn about sex and relationships earlier – the earlier the better."*

(Young woman: Listen Up event)

*"Young women really fear being different, especially if they choose a different sexuality."*

(Young woman: focus group Bristol)

Throughout most of Western Europe, teenage birth rates fell during the 1970s, 1980s and 1990s, but the UK rates have been stuck at the early 1980s level or above. Teenage parents tend to have poor ante-natal health, lower birth weight babies and higher infant mortality rates. Their own health and their children's is worse than average. Teenage parents tend to remain poor and are disproportionately likely to suffer from relationship breakdown. Their daughters are more likely to become teenage mothers themselves. Teenage mothers' usually disadvantaged backgrounds contribute to these effects. But having a baby young makes it worse.

#### GIRLS AND YOUNG WOMEN

*"Boys are immature about sex and relationships."*

*"The lads in our area demand respect, they've got a really bad attitude. They treat us young women like trash, they call us slag, slut, hos and slappers. It's hard to hit back when there are no similar names for lads."*

(Young women: Merseyside)

Girls and young women find it easier to talk about relationships and emotional issues to their friends and to their parents (usually mothers). However, many feel pressured into having sex before they are ready. Despite notions of 'girl power' they find it difficult to say 'no' to sex, and to negotiate the use of contraception. Within sexual relationships the power balance remains tilted in favour of young men. This means that young women often do what they think men want and feel unable to express their own needs and preferences.

#### BOYS AND YOUNG MEN

*"Women expect you to be great in bed. You're supposed to know all the stuff."*

(Young man: Waltham Forest)

From what young men told us they associate sexuality with 'being able to perform'. Being sexually active is evidently of major importance to the male peer group and young men feel pressured into early sex. They also lack the confidence to discuss matters such as the use of condoms. In schools, boys and young men often feel excluded from discussions about sexual matters, partly because of the way sex education is approached. They are less likely than young women to use sexual health services, since they feel that the services are primarily for women.

#### *Young people want:*

- accessible sexual health services;
- information on relevant topics;
- opportunities for single gender work on relationships and sexual health within the personal, social and health education (PSHE) curriculum;
- a PSHE curriculum that explores issues surrounding identity development; and
- quality information for parents about building self-esteem.

#### *Girls and young women want:*

- opportunities to explore emotional development in a safe environment;
- self-esteem and confidence building so that they can better communicate and negotiate with partners in sexual relationships;
- sexual health services to meet particular needs, such as more effective prevention of sexually transmitted infections; and
- an understanding of the role of the body and body image in determining self-esteem in early adolescence.

*Boys and young men want:*

- opportunities to explore emotional development with male teachers and youth workers;
- better communication skills, to help them cope with intimate relationships, seek help and access services;
- an understanding of the role of the peer group and other factors determining self-esteem; and
- a focus in PSHE on concepts of masculinity.

**Health and health-risk behaviours: drugs, alcohol, tobacco**

*Research*

- The number of young people engaging in physical exercise is greatest among young men.<sup>1</sup> At 14 to 15 years old, 37.9 per cent of young women are not doing any physical exercise compared with 15.8 per cent of young men.<sup>2</sup>
- Studies tend to show that the amount and frequency with which young people drink alcohol is greatest among young men. Between the ages of 16 and 18, the mean weekly units for young men is almost twice that for females.<sup>3</sup>
- More young women start smoking than young men. Of girls aged between 11 and 15, 15 per cent smoke regularly – at least one cigarette a week compared with only 11 per cent of boys.<sup>4</sup>
- The gender gap for drug taking is not big. The peak age for first trying drugs for both genders is 14.<sup>5</sup>
- 16 per cent of girls and 19 per cent of boys thought that 'taking drugs' is okay if it makes you feel good, and 22 per cent of girls and 25 per cent of boys agreed that 'taking drugs is exciting'.<sup>6</sup>
- The proportion of pupils who remembered receiving health education on smoking has doubled since 1986, having risen from around 4 in 10 to 8 in 10 in 1998.<sup>7</sup>

<sup>1</sup> Haseldon et al (1999)

<sup>2</sup> Balding (1998)

<sup>3</sup> Prescott-Clarke and Primatesta (1998)

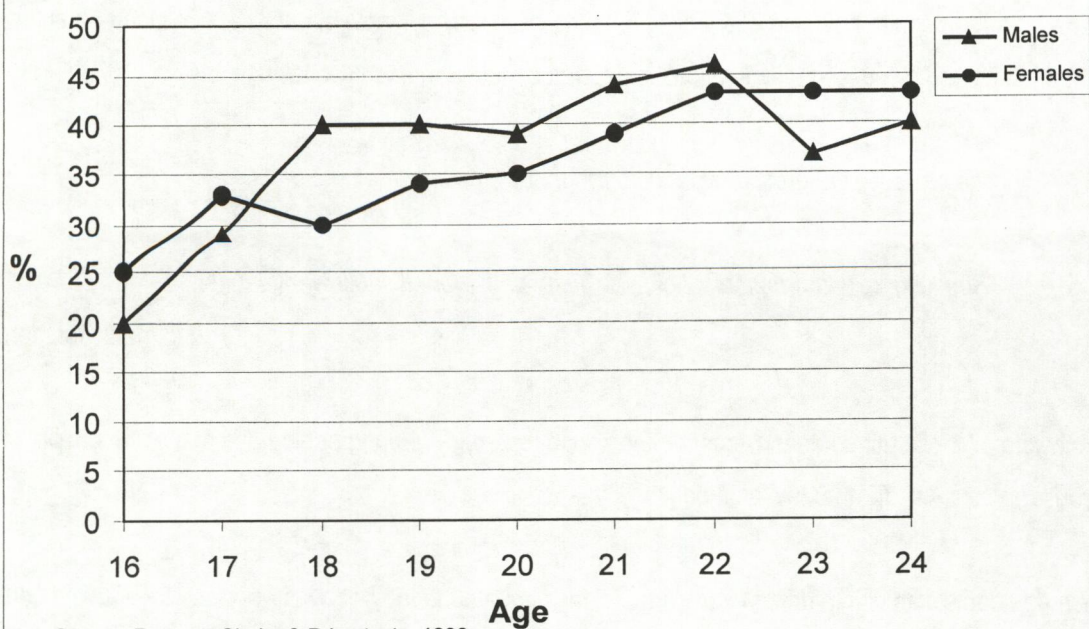
<sup>4</sup> ONS, 1996

<sup>5</sup> Haseldon, Angle and Hickman, (1999)

<sup>6</sup> Haseldon, Angle and Hickman, (1999)

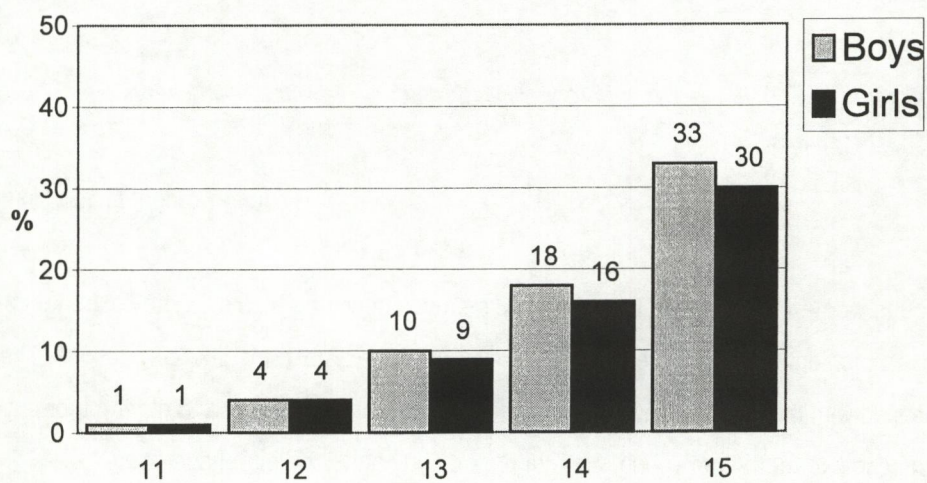
<sup>7</sup> ONS, 1999

**Current smokers among 16-20 year olds, by age and gender**



Source: Prescott-Clarke & Primatesta, 1998

**Percentage who had ever used drugs, by gender and age**



All the young people involved in the work were very aware of the arguments for a healthy lifestyle and saw nutrition, regular exercise and feeling good as crucial. They knew about what was dangerous for their health and discussed the situations in which they found themselves taking risks.

*"It's basically the pressure you go through, by smoking you take that away."*

*"Smoking, taking drugs, alcohol – it's being bad, man. It's follow-my-leader."*

(Young men, Camden)

Knowing all these things doesn't change the sense that many young people have of the immortality of youth and the 'live for the day' attitude.

Young people's smoking, drinking and drug taking is related to the behaviour of close friends and adults. Peer pressure is one important factor. Another is the pressure young people experience from problems they are going through; young people in the dialogue talked about smoking, drinking and taking drugs to ease pressure. They want to be able to talk about drugs to adult professionals they can trust and with whom they can establish good relationships. Many people told us they need accessible services that understand what young people need.

#### GIRLS AND YOUNG WOMEN

*"I use drugs to control my weight."*

*"I use speed to stay awake at parties."*

*"Doctors – would they tell your parents? We'd prefer a 24-hour helpline service [on drugs] that includes a follow up visit."*

(Young women: *Listen Up* event)

Girls and young women talked about their drug use as much as young men did. They experience different health problems to young men, and may use drugs and smoke for different reasons. They are more dissatisfied with their bodies and diet. They have more skin complaints and other minor physical ailments. They smoke more than young men during the early and middle teenage years.



Generally, they find it easier to access health services and they visit general practice clinics more often than young men. However, the higher number of male GPs puts them at a disadvantage and they say it is important that young people can choose to see a doctor of the same sex.

#### BOYS AND YOUNG MEN

Overall, young men have markedly higher mortality rates as teenagers. Between the ages of 15 and 19 the ratio is 2:1 males to females, and between 20 and 24 it is 3:1. This difference comes about mainly because more young men die as a result of suicide and traffic accidents.

Young men are more likely to drink alcohol and use drugs. They make less use of health services, reflecting their perception that traditional services are more welcoming to women than to men. In the dialogue young men called for 24-hour access to a place to go to be themselves, talk and get information. Some mentioned the need for an "alternative buzz".

*"Everybody wants to be in drugs don't they. Everybody wants to either chill out and smoke drugs or just chill out."*

(Young man: Bedford)

*"Drink felt like the only solution. I needed something to take my mind off the pressure I was feeling."*

(Young man: Manchester)

#### *Young people want:*

- accessible, confidential health services;
- greater involvement of young people in planning services;
- health education that reflects their experiences, especially about drugs and alcohol; and
- specialised advice centres for those with drug problems.

#### *Girls and young women want:*

- more female GPs and/or the option to see a female GP when required; and
- greater emphasis on confidentiality in primary health care settings.

#### *Boys and young men want:*

- more opportunities for young men 'at risk' to engage in 'dangerous' activities in safe settings; and
- friendlier and more accessible health services.

## Mental health

### Research

- In 1996 official recorded rates revealed that 547 young men took their lives compared with 154 young women.
- Self-harm is more common among females than males and it is estimated that the ratio is 4:1.<sup>1</sup>

<sup>1</sup> Kerfoot (1996)

*"I used to bottle it all up until I couldn't stand it any more and then I'd batter somebody."*

(Young man: Manchester)

*"I survived the situation by creating a safety net about me, with other support. For many young women the situation is even more isolated and painful, they often feel so depressed that they attempt suicide."*

(Young woman: Merseyside Youth Association)

Young men and young women experience mental illness very differently. Men are three times more likely than women to commit suicide, whereas women are three to four times more likely to harm themselves deliberately. Eating disorders, depression and neurotic problems are much more common in girls and young women, while 'acting-out' behaviour and conduct disorders occur more commonly in men.

*"You shut yourself down, pretend nothing matters."*

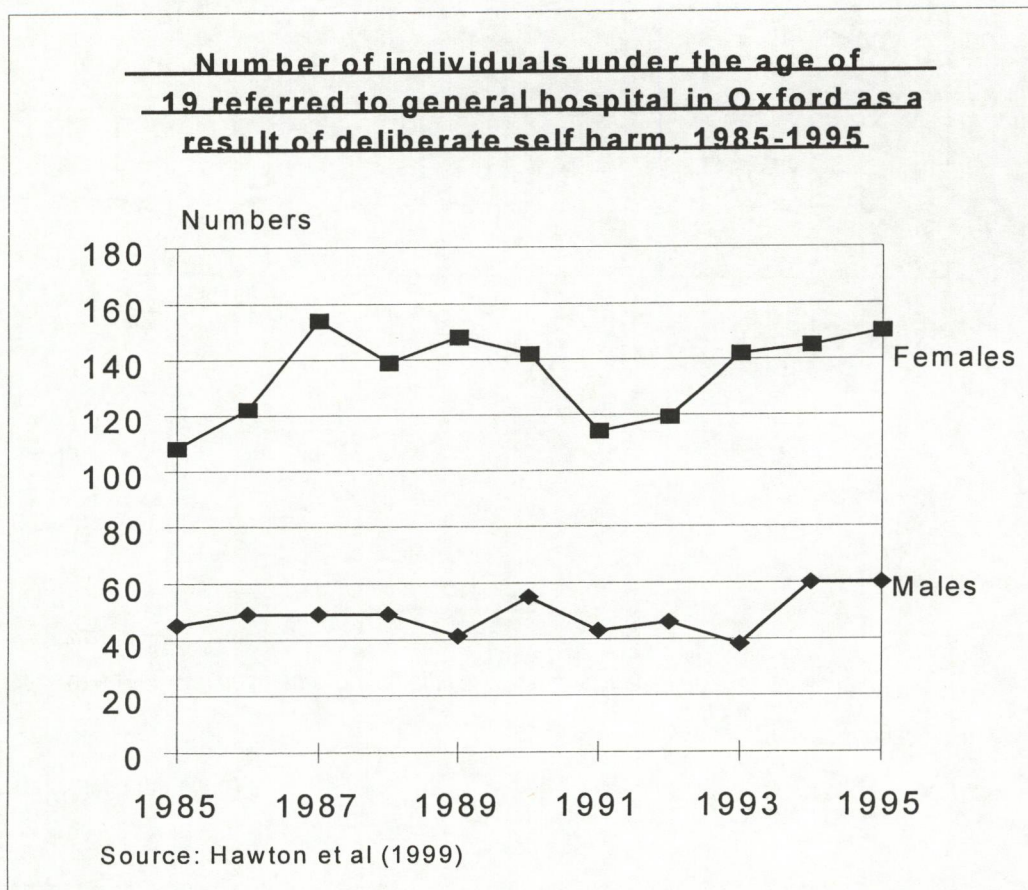
(Young man: Manchester)

The way people cope with problems appears to differ according to gender. Young men find active means of dealing with tension but they also use denial more than young women. For women, close relationships help them manage stresses. Both coping processes have disadvantages but women are especially at risk because they depend heavily on people around them for support: if these relationships go wrong then women lose their support.

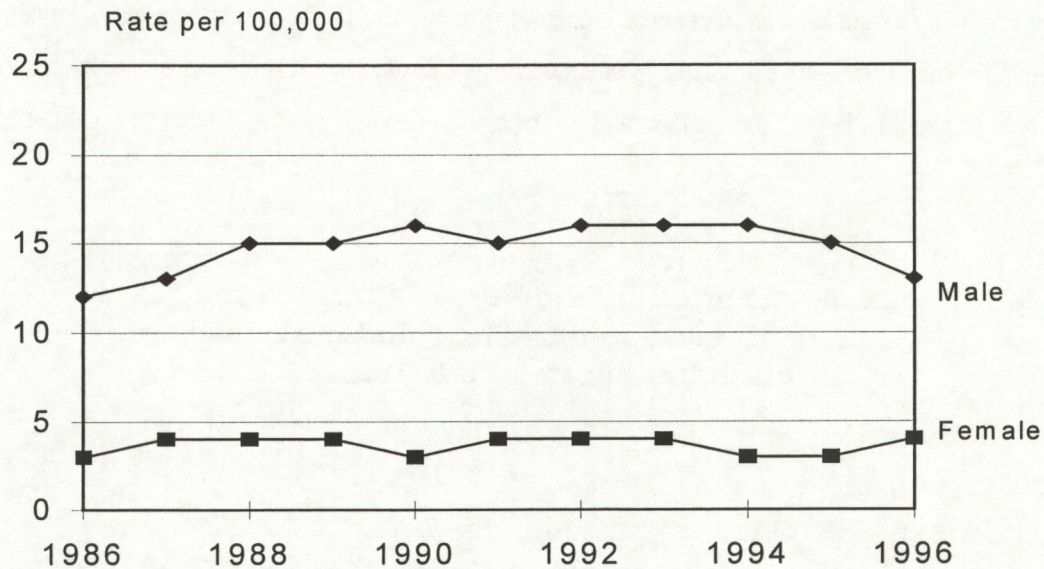
Research on the ways young people cope has so far come from other countries and this might prove to be a profitable area for research in Britain. Any such research should look specifically at the ways ethnic minority groups cope with emotional difficulties.

## GIRLS AND YOUNG WOMEN

Girls and young women are at risk from a range of mental health problems. Most of their problems concern relationship difficulties, either in the family or with a partner or close friend. Girls worry far more than boys: for example, over 40 per cent of girls worry about their family compared with 19 per cent of teenage boys. They told us that bullying and family difficulties are the major cause of mental health problems and they believe that schools and youth services should have counsellors for young people in need.



**Fig 4.1 Suicide rates per 100,000 population in England and Wales among 15-24 year olds, 1984-1996**



Source: Office for National Statistics

#### BOYS AND YOUNG MEN

*"Be a man not a wimp. You can cry when you're little but not when you're big. You're expected to be a hard bastard."*

(Young man: Manchester)

*"So, get a job! Well, I've got one, along with a bank loan, a huge phone bill and a head that's so messed up I don't know whether I need counselling or shooting. Yes, suicide every day, every f\*\*\*\*\* day!"*

(Young man: Harold Hill)

The major concern is why more young men commit suicide. One explanation is that the methods boys use to attempt suicide – weapons and vehicles – are more likely to prove lethal. They are also less able to communicate their emotional distress, so that without help or support problems can become insurmountable. In general, young men act out their problems either through offending, conduct disorders or risk-taking.

*Young people want:*

- provision of diverse and accessible mental health services and informal counselling;
- adults who can listen non-judgementally;
- more mental health training for professionals working with young people; and
- inclusion of anti-bullying strategies in all institutions, including schools, children's homes and secure settings.

*Girls and young women want:*

- focus in the school curriculum on positive mental health, and advice on combating depression and eating problems.

*Boys and young men want:*

- suicide prevention programmes, especially in settings where young men are known to be vulnerable, such as prisons; and
- focus in the school curriculum on emotional literacy, in relation to the communication of feelings.

## **Young people and offending**

*"Me, I'm easily influenced. I said I wasn't going to do it again but all my mates are doing it..."*

(Young man: Harold Hill)

*"Young people are not given the respect they deserve, like newspapers, write-ups, all just see us same as criminals. We're not – and people read that and think we are, some people."*

(Young man: Leeds)

### *Research*

- Of the total number of under 18 year olds found guilty or cautioned for an offence in 1998, around 80 per cent were male.<sup>1</sup>
- Young women are less likely to be found guilty of drugs offences and burglaries. The ratio for property offences is, in contrast, much closer, as young women found guilty of an offence are most likely to have committed theft. The gender gap for such categories of crime decreases to a ratio of less than 1:3.<sup>2</sup>

- In terms of ethnicity and crime, for African Caribbean young people the gender gap is narrower than for their white peers, while for Asian young people it is wider.<sup>3</sup>
- For young women who do become involved in crime, the period in which they are involved is shorter. They commit crime less frequently than their male counterparts, eg. of those aged over 14 but under 18, 23 per cent of males have been sentenced on over 3 occasions while for females this figure is 8 per cent.<sup>4</sup>
- The peak age of offending was found to be 21 for males and 16 for females, with involvement declining substantially in the mid teens for young women. Young women tend to stop offending 'consciously and abruptly' as they leave the family home, form stable relationships and have children, while young men, final suspension of their criminal career is a more gradual process, with some lapses due to the strong pull of the peer group.<sup>5</sup>
- Around 15 per cent of all males and 11% of all females serving sentences in prisons were under 21.<sup>6</sup>
- 21per cent of young men and 9 per cent of young women have been victims of crime, compared to 6 per cent and 4 per cent of men and women as a whole. Both young women and men are at greatest risk of violence from an 'acquaintance' rather than strangers.<sup>7</sup>

<sup>1</sup> Criminal statistics (1998)

<sup>2</sup> Criminal statistics (1998)

<sup>3</sup> Rutter et al (1998)

<sup>4</sup> Criminal statistics (1997)

<sup>5</sup>

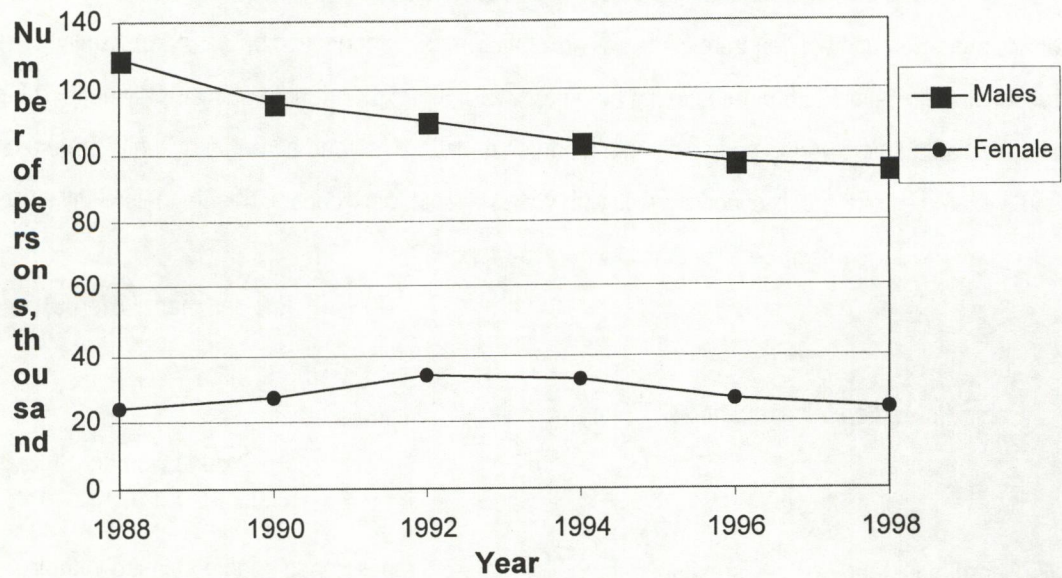
<sup>6</sup> Prison statistics England and Wales (1998)

<sup>7</sup> British crime Survey (1998)

[Note: incomplete references]

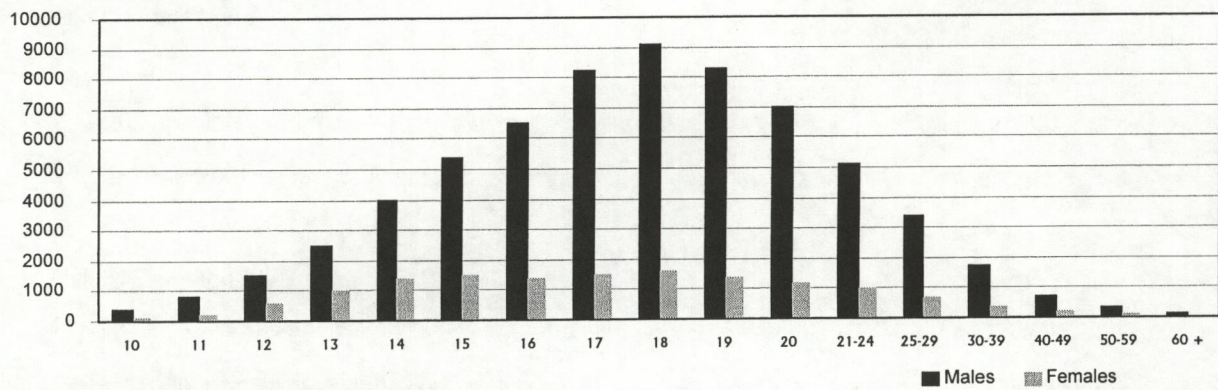
Offending behaviour seems to be heavily influenced by gender. Boys and young men commit over 80 per cent of all offences. Young men in the dialogue talked much more than young women about experiences of the police and their attitude to them.

**Young people aged 10-17 found guilty at all courts or cautioned for indictable offences by gender**



**Persons found guilty of, or cautioned for, indictable offences per 100,000 population by age, in 1997, in England and Wales**

Number per 100,000 population



Source: Criminal Statistics, England and Wales, 1998

The pattern of offending also differs across the genders. The peak age of offending is 15 for women but 18 for men. Young men have longer criminal careers than young women. Recent evidence suggests that more young men are continuing their criminal careers well into adulthood. The factors that discourage men and women from crime are also different. For young women, taking on family responsibilities is most important; young men consider it more important to gain employment. The police and their attitudes to young people stimulated much debate. Everyone agreed that, while there are some examples of the police working well with young people, a perception of antagonism still exists.

*"The police assume all youths are trouble-makers."*

(Young man: *Listen Up* event)

*"Police don't understand us. There's no communication."*

(Young woman: St Helens)

We heard of instances of racism among the police, where the police had seemed biased in their attitudes towards the young people or their friends. Unless police attitudes towards young people and the procedures for 'stop and search' change, relationships will remain poor. There is too much discrimination for young people to feel confident that the police will act in a fair manner towards them.

*"We need more Asian cops, so that we can talk to them."*

(Young man: Camden)

*"The police think that we [young Bengalis born in Britain] are Asians, they have got this thing about it. Us lot call it racism, right. They don't understand what we feel and we don't know what they feel about us."*

(Young man: Bedford)

They all thought the police should become more involved in schools and youth work settings. Better relationships can develop from such initiatives where the police are committed to the work.

#### GIRLS AND YOUNG WOMEN

*"We don't feel safe in the environment because of men hanging around the streets – flashers, attackers, drunks and drug users."*

(Young woman: St Helens)



Young women are particularly concerned about their own safety. They feel that ensuring personal safety is less important to police officers than arrests or protecting property. This is a cause for concern since young women look to the police to protect the public in situations where there might be violence or crowd disorder. They also pointed out that the justice system is better designed to deal with young men and women feel that sometimes their own needs are not properly met. Youth justice commentators also make this point.

*Research*

49 per cent of women between 16–24 years old report that they are very worried about being raped and 33 per cent are worried about being mugged.

British Crime survey (1996)

*"Police move us on but there's nowhere else to go. Nowhere to go to meet up with friends."*

(Young woman: St Helens)

BOYS AND YOUNG MEN

Boys and young men talked more in the dialogue about relations with the police than young women did. They feel a sense of discrimination and believe that the police will not treat them fairly or listen to them in an unbiased manner. We listened to many stories of racial prejudice and about black and Asian young people being stopped for no reason. They believe that the police need to change their attitudes. They also talked to us about the link between crime and drugs, saying they need to protect themselves in areas where drug dealing is prevalent. The police do not always provide protection.

*"When the police see a black person on the street they just pick 'em up and ask questions and that. They're still living in the eighties."*

(Young man: Leeds)

*"My prison sentence [six months] was well overboard."*

(Young man: Listen Up event)

*"I don't think kids should be put in prison."*

(Young woman: Wakefield Prison)

Some of the young people in the dialogue were either in prison or had been in the past. They talked of how difficult it was to readjust to life after prison and how the curriculum in prison should prepare

inmates for this. They also felt the need for counselling, or at least someone to talk to while they were in prison.

*"You get out those gates, you don't know where you're going, where to walk to or what to do."*

*"When someone says they need to talk and they're proper distressed and that, the officers will come and say 'We haven't got the time'."*

*"They should have therapy, like intense: 'Why d'you keep coming back?'"*

(Young women: Wakefield Prison)

*Young people want:*

- greater involvement of police in youth and community projects;
- stricter guidance on stop and search procedures;
- ongoing training for the police on stereotyping and dealing with young people in a non-prejudiced manner; and
- better education in prison to help inmates deal with life outside.

*Girls and young women want:*

- criminal justice procedures to be directed at the needs of young women;
- reassurance from the police about personal safety; and
- more counselling in prison to address reoffending and the pressures of life in prison.

*Boys and young men want:*

- training for police to be less confrontational and aggressive towards young men;
- better links between police, probation and prison services; and
- more respect from police when they have not done anything wrong.

## Our Response

We do not set out to address here each and every issue or detailed point raised. Rather, we identify the main themes and central messages that young people have told us about and describe current policies that tackle those key points. The essence of the message from the dialogue is that:

- the family, in all its complexity and at a time of great change, is the single most important source of support for most young people;
- young people are crying out for more and better preparation at school for the challenges of adult life. In particular, they want better and less stereotyped preparation for work;
- both girls and boys feel under pressure to conform to images that they find hard to match up to. They want more help in dealing with pressures put on them either by their peers, the media or other influences; and
- girls and boys are vulnerable to different risks in different ways, for example, health risks and exposure to crime and offending.

### Support for families

The Government believes the family is at the heart of a decent, stable and responsible society. One way to help young people is to provide more and better support for their parents. We heard that the family is the main source of support for many young people. Making help available for parents will make them better able to support young people. Parents today are often confused about their role; they feel inadequate and out of their depth. Many parents feel stressed by these uncertainties and find themselves unable to cope. Informal networks become less effective as children get older. When children are young, parents tend to meet at the clinic, the school gate, the park and on other common ground but as children get older and fend more for themselves, there are fewer opportunities for parents to gather and share experiences. The teenage years bring specific problems and, while there is some existing support available for parents, it is patchy.

The Government wants to change the culture around parenting so that asking for help is seen as a positive step. It has taken a number of measures to achieve this.

- It has established the National Family and Parenting Institute (NFPI) to give independent advice to Government, organisations and individuals on family and parenting matters. One of the NFPI's first tasks is to find out what local support is currently available to parents in all areas of the country.
- Depending on the evaluation of a pilot issue, it will publish a *Parents and Schools* magazine.
- Through the family support grant, worth £7 million over 3 years, it has enabled voluntary organisations to increase support to families and parents on parenting issues.

- It has funded a freephone helpline specifically for parents. Staffed by volunteers, *ParentLine Plus* offers emotional support and practical advice to parents and can put them in touch with local services.

*Listen Again*

The Government is planning a consultation programme to assess and develop policy in the field of family support. The consultations will focus on the provision of support services for families and how Government can communicate more effectively with parents.

In 1999, Government action focused on the relationship between boys and their fathers. Using Family Support Grants we funded nineteen projects aimed at giving help and support to boys, young men and fathers.

For example, the YMCA received funding to develop its *Dads and Lads* scheme. The YMCA recognised the extent to which fathers were using sport to help them manage their relationships with their sons and staff started to provide parenting support for fathers who had come to watch their sons play football. With Government funding, the YMCA aims to spread this scheme to other voluntary organisations around the country.

For the year 2000, the theme will be parenting of teenagers. As well as giving help to the parents of teenagers, we recognise the need to provide support networks for teenagers who themselves are parents.

## Preparation for adulthood

### THE CONNEXIONS SERVICE

To give all young people the best start in life, the Government has launched the ConneXionsService to deliver high quality, consistent and co-ordinated advice and support that meets the individual needs of young people. Through the Service, statutory agencies, voluntary sector organisations and specialist private sector businesses will work together to provide every young person between the ages of 13 and 19 access to a personal adviser.

Personal advisers will provide young people with guidance and support across a wide range of areas and help them develop their full potential. This might include helping them with learning and employment choices, guiding them through problems with family or friends or helping them to find and make good use of any specialists services they might need, like drug abuse counselling. To help them deliver appropriate support, training for personal advisers will cover gender difference and other aspects of diversity among young people.

The way the ConneXions Service will work was informed by the results of consultation with young people. Their contributions helped to:

- identify the sorts of problems young people need help with;
- establish how the relationship between young people and their personal advisers should work; and
- underline the need to give young people a say in deciding practical issues, for example, the accessibility of services, matters like opening hours and location of premises, and about the range and quality of services.

The Department for Education and Employment (DfEE) is setting up a working group to look specifically at the equal opportunities aspects of the ConneXions Service so that its design and development ensures and promotes equality of opportunity for all its clients. The careers service, responsible for the provision of impartial and comprehensive information and guidance, will be an integral part of the ConneXions Service.

### *Listen Again*

The ConneXions Service will develop a strategy to keep in touch with the views and concerns of young people and to include young people in its work, for example, by:

- making sure young people are represented on the partnership board and local management committee; and
- undertaking regular surveys of young people's views.

### AVOIDING LIFE ON BENEFIT

The Government's aim is to help 16 and 17 year olds into education, training or work with training rather than starting their adult lives dependent on the benefits system. Participation in training programmes entitles young people to training allowances. A new Education Maintenance Allowance is being piloted to test the extent to which it can encourage 16–19 year olds from low income households to stay on and achieve in education. Child benefit is still payable in respect of young people between the ages of 16 and 19 who are in full-time, non-advanced education and young people who, of necessity, are living away from home may be entitled to either the Jobseekers Allowance or income support.

The Government is also reviewing Housing Benefit and looking in particular at features like the Single Room Rent rule. The benefit system should not have the effect of encouraging young people to leave home unnecessarily but should help to encourage them to work and live independently as soon as they can afford to do so.

### WORK RELATED LEARNING

All young people have individual learning needs. New regulations introduced in 1988 allow schools to exempt some pupils from aspects of Key Stage 4 if they want more work-related learning or feel they could benefit from it. Schools can also now exempt pupils from the National Curriculum requirement for up to two of the following subjects: design and technology, modern foreign languages and science.

### WORK EXPERIENCE

Work experience may be young people's first taste of work and may shape their expectations for life. We were struck by how often young people have been disappointed and discouraged by what should be a positive experience.

We are now evaluating the work experience programme as one strand in a major development of more and better local education/business links and the Independent National Strategy Work Experience Group has been invited to look at improving the quality of work experience for all young people. In

particular we want to use work experience as an opportunity to give both girls and boys a taster of careers they might not previously have considered.

In addition to these initiatives, the Government intends to take forward a programme of action that includes:

- pilot projects aimed at promoting equal opportunities;
- a sign-up programme for leading employers to increase the numbers of girls offered work experience in traditionally 'non-female' sectors;
- new good practice guidance for employers, advisers and those responsible for placements based on experience and knowledge of employers already taking a less stereotyped approach; and
- more frequent and varied 'taster days' for both boys and girls in non-traditional areas of employment.

The Government will build on other existing initiatives to counter stereotyping. The Department for Trade and Industry's unit 'Promoting Women in Science, Engineering and Technology' is developing an innovative approach to careers advice. For example, its booklets *Breaking the Mould* and *X2* are designed to encourage girls to study science.

The New Deal for Lone Parents (NDLP) will pay for child care services for young parents undergoing work-focused training and NDLP advisers can help with advice on access to child care for lone parents who are looking for work.

The Government is developing strategies to help young women who are pregnant or already have children to return to education. As part of a project to find the best ways of providing child care for young parents, 25 pilot schemes have been set up specifically to help lone parents of 16 and 17 to re-enter education.

Young women and men leaving care find it especially hard to build relationships, find work and make a home. To help prevent these young people from slipping into the gap between adolescent care networks and the adult world, provision has been made for each young person leaving care to be allocated a personal adviser. The full scope of the Government's commitment to developing new arrangements is spelled out in the report *Me, Survive, Out There?*.

### **Imagery, self-image and the pressure to conform**

## PERSONAL, SOCIAL AND HEALTH EDUCATION

We believe young people should have the opportunity at school to look beyond academic subjects to wider social issues. The Personal, Social and Health Education (PSHE) framework addresses all types of stereotyping, bullying, racism and discrimination and helps young people learn how to challenge them assertively as part of developing good relationships and respecting differences between people. As part of the PSHE curriculum, all pupils – girls and boys – will be taught assertiveness skills to help them resist unhelpful pressure. They will learn where to get advice in order to inform their future choices; how to deal with changing relationships in a positive way; and how to show goodwill and use strategies to resolve disagreements.

Initial teacher training courses are being reviewed by the Teacher Training Agency. The review will consider whether teacher trainees need to receive better training in delivering sex and relationship education (SRE). The DfEE is also putting together good practice guidelines on in-service training for SRE teachers and OFSTED inspectors will now cover SRE teaching.

New guidance on SRE delivery is being produced that will set sex education in the broader context of self-esteem and personal responsibility. Using single sex teaching groups and peer education, the programme will give young people a clear understanding of:

- the arguments for delaying sex;
- why they should protect themselves from infection; and
- how to resist peer pressure to have unwanted sex.

## BULLYING

The issue of bullying was raised by many young people. For boys it is sometimes a subtle way of gender stereotyping; having their 'maleness' called into question, being made to 'feel small' or taunted for being 'weak'.

Since September 1999, headteachers have been under a legal duty to draw up measures to prevent all forms of bullying among pupils. DfEE is currently updating its anti-bullying pack for schools, which will be available to each maintained school on request, free of charge. The Department will also issue a video, which specifically encourages young people to report any bullying, and a public information film to raise awareness.

*Listen Again*



DfEE, working with the National Children's Bureau (020 7843 6000, [www.ncb.org.uk](http://www.ncb.org.uk)), is consulting with groups of young people as part of the implementation of its pupil behaviour guidance. The Department also intends to seek the views of young people as the text of the updated anti-bullying pack is prepared.

#### SELF-ESTEEM

For girls there are huge issues about media portrayal and the development of self-image. They must learn to see themselves against the ubiquitous backdrop of society's image of the 'perfect woman'; a process which seriously undermines the confidence of the vast majority who are not and never will be thin, pretty and beautifully dressed. There is growing concern about the effects of these images on young girls. The rising statistics on eating disorders and the evidence of the stresses suffered by models speaks to their pernicious influence on the media's young audience.

The Government has had some discussions with influential magazine editors and is planning consultation with key players in the fashion industry. The aim of these discussions is to develop, at the very least, a code of practice that governs the use of very underweight young girls as models.

#### SPORT

Sport teaches young people how to look after and respect their bodies. By making young people feel better about themselves and giving them some control over their bodies, sport can make a major contribution to their wellbeing and, in turn, to their self-esteem. Playing sport can reduce young people's involvement in crime and drugs and, as research from America shows, can reduce the likelihood of teenage pregnancy.

The Government will be promoting greater overall participation in sport across all genders, ages, races and social classes. Sport England's *Sport for All* strategy contains targets that aim to promote equality in sports participation.

The Youth Sports Trust (YST) and Nike (UK) are working together on an initiative aimed at stopping girls from dropping out of physical education and sport in their teenage years by influencing the way PE is delivered at school. According to YST (January 00), schools involved in the initiative are reporting a dramatic increase in the number of girls willing to take part in PE. The sort of measures being taken are:

- involving girls in the planning and delivery of their lessons;
- using different activities such as football and aerobics;
- relaxing policies on PE kits and showers; and
- introducing positive imagery and more female role models.

In an initiative from the National Lottery Charities Board (NLCB), a fund of £205 million was launched in April 1999 for out-of-school education that offers children and young people opportunities to promote their health and wellbeing through sport and creative activities.

Another NLCB initiative has funded 165 projects specifically aimed at girls between 11 and 18. Coming under the NLCB 'Youth and Low Income' funding round, the projects deliver, among other key provisions, outdoor activities for inner-city girls.

## **Facing risks**

### HEALTH

The Government has set up 26 Health Action Zones to encourage local, multi-agency partnerships between local authorities, local health agencies, businesses, voluntary and community organisations and the community. These partnerships are working together to tackle the root causes of ill health.

Young people need support to help them cope with and negotiate their way through the many difficulties that can adversely affect their mental and physical wellbeing: lifestyle; youth offending; exclusions; and drug and substance misuse are just some of the challenges they face. Fifteen of the Government's Health Action Zones are focusing on modernising services for young people and providing them with this much needed support.

In September 1998, the Government launched the £375-million Quality Protects programme to improve the management and delivery of children's social services. The programme is a key part of the Government's wider strategy for tackling social exclusion and focuses on working with some of the most disadvantaged and vulnerable children in our society: children looked after by local authorities; those in the child protection system; and other children in need.

In seven pilot projects, the Department of Health is encouraging primary schools to form links with local GPs to help young people establish positive relationships with their GPs and other healthcare professionals.

*Listen Again*

The *Children and Young People's Participation Project* is central to the Government's *Quality Protects* programme. By holding a series of national events for children and young people, producing training packs for social services staff and developing good practice guidelines for local authorities to promote participation, the project aims to ensure that:

- the voices and views of all children and young people are heard in the processes of planning, designing and reviewing services; and
- all local authorities have clear, unbureaucratic, child-friendly procedures for listening to, and acting upon, children's complaints and concerns.

#### *Drugs, alcohol and tobacco*

The misuse of drugs, alcohol and other dangerous substances is a crucial issue for young people, their parents and their carers. The Government has set itself the target to reduce substantially the proportion of people under 25 reporting use of illegal drugs and the proportion of young people using the drugs which cause the greatest harm – heroin and cocaine – by 50 per cent by 2008 and by 25 per cent by 2005.

Health Action Zones targeted at vulnerable people will be receiving £4 million specifically for drug prevention projects. These projects specifically aim to serve young offenders, truants, children excluded from school, young homeless people and the children of drug misusing parents.

As part of a new anti-smoking strategy costing in the region of £100 million over three years, the Government is targeting the under 16s and taking specific action to protect children and young people from the harmful effects of tobacco. A range of measures are planned to deter young people from starting to smoke and to help those who already smoke to stop, for example:

- banning tobacco advertising (subject to legal action)
- ensuring tough enforcement on under-age sales;
- requiring proof of age cards; and
- setting strong rules on the siting of cigarette vending machines.

The United Kingdom Anti-drugs Co-ordination Unit is funding projects looking at good practice in relation to young people and drugs and women and drugs and the National Drugs Helpline – a free, confidential, 24-hour service – is being set up. Responding to a series of young peoples' focus groups, the advertising campaign for the helpline will take into account the different needs and expectations of boys and girls.

*Listen Again*

The Department of Health is working to provide health education that reflects young peoples' experiences and, in particular, communicates with them in a voice they can relate to. All drug education and prevention resources commissioned by the Department are tested out with focus groups of young people before they are published.

SEXUAL HEALTH

The Government is developing a national sexual health strategy, a key element of which will be a programme of action on sexual and reproductive health for England. The strategy will join the Social Exclusion Report on *Teenage Pregnancy* (June 1999) with the developing HIV/Aids plan of action and aims to address the concerns listed in the *Saving Lives – Our Healthier Nation* White Paper.

The Department of Health is issuing guidance to health professionals on when they are able to supply contraception to girls under 16 without their parents' knowledge and a new publicity campaign is being launched to let girls and young women know that they are entitled to get confidential advice on sex, relationships and contraception.

*Listen Again*

As part of its national sexual health strategy, the Department of Health is consulting with young people to assess the specific needs of boys and girls in relation to education, information and service provision in the field of sexual health.

MENTAL HEALTH

Too often the young fail to receive appropriate mental health services, falling into the gap between adolescent and adult service provision. The Government plans to make mental health services more accessible and appropriate to young people, including boys and young men. In addition to allocating £90 million over three years to develop Child and Adolescent Mental Health Services, the Government is promoting:

- local inter-service arrangements to facilitate the prompt assessment of young people's needs;
- measures to ensure the safety and dignity of adolescents being cared for on adult wards; and
- effective handover arrangements for transferring young patients into adult mental health care.

To help prevent young people from taking their own lives, the CALM suicide helpline has been set up. CALM provides a safety net for young men by breaking down traditional barriers and reducing the stigma attached to depression and mental illness.

The Government is also funding the Eating Disorders Association to develop projects that will:

- increase the help available to people who are suffering from or affected by anorexia or bulimia nervosa, particularly in areas that are currently poorly served;
- increase knowledge and provide information about eating disorders;
- seek out good and innovative practice;
- help to improve treatment for people with eating disorders; and
- reduce inequalities in healthcare and develop appropriate services.

#### YOUNG PEOPLE AND OFFENDING

Over the last year the Youth Justice Board has funded 260 intervention programmes to prevent and reduce offending by children and young people. These cover a range of areas including training and employment, parenting, education and drug and alcohol programmes. The Board is also developing innovative schemes to reduce youth crime through locally based projects, including a joint initiative with Sport England to reduce anti-social behaviour through sport.

#### *Listen Again*

The Youth Justice Board is forming focus groups with young people aged 10 to 17, involving both those who have and those who have not offended, to discuss social issues and the consequences of offending.

While the majority of detected offenders are young men, local Youth Justice Services are specially organised to recognise gender differences and meet the needs of girls as well as boys involved in crime.

The Prison Service is developing a distinct curriculum for young women offenders and with the support of the King's Fund is introducing Sex and Relationship Education as an element of the 'Social and Life Skills' course already delivered to young offenders. The Service has also recently awarded a contract to develop teaching material for the prison service that focuses on the education and parenting of young children by prisoners.

The Women's Policy Group of the Prison Service is planning a number of policy and regime developments for young women in custody, including:

- research into why women and young women offend;
- assessment of the education and employment experiences of young women on release;
- special Young Offender Units in prisons for young women;
- a staff training pack *Understanding and Working with Young Women in Custody*;
- new training for staff working on the mother and baby units; and
- the appointment of a member of staff as mother and baby liaison officer.

The Youth Justice Boards are using ASSET, a new assessment tool, to help ensure their work is comprehensive and tailored to suit individual needs. This individual assessment process will be useful in identifying differences in the needs of young men and young women.

#### *The police and young people*

The community and race relations training now provided for police services includes substantial community involvement in training, the analysis of training needs and the assessment of the effectiveness of training.

As part of the Metropolitan Police Service programme of work to reform the use of Stop and Search, schools liaison officers have visited schools around London to distribute an information booklet to pupils and inform them about their rights. In evaluating this programme, the Met has also gone into schools to discover young people's perceptions of the police and their use of Stop and Search.

#### *Listen Again*

Police services are inviting minority ethnic young people to join focus groups and facilitated sessions with police officers as an essential element of the service's community and race relations training programme.

## Appendix I: Best practice in consulting young people

Extensive guidance on how to run a consultation programme can be found on the Cabinet Office website at [Note: insert address]. The points below relate specifically to consulting with young people.

### Who to consult?

- Do not limit yourself to consulting via mainstream representative bodies. Think how and when young people may be excluded, and make sure you are reaching *all* young people, not just those with the confidence to speak out in an adult setting. If possible, involve people and organisations young people talk to and trust, for example, youth workers.
- Think about who you involve from ethnic communities; again, are young people's views and experiences fully reflected by representative bodies for ethnic groups? Young Asian women, for example, say they find it difficult to get their voices heard in the responses of wider community groups.
- Think geographically; find ways to reach young people in rural communities as well as those in big cities. Schools, youth groups and youth workers can help here.

### How to do it?

- Look at all the options and tailor the consultation to achieve the level of detail you need. Written consultation is likely to be less productive than meeting young people individually or in groups and hearing their views first hand.
- Make the effort to meet young people on their own territory where they feel comfortable and at a time convenient to both of you. Provide any background information and advice young people may need to make face-to-face consultation work. Be clear about reimbursing travel and time off work.
- To draw out the differences in young people's views, consultation in small groups is effective. Working in single sex groups allows more open and honest discussion of the issues, especially sensitive topics such as sex and relationships. This may be particularly important for young people from some ethnic backgrounds.
- Think whether you will get a higher response rate or better coverage by consulting through youth bodies. If you do contract out the consultation process, be clear about what you want in terms of the remit, coverage, methods and outputs. Ensure the body has a strategy for reaching a wide spectrum of young people.
- Consider using the Internet. Young men in particular seem to appreciate the anonymity of electronic communication.
- You could also allow young people to articulate their views creatively, in forms they choose to use (such as rap, photography, artwork and dance). Think how you will use these forms of expression when interpreting results.

### Outcomes and follow-up

- Give feed back. Let those involved know what you have heard and what you are doing. Think how you can stay in touch – you may want to go back to the young people and re-evaluate issues at a later date.



RESTRICTED - POLICY

DEPARTMENT OF SOCIAL SECURITY

Richmond House, 79 Whitehall, London SW1A 2NS

Telephone 0171 - 238 0800

*From the Parliamentary Under Secretary of State for Social Security*

Ep:son  
cc: B (F)

9 March 2000

The Rt Hon David Blunkett MP  
Secretary of State for Education and Employment  
DfEE  
Sanctuary Buildings  
Great Smith Street  
LONDON  
SW1P 3BT

Dear David,

**CHILDCARE**

Thank you for your letter of 3 March, about which we had a brief word earlier this week. Your letter followed up Margaret Hodge's of 14 February.

We would very much welcome the discussion you suggest. As I said when we met, I think that we have to consider the very important issues you raise about the role of Government alongside the fact that the dynamics of family life are changing. If care by grandparents is the preferred form of childcare for so many lone parents, then we may not get them back into work unless we recognise this reality – and provide support where it is needed.

I accept that we do not yet have hard evidence for the likely impact of providing financial support for informal childcare. We can't yet put any firm figures either on deadweight or on the behavioural impact. Perhaps this suggests that we should do some carefully controlled and evaluated piloting. We will be giving some thought to how that might be structured.

I am copying this, as you did your letter, to the **Prime Minister**, to Dawn Primarolo and to Margaret Hodge.

Yours

PATRICIA HOLLIS

RESTRICTED - POLICY



Recycled Paper





10 DOWNING STREET  
LONDON SW1A 2AA

Flit

uGM

JTH

From the Private Secretary

9 March 2000

Dear Janet,

### ADOPTION

As you know the Prime Minister is keen to make progress on our policy on adoption. He would like the main vehicle for this to be a consultation document setting out a range of options, to be published later this year.

To oversee this work the Prime Minister would like a ministerial group to be established, chaired by him and including the Home Secretary, the Lord Chancellor, the Secretary of State for Health, the Secretary of State for Wales and John Hutton. This will determine the key priorities and timetable for policy work.

It will need to be supported by a working group to be chaired by John Hutton, and including Lord Warner, Geoff Mulgan from the No 10 Policy Unit, as well as the relevant lead officials from the Home Office, the Department of Health and the Lord Chancellor's Department. This group will be able to draw on work already done for the Ad hoc Ministerial Group on the Family. A team from the Performance and Innovation Unit will provide support and develop policy options, working closely with the Department of Health. Its first task should be to prepare a report for the Prime Minister by mid-May, examining the main blockages and problems in the existing system and setting out the main issues, options and timescales. This report might also identify early moves - for example on promoting adoption or legislation - that could be made this year.

The Ministerial group will then be able to consider the timetable for a full consultation document, which would draw on further research commissioned by DH as well as the conclusions of the spending review, and would examine the full range of issues relating to adoption including legislation, options for

changing or scaling down the role of local authorities, transfer fees and allowances, and new ways of recruiting and matching parents with children.

I am copy this letter to the Private Secretaries to the Private Secretaries to the Home Secretary, the Lord Chancellor, the Secretary of State for Wales, John Hutton, Lord Warner, and to Sebastian Wood and Jamie Rentoul (Cabinet Office).

*Yours ever,*

*David*

**DAVID NORTH**

Janet Grauberg,  
Department of Health.

12.APR.2000 15:56

JMPO *Mr J Hunter* *Howarth (B&L)*

NO.842 P.2/2



NORTHERN IRELAND OFFICE  
BLOCK B, CASTLE BUILDINGS  
BELFAST BT4 3SG

Parliamentary Under-Secretary  
of State

Tel Belfast 028 9052 0700  
Facsimile 028 9052 8202

The Rt Hon Jack Straw  
Secretary of State for the Home Department  
Home Office  
50 Queen Anne's Gate  
LONDON  
SW1H 9AT

*8th* March 2000

*Dear Jack,*

Further to our recent telephone conversation, I am writing to seek your agreement to working up a proposal on the Child Care component of the Working Families Tax Credit in conjunction with colleagues and officials from the Treasury.

What I would hope to achieve would be a paper examining the feasibility of a pilot proposal for Northern Ireland to enable grandparents and/or other family members to be accepted as child carers without any specific training. Such an arrangement would then open up access to the Child Care component, which would be presented to the ad hoc Family Policy Committee which you chair. However, because this is a Treasury matter, I would need clearance to work with colleagues on this.

I hope you will feel this is an appropriate initiative.

*Yours Ever*

*George*

GEORGE HOWARTH  
PARLIAMENTARY UNDER-SECRETARY OF STATE



The Rt Hon Margaret Beckett MP

PRIME MINISTER'S  
CORRESPONDENCE SECTION  
RECEIVED  
6 8 MAR 2000

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PRIVY COUNCIL OFFICE

2 CARLTON GARDENS LONDON SW1Y 5AA

DR/  
C.P.U  
O.H

713/2000

Dear John,

**CHILDREN (LEAVING CARE) BILL: CARE LEAVERS AGED 18 - 21**

I have seen a copy of your letter of 23 February to John Prescott, seeking agreement to amend the Children (Leaving Care) Bill to meet the needs of care leavers aged 18 - 21. I am willing to agree to you proceeding as you proposed.

You explained that you wished to amend the Bill to place a specific duty on local authorities to assist with the education, training and employment of former care leavers up to the age of 21, and in respect of entire courses beginning before someone reaches that age. You had always intended to achieve this through the Bill, but the current draft did not achieve this because of the existence of a specific power in this respect in s24 of the Children Act. Since the policy intent has existed from the start and would otherwise be frustrated, I am prepared to accept that the amendment is essential to achieving the Bill's purposes. You therefore have my agreement, subject to HS approval being obtained.

I am copying this letter to the Prime Minister, members of HS and LEG, and to Sir Richard Wilson and First Parliamentary Counsel.

Regards  
Margaret

**MARGARET BECKETT**

John Hutton MP  
Minister of State  
Department of Health

cc: PU  
Scan

**DEPARTMENT OF SOCIAL SECURITY**

Richmond House, 79 Whitehall, London SW1A 2NS  
Telephone 0171 - 238 0800

f



*From the Secretary of State for Social Security*

SOS/1100

Rt Hon John Prescott MP  
Department of the Environment,  
Transport and the Regions  
Eland House  
Bressenden Place  
London  
SW1E 5DU

7 March 2000

**CHILDREN (LEAVING CARE) BILL: CARE LEAVERS AGED  
18-21**

I have seen a copy of John Hutton's letter to you of 23 February about the proposed amendment to the Children (Leaving Care) Bill to extend Local Authorities' duties to meet the needs of care leavers aged 18-21.

I support the move to convert the power into a duty for Local Authorities to assist 18-21 year olds to complete education and training. However, I should like to make clear that I have no intention to change Social Security rules for this particular age group. All income-related benefit claims from care leavers aged 18 years or more will continue to be assessed under current rules as apply to all benefit claimants. Moreover, it would fall to the Department of Health's budget to support Local Authorities in carrying out this duty and, as outlined in John Hutton's letter, for the Department of Health to secure funds for this



**E.R.**

measure through the Spending Review.

I am copying this letter to the Prime Minister, members of HS and LEG committees, and Sir Richard Wilson.

Your  
Ald

**ALISTAIR DARLING**



Minister for the Cabinet Office  
Chancellor of the Duchy of Lancaster

Rt Hon John Prescott MP  
Department of the Environment  
Transport and the Regions  
Eland House  
Bressenden Place  
London  
SW1E 5DU

3 March 2000

Dear Sohn,

**CHILDREN (LEAVING CARE) BILL: CARE LEAVERS AGED 18-21**

I am writing to give my full support to John Hutton's proposal to amend the Children (Leaving Care) Bill to extend Local Authorities' duties to meet the needs of care leavers aged 18-21.

The Social Exclusion Unit's work in a number of areas has identified care leavers as one of the most vulnerable groups of young people. They are disproportionately represented among the homeless, juvenile offenders, and teenage parents. They are also poorly provided for under current arrangements.

I therefore very much welcome the proposals in the Children (Leaving Care) Bill and find the arguments John Hutton has put forward for amending the Bill very persuasive.

I am copying this letter to the Prime Minister, member of HS and LEG committees, and to Moira Wallace in the Cabinet Office and Sir Richard Wilson.

MARJORIE MOWLAM

Top-DJ

COB  
PJ

CABINET OFFICE  
70 Whitehall, London SW1A 2AS  
Telephone: 020 7270 0400

(F)

## Karen Lovesey

---

**From:** Jeremy Heywood  
**Sent:** 06 March 2000 18:25  
**To:** DCO  
**Subject:** FW: Sure Start Review

(Kle)

for file

-----Original Message-----

**From:** Geoff Mulgan  
**Sent:** 06 March 2000 17:14  
**To:** Chakrabarti Suma - EDS -  
**Cc:** Owen Barder; Jeremy Heywood; David Miliband; David North; Britton Paul - Sec B -; BELL LINDSAY - ECONOMIC & DOMESTIC SEC -; Robert Hill  
**Subject:** RE: Sure Start Review

I've circulated a note of comments on 4 of the crosscutting reviews, which should arrive later today.

The key points it makes are:

1. the review has still not sufficiently sharpened up the overall PSA targets; in my view readiness to learn should be the top one, and that there is no point limiting targets to Surestart areas
2. the review has got into contortions trying to find out how a universal programme can reach a higher percentage of poor children. The problem is that it costs a great deal to raise the percentage. 250 centres can reach 20% of children in poverty. The budget would have to treble to reach 33%, to quadruple to reach 42%. The result would be a Rolls-Royce service for a minority even of poor children, and potentially very little equivalent services - including childcare - for the rest. This can't be right
3. So far, despite continual pressure from me, very little real work has been done on improving the overall delivery of childrens services, the coordination of plans (which now include children's service plans; early years and childcare development partnerships; health improvement plans; and surestart partnerships, not to mention NHS Direct, EAZ, HAZ). As a result we can say little about what parents can expect to receive - what the service guarantees might be
4. The parallel work on the Childrens Fund has been poorly focused (admittedly it was an illdefined brief)

The option you suggest would be a possibility - but we shouldn't expect much hard data in the early part of the next SR period. Since none of the people involved in SS think it should be expanded now, another answer which I have floated is expanding the Surestart budget but using it to cover a range of things, including childcare (which is virtually missing from the whole SR process, whether the DfEE departmental bid or the WTW review), rather than being limited to the existing model, and also including services more targeted at individual at-risk families (as On track is doing). However, the group doing the work - including Norman Glass - are very attached to the existing Surestart model.

-----Original Message-----

**From:** Chakrabarti Suma - EDS - [SMTP:schakrabarti@cabinet-office.x.gsi.gov.uk]  
**Sent:** 06 March 2000 14:18  
**To:** Mulgan Geoff - No. 10 -  
**Cc:** Barder Owen - No. 10 -; Heywood Jeremy - No. 10 -; Miliband David - No. 10 -; North David - No. 10 -; Britton Paul - Sec B -; BELL LINDSAY - ECONOMIC & DOMESTIC SEC -; Hill Robert - No. 10 -  
**Subject:** Sure Start Review

Jeremy's manuscript note refers.

I agree with Jeremy's comment that we should be wary of expanding this programme on the basis of the evidence so far. I suggested at the last Gieve colloquium on the cross-cutting reviews that extra money allocated for SS in SR 2000 should be put into an earmarked fund and doled out as we get hard evidence through impact evaluations and the like. That way we get the presentational kudos for increasing SS but link money to real performance. We did something similar in the last CSR with education and health money.





F

SANCTUARY BUILDINGS GREAT SMITH STREET  
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TELEPHONE 0870 0012 345  
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The Rt Hon DAVID BLUNKETT MP

Patricia Hollis MP  
Parliamentary Under Secretary of State  
Department of Social Security  
Richmond House  
79 Whitehall  
London SW1A 2NS

OB  
cc to

MS  
SKP Deal with  
7/3/00

3 March 2000

Dear Patricia

Margaret Hodge has let me have sight of your letter to Dawn Primarolo regarding childcare. As this area of Government delivery falls directly within my brief, I thought it would be useful to write to you directly.

Given the policy implications of your letter, I am not only copying it to Alistair (as well as my own Ministers), but also to the Prime Minister. I think we are treading in very dangerous territory here. There appear to be a number of assumptions underlying your letter to Dawn with which I do not agree.

The first is that these matters are primarily the responsibility of Government and therefore it should be Government action which is fundamental to achieving change. I believe that the family and the broader community carry responsibility in what I would describe as 'civic society' and that attempts by Government constantly to intervene in these matters can only distort the pattern of family and community care which, as you are aware, has been a fundamental part of even the most disadvantaged communities since the emergence of the urban environment in the early industrial revolution.

The second assumption is that we should intervene with regard to informal childcare by providing Government funding. The logic of your letter is that we would subsidise grandparents to care of their grandchildren. Not only would there be a massive dead-weight cost, but it would distort entirely the relationship of generation with generation, family member with family member. There is not a comparison in relation to Invalid Care Allowance. What we are talking about here is whether the informal pattern of grandparents looking after grandchildren should be superseded by the State, taking money from one set of people in order to hand to another in a piece of social engineering.



INVESTOR IN PEOPLE



The result might be a small increase in the informal care available. It would however be at the most enormous expense, not only financially but in terms of the distortion of those informal relationships mentioned above.

I would like to see the Treasury's evidence, with real research analysis, on what the consequences would be of this political interference in personal and family relationships.

We are opening up a flank which is politically dangerous would suggest that Margaret Hodge and I are involved in any further discussions on this issue.

I look forward to receiving the analysis you have and the work the Treasury has done in this area. It is worth stressing, as Margaret has done in both meetings and in writing to you, just how successful we have been so far with relatively small amounts of money in creating through the early years and childcare partnerships, the formal and informal frameworks in which childcare provision has expanded dramatically alongside that of more formalised early years education.

The WFTC disregard is of course a crucial stimulus to the operation of the market which inevitably will have its own dynamic.

It is worth stressing that some of the models often favoured by those advocating a universal government responsibility (northern Europe) are themselves under considerable strain, with pressure for rapid change. It would be unfortunate if we were to move towards such models at a time when they themselves are moving on as part of a refection of a changed view of the balance of rights and responsibilities, both the individual and state

I am writing in robust terms because such profound changes in social policy need to be discussed openly with colleagues rather than seen as tax and benefit issues.

I am copying this letter to the Prime Minister, Alistair Darling, Dawn Primarolo and Margaret Hodge.

Best wishes as ever



DAVID BLUNKETT

NOT ON MATRUX.



(F)

r 13:00

3/3/00

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t.p.s.

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The Rt Hon Andrew Smith MP  
Chief Secretary to the Treasury  
Treasury  
1 Parliament Street  
London SW1P 3AG

OB  
cc: ~~DM~~  
DN  
PU

This is very weak. On the evidence presented here there is no case at all for a major expansion of the Sure Start programme. Also, what links are there between this & the role Mrs Durrant will play in supporting new projects? *Jeremy*

Dear Andrew

**CROSS CUTTING REVIEW OF SURE START AND SERVICES FOR THE UNDER FIVES**

Thank you for your letter of 8 February. We enclose a copy of the interim report of the cross cutting review of Sure Start and services for the under fives, and an outline revised Public Service Agreement for Sure Start. We shall suggest targets to measure progress towards the objectives we propose in the light of decisions on the overall resources for Sure Start to emerge from this Review.

Our recommendations at this stage mainly concern the Sure Start programme, although there are some comments on services for young children more generally where we intend to carry out further work in the light of departments' proposals.

**Sure Start**

We have looked carefully at Sure Start in the light of the Year 2000 Spending Review's overarching themes of opportunity and fairness for all and the Government's commitment to ending child poverty. The Review sets out the key role we see Sure Start playing in the Government's overall strategy to combat social exclusion, by helping to break the cycle of disadvantage and to provide pathways out of poverty.

We have looked carefully at the way the programme is designed. We think it is right that it should continue to be targeted at areas of disadvantage and open to all families in an area, although in the second part of the review we want to look again at the position for large cities and for rural areas. By continuing to choose districts using an index of local deprivation the first 250 Sure Start programmes will reach 20 per cent of children living in households receiving means tested benefits and will provide excellent services which people in those areas have



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r 13:00  
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The Rt Hon Andrew Smith MP  
Chief Secretary to the Treasury  
Treasury  
1 Parliament Street  
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OR  
cc: JPM  
DN  
PU

5 - March 2000

Dear Andrew

**CROSS CUTTING REVIEW OF SURE START AND SERVICES FOR THE UNDER FIVES**

Thank you for your letter of 8 February. We enclose a copy of the interim report of the cross cutting review of Sure Start and services for the under fives, and an outline revised Public Service Agreement for Sure Start. We shall suggest targets to measure progress towards the objectives we propose in the light of decisions on the overall resources for Sure Start to emerge from this Review.

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INVESTOR IN PEOPLE



helped to design and can join in delivering. The ambitious targets set out in the first Sure Start PSA have proved an effective planning tool for programmes and will enable us to measure how they are doing against Sure Start's objectives. However, in line with new guidelines about reducing targets we will cut the number of targets in the revised PSA to 4 key targets, one for each objective.

We calculate that additional money is needed to meet the original aims of the programme and to make it as effective as possible. In confirming our commitment to the programme we should also make explicit our recognition that it will take a generation for the full gains of our investment in Sure Start to come through: although we have already said this it is taking time for those on the ground to realise that they are no longer in a short term bidding culture but working in partnership with a Government committed to ending child poverty.

Our terms of reference asked us to look at extending the age range. We have been impressed by evidence that a more explicit focus on pre-birth, and particularly on first time parents, is critical to reducing risk factors (such as post natal depression) to a child's life chances. Evidence has also shown the need to ensure consistently high quality learning experiences for children in the programme, and also for continuity of support to ensure that gains are not lost when a child goes to school. Evidence from the 1998 review indicated that differences in outcomes for children from poor and better off families can be observed as early as twenty-two months. Furthermore, quality of educational input and continuity of support feature in evidence as having the most significant and long lasting impact on outcomes for children, and therefore will make an important contribution to the long term aim of eradicating child poverty by breaking the cycle of disadvantage. However, our consultation revealed a clear desire for Sure Start to keep its distinctive focus on younger children, and we therefore recommend that after this transition, further family support needs can be met through the Young People at Risk programme.

We are also concerned to ensure that Sure Start areas benefit from the expansion of child care under the National Childcare Strategy. There must be sufficient child care available, and of a high quality, to support pathways out of poverty. We are not bidding for Sure Start to make this provision but we may wish to return to you if the child care strategy is not resourced to fulfil this demand.

We offer for consideration three options for expansion, one involves a moderate number of additional programmes (150 of the current size and 150 smaller programmes), the second creates 350 programmes of similar size and 225 smaller programmes, and the large expansion option would create 350 normal size and 459 smaller programmes.

These options are presented to enable PSX to make a judgement about the number of children in poverty covered by the programme and the capacity needed to deliver it. While it is true that Sure Start programmes make great demands on parents, communities and local service providers, and too rapid an expansion could strain local capacity, yet the major expansion could provide pathways out of poverty for over half of all poor children. The middle option doubles the number of poor children we are helping. The smallest option reaches a third of all poor children.

Because of the special circumstances of children living in rural areas, we recommend that either option for expansion includes some provision for the development of a separate model of reach for poor children in rural areas. We shall return to this, and questions about Sure Start in large cities, in the second part of the Review.

**Services for Young Children**

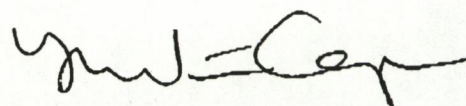
Sure Start should be seen in the context of other important proposals on early years and for under 5s generally. We shall look at the full picture on services for children under five when we have seen the relevant proposals from all departments. In the meantime, the interim report contains details of the £7bn currently spent on under 5s and departments' current targets for young children.

I am sending a copy of this letter to the Prime Minister, and to the Sure Start Steering Group which oversee the Review.

Best wishes



**DAVID BLUNKETT**



**YVETTE C JOPER**

**CROSS CUTTING REVIEW OF SURE START AND SERVICES FOR UNDER FIVES  
INTERIM REPORT**

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## 1. General Abstract

1.1. Sure Start is a new central Government programme set up after the 1998 Cross-Departmental Review of Provision for Young Children (the 1998 Review) which was part of the Comprehensive Spending Review in 1998. Developments since July 1998 - in particular, the Prime Minister's pledge to eradicate child poverty, made in March 1999, and experience of the first local programmes, make a review timely and relevant.

1.2. Our terms of reference (see annex C) asked us to look at both the Sure Start programme itself and services for the under 5s more generally, and to consider options for expanding Sure Start, including widening the age range to which the programme applies. Annex D shows how we went about this. The Review team involved all interested Government departments: the officials' steering group included representatives from local Government and a Health Authority.

1.3. We have revisited the evidence presented to the 1998 Review, and discussed new evidence with a number of distinguished academics and experts (Annex E). We conducted a poll of over 500 parents in Sure Start local programme areas to ask about the services parents want and discussed options for expansion with some of the experts involved in designing the programme (Annex F). We considered the effect of economic developments and other Government initiatives on the problems which Sure Start was designed to tackle. (Annex G).

1.4. Sure Start is currently planned to have 250 local programmes, which will reach about 8 per cent of 0-4s in England. We estimate that this represents about 20 per cent of all children under 4 who are poor. Because of the potential Sure Start has to provide pathways out of poverty we recommend that the programme should be expanded to reach a much larger number of poor and nearly poor children, to maximise its impact on the Government's drive to eradicate child poverty. We have costed options which expand the programme's reach from 20 per cent to 55 per cent of children living in poverty or on the margins of poverty.

1.5. In summary, our broad conclusions on Sure Start are:

- a. there continues to be a need for a programme to tackle the effects of poverty on very young children and their families;
- b. the main thrust of that programme should be to co-ordinate, reshape and fill gaps in services, not to become a mainstream programme itself;
- c. to meet irresistible pressures we shall need to adjust Sure Start's expenditure profile to meet the current Public Service Agreement (PSA) target of 250 programmes by 2001-02;
- d. in doing so, we should make more explicit our long term commitment to the programme;
- e. in view of evidence on the critical importance of the pre birth stage, Sure Start programmes should place more emphasis on first time mothers;
- f. our consultation revealed unmet child care need of about 10 per cent in child care areas. The table below shows, as a memorandum item, the amount which we calculate as the cost of meeting the unmet demand in Sure Start areas;
- g. Sure Start programmes should be strengthened by additional education and training in child development for all those working with young children in the area, to ensure consistent high quality play and learning experiences;
- h. Sure Start programmes should follow children into the first year of primary school, to ensure continuity of service provision for those needing the most support, and to avoid any fall off in developmental gains in the transition to primary school;



- i. we recognise that an expansion so early in the programme's life carries risks: the programme has had a very promising start but is not proven, it is also costly in terms both of money and of capacity on the ground, and expansion too far too soon could strain this capacity;
- j. but we conclude that the gains are considerable and the risk manageable if expansion is controlled and in particular if the Sure Start Unit continues to monitor the quality of the local programmes; we therefore recommend that the scope of the programme should be expanded significantly. Such an expansion has a key link to the Government's drive to eradicate child poverty and to the education standards agenda;
- k. The current programme design is not appropriate to address rural poverty for young children. Our proposals include provision for testing out new models for rural areas.

1.6. It should be noted that PSX's decisions on expansion will have consequences for programme delivery and design.

1.7. The work on outputs for expansion is at the core of this report. The new draft Public Service Agreement sets out a revised aim and objectives for Sure Start, and Sure Start's key principles. We shall set targets by which progress towards the objectives can be measured in the light of resource decisions.

1.8. We have begun to review services for the under 5s, but hope to do more in this area once Departments' proposals for children have been finalised. We intend to consider whether there would be advantages in bringing together departments' objectives for young children in a single document, and in setting common targets to measure progress in reaching objectives. A map of the current objectives and targets is attached at Annex B. We would expect that any recommendations in this area in our final report would be largely organisational and would not have significant financial implications.

#### Summary table of recommendations with financial implications

|   | to nearest £ 10 million |         |         |
|---|-------------------------|---------|---------|
|   | 2001-02                 | 2002-03 | 2003-04 |
| baseline  | 180                     | 180     | 180     |
| irresistible pressures (see 1.5c, 5. and Annex H)           | 100                     | 170     | 160     |
| Options for expansion: see Section 5 and Annexes H & J      |                         |         |         |
| reach 30 per cent poor children*                            | 230                     | 330     | 390     |
| <i>of which, capital</i>                                    | 20                      | 60      | 70      |
| reach 40 per cent poor children                             | 360                     | 560     | 670     |
| <i>of which capital</i>                                     | 40                      | 110     | 140     |
| reach 50 per cent poor children                             | 470                     | 730     | 870     |
| <i>of which, capital</i>                                    | 50                      | 150     | 200     |
| [cost of additional child care in Sure Start <sup>1</sup> : | 170                     | 290     | 290     |
| <i>of which, capital</i>                                    | 90                      | 150     | 150]    |

<sup>1</sup> For current programmes only

|                       | Option 3           |                  | Option 2           |                  | Option 1           |                  |
|-----------------------|--------------------|------------------|--------------------|------------------|--------------------|------------------|
|                       | Baseline<br>2001-2 | Change<br>2002-3 | Baseline<br>2001-2 | Change<br>2002-3 | Baseline<br>2001-2 | Change<br>2002-3 |
|                       | Res budget         | of wh. Admin     | Res budget         | of wh. Admin     | Res budget         | of wh. Admin     |
| <b>Sure Start</b>     | 570                | 4                | 570                | 4                | 570                | 4                |
| 1. Current Progs      | 150                | 4                | 150                | 4                | 150                | 4                |
| 2. First time mothers | 80                 | 0                | 80                 | 0                | 80                 | 0                |
| 3. Inc. education     | 70                 | 0                | 70                 | 0                | 70                 | 0                |
| 4. Up the age range   | 210                | 0                | 210                | 0                | 210                | 0                |
| 5. More Programmes    | 60                 | 0                | 60                 | 0                | 60                 | 0                |
| 6. Evaluation         | 5                  | 0                | 5                  | 0                | 5                  | 0                |
| Assumed asset sales   | 0                  | 0                | 0                  | 0                | 0                  | 0                |
| Total DEL             | 570                | 4                | 570                | 4                | 570                | 4                |
| of wh. Non cash       | 0                  | 0                | 0                  | 0                | 0                  | 0                |
| <b>Sure Start</b>     | 480                | 4                | 480                | 4                | 480                | 4                |
| 1. Current Progs      | 150                | 4                | 150                | 4                | 150                | 4                |
| 2. First time mothers | 60                 | 0                | 60                 | 0                | 60                 | 0                |
| 3. Inc. education     | 60                 | 0                | 60                 | 0                | 60                 | 0                |
| 4. Up the age range   | 160                | 0                | 160                | 0                | 160                | 0                |
| 5. More Programmes    | 50                 | 0                | 50                 | 0                | 50                 | 0                |
| 6. Evaluation         | 5                  | 0                | 5                  | 0                | 5                  | 0                |
| Assumed asset sales   | 0                  | 0                | 0                  | 0                | 0                  | 0                |
| Total DEL             | 480                | 4                | 480                | 4                | 480                | 4                |
| of wh. Non cash       | 0                  | 0                | 0                  | 0                | 0                  | 0                |
| <b>Sure Start</b>     | 360                | 4                | 360                | 4                | 360                | 4                |
| 1. Current Progs      | 150                | 4                | 150                | 4                | 150                | 4                |
| 2. First time mothers | 40                 | 0                | 40                 | 0                | 40                 | 0                |
| 3. Inc. education     | 40                 | 0                | 40                 | 0                | 40                 | 0                |
| 4. Up the age range   | 110                | 0                | 110                | 0                | 110                | 0                |
| 5. More Programmes    | 20                 | 0                | 20                 | 0                | 20                 | 0                |
| 6. Evaluation         | 5                  | 0                | 5                  | 0                | 5                  | 0                |
| Assumed asset sales   | 0                  | 0                | 0                  | 0                | 0                  | 0                |
| Total DEL             | 360                | 4                | 360                | 4                | 360                | 4                |
| of wh. Non cash       | 0                  | 0                | 0                  | 0                | 0                  | 0                |

All figures to nearest £10m, except admin and central evaluation to nearest million.

## 2. What Sure Start has done so far

2.1. Sure Start was established as a result of the 1998 Review, which concluded that while large sums of money from several different parts of Government were spent on young children, there was no coherent set of principles or aims. The Review also found most of the money spent was on the older age range, i.e. over five, while considerable evidence argued that the most cost effective interventions were with much younger children. Furthermore, the Review found disparities in outcomes for children largely based on family income. Children from poorer families had poorer health, did less well at school, were more likely to get involved in crime as they grew older, and were less likely to be employed as adults. As a result of the Review, £452 million was set aside to establish a new initiative in England designed to deliver better outcomes for children, particularly those who were disadvantaged.

2.2. Sure Start was announced as a programme in July 1998. The first sixty Trailblazer areas were announced in January 1999, with a further sixty-nine areas announced in November 1999. All of the 129 areas have established partnership boards involving voluntary and statutory providers and local parents. These boards have the main responsibility for the design and delivery of a Sure Start programme for the area. All are working to the objectives and targets in Sure Start's current PSA. Fifty-three of the programmes have had final delivery plans agreed by Ministers and are currently recruiting staff and setting up new services. Many of the programmes have already had small capital grants to improve meeting places and outdoor play areas. Many also will be managing major capital developments in their second year of operation.

2.3. In terms of our current set of PSA targets, many of the process targets are well underway. 129 of the 250 programmes are running or in development. A major piece of work on determining evaluation has been completed and the evaluation project is to be tendered this spring. All the current boards have local parents as members. There is less evidence of success on outcome measures because so few of the programmes have been running, and these only a few months. However, we have issued guidance on child protection issues, family diversity, and reaching minority ethnic families, as well as guidance on evidence based practice. We are currently developing guidance on baseline measures for language development, and good practice in cognitive programmes for very young children.

2.4. Information is collected on spending on objectives, targets and activities across all the programmes. Revenue spending so far is fairly evenly spread across the objectives, with slightly more being spent on improving the ability to learn and on strengthening families and communities, and slightly less on improving social and emotional development and on improving health. The revenue spend on targets reflects this picture, with 14 percent and 12.5 percent respectively of revenue funding spent on play and learning opportunities and parenting support. The lowest revenue spending on targets is on birth weight (4.3 per cent) and post natal depression (5.6 per cent) possibly because the relevant activities are not particularly expensive, and there is considerable overlap in activities that reach a number of different targets.

2.5. Much has been learned from the Trailblazer Round, and this has already informed guidance for the second wave. In particular, local partnerships may take considerable time to work effectively together, and involving local parents on any significant scale is very difficult until at least a few services are in operation. Having a clear set of objectives determined centrally has helped to pull the partnerships together and is beginning to liberate local thinking about programme design. However, the targets need to make sense to local people, both

service users and providers. Clarity of interpretation and ongoing support and communication from the centre to the local programmes has proved vital and will continue to be required. It has taken some time for some local partners to adjust to the Sure Start approach, in particular, that this is not a bidding culture and that it is recognised that programmes will need some years of steady money if they are to make a difference and that outcomes will take time to come through. Nervousness on both these points inhibits partnership working.

2.6. The parents poll conducted by MORI (details in Annex F) indicated that we are probably on the right track in terms of services. Issues of concern to parents in the Sure Start areas were: on health, more flexible access and better transport to primary and secondary services; on childcare, more formal and informal services on an as you need it basis, and help with informal baby-sitting and childcare networks; on play and learning, better safer outdoor and indoor facilities for young children, and more informal education places; and on parent support, more information on what childcare and parent services are available, advice on local schools, and drop-in facilities. However, the level of awareness of Sure Start within the areas was disappointing. This indicates a need to stress the importance of outreach and communication strategies for the current as well as any future Sure Start plans.

2.7. While the Sure Start initiative is still quite young, all the evidence gathered since the 1998 Review, and the subsequent experience of setting up the programmes, provide an overwhelming case for its continuation. Local partnerships take time to root and deliver, so this next spending period will be crucial in terms of ongoing expenditure for the initial 250 programmes. Section 5 of this report discusses the case and various options for expanding the current programme.

### 3. Overview of services for young children

3.1 Our terms of reference required us to consider what outcomes for children are needed by age five, and whether the support provided outside Sure Start areas is sufficient to achieve those outcomes.

#### Current Services

3.2 The main services for children under five are split between universal and targeted, the latter targeted by area, income or specific need. Some services are statutory, some discretionary. Annex I estimates that in total expenditure on under 5s is not less than £7bn, £11bn including social security payments. This contrasts with the estimate of the 1998 review that about £10bn was spent on children 0-8, £15bn if social security payments are included.

3.3 Services include: primary healthcare; nursery provision; childcare; social services; family support; transfer payments. Responsibility for these is split between various Government departments, and delivery of them split further among public, voluntary and private sector organisations. The range between universal, targeted and discretionary service provision means that provision of services for young children is patchy: ranging from almost 100 per cent coverage of some services (e.g. GPs) to less than 1 per cent for others (e.g. family support / parenting services). Children are often not seen as a client group themselves but rather a sub group of users of a particular service, e.g. of those receiving GP services.

3.4 The 1998 Review identified difficulties in arriving at a firm figure for expenditure on children as a key indicator that spending on children was not well co-ordinated. There have been some improvements since 1998 at local level. A wider range of Government departments are now more fully involved in drawing up guidance on services for children. Children's Service Plans are the responsibility of local authorities and particularly address the requirements of children in need under the Children Act. Early Years and Child Care Development Partnerships bring together Early years planning with Childcare planning and development in local authority areas. Health Improvement Plans include local authorities, health authorities, primary care groups and NHS trusts in working together to develop a combined strategy to improve the health of children and adults alike. All of these are separate, and also separate from the Sure Start partnerships, where they exist.

3.5 At national level, the changes include (i) Ministerial responsibilities for Sure Start; (ii) an early years and childcare strategy in the Department for Education and Employment; and (iii) the development of an interdepartmental Committee on family policy. Ownership of policy is still centred at the departmental level, to serve differing departmental objectives and targets: see Annex B. At local level, these policy developments have meant the proliferation of services for young children, without necessarily any corresponding co-ordination to create child- and family- centred services. There have been (apart from introduction of area-based initiatives: Sure Start, Early Excellence Centres) no long-term structural changes.

3.6 Annex I attempts to flesh out the baseline by describing services from the users' viewpoint. It is not possible to generalise from this local data to a universal description, but it does seem from this that the conclusions of the 1998 Review that services for children were patchy in coverage and often poor quality are borne out and that while the developments described above may have produced some improvements the picture has not changed widely across the country. While Early Years and Childcare Development Plans are bringing together for the first time co-ordination on early education and day care, there is as yet no wider co-

ordination with health and regeneration. Parent demand would be one way to increase the incentives for delivery organisations to give higher priority to services for under 5s, but in the absence of information parents do not know what could or should be available and so cannot ask. The importance of and strategies for local capacity building are often absent from planning mechanisms. Such capacity building would help to ensure that local parents were informed consumers, and therefore more likely to exert pressure for improvements.

#### ***Links to other initiatives***

3.7 Sure Start, and indeed all services for young children, have close links with a number of other area based initiatives including: New Deal for Communities, Health Action Zones, Education Action Zones.

3.8 Government Offices of the Regions have played a key role in ensuring linkages between these initiatives. However at local level they do cause strain on capacity. The main aims are inter-connected, but require different emphasis for each programme, making joint planning at local level time-consuming. The common feature of virtually all of them is the emphasis on community participation, and different groups will engage with different programmes. But local activists may be pulled in too many directions, or may become over-involved and prevent wider participation.

#### ***Sure Start, Early Years and Childcare***

3.9 Our proposals to strengthen the Sure Start programme (see Section 5) include components for enhancements to day-care, children's development, and help in the transition to school for children up to five. These measures will do much to enable disadvantaged children to access high quality services in Sure Start areas. The proposals do not bear directly on early years educational provision, nor are they funded to do so. DfEE is making separate proposals for improved quality, including the Early Excellence Centre (EEC) programme.

3.10 EECs offer high quality centre based education and day-care for thoughts to fives. Most also now offer considerable parent support and links with health. To date they have not been area targeted, but expansion plans include a sharper focus on poverty. Many EECs are already in deprived areas and some Sure Start programmes have EECs in their catchments. EECs are playing a key role in these Sure Start areas as an exemplar of good practice. They do not serve the extensive size catchments of Sure Start, and therefore are part of the package of local services that Sure Start must co-ordinate and build on.

3.11 The Sure Start and DfEE proposals together offer increased choice for parents, higher quality services for children generally, and assurances that children in the most disadvantaged areas derive the most benefits.

#### ***Further Work***

3.12. In the second part of this review we should like to examine these issues in more depth. Annex B sets out the objectives and targets relevant to young children to which departments are currently working. The picture is of a wide number not necessarily conflicting but not obviously co-ordinated activities. In the next part of the review we should like to compare departments' proposed revisions to these targets for the next set of Public Service Agreements. From this framework we hope to be able better to consider whether the services currently available are well focused to achieve their desired outcomes, or whether changes might be necessary - for example, to encourage take-up or extend some targeted services, whether to expand some area-based services.

#### 4. Aims, Objectives and Principles

##### Sure Start

4.1. **Sure Start and the Government's overarching themes for the 2000 Review.** Sure Start's aim focuses the programme on children being ready to succeed at school. By combating the adverse risks which apply to children of very poor parents Sure Start aims to ensure that these children have the opportunity to fulfil their potential through education and employment. By working with parents and all involved in providing services for young children, Sure Start also make a direct contribution to the aim of a fair and inclusive society in which communities are healthy and secure. And in the longer term, the children who flourish at school and who without Sure Start might have remained unemployable and trapped on benefit represent a gain to the economy and will contribute to higher productivity and sustainable economic growth.

4.2. **Sure Start and the Government's objective for equality.** It is a key feature of Sure Start that it is for all families in a community, and local programmes have targets to contact 100 per cent of all families with young children, aiming to reach those who might otherwise not normally join in a main stream programme.

4.3. **Sure Start and the Government's objective for eradicating child poverty** Sure Start was part of a range of measures in the 1998 review which were designed to combat social exclusion. These included the various New Deals, the drive to raise standards in schools, and the Working Families Tax Credit. The Prime Minister's pledge to eradicate child poverty was made 8 months after the programme was announced.

4.4. Sure Start's origin is in the evidence of what works to ameliorate the worst effects of poverty for young children, so that those children themselves can succeed in life. Other measures of the strategy aim to give parents training and jobs and improve their immediate environment. But early disadvantage has long lasting effects - children whose parents are subsequently lifted out of poverty will still have been affected by their early experiences. Sure Start aims to break the cycle of disadvantage for the current generation of young children. It will also operate to protect children whose parents are on the verge of poverty so that if ill health or worklessness affects the parents' income the children are not dragged into perpetual poverty.

4.5. From this perspective, although Sure Start's current aim fits squarely into the overall anti poverty strategy, we recommend that we extend it to make its role of ameliorating the worst effects of childhood disadvantage clearer, and that while the focus remains on young children the programmes embrace a wider age range, starting at prebirth and continuing after primary school age.

4.6. The revised aim is:

*To work with parents to be, parents and children to promote the physical, intellectual and social development of babies and children - particularly those who are disadvantaged - so that they flourish at home and when they get to school, and thereby break the cycle of disadvantage for the current generation of young children.*

## Sure Start Objectives

4.7. We have reviewed Sure Start's current objectives. They are to improve children's intellectual and social development, health, and ability to learn, and to strengthen families and communities. They thus cover the whole of a young child's experience, since the evidence to the 1998 Review was that interventions needed to be comprehensive to work, and that these four areas are those where poverty has a significant negative effect on children. Each of these objectives is measured, in the short term, by one or more of the Public Service agreement targets, and over the longer term by measures set out in the Output and Performance Analysis.

4.8. These objectives are comprehensive and express in some detail what the methodology is for achieving the headline objective. Their clarity has been widely welcomed by the trailblazer programmes.

4.9. Findings reported since the 1998 Review (see Annex E) suggest that the most salient aspect of childcare for very young children, particularly the most disadvantaged, in delivering improved outcomes, is its quality. The sub objective for 'improving the ability to learn' currently refers to 'stimulating and enjoyable play' and early learning opportunities'. We recommend that this should be amended to make it clear that the objective covers child care and indeed every environment important to the child's development, including the home.

4.10. The revised objective would read:

### **Improving children's ability to learn:**

*in particular, by encouraging high quality environments and child care that promote early learning, provide stimulating and enjoyable play, improve language skills and ensure early identification and support of children with learning difficulties.*

4.11. Objective 4 is closely related to the 2000 Review's theme "a fair and inclusive society in which communities are healthy and secure", and was mentioned in the Social Exclusion Unit's paper on area-based initiatives as a possible common objective which all area based initiatives could adopt, sharing a common PSA target based on the Prime Minister's objectives for deprived areas. But as it stands it is static, and conveys no sense of change through improved community capacity. We recommend that it is revised to reflect the gain to the community from parents' involvement in Sure Start.

### **Strengthening families and communities**

*in particular, by enabling families to build the capacity of the community to sustain the programme and provide pathways out of poverty*

4.12. Sure Start's Productivity of Operations Objective may need an amendment in the light of work on the Service Delivery Agreement (see Section 6).

## Principles

4.13. Sure Start principles set out the ethos of the programme, addressing some of the key areas of added value from working in partnership: users, providers, local residents, all who have a contribution or an interest in the well being of children. Some - for example, the need for universal access, and the emphasis on community participation - derive directly from the evidence given to the 1998 Review on what factors contributed to successful interventions. Others - for example, the first - are rooted in the notion that Sure Start should be a catalyst for change in mainstream services and not constitute a service in itself.



4.14. The principles are important in establishing shared values among all those delivering Sure Start. We have reviewed them in detail and made some amendments. Because the principles derive from evidence given to the 1998 Review, they provide a touchstone against which proposed changes to Sure Start may be judged. For example, if open access services failed to reach disadvantaged children, and/or expended resources on those who needed them less, it may require a policy change to a more targeted approach. This in turn would require a re-think of other ways to ensure that services are not stigmatising. We therefore have included the key principles in the new draft Public Service Agreement for Sure Start.

4.15. Adherence to the principles should ensure that each Sure Start programme will provide services not already available in the area; add value to existing services; give parents clear information about the services available; provide new facilities for delivering services; train existing professionals, new workers and volunteers to deliver Sure Start in ways that are sensitive to local needs; improve joint working and co-ordination between existing service providers; provide services that are designed jointly with local parents to meet their expressed needs; and build capacity within the community to make Sure Start self-sustaining through the network of support and self-help provision across families and within the community.

#### **Setting outcomes not inputs**

4.16. Finally, the defining feature of Sure Start from the start has been its focus on nationally set outcomes and outputs, leaving programme design to local partnerships. This again derives from the idea of the programme as expenditure at the margin to bring about change, and so the need to generate local ownership, as well as a recognition that each disadvantaged community has its own special features which a national programme could not deal with efficiently and effectively. The Review confirms the validity of this approach, but recognises the need for some quality control on inputs: these issues will be addressed in the second part of the review, when we consider the options for service delivery.

#### **Aim and Objectives for under 5s**

4.17. The aim of Government policy towards young children was set out in the 1998 Review:

*To promote equality of opportunity for all children, to allow them to fulfil their potential at school, in the labour market, as citizens and throughout their lives.*

4.18. For very young children, Government policy is directed towards supporting parents, who have the primary responsibility for their children. There are some children for whom the state is in loco parentis, and Local Authorities have a special duty to help and protect them. Good quality public services that provide appropriate help to those who need and want them are key to achieving this.

## 5. Outputs, Pressures and Targets

### Outputs for 0-3s

5.1. The outcomes of Sure Start will not be fully apparent for a generation, and will be difficult to measure. A major evaluation programme is planned to track the Sure Start children to demonstrate what difference the programme has made.

5.2. In the medium term, there are measurable intermediate outputs. Sure Start's first test will be children arriving at school ready to succeed: the first Sure Start children will be arriving at school aged 4 in 2003-04. Although there will not by then be a national standard for 4 year olds, primary schools should be able to see a change in overall baseline standards, feeding though into better performance against early learning goals. Currently 20 percent of children fail at Key Stage 1. If half do so because of poverty, and if Sure Start reached 20 per cent of poor children and succeeded in helping 80 per cent of them, the overall percentage of children failing at key Stage 1 would fall to 15 per cent. There would be parallel benefits in the health, social care, family and community support fields.

5.3. In the short term, between now and 2003-04, and between now and 2006-07, there are other outputs which we can measure which are good indicators of progress towards the programme's objectives. There are 12 targets set out in the current PSA which can be reached by 2001-02, and a further 17 measures against which programmes are collecting baseline information now for later use.

### Pressures for 0-3s

5.4. From the trailblazers we have learned that local programmes decide on a variety of ways to meet the targets set out in the Public Service Agreement. It will therefore never be a precise science to calculate how much money is needed for each output: it will depend on what resources are in the area already as well as the perceived need. Annex H sets out the assumptions underlying the funding profile we now calculate is necessary to deliver the PSA. The most critical of these are stability, security and long term planning. Each programme needs at least five years security and three years of stable money. We have built in a second capital project to cater for emerging needs. These are **Irresistible pressures**. The local programmes would benefit from a clear commitment to such long term security.

5.5. The **evaluation** of Sure Start is of critical importance. As the programme is so complicated the evaluation will have to be extremely thorough to separate out causes and effects. A development project has reported on the design of the tender, and has estimated annual costs of about £4.5m for five years. Exact costs will not be known until the contract has been let: an open tender invitation will be issued later this year.

5.6. Our consultation with parents revealed significant unmet demand for **child care** in Sure Start areas. Sure Start is not intended to provide alternatives to universal programmes such as the child care strategy, and we are not bidding to provide child care on the scale needed. We calculate the cost of the provision necessary for current programmes alone is £170/290/290m, of which £90/150/150m is capital for nurseries.

### Further Targets for 0-3s

#### Outputs for prebirth

5.7. Sure Start programmes contact families after the birth of their first child. They will already therefore cater for families having subsequent children, and be able to offer preconception advice - for example, on diet - and ante natal services. But the evidence presented to the Review (see Annex E) showed a strong link between ante natal care and the subsequent incidence of post natal depression. Post natal depression is a key risk factor for young children's emotional development and later success at school, particularly for boys, and hence a key risk factor for through life chances.

5.8. For these reasons we propose that Sure Start should be extended to offer **pre-birth support** for all pregnant mothers in Sure Start areas. Both evidence and expert views collected agreed that this option would enhance both health and social outcomes. The transition into parenthood is extremely stressful, especially for the first child. First birth often is associated with loss of income, increased family expenditure, and particularly for young parents, isolation from friendship networks. The intermediate measures by which we can measure the effects of this are reduced incidence of post-natal depression, better breast feeding rates, and reduced smoking in pregnancy.

5.9. The benefits from this option may extend beyond sure Start if new patterns of ante natal care emerge from the Sure Start areas. Matching ante natal services more closely to the real needs of pregnant women is one of the intermediate outputs which we hope we will get from Sure Start which will benefit the NHS more widely. Although maternity services are one of the great successes of the NHS, there is scope generally to reshape ante natal services: uptake of free vitamins during pregnancy is only 2 per cent.

#### Outputs for Intensive Educational Support

5.10. Sure Start local programmes currently aim to provide good quality play and learning experiences, and also to involve local people closely in the design and delivery of the services. Community involvement, often through well established local voluntary organisations, is a key dynamic in Sure Start, but there is a tension between this and ensuring consistent quality. The evidence we were presented with showed that quality learning experiences were key to breaking the cycle of deprivation. Differences in outcomes for poor and better off children can be seen as early as twenty-two months, and widen as children get older. Children learn through every experience and so it is critical that all those providing services are well trained: for example, child care workers working with babies and very young children.

5.11. We therefore propose to strengthen local programmes by providing **intensive educational support**, to enhance the quality of service delivery without compromising the programmes' local bases. The key factor would be hiring teachers (child development and early years' specialists) to train all those working with young children in Sure Start areas. Because this option involves training for *all* people working with children in the Sure Start area, it also enhances co-operation between different organisations and initiatives on the ground.

#### Outputs for Sure Start 3plus

5.12. The 1998 review recommended focusing on ages 0-4 as this was the area where the gaps in services were most apparent for poor children, but local programmes are asked to ensure links to services for older children and may provide follow on support. From the trail blazers and our consultation we received a clear message that follow on support should be built into Sure Start, although its focus should remain on very young children (see Annex F)

5.13. The main output from this option is reduced risk of failure at primary school from a number of factors. It has always been a concern that Sure Start was making children ready for school and not schools ready for children. Local programmes would set objectives about the transition from early years settings to primary schools. Programmes could work closely with schools to encourage schools to be more flexible and tolerant and less rejecting of children with difficulties. After this transition, further family support needs can be met through the Young People at Risk programme.

5.14. But this option would also aim to strengthen the developmental gains (cognitive, emotional, social and physical) from the first Sure Start years by ensuring that follow on support was available from the same sources for all children and parents who needed or wanted it. On the health side, it would tie in with preventative health objectives about healthy diets, sufficient exercise, continuing immunisation and dentistry. It would also maintain the voluntary sector contribution to Sure Start, encouraging the excellent work done by organisations including Home Start and Family Service Units in providing support directly to families in a way which helps to sustain and rebuild their capacity to cope, and which will then carry forward the work already undertaken through Sure Start programmes.

#### Outputs for increasing Sure Start coverage

5.15. Sure Start's potential to provide pathways out of poverty makes a strong case for expansion. Annex J discusses the number of children who are poor or nearly poor which the current programme will reach. The inclusion of nearly poor children in the analysis is a key point. We are using the term 'nearly poor' to refer to those whose income is in the next one or two deciles above means tested benefit or family credit. The British Households Panel Survey calculated that on an income measure the proportion of the population who may experience poverty at any one time is much lower than the proportion of the population who may experience poverty in a four year period. Movement in and out of poverty is short range - many move into just the next decile and 90 per cent stay within this or the second decile. For very young children, the effects of even a relatively short period of poverty can have enduring effects on their development.

5.16. The 1998 Review argued for a programme costing £200m per annum. It assumed that this represented 4-6 per cent of the spending on children under 5<sup>2</sup>; and if partly supported by fees for better-off users; this budget would maintain 250 centres. It calculated that the programme would cover 3 per cent of all children under 4 and 4-5 per cent of children in poverty.

5.17. In the event, the programme has been much more cost-effective and far better targeted. With only 250 centres, the programme as currently established will reach 20 per cent of children in poverty. But the information collected from this Review shows that Sure Start's budget is only about 3 per cent of the total spent on children under five.

5.18. The 1998 review recommended a Sure Start of 500 or more programmes, eventually being extended up the age range to seven<sup>3</sup>. Our options for expansion to some extent echo that recommendation. However, with better information we can say that spending on Sure Start will be far more effective in combating poverty than the 1998 Review was calculated to be.

<sup>2</sup> The review did not reach any definite conclusions on the amount of money spent on children under five. It estimated the spend on children under eight to be £10bn (it now seems probable that this was an underestimate). More of this spend went to children over five than under five (principally because of schooling and school-related programmes).

<sup>3</sup> p. 28

5.19. Annex J sets out the models for expansion which we have considered in some detail. We offer three different models for consideration: (see table below). The **small expansion model (option 1) creates 150 more programmes of similar size, and 150 smaller programmes. The middle expansion model (option 2) creates 350 programmes of similar size and 225 smaller programmes. The large expansion model (option 3) creates 350 programmes of similar size and 459 smaller programmes.** These expansions would enable Sure Start to reach, respectively, 33, 42 and 55 per cent of all children in the UK living in poverty.

5.20. Following the 1998 Review's assumptions, a Sure Start programme to reach half of all children under 4 in poverty would have cost about £2.5bn per year. Even with the additions we propose to extend the programme to pre birth and after age 3, the largest expansion option spends under £1bn per year (less than 10 per cent of the current total spending on children under five) to reach 55 per cent of all children in poverty. This rate of return is far higher than the original plans for Sure Start.

5.21. There is a tension between wanting to maximise Sure Start's impact so that it can have the greatest effect on the Government's drive to eradicate child poverty and not wishing to strain local capacity by expanding too quickly too soon. But expansion, apart from the benefits it would bring to the children covered by the new programmes, will bring more intangible benefits from greater exposure to the Sure Start ethos for the local community partnerships.

to nearest £10 m

| Table of pressures and outputs  | 2001 -<br>02 | 2002 -<br>03 | 2003 -<br>04 |
|---|--------------|--------------|--------------|
| Current baseline  | 180          | 180          | 180          |
| Irresistible pressures  | 100          | 170          | 160          |
| Option 1* (150 + 150 smaller programmes)<br>baseline reaching 33 per cent poor children | 510          | 690          | 740          |
| Option 2*(350 + 225 smaller programmes)<br>baseline reaching 42 per cent poor children  | 650          | 920          | 1,010        |
| Option 3*(350 + 459 smaller programmes)<br>baseline reaching 55 per cent poor children  | 750          | 1,090        | 1,210        |

\*pre-birth support, support into school, and intensive educational input for all programmes.

## **6: Further work: Value for money and efficiency**

6.1. Sure Start is delivered by local people working in small neighbourhoods. Its effectiveness and efficiency stem from our approach of specifying outputs - the 'What' and allowing local people to decide the 'How'. As indicated in paragraph 4.15, we want to address the question of quality control on inputs in part 2 of the review.

6.2. Part 2 of the review must also address bigger questions on the design of the programme, and particularly how Sure Start is delivered in large cities, in London, and in rural areas, in the light of decisions on the overall size of the expansion.

6.3. There are also questions about ensuring the maximum gain from Sure Start for other programmes, in ensuring that good practice is spread to mainstream services.

## ANNEX A

## DRAFT PSA FOR SURE START

## THE SURE START PROGRAMME

Introduction

Sure Start is a programme for families with young children. Bringing up children is a task for the immediate family and for society as a whole. Most families depend on relatives, neighbours, friends, their communities, their public services and voluntary organisations. Some parents lack the financial and social resource to give their children the best start in life. A majority of these parents live in disadvantaged areas. Without help when it is needed children's health, and their emotional and social development can suffer so that they do not reach their full potential at school. A poor start in life can have life long consequences: children without normal ambitions, some becoming parents when they have the right still to be children, some getting involved in crime and drugs, estranged from the idea of work, becoming trapped on benefit.

Sure Start aims to transform the life chances of younger children through better access to family support, advice on nurturing, health services and early education. Sure Start will do this by working towards the aim and objectives set out below while adhering to the following key principles:

- a. to co-ordinate, streamline and add value to existing services in the Sure Start area
- b. to work with individual families, including mothers, fathers, extended family members and other carers in ways that build on their existing strengths
- c. to promote the participation of all local families in the design and working of the programme.
- d. to be culturally appropriate and sensitive to particular needs
- e. to avoid stigma by ensuring that Sure Start services are of a high quality, relevant to local needs, and accessible to all local families
- f. to be based on evidence of what works, and to adopt a rigorous approach to evaluating results
- g. to ensure lasting support by linking Sure Start to services for older children

Sure Start programmes are set in districts which score highly on the Index of Local Deprivation and open to all families in the catchment area of the local programme. The first Sure Start initiative aimed to set 250 programmes by 2001-02. There are already (no.) programmes operating, a further (no.) are just starting up, and another (no.) are due to be given the go ahead in (date). Under this Public Service Agreement a further (no.) programmes will be set up, to reach (no) children. The areas will be chosen to reach especially children who are disadvantaged, including whose parents are poor.

Sure Start is run by the Sure Start Unit working together with the central Government

departments and in partnership with local community groups, local education authorities, social services, health services and voluntary and private sector bodies concerned with the services for parents and young children. Local Sure Start programmes will reshape existing services and fill in the gaps in provision to improve support for families. The intention is to add value by improving the quality of service in selected areas, while influencing styles of delivery within Sure Start areas.

All key departments are represented on the group which steers the programme. The Ministers responsible for this agreement are the Minister for Public Health, as chair of the Steering Group, and the Secretary of State for Education and Employment as the responsible Cabinet Minister, reporting to the Prime Minister.

The first Sure Start Public Service Agreement (PSA) set targets which were specific, measurable, achievable, relevant and time limited. The first PSA recognised that as the programme developed there would be other measures which capture better the essence of the programme. The first [250] Sure Start programmes are all working/will work towards those targets for families with children under 4. So far no children have been through a Sure Start programme from the birth to the age 4. As the children grow measures are needed to show how Sure Start is continuing to meet its objectives.

## **1. Aims and Objectives**

### **Aim:**

To work with parents to be, parents and children to promote the physical, intellectual and social development of babies and children - particularly those who are disadvantaged - so that they can flourish at home and when they get to school, and thereby break the cycle of disadvantage for the current generation of young children.

### **Objectives:**

Sure Start programmes will work efficiently and effectively to achieve this in areas of significant unmet need by:

#### **1.Improving social and emotional development**

In particular, by supporting early bonding between parents and their children, helping families to function, and through early identification and support of children with emotional and behavioural difficulties.

#### **2.Improving health**

In particular, by supporting parents in caring for their children to promote healthy development before and after birth.

#### **3.Improving the ability to learn**



In particular, by encouraging high quality environments and child care that promote early learning, provide stimulating and enjoyable play, improve language skills and ensure early identification and support of children with special needs.

#### 4. Strengthening families and communities

In particular, by involving families in building the community's capacity to sustain the programme and provide pathways out of poverty.

\*Helping parents and children to play and active role in the programmes, thereby developing skills that will contribute to the capacity of the community to sustain the programme and build pathways out of poverty.

\*By involving families in building the community's capacity to sustain the programme and thereby create pathways out of poverty.

## 2. Resources

[The White Paper [Name] set out the results of the Government's 2000 Spending Review. Following the cross departmental review of Sure Start and services for under 5's, an additional £[no] million was allocated to the programme. Provision to England of £[no] million has been added to the DfEE Department Expenditure limit. Extra resources have also been added to the Welsh, Scottish and Northern Ireland Offices for Sure Start ] [DN: this will be a standard para].

| Department Expenditure Limit |         |         |         |
|------------------------------|---------|---------|---------|
| £ million                    | 2001-02 | 2002-03 | 2003-04 |
| Total                        | 184     |         |         |
| of which: Current Budget     | 126     |         |         |
| Capital Budget               | 58      |         |         |

| Running Costs Limit |         |         |         |
|---------------------|---------|---------|---------|
| £ million           | 2001-02 | 2002-03 | 2003-04 |
| Total *             | 1.9     |         |         |

The Department for Education and Employment will account for the expenditure. The Secretary of State for Education and Employment (DfEE) is the responsible Cabinet Minister, reporting to the Prime Minister. Policy is directed by a Steering Group, chaired by the Minister of State for Public Health and involving Ministers from the Department of Health, the Department for Education and Employment, the Department for the Environment, Transport and the Regions, the Department of Social Security, the Department for Culture, Media and Sport, the Department of Trade and Industry, the Home Office, and the Treasury, and senior officials from these and other key departments attending as necessary. A cross department team, the Sure Start Unit, based in the Department for Education and Employment, runs the

programme at official level. The Unit's terms of reference and targets are set by the Steering Group. Sure Start expenditure for England is carried on its own Vote and the head of the Sure Start Unit is an additional Accounting Officer within the DfEE Estimates' class.

### **3. Performance targets**

By countering disadvantage Sure Start contributes to the Government's aims of opportunity for everyone to fulfil their potential through education and employment; and for a fair and inclusive society in which communities are healthy and secure. By enhancing employment prospects Sure Start will also contribute towards higher productivity and sustainable growth.

Sure Start's origin is in the evidence of what works to counter the worst effects of poverty for children, so that those children themselves can succeed in life. Other measures of the strategy aim to give parents training and jobs and improve their immediate environment. But early disadvantage has long lasting effects - children whose parents are subsequently lifted out of poverty will still have been affected by their early experiences. Sure Start aims to break the cycle of disadvantage for the current generation of young children. It will also operate to protect children whose parents are on the verge of poverty so that if ill health or worklessness affects the parents' income the children are not dragged into perpetual poverty. It is therefore a key part of Government's agenda of eliminating child poverty.

Sure Start aims to promote well being in childhood both as an outcome in its own right and as an input into a number of longer term outcomes. These include better behaviour and performance at school, a reduction in criminal behaviour, an increase in economic activity and a reduction in teenage parenthood. Such outcomes will only be measurable over many years. A major evaluation is being planned to assess the effects of Sure Start on families and their children in the medium and longer term.

Sure Start's systems feed back lessons from what works to all local programmes, so that the programme is rooted in evidence and shaped by experience. The Unit runs [will do by the time this is published] a web site where local programmes can communicate ideas, share good practice, and support each other. Each programme has an IT link to the Sure Start Unit.

The targets below indicate some of the key measures which explain what Sure Start is achieving with the resources allocated in the Year 2000 Spending Review. The targets are specific, measurable, achievable, relevant and time limited. While there is clear evidence of what works in helping children to thrive, in some key areas there are no baselines against which to measure progress. Targets marked \* may be subject to revision. Sure Start will aim to develop further measures of family stability and infant and child development.

The following targets for 2003-04, or earlier if stated, have been set for Sure Start areas:

#### **1. Improving social and emotional development**

[targets]

#### **2. Improving health**

[targets]

#### **3. Improving the ability to learn**

[targets]

**4. Strengthening families and communities**

[targets]

**5. Increasing productivity of operations**

**Service delivery agreement targets**

In addition to the above targets, the following service delivery targets have been set:

[targets]

**Contribution to departmental objectives**

Sure Start's results will have a long term impact on the success of the departments involved in achieving their objectives. Extracts from the relevant aims and objectives of key departments are set out below: [x-check when final PSAs published].

FROM THE RT HON HILARY ARMSTRONG MP  
MINISTER FOR LOCAL GOVERNMENT AND THE REGIONS

~~OB~~ ✓



Top-OB  
2 JAN  
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OUR REF: A/3538/00

24 FEB 2000

Dear Secretary of State,

**LOCAL GOVERNMENT BILL: AMENDMENT ON LOCAL AUTHORITY  
CHARGING FOR CHILDCARE**

You wrote on 4 February to ask formally for my agreement to including in the Local Government Bill provisions to amend the legislation on local authority powers to charge for childcare in order to address the error made during the introduction of Working Families Tax Credit.

The core focus of the Local Government Bill is the organisation of local authorities and the way they conduct their business. Other than the two imported provisions on welfare/housing support services ("Supporting People"), which have some read-across to the new powers for community well-being, there is nothing in the Bill about the provision of local authority services. The addition of the childcare provisions would thus sit uncomfortably alongside the remainder of the Bill and further complicate handling arrangements for a Bill which is already complex and controversial. This could cause delays to the Bill's passage and commencement which are beyond my control, and jeopardise the timely implementation of the Government's modernising local government agenda.

However, I note your comments that Margaret Beckett wishes your provision to be included in the Local Government Bill and that Parliamentary Counsel has advised that the amendment would be within scope. In the broader interests of management of the Government's legislative programme, I accept this decision. In the light of the Cabinet's concern about the number of Bills, and how Bills are expanding, I hope that being helpful will not lead to the Bill being threatened. However, there are some handling issues which need to be urgently addressed.

Firstly, you mention the need for our officials to work closely together, with which I obviously agree; I trust that interested officials from other Government Departments, particularly the Inland Revenue, will also provide any necessary support. Ideally, I may also need support at Ministerial level in taking this amendment through Committee stage in particular. However, we now potentially need too many frontbench spokespeople to get involved in Committee stage; I would therefore like to discuss the composition of the Committee more broadly with business managers and other interested colleagues.

Secondly, you noted in your letter of 19 October to Margaret that your amendment is potentially controversial; I am concerned that (especially combined with the effect of the Supporting People provisions, which include the removal of housing benefit from vulnerable people in preference for new funding arrangements via grants to local authorities) there will be adverse presentational implications for the Bill as a whole in removing free childcare services from some families who have recently been legally entitled to them - albeit through an error. I understand, however, that local authorities support this amendment. I expect your Department to lead on the presentation of the childcare provisions, and would appreciate particular attention to the management of any press interest.

- ✓ I attach a note of the handling implications prepared by my officials.

I am copying this to the Prime Minister, John Prescott, Margaret Beckett, Paul Murphy, Alistair Darling, Andrew Smith, Ann Taylor, First Parliamentary Counsel and to Sir Richard Wilson.

Yours sincerely  
Tom Weeks

HILARY ARMSTRONG

**APPROVED BY THE  
MINISTER AND SIGNED  
IN HER ABSENCE**

## **LOCAL GOVERNMENT BILL**

### **PROVISION FOR LOCAL AUTHORITY CHARGING FOR CHILDCARE**

#### **HANDLING IMPLICATIONS**

##### **a) Business management and timing**

1. David Blunkett acknowledged (in his letter to Margaret Beckett of 19 October) that these provisions are potentially controversial. The Local Government Bill already includes a number of controversial provisions, including s.28, which make the task of managing the Bill through Parliament very sensitive.

2. Because business managers saw a strong need to introduce the Bill early in the session, despite its lack of readiness at that stage, we have already introduced 285 Government amendments covering substantive policy in Lords Committee; in addition to other Government amendments for the remaining Lords stages which are necessary to respond to points raised in debate, Parliamentary Counsel roughly estimates that somewhere between 250 and 350 Government amendments are needed. These are mostly drafting, technical and consequential amendments, and Ministers have agreed they will be brought forward at Commons Committee stage. The childcare provision represents only two additional amendments (a new clause amending the Children Act 1989 and provision for commencement), but Cabinet has recently expressed concern about the growing length of Bills and mentioned the Local Government Bill (and the Transport Bill) specifically.

3. In order to achieve the Government's aim of having elected mayors in local government by May 2001, the Bill needs to achieve Royal Assent some time before the summer recess. The other business management difficulties attending on the Bill, and the other controversial issues which it contains, already make this task very challenging. Adding this new provision—which could be controversial and time-consuming in its own right, and which also increases the practical threat of recommitment and associated delay in the timetable—may not serve the Government's broad policy aims for local government.

##### **b) Ministerial team**

4. We already have in the Bill provisions on Supporting People on which DSS are in the lead. We will consequently need a DSS Minister (probably Angela Eagle) on the Committee in the Commons in addition to two DETR Ministers, a Wales Office Minister (David Hanson) and a Whip; we would expect that the DSS Minister would attend the Committee only for consideration of the Supporting People provisions, and because of his broad portfolio David Hanson may seek to attend only where there are provisions specifically related to Wales.

5. However, the inclusion of a new clause on charging for childcare in which DETR has no direct involvement suggests a need for Ministerial support on this as well—and the Committee is clearly already unbalanced in favour of the front bench. We are advised that once a Committee has been constituted, the membership cannot be changed unless responsibilities change e.g. if there were a reshuffle in any Party. Therefore it would not even be possible for, say, the DSS Minister to be discharged after consideration of the Supporting People provisions and replaced by a DfEE (or other responsible) Minister. Ministers and business managers may wish to discuss.

### c) Impacts on other policy areas in the Bill

6. Clause 79 provides that Housing Benefit will not meet charges for support services following the introduction of the new 'Supporting People' funding regime, which will provide for a grant to be made to local authorities to fund support services for vulnerable people. Clauses 78 and 79 are intended to put funding for support services on a secure legal footing and give a new coherence to the provision of support services. However, this may provoke arguments that the Government is *cutting Housing Benefit*, and to vulnerable people at that. The new provision, even though it only corrects an error and reverts to existing government policy, can similarly be seen as *cutting free childcare* to some families who are poor. The presentational impact of combining these two provisions in one Bill could be difficult, and the Supporting People provisions, which have so far passed without much debate, could become significantly more controversial. (There has already been some indications of opposition to these provisions from the Liberal Democrats in the Lords, although it is unclear what their main concerns are.)

7. There was a debate at Committee stage on amendments supported by both the Opposition and the Liberal Democrats which would give local authorities new powers to charge in order to recover costs incurred in exercising their new powers under Part I of the Bill to promote economic, social and environmental well-being in their local communities. Although it was made clear that charging is one of the issues being considered under the current review of local government finance, there was some dissatisfaction at the restrictions in the Bill and the pace of Government progress on this. This is an issue to which the Liberal Democrats, at least, will return at Report. The inclusion in the Bill of a narrow power for local authorities to charge for a specific service is bound to focus more attention on this question, and may undermine the line that changes must be looked at in the round as part of the local government finance review before action can be taken.

**Swyddfa Cymru**  
(Swyddfa Ysgrifennydd Gwladol Cymru)  
**Ty Gwydir**  
**Whitehall, Llundain SW1A 2ER**

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*Oddi wrth Ysgrifennydd Gwladol Cymru*



DAJ (P)  
cc: PU

**Wales Office**  
(Office of the Secretary of State for Wales)  
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**The Rt Hon Paul Murphy MP**

*From The Secretary of State for Wales*

23 February 2000

Dear President of the Council

**CARE STANDARDS BILL: CHILDREN'S COMMISSIONER FOR WALES**

In the light of Sir Ronald Waterhouse's report on abuse in children's homes in North Wales, I am writing to ask for agreement to table Government amendments to the Care Standards Bill to implement his recommendation that there should be a Children's Commissioner for Wales. John Hutton is content with this proposal. It would be helpful if I could announce this in the Welsh Day debate in the House of Commons on Thursday 2 March, so I would be grateful for colleagues' agreement by mid-day 1<sup>st</sup> March.

You will recognise that there is strong pressure on us to implement the recommendations of Sir Ronald Waterhouse's report on abuse of children in care in North Wales as quickly as possible. Most of the recommendations as they relate to Wales are matters which the National Assembly for Wales can deal with within its own powers. However, the first recommendation - and the one that commentators are focussing on - is that there should be a Children's Commissioner for Wales and this requires primary legislation. The only possible vehicle for this at present is the Care Standards Bill and there will be considerable criticism of us if we do not use it.

This was also a Labour manifesto commitment in the Assembly elections, so Jane Hutt, the Health and Social Services Secretary in the Assembly Cabinet, has been discussing the role and remit of a Commissioner with the relevant Assembly Committee. The Committee has discussed the matter and invited evidence from interested organisations. It is clear that they are moving towards a role which covers more children than simply those in care and that such a role would be outside the scope of the Care Standards Bill.

In the light of this, Jane, John Hutton and David Hanson have discussed the options. The Waterhouse recommendation is:

"An independent Children's Commissioner for Wales should be appointed.





The duties of the Commissioner should include:

- a) ensuring that children's rights are respected through the monitoring and oversight of the operation of complaints and whistleblowing procedures and the arrangements for children's advocacy;
- b) examining the handling of individual cases brought to the Commissioner's attention (including making recommendation on the merits) when he considers it necessary and appropriate to do so;
- c) publishing reports, including an annual report to the National Assembly for Wales."

John has said to David that he considers that in so far as these recommendations apply to children in care, they should be within the scope of the Care Standards Bill. He would also be content for amendments giving effect to them to be tabled at Commons Committee stage, which he expects to be in May.

Jane recognises that this is the only realistic possibility for early action, but she can only agree to it if the Assembly's aspirations for a wider role for the Children's Commissioner are still in play. Any announcement would have to make this clear.

This does give us some difficulty, as it is not clear that there will be a suitable legislative vehicle for this in the next session. The proposals currently being considered also contain some elements which would not be acceptable to us. However, unless we can offer Jane something positive, the Assembly will accuse us of imposing policy on them from Westminster. This would be difficult to counter and, in the light of recent events, extremely unfortunate.

The Assembly Health and Social Services Committee next meets on 8 March and it would help Jane's handling if the way forward were already in the public domain; the most convenient opportunity is for me to announce it in the Welsh Day debate in the House on 2 March. This would show the Government offering the Assembly a positive way forward whereas if we were to wait for the Assembly to make a formal request for legislation, we would be forced to say publicly that we could not accommodate what they wanted and could see no early prospect of a legislative opportunity to do so. I certainly do not want to find myself in a position which could be seen as refusing to implement Waterhouse's first recommendation in the face of a request to do so from the Assembly.



I am well aware of the pressures on the legislative timetable and on Parliamentary Counsel. However, in my view the public perception of Waterhouse and the Prime Minister's comments on the implementation of the recommendations as speedily as possible leave us little choice but to take this route, particularly as the public will see a convenient legislative vehicle to hand. I understand that John agrees with this assessment.

In view of the constraints on the legislative timetable, the only practical way to do this is by means of a framework clause which covers the substance of the recommendation. It will also need to include a provision enabling the Assembly to make regulations in defined areas relating to the powers of the Commissioner, appointment procedures and so on.

The amendment will not be controversial – on the contrary, it will be widely welcomed - and, as Jane expects to be able to persuade her Committee to accept this route, we are unlikely to face serious criticism for the limitation of the role. However if we do not table the amendment ourselves, we will almost certainly face Opposition amendments which we will have to reject as defective but which will be presented as the Government refusing to implement Waterhouse. Those of our backbenchers with close links with the Assembly may also table amendments or support Opposition ones.

I would like to be able to say on 2 March:

- that we will implement the recommendation of Waterhouse that there should be a Children's Commissioner for children in care in Wales;
- that we will do so by bringing forward Government amendments to the Care Standards Bill;
- that we recognise that the Assembly is developing proposals for the role of a Children's Commissioner for Wales which will probably go wider than this;
- that when the Assembly has finalised its proposals, we will give urgent and sympathetic consideration to them and will discuss with the Assembly how they can be taken forward.

In order for me to make this announcement, I must ask for replies by mid-day Wednesday 1<sup>st</sup> March. I apologise for the short deadline, but the Ministerial Task Force on Children's Safeguards, which is taking forward implementation of Waterhouse, met only yesterday for the first time since publication of the report and I think it important that the Government rather than the Assembly should take the initiative for the reasons set out in this letter.



I am copying this to the Prime Minister, Deputy Prime Minister, members of LEG and HS Committees, to John Hutton and to Sir Richard Wilson and First Parliamentary Counsel.

A handwritten signature in cursive script, appearing to read 'Cherie Jones'.

Dictated by the Secretary of State and signed in his absence.

The Rt. Hon. Margaret Beckett  
President of the Council and  
Leader of the House of Commons  
2 Carlton Gardens  
LONDON SW1Y 5AA



Top-JJM  
cc JPB

pm

To note DB's  
story (not familiar)  
views. This was sparked by  
speculation (probably true) about GB's

cc DM  
GM  
CO

I hope this  
will please

Budget phase

**PERSONAL, PRIVATE & CONFIDENTIAL**

PRIME MINISTER

I keep reading in the newspapers (including this Sunday) that we are about to launch a programme of paid parental leave. Some stories have it that we are about to announce it in the Budget and some say that we are proposing to undertake this for the Manifesto - some even say that it will be a central feature of the Manifesto.

I want to put on record, once again, that I think that the moment the State engages in paying for parental time off (separate from sick pay and maternity leave) we will have opened a Pandora's Box which it will never be possible to shut.

We will take on as Government responsibility for the affordability of time off which is not related to illness or maternity. By so doing, we will open up further demands for the extension of such paid leave, both in terms of the level of leave under such entitlement and of course the sums to be paid. The moment we do this we will trigger (as the 1984 changes in sickness entitlement did) a massive alteration in the relationship between the employee and employer, and for many small businesses this could spell the difference between survival and bankruptcy.

In the public services the impact could be devastating in terms of the delivery of services. The experience in Australia of much more limited proposals is instrumental and worthy of further consideration - people expecting at least one week's extra leave on top of their holiday entitlement as a matter of course.

As you know, I have an interest in this area in terms of the work life balance which is the responsibility of this Department and on which we are shortly to have a breakfast launch with you. This is, of course, a cross-Departmental issue. The Department of Trade and Industry as well as the Treasury have a substantial interest in this area.

I would welcome further discussion and analysis about this before any further steps are taken in this direction, as I think we are treading where angels fear to!

With best wishes

**DAVID BLUNKETT**  
22 February 2000

F

From: Alastair Campbell

Date: 18 February 2000

cc: Jonathan Powell

Jeremy Heywood

David North

Kate Garvey

PRIME MINISTER

~~PR~~  
To inject  
non-ten-2  
time-limited PIU  
subject team right se

MOVING FORWARD ON ADOPTION

wise. 9.


In terms of process to move forward on adoption, what I briefed yesterday was that in the first instance you would take a meeting with Jack Straw, Alan Milburn and Paul Murphy, and whoever else is required, take stock of existing work being done in this area, and set in train the process leading to a consultation paper. On the timetable, I gave none, but said given that a lot of work was already done on this it need not take too long.

I spoke to both Jack and Alan yesterday, who both believe there should be changes to make it easier to adopt. You should also know, contrary to the cautious signals sent out by his department, that Alan favours a very radical approach to the issue of care and believes most care homes should be shut and the children fostered or adopted.

yes.

Are you happy for Kate to set up a meeting on this in the reasonably near future?

In addition, you may be interested to know that David Davis MP is chairing a Tory Party commission on fostering and adoption, an issue he's been interested in for some years. He supports the approach we are taking and believes, subject to managing Hague, that he could have some useful input. He is planning to produce a paper and draft Bill by early summer, and is hoping a private member might pick up the Bill, but there may be a case for binding him in to what you want to do.

 get him in, if you want.

ALASTAIR CAMPBELL

Chief Press Secretary

RESTRICTED

From: Geoff Mulgan  
Date: 16 February 2000

PRIME MINISTER

CC Jeremy Heywood  
David Miliband  
Robert Hill  
Carey Oppenheim

ADOPTION

1. The issue of adoption has repeatedly come onto the agenda over the last two years – in relation to care, teenage pregnancy and family policy. This note briefly sets out the issues; the current state of play and disagreements between departments; and a potential way forward.

Background

2. The number of adoptions has fallen sharply over the last 20 years. There were 20,000 adoptions a year in the 1960s and 1970s. There are now about 6,000. Half involve a relative or step-parent.
3. The main reason for this decline is that there are fewer babies available – primarily as a result of contraception and abortion. Contrary to the conventional wisdom the numbers of children being adopted from care has stayed roughly constant, at around 2,000.
4. However, there have been important changes during this period: on the one hand adoptees are now more likely to come from difficult and abusive backgrounds; on the other, social services departments, which are responsible for adoption, have had at best a lukewarm attitude. The result is that potential adoptees, most of whom are between 36 and 45 and childless, have had to surmount increasingly high hurdles before receiving a placement.
5. Although most children who come into care go back to their families within weeks or months, about half of the 50,000 children in care at any one time have been looked after for more than two years and are therefore potentially eligible for adoption. Of these there is a pretty broad age spread. Only about a sixth of children taken into care are adopted under the age of 1.

RESTRICTED

Problems in the existing system

6. There are five main problems with the current system:

- Delay: in many areas there are long, and unacceptable, delays in the time it takes for parents to secure a child for adoption, and in the time it takes to secure a new home for children. Even with babies there is an average gap of 8 months between the start of the process and securing adoptive parents. Amongst children over 5 the average wait is 5 years.
- Poor services and wide variability: amongst shire counties the proportion of children placed for adoption ranged from 2% to 31%.
- Disincentives for local authorities: when a local authority places a child with a family recruited by another authority or agency they pay a fee of around £12,000. This tends to act as a disincentive.
- Disincentives for adopters: many local authorities are reluctant to pay any or adequate allowances to families taking on a difficult child. This compares with the substantial funding (typically around £200 a week) made available to foster parents.
- Children's interests insufficiently prioritised: the existing law tends to favour birth parents; courts prefer to give them the benefit of doubt, even where there has been neglect and abuse; adoptive parents have to meet a far higher threshold of suitability.

Current policy

7. So far the government's response to these problems has come in the form of the Quality Protects package designed to improve services for children. These require social services to maximise the contribution that adoption can make, and to reduce the time it takes to get children adopted, as well as providing funding support for promising projects.
8. They are beginning to have some effect. The number of children adopted out of care rose 10% last year, and there has been much more activism from DH. Work is underway in the spending review, for example, on the scope for better allowances for parents adopting difficult children. However there is widespread scepticism about whether this will be enough, and whether there

will be robust enough measures to deal with local authorities which fail to increase the numbers of children placed in adoption.

### Radical options

9. More radical options have also been floated:

- Reducing the role of local authorities A modest step would be to provide funding incentives and penalties. Going beyond that best value principles could be used to tackle the worst social services departments, and contract out their work. The Tories floated the idea of taking adoption away from local authorities altogether in 1996. It would require the creation of a national agency to regulate a freer 'market' in which parents and potential adoptees would be brought together.
- Statutory time limits for social services and the courts. These would require that a child was placed within 3 or 6 months. This has been recommended by the main professional body. There is the potential risk that it would encourage poor placements.
- Changing the law to give a stronger emphasis to children's interests rather than parents. Many in the field - including DH - believe that children's interests should be seen as paramount, and that in more cases this will mean taking children away from their birth parents.

### Next steps

10. An adoption bill was published in draft in 1996, after a major review which began in 1989. This had broad cross-party support and could be the basis for future legislation. However there are serious divisions between ministers on the way forward, with the Home Office proposing a more radical approach and Department of Health arguing that Quality Protects should be given time to prove itself. DH would also like piecemeal legislation, whereas the Home Office argues for a more comprehensive overhaul of the whole system of fostering and adoption. Some ministers have argued strongly against legislation on adoption on the grounds that this would put into the spotlight difficult issues about the status of gay parents, race &c. It would certainly be unwise to raise the profile of the issue while Section 28 etc remains unresolved.



11. Given the slim prospects of legislative time over the next 2-3 years, the best way forward is to prepare a consultation document floating some of the more radical steps. This would reinforce the pressure from Quality Protects on local authorities, while also preparing the ground for a more radical approach, and a more comprehensive overhaul of the system in 3-5 years time. It could also prepare the ground for non-legislative moves to improve the mechanisms for matching prospective adoptive parents and children (including the use of TV and the Internet). Subject to the overall political climate being right, a document of this kind could be published early next year.

12. Do you agree?

DETR (MSU)

Fax:0171-890-4873

15 Feb '00 15:04

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PAGE 01

15/02/2000 15:21

0171-219-6976

JOHN PRESCOTT MP

*Top-DN*  
*cc OB*  
*PU*

(P)

FROM THE DEPUTY PRIME MINISTER



**The Rt Hon Paul Murphy MP**  
**Secretary Of State**  
**Welsh Office**  
**Gwydyr House**  
**London**  
**SW1A 2ER**

DEPARTMENT OF THE ENVIRONMENT,  
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OUR REF: IDC/27/2000

15 February 2000

*Dear Paul*

**NORTH WALES CHILD ABUSE TRIBUNAL OF INQUIRY.**

**This letter gives you HS clearance to proceed as you proposed to me in your letter of 7 February, subject to the views of colleagues recorded below. You sought agreement to the text of the statement that you proposed to make to Parliament and the handling arrangements for the report. A copy of your proposed statement was attached to your letter.**

You explained that the Tribunal, which had been chaired by Sir Ronald Waterhouse, had completed their investigations into abuse in care homes in the former counties of Clwyd and Gwynedd. The report made disturbing reading and was critical of Government and highly critical of local authorities and some staff, managers and some elected members. As the report was extremely sensitive, it would be published under the terms of the Parliamentary Papers Act 1840 to gain Parliamentary privilege. The report would be widely distributed, but you did not plan to publish it on the Internet.

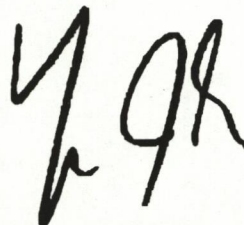
You further explained that there would be limited access to the report to selected press and media representatives immediately before you made your statement. You also intended to allow the opposition parties to have access under similar circumstances. The report itself made some 72 recommendations and you felt that everyone would need some time to take stock of what the report covered. The report also named alleged abusers, and you noted that a pressing concern would be to ensure that we could give as much reassurance as possible that alleged abusers no longer represented a threat to children in care and that all possible action had been taken against them.

Replies were received from the Prime Minister, Hilary Armstrong, Jack Straw, Charlie Falconer and Derry Irvine. All were broadly content with your proposals. The Prime Minister felt that you should set out much more clearly the action that the Government had taken in this area since the Utting Report, such as placing the Consultancy Index on a statutory footing and some of the specific measures in the Care Standards Bill. He also felt that it would be helpful to explain why Parliamentary privilege would be needed and to avoid the sense that the Government was being complacent. He also wondered whether it would be possible to list the action that had been taken against alleged abusers. He asked to see a further draft of your statement, which you circulated again on 11 February.

Hilary noted that her Department had taken an interest in the subsidiary issues of the role of insurance companies in local authorities' handling of sensitive inquiries and the responsibility of elected members. She intended to be on the front bench for your statement. Derry also asked to see a revised draft of your proposed statement. He also noted that you were seeking further legal advice on the action that could be taken against alleged abusers and noted that it would be important to ensure that they were no longer a threat to the welfare of children. He also noted that it would be important to ensure that they were treated in a way that ensured compatibility with ECHR requirements, and asked that his officials be kept aware of the action that was to be taken. He also suggested that any commitment to a full debate in March should make it clear that the Government would only be able to offer preliminary views on the way forward at that time.

Charlie noted that, following legal advice, you did not intend to publish the report on the Internet. He felt, however, that the risks set out in the advice were negligible compared to the benefits that could be accrued from publication on the Internet. In addition, he was concerned that the precedent that this might set should not adversely affect the Government's ability to publish other sensitive reports in this way. He therefore urged you to reconsider your position on this point. I understand that you now intend to publish the report on the Internet.

I am copying this letter to the Prime Minister, members of HS Committee, Margaret Beckett, Ann Taylor, Sir Richard Wilson and the Policy Unit at No 10.



JOHN PRESCOTT



(f)  
DN  
cc: DS  
PV  
SCOTLAND OFFICE  
DOVER HOUSE  
WHITEHALL  
LONDON SW1A 2AU

The Rt Hon Paul Murphy MP  
Secretary of State for Wales  
Wales Office  
Whitehall  
LONDON  
SW1A 2ER

14 February 00

Dear Paul,

#### NORTH WALES CHILD ABUSE TRIBUNAL OF INQUIRY

I refer to your letter of 7 February to the Deputy Prime Minister. There are just a couple of points I would like to make.

First of all, in his letter of 27 January, Alan Milburn made the point that individuals named in the report and no longer employed by the six successor authorities may yet pose a risk and might now be living and working in England. They might, of course, be in Scotland, or Northern Ireland. In your letter of 7 February, you comment that work is being done on a small number of individuals whose whereabouts are unknown, that further legal advice is being sought and that you hope to be firmer about this on publication day. Given that some of these individuals could be in Scotland, it would be helpful if the Scottish authorities could be involved in any further work in this area. As in Wales, child protection is devolved and it will be for the Scottish Executive to lead on follow-up action.

Secondly, you mention in your letter of 7 February that it is important for your statement to make it clear how the Government will respond to the report, in consultation with the National Assembly and the other devolved administrations. It would be helpful if your statement could flag up more explicitly the need to consult and liaise with the devolved administrations in Scotland and Northern Ireland, given their responsibility for child protection.

I am copying this letter to the Prime Minister, to members of HS committee, Margaret Beckett, Ann Taylor, Sir Richard Wilson and to the Policy Unit at No 10.

Yours  
John Reid  
JOHN REID

FROM THE RIGHT HONOURABLE THE LORD IRVINE OF LAIRG

(P)



HOUSE OF LORDS,  
LONDON SW1A 0PW

*DAJ*  
*cc:PU*

The Right Honourable  
Paul Murphy MP  
Secretary of State for Wales  
Gwydyr House  
Whitehall  
London SW1A 2ER

14 February 2000

Dear *Paul,*

**NORTH WALES CHILD ABUSE TRIBUNAL OF INQUIRY**

Thank you for copying to me your letter of 7 February 2000 to the Deputy Prime Minister, enclosing a copy of your draft statement to the House of Commons on the publication of the Report of the findings of the North Wales Child Abuse Tribunal. I have seen David North's letter to your Private Secretary of 9 February 2000, and I agree with the Prime Minister's comments which he sets out. Plainly we should convey a sense of urgency, whilst listing out what we have already achieved.

I would be grateful if I could consider your redraft before you deliver it.

I see that before finalising the text you are waiting for legal advice on the courses of action available to address the position of those against whom allegations of abuse have been made. We all want to ensure that they are not a threat to the welfare of children. It is also important to ensure that they are not treated in any way incompatibly with the ECHR, which came into force in Wales on 1 July 1999. It would be helpful if my officials could be informed of your conclusions about the action to be taken.

It is appropriate that the Government should take time to provide a considered response to the Tribunal report. Clearly the Task Force too will need some time to consider fully a report with 95 conclusions and 72 recommendations across a wide range of areas of ministerial and National Assembly responsibility; and to agree substantive advice to Ministerial colleagues. I suggest that any commitment to a debate in March should make it clear that the Government will be able only to offer preliminary views on the way forward by that time.

I am copying this letter to the Prime Minister, to HS colleagues, Margaret Beckett, Ann Taylor, Sir Richard Wilson and to the Policy Unit at No 10.

Yours *evw,*  
*Sevvy*



Richmond House 79 Whitehall London SW1A 2NS Telephone 0171 210 3000

*From the Secretary of State for Health*

*faxed.  
CO 1472.*

*f*

The Rt Hon Paul Murphy MP  
Secretary of State  
Wales Office  
Gwydyr House  
Whitehall  
London SW1A 2ER

*DN  
C:fs.*

*Dear Paul*

*12* February 2000

**NORTH WALES CHILD ABUSE TRIBUNAL OF INQUIRY**

I was grateful for the copy of your letter to the Deputy Prime Minister dated 7 February 2000 and for sight of your draft Statement. I am enclosing my comments on the Statement with this letter.

I share your view that the Waterhouse report will have a profound effect. You are right to anticipate considerable press interest both on the day and in the weeks following publication. I am content with the proposed handling arrangements as set out in your letter.

It is vital that we respond positively to the report, and highlight the major programme of work that the Government has set in train to improve children's services. At the risk of lengthening the statement, I have added some paragraphs which boost your references to the challenging agenda we have set ourselves. I have asked my Officials to do a quick calculation of the number of recommendations which are already being actioned in England. We estimate that there are about 60 recommendations with a read-across to the Department of Health. Action on at least 43 of these is already in hand. Perhaps you would like to consider including a similar number in your Statement to describe the position in Wales.

I also agree that we must reassure the public that those who are alleged to have abused children in the past do not pose a threat to children now. I applaud the work that the Social Services Inspectorate Wales, National Assembly Officials and Successor Authorities in North Wales have done in assessing those individuals included in the Report who are still employed by those Successor Authorities, or involved in services regulated by them.

However, I am anxious that the Government is seen to take decisive action on the day of publication in relation to the constituency of individuals who are named in the report and against whom a finding is made but whose whereabouts are unknown and/or who do not appear on the Consultancy Index. This is the constituency of individuals that will cause greatest concern to the public.

To address this anxiety I intend to take the following action on the day of publication:

- i) I will announce an extension to the Consultancy Index to permit the inclusion of names in the list otherwise than following a referral by an employer. We will also announce that a number of individuals named in the report who have been convicted for offences against children or against whom the Tribunal has made a finding of having harmed children, are to be included on the extended Index on a temporary basis with immediate effect. This will be an interim measure pending representations by those individuals which we will carefully consider before deciding whether they should be included on the extended Index on a permanent basis; and
- ii) My officials will also take immediate steps to establish the current whereabouts of individuals named in the report who have been convicted for offences against children and/or against whom findings have been made **but whose current whereabouts are unknown**. Officials will write to all Chief Executives of Health Authorities and Local Authorities in England asking them to check their employment records to verify whether any of these individuals are currently working with children or other vulnerable groups within their Authorities. If any such individuals are found to be working within any Authority in England then that Authority will be required to inform the Department of Health of this fact and of the action which the Authority is proposing to take in the light of the findings of the Inquiry. This information will need to be received by the Department of Health by 5pm on Thursday 17 February.

In my comments on your Statement I have reflected the course of action described above and have suggested that you ask our colleagues in the National Assembly for Wales to write a similar letter to all Authorities in Wales as soon as possible after publication.



I am copying this letter to the Prime Minister, to members of HS committee, Margaret Beckett, Ann Taylor, Sir Richard Wilson and to the Policy Unit at No.10.

Yours  
Alan

**ALAN MILBURN**

**Tribunal of Inquiry into the abuse of children in care in the former county council areas of Clwyd and Gwynedd since 1974**

**Statement by the Secretary of State for Wales**

Madam Speaker, with permission, I should like to make a statement about the report of the Tribunal of Inquiry into the abuse of children in care in the former county council areas of Clwyd and Gwynedd since 1974. Copies of the Tribunal's report are available from the Vote Office.

The report includes the testimony of many people who made allegations of physical and sexual abuse and gives an insight into the appalling suffering they endured as children. It is a tragedy that such treatment should have been meted out to children in care. They were truly, in the words of the Tribunal's title for their report, "Lost in Care".

The background to the Inquiry is complex. Despite an intensive investigation by the North Wales Police in 1991 which resulted in a number of convictions, there was continued speculation in North Wales that the actual physical and sexual abuse of children in care in the former county council areas of Clwyd and Gwynedd was on a much greater scale. When in 1996, on legal advice, Clwyd County Council did not publish a report they had commissioned, there was increasing concern in North Wales and in this House, and renewed speculation in the media, leading to widespread calls for a public inquiry.

The then Secretary of State for Wales, the right hon. Member for Richmond, informed the House on 17 June 1996 that there would be a judicial inquiry, under the Tribunals of Inquiry (Evidence) Act 1921 to inquire into the abuse of children in care in the former county council areas of Gwynedd and Clwyd since 1974. Sir Ronald Waterhouse was appointed as Chairman with Margaret Clough and Morris le Fleming as the other members. Sir Ronald Hadfield was appointed as assessor to advise on Police matters.

The Tribunal sat for 201 days between 21 January 1997 and 7 April 1998. 264 witnesses gave oral evidence and a further 311 submitted written evidence. 12,000 documents were scanned and filed on computer and the Tribunal's report contains some 420,000 words. But the figures alone cannot explain how difficult this inquiry has been. The work of the Tribunal must often have been harrowing and I am grateful to the members and support staff for their sensitivity. One can barely imagine how painful it must have been for many complainants. I hope that hon. Members will feel, as I did, on reading the report, heartfelt gratitude to the Tribunal for the work it has done and deep admiration for the courage of the many complainants who were willing to re-live their childhood experiences before the Tribunal.

The recounting in print of past events will be distressing to some. I have made arrangements for the services of the Bridge Child Care Development Service,

## North Wales Child Abuse Tribunal of Inquiry - Secret

who provided a witness support team throughout the proceedings, to be available again from today to witnesses and their relatives or partners for a period of up to six months and the Freephone number will be widely advertised.

The Tribunal has named many people; alleged abusers, convicted abusers, local government officers and elected members and Welsh Office officials, but not complainants or some alleged abusers. The Tribunal's policy on naming is set out in the report. I have ensured the protection afforded by the Parliamentary Papers ~~papers~~ Act 1840 in the publication of the report.

One of the most important outcomes of the Tribunal has been the recording of testimony of events. But there were questions to be answered and the Tribunal has confronted them. There are 95 conclusions. The main tenor of those relating to the abuse of children in care is:

- that there was widespread sexual abuse of boys and to a lesser extent of girls, in local authority and privately run children's residential establishments and schools and in an NHS psychiatric unit, in Clwyd between 1974 and 1990;
- that there was no evidence of persistent sexual abuse in children's residential establishments in Gwynedd;
- that many children in children's residential establishments in Clwyd and in Gwynedd were subjected to physical abuse;
- that sexual and physical abuse also occurred in a small number of foster homes in Clwyd and Gwynedd;
- that, and I quote,

"There was no evidence presented to the Tribunal or to the North Wales Police to establish that there was a wide ranging conspiracy involving prominent persons and others with the objective of sexual activity with children in care"

However, the Tribunal also says that,

"During the period under review there was a paedophile ring in the Wrexham and Chester areas in the sense that there were a number of male persons, many of them known to each other, who were engaged in paedophile activities and were targeting young men in their middle teens. The evidence does not establish that they were solely or mainly interested in persons in care, but such youngsters were particularly vulnerable to their approaches."

On the role of the police, the local authorities, the Welsh Office and central Government, the Tribunal concludes broadly:

- that with a few exceptions, the police carried out investigations properly;

## North Wales Child Abuse Tribunal of Inquiry - Secret

- that standards of care and of education in children's residential establishments were deficient, and
- that failures in the care system were widespread and at all levels, embracing staff recruitment, supervision and management; qualifications and training; complaints and investigation procedures; registration and inspection; and policy making, implementation and monitoring by local authorities and Government.

The 72 recommendations fall under eight headings and I will give a summary of each.

Under the heading of **The detection of, and response to, abuse**, the Tribunal recommends that an independent Children's Commissioner for Wales should be appointed and that every social services authority, not only in Wales, should be required to appoint an appropriately qualified or experienced Children's Complaints Officer.

There are recommendations on the need for an independent advocacy service, on complaints and on whistleblowing procedures. It is recommended that failure by staff to report actual or suspected abuse should be made a disciplinary offence.

Further recommendations deal with the assignment of social workers to children, frequency of visits and care planning; awareness training by Area Child Protection Committees for social services and other staff; police action in the logging of incidents at and absconsions from children's homes, the handling of complaints in liaison with the police and the conduct of disciplinary proceedings against staff. The Tribunal recommends that in the light of recent experience gained in England and in Wales there should be an inter-agency review of procedures in major investigations of abuse, with a view to issuing guidance for police and social services authorities on access to and sharing of information and related matters.

On **The prevention of abuse**, there are recommendations on the recruitment of staff and the approval of foster parents, on induction training and training and qualifications of staff generally. The Tribunal recommends a national review of the pay, status and career development of residential child care staff and of field social workers.

On **The quality of care**, there are recommendations on assessment and care planning, the support of foster carers, arrangements for leaving care, and monitoring of fostering breakdowns and of compliance with safeguards, so that services can be properly managed and lessons learned when things go wrong.

A section on **Private children's homes and residential schools**, makes recommendations on their registration, governance and management. The Tribunal calls for a review of legislation governing the regulation of private

residential schools, makes recommendations on inter-agency assessment of children prior to admission into care, and recommends that there should be no emergency admissions to private residential schools.

On **Inspection**, there are recommendations for an independent regulatory agency for children's services in Wales; for joint inspection of schools for children with special educational needs; for common standards to be applied to residential provision and other services for looked after children in the local authority, voluntary and private sectors, and on inspection and regulatory agency reports and their dissemination.

Turning to **Senior Management** in local authorities, the Tribunal makes recommendations as to the expertise and experience required in the social services department management team, on the level at which responsibility for policy and service development and oversight of delivery of children's services should lie and on the number and quality of intermediate management level staff. The Tribunal recommends that local authorities in Wales should review arrangements for management training and development for senior managers, including social services managers, giving particular attention to strategic planning, policy implementation and performance appraisal.

On **Elected members**, there are recommendations on their responsibilities for policy on services for children looked after by the local authority, for monitoring services, and for carrying out visits to children's homes. There are also recommendations on the role of Directors of Social services in supporting members in their duties and informing them about children's services.

At the **Strategic level** the Tribunal recommends an Advisory Council for Children's Services in Wales; a review of the needs and costs of children's services in Wales, including education and health elements; an examination by central government of the extent of use of residential schools as a substitute for social care; monitoring in Wales of the availability and quality of residential and fostering services; consideration at a national level in Wales of the need for and provision of training for senior local authority managers, including social services managers; and that departments in Wales at national level should be sufficiently and appropriately staffed and national statistics services strengthened.

Finally, under **Supplementary matters**, the Tribunal recommends that the Law Commission should be invited to consider legal issues that arose in connection with the publication of the Jillings report commissioned before the Tribunal. Subject to the outcome of its deliberations, guidance to local authorities on the setting up and conduct of inquiries and the dissemination of reports should be updated.

## North Wales Child Abuse Tribunal of Inquiry - Secret

Hon members will appreciate that most of these are not matters on which there can be quick fixes. Many of the recommendations are specific to Wales and the National Assembly will receive the report today for the first time. The Tribunal was set up by the Secretary of State for Wales and therefore reported to me. I will be formally handing the report to the Assembly today, so that they may begin work immediately on following up the recommendations in consultation with local authorities and others in Wales.

However, many of the recommendations, even those specifically directed at Wales, have wider implications. My Rt Hon Friend the Secretary of State for Health and I have agreed that we cannot give a considered view without the discussions with the National Assembly which have been impossible before today. The Ministerial Task Force set up to take forward the Government's response to the review of safeguards for children living away from home, on which the National Assembly for Wales is represented, will take the lead in considering how to respond. That work will start immediately. In addition, my right hon. Friend the Leader of the House has agreed that there should be a debate on the report as soon as possible.

This does not imply that there will be any further delay in improving the care standards we expect for children living away from home. As the Tribunal recognises, there have been significant changes over the last decade and there are more in the offing. The Children Act 1989 and the Protection of Children Act 1999 are already on the statute book, and the Care Standards Bill and Children (leaving care) Bill, which this House will be considering this session, have anticipated many of the Tribunal's recommendations.

The Protection of Children Act 1999 will place the Department of Health's Consultancy Index – the list of individuals deemed unsuitable to work with children – on a statutory footing. Regulated child care providers will be required to check the names of anyone they propose to employ in posts involving regular contact with children against the DoH statutory list and DfEE's List 99 (already on a statutory footing). The Department of Health is working toward implementation of the Protection of Children Act later this year.

The Care Standards Bill brings about wide-scale reform of the systems to protect vulnerable people and improve standards in children's homes, care homes, private and voluntary healthcare and other care services. It will introduce improved arrangements for independent regulation and inspection of social services. It will establish new arrangements in England and Wales to regulate local authority, voluntary and private sector services on an even handed basis. These will cover inspection of all children's homes, including those with fewer than four children, fostering agencies, voluntary adoption agencies, residential family centres and welfare arrangements in boarding schools. The Bill will also establish new Care Councils for England and Wales which will set out enforceable codes of conduct and practice for all social care

## North Wales Child Abuse Tribunal of Inquiry - Secret

employees. They will set standards and regulate the workforce, helping to ensure that staff get the training and qualifications they need.

The Children (Leaving Care) Bill aims to introduce radical new arrangements to improve the life chances of young people aged 16 and over and leaving local authority care. There will be a duty placed on local authorities to carefully assess and meet the needs and to keep in touch with care leavers.

Action has been taken by central and local government on the basis of a number of reports; in particular the ~~Second Report of the Health Committee on Children Looked After by Local Authorities~~ and Sir William Utting's report of the review of safeguards for children living away from home - People Like Us. This e-letter was commissioned at the same time as the Inquiry and the Government's response, published in November 1998, led to a range of measures in England and in Wales to secure significant improvements in safeguards for children. We are pursuing these with vigour.

People Like Us made twenty key recommendations and over one hundred and thirty other recommendations with the principal aim of improving protection for children living away from home. The Government published its response to People Like Us in November 1998. The document sets out a detailed and comprehensive programme of policy and management changes across Government to deliver a safer environment for all children living away from home. Many of the recommendations of People Like Us are being addressed through the introduction of the Care Standards Bill and the Children (Leaving Care) Bill.

On 21 September 1998, the Government launched the £375m three-year **Quality Protects Programme** which is designed to improve the management and delivery of children's social services. It is a key part of the Government's wider strategy for tackling social exclusion. It focuses on working with some of the most disadvantaged and vulnerable children in our society - those children looked after by local authorities; in the child protection system; and other children in need. The main elements of this programme are:

- new national Government objectives for children's services which for the first time sets out clear outcomes for children, and includes precise targets which local authorities are expected to achieve;
- an important role for local councillors in delivering the programme, set out in new guidance sent by the Government to all councillors;
- a requirement that each year local authorities should submit a Quality Protects Management Action Plan (MAP) to the Department of Health.
- a new children's services grant of £375m

## North Wales Child Abuse Tribunal of Inquiry - Secret

In Wales a similar initiative has been established known as **Children First**. An additional £5m was made available to local authorities in Wales in 1999/2000 to support this. For 2000-2001, the National Assembly has announced a proposed increase in expenditure for social services of £51m. The Assembly expects at least one third of that to be invested in improvements to children's services.

### Working Together

In December 1999, the Government published, following extensive consultation, new guidance on inter-agency working to safeguard and promote the welfare of children. "Working Together to Safeguard Children" strengthens previous guidance issued in 1991 and takes account of new research, experience and of legislation concerning child abuse. The new guidance emphasises the importance of agencies working together to help families and children before abuse and neglect have taken place. It provides a clear framework for social workers, the police, teachers, health service staff and others to work together and with families in order to secure the best possible outcomes for vulnerable children and young people. The new guidance provides a number of essential safeguards against abuse that apply in every setting in which children live away from home. In Wales, equivalent guidance is expected to be published by the National Assembly in the next few months.

~~The Care Standards Bill will introduce improved arrangements for independent regulation and inspection of social and services. It will establish new arrangements in England and Wales to regulate local authority, voluntary and private sector services on an even handed basis. These will cover inspection of all children's homes, including those with fewer than four children, fostering agencies, voluntary adoption agencies, residential family centres and welfare arrangements in boarding schools. The Bill will also establish new Care Councils for England and Wales which will set out enforceable codes of conduct and practice for all social care employees. They will set standards and regulate the workforce, helping to ensure that staff get the training and qualifications they need.~~

The Tribunal's report adds impetus to the current programme for change, but also makes significant new recommendations. We must look at the recommendations and consider how they complement changes we are planning, or are already implementing, or whether a change of direction or of emphasis is needed.

A key concern must be to satisfy ourselves, so far as we can, that people who abused children are not in a position to do so now.

The child protection agencies, the Health authority and NHS Trusts, the police in North Wales, and the National Assembly and the Government have done a great deal already but more needs to be done, but it is clear that there is a



## North Wales Child Abuse Tribunal of Inquiry - Secret

considerable amount of work to be done now that the report is widely available.

Those individuals named in the report who are still working in one of the successor Local Authorities in North Wales have been traced and risk assessed.

Officials of the National Assembly will immediately review, with the Successor Local Authorities in North Wales, action already taken in order to establish what further action can lawfully and reasonably be taken to ascertain the suitability of certain individuals to work with children and ensure they do not pose a risk to their safety. They know that they must ensure their approach is rigorous, methodical, available for scrutiny and consistent with the law. They will report to the National Assembly on the progress they have made. They will consult with and share information with other government departments to the extent that this is appropriate and lawful

However, given the time span covered by the report, there are a number of individuals against whom findings are made in the report who are no longer working for one of the Successor Local Authorities and whose current whereabouts are unknown. We need to work together to establish the current whereabouts of these individuals and to ensure that they do not currently pose a risk to children or to other vulnerable groups.

In order to achieve this the Government is taking the additional immediate action:

- i) The Government is today extending the Consultancy Index to permit the inclusion of names in the list otherwise than following a referral by an employer. My Right Honourable Friend the Secretary of State for Health will announce today that a number of individuals named in the report who have been convicted for offences against children or against whom the Tribunal has made a finding of having harmed children, are to be included on the extended Index on a temporary basis with immediate effect. This is an interim measure pending representations by those individuals which will be carefully considered by the Secretary of State before deciding whether they should be included on the extended Index on a permanent basis. and
- ii) The Government is also taking immediate steps to establish the current whereabouts of individuals named in the report and against whom findings have been made by the Tribunal but whose current whereabouts are unknown. The Department of Health is today writing to all Chief Executives of Health Authorities and Local Authorities in England asking them to check their employment records immediately to verify whether such individuals whose whereabouts are unknown are currently working with children or other vulnerable groups within

## North Wales Child Abuse Tribunal of Inquiry - Secret

their Authorities. If such individuals are found to be working within any Authority in England then that Authority will be required to inform the Department of Health of this fact and of the action which the Authority is proposing to take as a result. This information will need to be received by the Department of Health by 5pm on Thursday 17 February. I am asking my colleagues in the National Assembly for Wales to take this action too for Authorities in Wales.

I am aware that the authorities in North Wales have already taken action in respect of some of the matters referred to in the Tribunal's report. They now have the opportunity to consider the report and review their actions in the light of the Tribunal's findings and recommendations. I expect them to take all action that is open to them to ensure that people who are unsuitable to work with children can be prevented from gaining positions, on a paid or voluntary basis, where they can pose a threat to their safety.

Officials of the National Assembly will immediately review, with the local authorities in North Wales, action already taken in order to establish what further action can lawfully and reasonably be taken to ascertain the suitability of certain individuals to work with children and ensure they do not pose a risk to their safety. They know that they must ensure their approach is rigorous, methodical, available for scrutiny and consistent with the law. They will report to the National Assembly on the progress they have made. They will consult with and share information with other government departments to the extent that this is appropriate and lawful

The report is being sent to all local authorities, police authorities, health authorities and NHS Trusts; to voluntary sector bodies, Area Child Protection Committees and other bodies which have a key role to play in the protection of children. This will enable checks to be made where appropriate. To ensure that the messages in the report are widely read, greater numbers of a summary report are also being issued.

To conclude; there have been many reports in the past on children looked after, and there are numerous police investigations under way now across the UK into allegations of abuse in similar settings and over a similar period. The events in North Wales were not unique. But this report lays bare the personal impact of the failings, at all levels, of the care system. There have been significant improvements in safeguards since then, but we cannot be complacent. This report must be we owe our thanks to Sir Ronald Waterhouse and his team for their determination to document the voluminous catalogue of mistreatment of children in North Wales over too many years. We must acknowledge that all of us have failed these children and the many others who have suffered in care elsewhere in the past. Too sadly, we know that this case was not unique.

We can no longer claim that "we never knew". As Jo Williams of the Association of Directors of Social Services has said: "the age of innocence is

North Wales Child Abuse Tribunal of Inquiry - Secret

past". We must shoulder our responsibilities now for the children of this generation and for the future.

The programme of action we have already put in train is a demanding one, for all levels of Government. We are determined to see it through and use this report as a warning of the constant need for vigilance, of the need to allow children to talk and of our duty to listen to them and to treat them as people like us.

~~Many improvements have already been made. We must now read the report, draw breath, and consider what action we take in its light to ensure that safeguards for vulnerable children are as strong as we can make them. My right hon Friend, the Secretary of State for Health will be directing the Government's work to drive through this programme. I urge all Members of the House to read this tragic story and join us when we debate the report in full take that on within the Government and we will start the process here when we debate the report in about a month from now.~~



(F)

QUEEN ANNE'S GATE LONDON SW1H 9AT

11 FEB 2000

The Rt Hon Paul Murphy MP  
Secretary of State for Wales  
Gwydyr House  
Whitehall  
LONDON SW1A 2ER

Top: DNL  
cc: ~~PP~~

Dear Secretary of State,

**NORTH WALES CHILD ABUSE TRIBUNAL**

I am writing in response to your letter of 7 February to John Prescott and copied to HS colleagues, in which you seek agreement both to the terms of your statement on publication of the report and to the handling arrangements before publication.

I am pleased to note that the Tribunal concluded that with few exceptions, the police carried out investigations properly and I am content both with your proposed statement and with the handling arrangements.

A copy of this letter goes to the Prime Minister, the Deputy Prime Minister, other members of HS Committee, Margaret Beckett, Ann Taylor, Sir Richard Wilson and to the Policy Unit at No 10.

Yours sincerely,

Stephen Hanson

PP JACK STRAW

(Approved by the Home Secretary and signed in his absence by the Private Secretary).

cc: [handwritten initials]



**Swyddfa Cymru**  
Swyddfa Ysgrifennydd Gwladol Cymru  
**Ty Gwydir**  
Whitehall, Llundain SW1A 2ER

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*Oddi wrth Ysgrifennydd Preifat ysgrifennydd  
Gwladol Cymru*

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*From the Private Secretary to the Secretary of State  
for Wales*

(F)

11th February 2000

*Dear David,*

**NORTH WALES CHILD ABUSE TRIBUNAL OF INQUIRY**

Thank you for your letter of 9<sup>th</sup> February.

In the light of the Prime Minister's comments my Secretary of State asked Officials to recast aspects of his statement. I enclose a copy though Mr Murphy has not yet been able to consider this draft. As the statement is to be made on Tuesday next I thought I should refer this to you now.

The revised statement draws attention to a range of activity already underway in Government to implement the Utting Report, much of which is relevant to the Tribunal's recommendations. It also draws attention to the work which has been and is still going on to follow up those named in the Report as having allegedly abused children; and it gives more explanation of the reasons for publishing the Report with the protection of Parliamentary privilege.

I am copying this minute and the revised Statement to the Private Secretaries of members of HS Committee, Margaret Beckett and Anne Taylor and to Sebastian Wood in the Cabinet Office.

Yours sincerely

*Simon*

Simon Morris

David North Esq  
Private Secretary  
No 10 Downing Street  
London SW1A

## North Wales Child Abuse Tribunal of Inquiry - Secret

### Tribunal of Inquiry into the abuse of children in care in the former county council areas of Clwyd and Gwynedd since 1974

#### Statement by the Secretary of State for Wales

Madam Speaker, with permission, I should like to make a statement about the report of the Tribunal of Inquiry into the abuse of children in care in the former county council areas of Clwyd and Gwynedd since 1974. Copies of the Tribunal's report are available from the Vote Office.

The report includes the testimony of many people who made allegations of physical and sexual abuse and gives an insight into the appalling suffering they endured as children. It is a tragedy that such treatment should have been meted out to children in care. They were truly, in the words of the Tribunal's title for their report, "Lost in Care".

The background to the Inquiry is complex. Allegations about poor treatment of children in North Wales first emerged in 1986. One result was an intensive investigation by the North Wales Police in 1991 which resulted in a number of convictions. Despite that, speculation continued in North Wales that the actual physical and sexual abuse of children in care in the former county council areas of Clwyd and Gwynedd was on a much greater scale. When in 1996, on legal advice, Clwyd County Council did not publish a report they had commissioned, there was increasing concern in North Wales and in this House, and renewed speculation in the media, leading to widespread calls for a public inquiry.

The then Secretary of State for Wales, the right hon. Member for Richmond, informed the House on 17 June 1996 that there would be a judicial inquiry, under the Tribunals of Inquiry (Evidence) Act 1921 to inquire into the abuse of children in care in the former county council areas of Gwynedd and Clwyd since 1974. Sir Ronald Waterhouse was appointed as Chairman with Margaret Clough and Morris le Fleming as the other members. Sir Ronald Hadfield was appointed as assessor to advise on Police matters.

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**North Wales Child Abuse Tribunal of Inquiry - Secret**

The Tribunal sat for 201 days between 21 January 1997 and 7 April 1998. 264 witnesses gave oral evidence and a further 311 submitted written evidence. 12,000 documents were scanned and filed on computer and the Tribunal's report contains some 420,000 words. The work of the Tribunal was difficult and some of the evidence was harrowing. I would like to place clearly on the record my gratitude to the Tribunal for the work it has done and deep admiration for the courage of the many complainants who were willing to re-live their childhood experiences before the Tribunal.

The recounting in print of past events will be distressing to some. I have made arrangements for the services of the Bridge Child Care Development Service, who provided a witness support team throughout the proceedings, to be available again from today to witnesses and their relatives or partners for a period of up to six months and the Freephone number will be widely advertised.

In its report the Tribunal has named many people; alleged abusers, convicted abusers, local government officers and elected members and Welsh Office officials. It has not named complainants or some alleged abusers. The Tribunal's policy on naming names is set out in the report. In order to do its job properly, we needed to ensure protection from the possibility of proceedings against the Tribunal members themselves, or the Government arising from the naming of names. It is therefore essential that I ensure the protection afforded by the Parliamentary papers Act 1840 in the publication of the report.

One of the most important outcomes of the Tribunal has been the recording of testimony of events. The Report does that in great detail and with great sensitivity. But the Tribunal has also confronted the serious questions which arise about the management and safeguarding of children in care. There are 95 conclusions. The main tenor of those relating to the abuse of children in care is:

Draft 19

10.02.00

## North Wales Child Abuse Tribunal of Inquiry - Secret

- that there was widespread sexual abuse of boys and to a lesser extent of girls, in local authority and privately run children's residential establishments and schools and in an NHS psychiatric unit, in Clwyd between 1974 and 1990;
- that there was no evidence of persistent sexual abuse in <sup>local authority</sup> children's residential establishments in Gwynedd;
- that many children in children's residential establishments in Clwyd and in Gwynedd were subjected to physical abuse;
- that sexual and physical abuse also occurred in a small number of foster homes in Gwynedd;
- that, and I quote,

"There was no evidence presented to the Tribunal or to the North Wales Police to establish that there was a wide ranging conspiracy involving prominent persons and others with the objective of sexual activity with children in care"

However, the Tribunal also says that,

"During the period under review there was a paedophile ring in the Wrexham and Chester areas in the sense that there were a number of male persons, many of them known to each other, who were engaged in paedophile activities and were targeting young men in their middle teens. The evidence does not establish that they were solely or mainly interested in persons in care, but such youngsters were particularly vulnerable to their approaches."

On the role of the police, the local authorities, the Welsh Office and central Government, the Tribunal concludes broadly:



**North Wales Child Abuse Tribunal of Inquiry - Secret**

- that with a few exceptions, the police carried out investigations properly;
- that standards of care and of education in children's residential establishments were deficient, and
- that failures in the care system were widespread and at all levels, embracing staff recruitment, supervision and management; qualifications and training; complaints and investigation procedures; registration and inspection; and policy making, implementation and monitoring by local authorities and Government.

The 72 recommendations fall under eight headings and I will give a summary of each.

Under the heading of **The detection of, and response to, abuse**, the Tribunal recommends that an independent Children's Commissioner for Wales should be appointed and that **every** social services authority, not only in Wales, should be required to appoint an appropriately qualified or experienced Children's Complaints Officer.

There are recommendations on the need for an independent advocacy service, on complaints and on whistleblowing procedures. It is recommended that failure by staff to report actual or suspected abuse should be made a disciplinary offence.

Further recommendations deal with the assignment of social workers to children, frequency of visits and care planning; awareness training by Area Child Protection Committees for social services and other staff; how the police should log incidents at and absconsions from children's homes; how local authorities and others should handle complaints from children and disciplinary proceedings against staff. The Tribunal recommends that in the light of recent experience gained in England and in Wales there should be an

**North Wales Child Abuse Tribunal of Inquiry - Secret**

inter-agency review of procedures in major investigations of abuse, looking especially at how police and social services authorities share information.

On **The prevention of abuse**, there are recommendations on the recruitment of staff and the approval of foster parents, on induction training and training and qualifications of staff generally. The Tribunal recommends a national review of the pay, status and career development of residential child care staff and of field social workers.

On **The quality of care**, there are recommendations on assessment and care planning, the support of foster carers, arrangements for leaving care, and on monitoring the quality of foster care placements.

A section on **Private children's homes and residential schools**, makes recommendations on their registration, governance and management. The Tribunal calls for a review of legislation governing the regulation of private residential schools, makes recommendations on inter-agency assessment of children prior to admission into care, and recommends that there should be no emergency admissions to private residential schools.

On **Inspection**, the Tribunal recommends an independent regulatory agency for children's services in Wales; joint educational and welfare inspection of schools for children with special educational needs; for common standards for residential services for looked after children whether they are cared for in the local authority, voluntary and private sectors, and on learning lessons from inspection and regulatory agency reports.

Turning to **Senior Management** in local authorities, the Tribunal makes recommendations as to the expertise and experience required in the social services department management team; on the level at which responsibility for children's services should lie; and on the number and quality of intermediate management level staff. The Tribunal recommends that local authorities in Wales should review arrangements for management training

**North Wales Child Abuse Tribunal of Inquiry - Secret**

and development for all senior managers, including social services managers, giving particular attention to strategic planning, policy implementation and performance appraisal.

On **Elected members**, there are recommendations on their responsibilities for monitoring services for children looked after, and for carrying out visits to children's homes. There are also recommendations on the role of Directors of Social services in supporting members in their duties and informing them about children's services.

At the **Strategic level** the Tribunal recommends an Advisory Council for Children's Services in Wales; a review of the needs and costs of children's services in Wales, including education and health elements; an examination by central government of the extent of use of residential schools as a substitute for social care; monitoring in Wales of the availability and quality of residential and fostering services; consideration at a national level in Wales of the need for and provision of training for senior local authority managers, including social services managers; and that departments in Wales at national level should be sufficiently and appropriately staffed and national statistics services strengthened.

Finally, under **Supplementary matters**, the Tribunal recommends that the Law Commission should be invited to consider legal issues that arose in connection with the publication of the Jillings report commissioned before the Tribunal. Subject to the outcome of its deliberations, guidance to local authorities on the setting up and conduct of inquiries and the dissemination of reports should be updated.

Hon members will appreciate that most of these are not matters on which there can be quick fixes. Many of the recommendations are specific to Wales and the National Assembly will receive the report today for the first time. The Tribunal was set up by the Secretary of State for Wales and therefore

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**North Wales Child Abuse Tribunal of Inquiry - Secret**

reported to me. I will be formally handing the report to the Assembly today, so that they may begin work immediately on following up the recommendations in consultation with local authorities and others in Wales.

However, many of the recommendations, even those specifically directed at Wales, have wider implications, and we have already put significant new work in hand to secure real improvements in the standards of care we expect for children living away from home..

As the Tribunal recognises, there have been many far-reaching changes over the last decade, in particular flowing from the changed perceptions introduced by the Children Act 1989.

But more recently we have taken a number of important steps to raise the quality of care for children, *not least* in response to the Second Report of the Health Committee on Children Looked After by Local Authorities; and Sir William Utting's report of the review of safeguards for children living away from home which was commissioned at the same time as the Inquiry

We have introduced new safeguards in the Protection of Children Act 1999 *which will put the Department of Health's Consultancy Index on a statutory footing and require child care employers to check new employees against it.* and we We have revised the main guidance on child protection, "Working Together" *to emphasise the importance of the various child protection agencies sharing information and working more effectively as a team.* We have put in place major programmes designed to secure a step change in the quality of children's services and the outcomes we expect for looked after children, through the Children First programme in Wales, and the broadly equivalent Quality Protects programme in England. *These programmes will set clear objectives for children's services; will ensure that all looked after children receive the health care and education they need; will improve the management information and planning of children's services; and raise the*

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*profile of the responsibilities which local councillors carry for the quality of care provided to children who are looked after by their authorities. In England the Department of Health has supported Quality Protects with a new Children's Services Grant of £375 million over 3 years. In Wales, £5 million was provided to support the introduction of Children First in 1999-2000, and children's services should receive one third of the £51 million identified as additional funds for social services in the local government settlement for 2000-2001.*

~~The Ministerial Task Force will continue to give a clear priority to this work across government. It will take the lead in commissioning and co-ordinating our response to the Tribunal's report.~~

*The Care Standards Bill, currently before Parliament, will establish new arrangements in England and Wales for the independent regulation and inspection of local authority, voluntary and private sector services on an even handed basis. These will cover inspection of all children's homes, including those with fewer than four children, fostering agencies, voluntary adoption agencies, residential family centres and welfare arrangements in boarding schools. The Bill provides for the appointment of an expert within the new framework whose job it will be to ensure that the particular requirements of children's services are given special attention within the new inspection and regulatory regime.*

*There will be new inspection arrangements for children's daycare services, in England via OFSTED, and in Wales jointly between the new care standards body and ESTYN.*

*The Bill will also establish new Care Councils for England and Wales which will set out enforceable codes of conduct and practice for all social care employees. They will set standards and regulate the workforce, helping to ensure that staff get the training and qualifications they need. Special attention to the need for improved training for childcare staff is already being addressed, for example through the new post-qualifying training recently*

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*launched by the Central Council for Education and Training in Social Work (CCETSW).*

The Children (Leaving Care) Bill will put in place extensive new support arrangements to ensure that young people leaving care will continue to be supported until they are ready and able to stand on their own. Our plans for more general youth support, through the Connexions programme just launched in England, and a broadly similar scheme for Wales, will offer children in care, and others, a range of support in education, careers, housing and personal relationship issues.

*The Ministerial Task Force on children's Safeguards will continue to give a clear priority to managing the implementation of all this work across government. It will take the lead in commissioning and co-ordinating our response to the Tribunal's report.*

The Tribunal's report adds impetus to this programme for change, but also makes significant new recommendations. We will be looking hard at these to see how they complement changes we are planning, or are already implementing, or whether a change of direction or of emphasis is needed. *IN particular, the National Assembly for Wales is already working to develop the cross-party commitment in Wales to establish a Children's Commissioner for Wales. We will look forward to their proposals in the near future.*

A key concern must be to satisfy ourselves, so far as we can, that people who abused children are not in a position to do so now.

*The child protection agencies, the Health authority and NHS Trusts, the police in North Wales, and the National Assembly and the Government have done a great deal already, but it is clear that there is a considerable amount of work to be done now that the report is widely available. I am aware that the authorities in North Wales have already taken action in respect of some of the matters referred to in the Tribunal's report. They now have the opportunity to*

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*consider the report and review their actions in the light of the Tribunal's findings and recommendations. I expect them to take all action that is open to them to ensure that people who are unsuitable to work with children can be prevented from gaining positions, on a paid or voluntary basis, where they can pose a threat to their safety.*

*Officials of the National Assembly will immediately review, with the local authorities in North Wales, action already taken in order to establish what further action can lawfully and reasonably be taken to ascertain the suitability of certain individuals to work with children and ensure they do not pose a risk to their safety. They know that they must ensure their approach is rigorous, methodical, available for scrutiny and consistent with the law. They will report to the National Assembly on the progress they have made. They will consult with and share information with other government departments to the extent that this is appropriate and lawful*

*The report is being sent to all local authorities, police authorities, health authorities and NHS Trusts; to voluntary sector bodies, Area Child Protection Committees and other bodies which have a key role to play in the protection of children. This will enable checks to be made where appropriate. To ensure that the messages in the report are widely read, greater numbers of a summary report are also being issued.*

*To conclude; the events in North Wales were not unique. there have been many reports in the past on children looked after, and there are numerous police investigations under way now across the UK into allegations of abuse in similar settings and over a similar period. This report must be a warning of the constant need for vigilance, of the need to allow children to talk and of our duty to listen to them.*

*I know that many people working with children across the country will want to read and consider the Report's findings, and reflect on how we can build on the work already in hand., to make sure that all the lessons here are put into*

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practice. The Ministerial Task force, working with the National Assembly for Wales and consulting widely with local authorities and others, will now focus on taking action to respond as positively as we can to the Tribunal's valuable work.

| ' My right hon Friend, the Secretary of State for Health will take that on within the Government and we will start the process here when we debate the report in about a month from now.

\_\_\_\_\_  
|  
Draft 19

10.02.00



11. FEB. 2000 17:16

MCU CABINET OFFICE

NO. 6474 P. 1/2



**Lord Falconer of Thoroton QC**  
Minister of State

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The Rt Hon John Prescott MP  
Deputy Prime Minister  
Department for the Environment, Transport and the Regions  
Eland House  
Bressenden Place  
London  
SW1E 5DU

11 February 2000

*Dear John*

**NORTH WALES CHILD ABUSE TRIBUNAL.**

I have seen a copy of Paul Murphy's letter to you dated 7 February. He wrote informing colleagues that he would be making a statement to the House next week, announcing the publication of the report of the North Wales Child Abuse Tribunal, which Sir Ronald Waterhouse chaired. He sought agreement to the text of his statement and to his proposed handling arrangements for the report following publication. I am content with his proposed statement, but I feel that we should publish the report on the Internet.

The report is clearly very sensitive and paints a very sorry picture. I understand that it will be highly critical of both central and local government, and Paul's proposed statement makes a very balanced and comprehensive response to the issue. I am content for him to proceed on the basis that he sets out in his letter.

Paul also suggests that he is minded not to publish the report on the Internet. I understand that this is based on legal advice regarding the nature and extent of the parliamentary privilege provided by the Parliamentary Papers Act 1840. The Act covers the United Kingdom, and

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there is the possibility that the Government could face legal challenge in a foreign jurisdiction if the report was published on the Internet.

I am not convinced, however, that the risk is sufficient to preclude publication of the report on the Internet. The Jillings report was not published, and failure to publish the Tribunal's report as widely as possible would leave us open to criticism. In addition, I am not convinced that those people who might consider action against the UK Government would be minded to draw attention to themselves if they have made a fresh start in a foreign country, even if they did have the resources to pursue what would be likely to be a lengthy and costly case.

There is clearly a precedent here, particularly as the BSE enquiry will be reporting shortly. If Paul does not publish the report on the Internet, he will need to say why. If it becomes clear that Government papers, including sensitive reports, published on the Internet could leave the UK Government open to action in a foreign jurisdiction, and that the Government was sufficiently concerned about this, it would make subsequent publication of further reports more difficult. Failure to publish future reports, and I am thinking of BSE in particular, would leave us open to further criticism.

I therefore feel that we need to come to a collective view on this issue. We are committed to making information available to the public, and we have raised expectations that the Internet will be a valuable tool in making information more accessible. Against this, we need to balance the potential risk of defamation cases being brought against the UK Government in a foreign jurisdiction. In this instance, I urge Paul to reconsider his options and to publish the report on the Internet.

I am copying this letter to the Prime Minister, members of HS Committee, Margaret Beckett, Ann Taylor, and to Sir Richard Wilson.

*Yours ever*  
*Charles*

CHARLES FALCONER

**RESTRICTED**  
FROM THE RT HON HILARY ARMSTRONG MP  
MINISTER FOR LOCAL GOVERNMENT AND THE REGIONS

(1)



DEPARTMENT OF THE ENVIRONMENT,  
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OUR REF: IDC 27/00

The Rt Hon John Prescott MP  
Deputy Prime Minister and  
Secretary of State for the Environment,  
Transport and the Regions  
Eland House  
Bressenden Place  
LONDON  
SW1E 5DU

PN  
cc: JTH  
PU

10 FEB 2000

*Dear Deputy Prime Minister*

**NORTH WALES CHILD ABUSE TRIBUNAL OF INQUIRY**

This letter agrees to the draft statement and handling strategy set out in Paul Murphy's letter of 7 February and reports on DETR interest in the report on the North Wales Child Abuse Tribunal of Inquiry.

I have seen Paul Murphy's letter of 7 February seeking approval for his draft statement and his proposals for handling by the Government after publication. I support both the statement and the proposals. I intend to be present on the front bench for his statement.

DETR has no direct responsibility for the issues the report is likely to raise. The report relates specifically to childcare and social services. We have, however, been taking an interest in the subsidiary issues of the role of insurance companies in local authorities' handling of sensitive inquiries, and the responsibility of elected members.

We will continue to have an interest in these items.

I am copying this letter to the Prime Minister, to members of the HS committee, Margaret Beckett, Ann Taylor, Sir Richard Wilson, and to the Policy Unit at No 10.

*Yours sincerely*

HILARY ARMSTRONG  
(Approved by the Minister  
and signed in her absence)



10 DOWNING STREET  
LONDON SW1A 2AA

From the Private Secretary

9 February 2000

*Dear Simon,*

### NORTH WALES CHILD ABUSE TRIBUNAL OF INQUIRY

The Prime Minister was grateful for a copy of your Secretary of State's letter of 7 February, enclosing the draft statement he proposes to make when publishing the above report.

As your Secretary of State notes in his minute, the Tribunal's report makes disturbing reading. The draft statement summarises in some detail the recommendations of the Tribunal. Although it goes on to say that we have already anticipated many of the Tribunal's recommendations, it does not really explain this in any detail. The Prime Minister will want your Secretary of State to set out much more clearly what the Government has done in this area since the Utting Report (e.g. placing the Consultancy Index on a statutory footing; some of the specific measures in the Care Standards Bill). We should also be clear on the extent to which these changes have been implemented in Wales.

On specific sections in the draft:

- (a) should we not explain why we need to ensure the protection of Parliamentary privilege when publishing the report?;
- (b) the final page of the statement says that we must satisfy ourselves that those who abused children are not in a position to do so now. Yet the statement simply goes on to say that the various agencies "have done all they can to that end". Do we not need to back this up by listing some specific actions?
- (c) more generally, we need throughout the draft to avoid adopting a tone that others - fairly or unfairly - might describe as complacent. For example,

*cl*

on the final page of the draft, do we really need phrases like "many of the incidents took place a long time ago", and "we must now read the report, draw breath and consider what action we take..." We clearly need to develop a considered response to the recommendations, but we should also convey a sense of the priority we attach to action in this area, and - as stated above - the action we have already taken.

The Prime Minister will wish to see a further draft of the statement before your Secretary of State delivers it.

I am copying this letter to Private Secretaries to members of HS Committee, Margaret Beckett and Ann Taylor, and to Sebastian Wood (Cabinet Office).

Yours truly,

David

**DAVID NORTH**

Simon Morris Esq,  
Wales Office.

(f)

Top: DN  
cc: OB  
- B

**Swyddfa Cymru**  
(Swyddfa Ysgrifennydd Gwladol Cymru)  
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CO  
RH

cc: DN, OB, JJH, JG

The statement is very, very inadequate. I would like to see very much more on what we have done post the Utting Report - eg

The Rt Hon Paul Murphy MP

7 February 2000

Dear Deputy Prime Minister

WE have put Consultancy - in the on statutory jointing - but you would not know. The Welsh Office / Assembly have been party to all the post Utting work - we need to see the tenor of the response changed.

**NORTH WALES CHILD ABUSE TRIBUNAL OF INQUIRY**

The report of the North Wales Child Abuse Tribunal of Inquiry will be published by means of an unopposed return to the House in the week commencing 14 February. I will make a statement to the House, and Josie Farrington will make a parallel statement in the Lords. This letter seeks colleagues' approval to the draft of my statement and their agreement to my proposals for handling by the Government after publication.

My statement, a copy of which I enclose, is still being refined and I want to ask Sir Ronald Waterhouse who chaired the Inquiry for his views. I would be grateful for early responses and for final views by the morning of Friday 11 February.

**The report**

The Tribunal's report makes disturbing reading. It records in detail many allegations of sexual and physical abuse of children in care in residential homes and schools, and in a few instances in foster care, in the former counties of Clwyd and Gwynedd. The Tribunal makes findings which support many of the allegations. It names many, but not all of those people about whom the Tribunal heard evidence of alleged abuse, and it names police and local authority officers and the Welsh Office officials who gave evidence. It comments on police, local authority and Government actions. It is critical of Government, although not of individual officials or Ministers, and is extremely critical of local authorities and of some staff, managers and some elected members. The report has been long awaited. It serves as a record of a sorry period in the history of child care and will, I believe, have as profound an effect as Sir William Utting's report on children's safeguards and be an influential work for many years to come.

P.S. if necessary I will do a note for JTB that can you see what can be achieved?

Robert  
R.



### **Publication and Parliamentary privilege**

Because of the sensitive nature of the report, it will be published as a return to an Address under the terms of the Parliamentary Papers Act 1840 to gain Parliamentary privilege.

The report and summary (bilingual for Wales) will be widely distributed so that all local authorities, the police and the NHS in England and Wales will receive copies, as well as many other interested groups. All those who gave evidence to the Tribunal will receive copies. I have considered publication on the Internet, but I am advised that the protection of Parliamentary privilege may not provide the cover necessary for what would amount to world-wide publication. No public statements have been made on this issue, although the possibility has been discussed at official level, with some media representatives and with representatives of local authorities, the Health Authority and Police in North Wales.

### **Handling on the day**

I intend that there should be limited access to carefully selected press and media representatives immediately before I make my statement so that subsequent questions and media coverage can be better informed. I also intend to allow access to opposition parties under similar secure arrangements. Following my statement I will hold a press conference in London. Sir Ronald Waterhouse will share the platform with me. My colleague David Hanson will hold a press conference in North Wales at the same time.

..

### **Response to the report**

My statement is, I think necessarily, quite long. There is a sorry tale to tell, but a lot of positive news on Government initiatives to improve safeguards for children. Where there are specific criticisms of Government, I have taken the view that we should acknowledge the findings of the Tribunal, but focus on the way forward, including the wide range of work we have already in hand to improve safeguards for children, partly in response to the report by Sir William Utting which was commissioned at the same time as the tribunal was established.

The report contains 72 recommendations across a broad range of issues, from the recruitment, vetting and training of staff working in residential settings, to the level of resourcing for social services for children. The Tribunal point towards improvements in complaints procedures and advocacy for children, and call for the appointment of a Commissioner for Children in



Wales. Clearly, with such a substantial and wide ranging report there needs to be some time for people to read it and to reflect on the Tribunal's findings. For our part, we will need to ensure that we consider the Tribunal's findings in depth.

Some of the recommendations are specific to Wales and will be for the National Assembly, to consider. However, most have wider application,

including many of those which are primarily directed to Wales. It is important that my statement makes clear how the Government will respond to the report in consultation with the National Assembly and the other devolved administrations to ensure that safeguards are strengthened everywhere. The Ministerial Task Force on Children's Safeguards is to consider the report for the first time when it meets on 13 March. Colleagues will then need to decide who should take the lead in Government in co-ordinating a response and on the timescale for the response.

### **Debate**

I think that there will be pressure for a debate and that it would be prudent to indicate the Government's intention to have a one in my statement. I suggest that a month would give everyone time to consider the report. The Ministerial Task Force is due to consider it on 13 March and it might be sensible to have a debate shortly after that.

### **Dealing with Alleged Abusers**

One of the most pressing issues is to make sure that we can give as much reassurance as possible that those who are alleged to have abused children do not pose a threat to their welfare.

The Social Services Inspectorate Wales and National Assembly officials have advised and monitored the actions of the successor local authorities, the health authorities and NHS Trusts in North Wales in respect of individuals still employed by the successor authorities, or involved in services regulated by them, and who were alleged in evidence given to the Tribunal to have abused children. They have included the police as appropriate in discussions and consultation. Their work has been shared with officials from the Department of Health, DfEE, and with other Government Departments through the Cabinet Office. There is work to be done on a small number of people whose whereabouts are currently unknown. The Social Services Inspectorate for Wales and Department of Health are seeking further legal advice about





possible courses of action and I will be able to make a firmer statement about the position on publication day than is reflected in the current draft. We must bear in mind that some work can only be done on publication, when the Tribunal's considerations are known to the local authorities.

As I have said, I would welcome early views so that I can reflect colleagues comments. In view of the wide Departmental interest in the report, I thought I would ask if colleagues might wish to join me on the front bench when I make my statement.

I am copying this letter the Prime Minister, to members of HS committee, Margaret Beckett, Ann Taylor, Sir Richard Wilson, and to the Policy Unit at No 10.

*P. Philip Charles*

Dictated by the Secretary of State  
and signed in his absence

**The Rt Hon John Prescott MP  
Deputy Prime Minister  
Department of the Environment Transport and the Regions  
6<sup>TH</sup> Floor  
Eland House  
Bressenden Place  
LONDON  
SW1E 5DU**

## **North Wales Child Abuse Tribunal of Inquiry - Secret**

### **Tribunal of Inquiry into the abuse of children in care in the former county council areas of Clwyd and Gwynedd since 1974**

#### **Statement by the Secretary of State for Wales**

Madam Speaker, with permission, I should like to make a statement about the report of the Tribunal of Inquiry into the abuse of children in care in the former county council areas of Clwyd and Gwynedd since 1974. Copies of the Tribunal's report are available from the Vote Office.

The report includes the testimony of many people who made allegations of physical and sexual abuse and gives an insight into the appalling suffering they endured as children. It is a tragedy that such treatment should have been meted out to children in care. They were truly, in the words of the Tribunal's title for their report, "Lost in Care".

The background to the Inquiry is complex. Despite an intensive investigation by the North Wales Police in 1991 which resulted in a number of convictions, there was continued speculation in North Wales that the actual physical and sexual abuse of children in care in the former county council areas of Clwyd and Gwynedd was on a much greater scale. When in 1996, on legal advice, Clwyd County Council did not publish a report they had commissioned, there was increasing concern in North Wales and in this House, and renewed speculation in the media, leading to widespread calls for a public inquiry.

The then Secretary of State for Wales, the right hon. Member for Richmond, informed the House on 17 June 1996 that there would be a judicial inquiry, under the Tribunals of Inquiry (Evidence) Act 1921 to inquire into the abuse of children in care in the former county council areas of Gwynedd and Clwyd since 1974. Sir Ronald Waterhouse was appointed as Chairman with Margaret Clough and Morris le Fleming as the other members. Sir Ronald Hadfield was appointed as assessor to advise on Police matters.

The Tribunal sat for 201 days between 21 January 1997 and 7 April 1998. 264 witnesses gave oral evidence and a further 311 submitted written evidence. 12,000 documents were scanned and filed on computer and the Tribunal's report contains some 420,000 words. But the figures alone cannot explain how difficult this inquiry has been. The work of the Tribunal must often have been harrowing and I am grateful to the members and support staff for their sensitivity. One can barely imagine how painful it must have been for many complainants. I hope that hon. Members will feel, as I did, on reading the report, heartfelt gratitude to the Tribunal for the work it has done and deep admiration for the courage of the many complainants who were willing to re-live their childhood experiences before the Tribunal.

The recounting in print of past events will be distressing to some. I have made arrangements for the services of the Bridge Child Care Development Service,

## North Wales Child Abuse Tribunal of Inquiry - Secret

who provided a witness support team throughout the proceedings, to be available again from today to witnesses and their relatives or partners for a period of up to six months and the Freephone number will be widely advertised.

The Tribunal has named many people; alleged abusers, convicted abusers, local government officers and elected members and Welsh Office officials, but not complainants or some alleged abusers. The Tribunal's policy on naming is set out in the report. I have ensured the protection of Parliamentary privilege in the publication of the report. || ?

One of the most important outcomes of the Tribunal has been the recording of testimony of events. But there were questions to be answered and the Tribunal has confronted them. There are 95 conclusions. The thrust of those relating to the abuse of children in care is:

*persistent?*

- that there was widespread sexual abuse of boys and to a lesser extent of girls, in local authority and privately run children's residential establishments and schools and in an NHS psychiatric unit, in Clwyd between 1974 and 1990;
- that there was no evidence of persistent sexual abuse in children's residential establishments in Gwynedd;
- that many children in children's residential establishments in Clwyd and in Gwynedd were subjected to physical abuse;
- that sexual and physical abuse also occurred in a small number of foster homes in Gwynedd;
- that, and I quote,

"There was no evidence presented to the Tribunal or to the North Wales Police to establish that there was a wide ranging conspiracy involving prominent persons and others with the objective of sexual activity with children in care"

However, the Tribunal also says that,

"During the period under review there was a paedophile ring in the Wrexham and Chester areas in the sense that there were a number of male persons, many of them known to each other, who were engaged in paedophile activities and were targeting young men in their middle teens. The evidence does not establish that they were solely or mainly interested in persons in care, but such youngsters were particularly vulnerable to their approaches."

On the role of the police, the local authorities, the Welsh Office and central Government, the Tribunal concludes broadly:

- that with a few exceptions, the police carried out investigations properly;

## North Wales Child Abuse Tribunal of Inquiry - Secret

- that standards of care and of education in children's residential establishments were deficient, and
- that failures in the care system were widespread and at all levels, embracing staff recruitment, supervision and management; qualifications and training; complaints and investigation procedures; registration and inspection; and policy making, implementation and monitoring by local authorities and Government.

The 72 recommendations fall under eight headings and I will give a summary of each.

Under the heading of **The detection of, and response to, abuse**, the Tribunal recommends that an independent Children's Commissioner for Wales should be appointed and that every social services authority, not only in Wales, should be required to appoint an appropriately qualified or experienced Children's Complaints Officer.

There are recommendations on the need for an independent advocacy service, on complaints and on whistleblowing procedures. It is recommended that failure by staff to report actual or suspected abuse should be made a disciplinary offence.

Further recommendations deal with the assignment of social workers to children, frequency of visits and care planning; awareness training by Area Child Protection Committees for social services and other staff; police action in the logging of incidents at and absconsions from children's homes, the handling of complaints in liaison with the police and the conduct of disciplinary proceedings against staff. The Tribunal recommends that in the light of recent experience gained in England and in Wales there should be an inter-agency review of procedures in major investigations of abuse, with a view to issuing guidance for police and social services authorities on access to and sharing of information and related matters.

On **The prevention of abuse**, there are recommendations on the recruitment of staff and the approval of foster parents, on induction training and training and qualifications of staff generally. The Tribunal recommends a national review of the pay, status and career development of residential child care staff and of field social workers.

On **The quality of care**, there are recommendations on assessment and care planning, the support of foster carers, arrangements for leaving care, and monitoring of fostering breakdowns and of compliance with safeguards, so that services can be properly managed and lessons learned when things go wrong.

A section on **Private children's homes and residential schools**, makes recommendations on their registration, governance and management. The Tribunal calls for a review of legislation governing the regulation of private

## North Wales Child Abuse Tribunal of Inquiry - Secret

residential schools, makes recommendations on inter-agency assessment of children prior to admission into care, and recommends that there should be no emergency admissions to private residential schools.

On **Inspection**, there are recommendations for an independent regulatory agency for children's services in Wales; for joint inspection of schools for children with special educational needs; for common standards to be applied to residential provision and other services for looked after children in the local authority, voluntary and private sectors, and on inspection and regulatory agency reports and their dissemination.

Turning to **Senior Management** in local authorities, the Tribunal makes recommendations as to the expertise and experience required in the social services department management team, on the level at which responsibility for policy and service development and oversight of delivery of children's services should lie and on the number and quality of intermediate management level staff. The Tribunal recommends that local authorities in Wales should review arrangements for management training and development for senior managers, including social services managers, giving particular attention to strategic planning, policy implementation and performance appraisal.

On **Elected members**, there are recommendations on their responsibilities for policy on services for children looked after by the local authority, for monitoring services, and for carrying out visits to children's homes. There are also recommendations on the role of Directors of Social services in supporting members in their duties and informing them about children's services.

At the **Strategic level** the Tribunal recommends an Advisory Council for Children's Services in Wales; a review of the needs and costs of children's services in Wales, including education and health elements; an examination by central government of the extent of use of residential schools as a substitute for social care; monitoring in Wales of the availability and quality of residential and fostering services; consideration at a national level in Wales of the need for and provision of training for senior local authority managers, including social services managers; and that departments in Wales at national level should be sufficiently and appropriately staffed and national statistics services strengthened.

Finally, under **Supplementary matters**, the Tribunal recommends that the Law Commission should be invited to consider legal issues that arose in connection with the publication of the Jillings report commissioned before the Tribunal. Subject to the outcome of its deliberations, guidance to local authorities on the setting up and conduct of inquiries and the dissemination of reports should be updated.

## North Wales Child Abuse Tribunal of Inquiry - Secret

Hon members will appreciate that most of these are not matters on which there can be quick fixes. Many of the recommendations are specific to Wales and the National Assembly will receive the report today for the first time. The Tribunal was set up by the Secretary of State for Wales and therefore reported to me. I will be formally handing the report to the Assembly today, so that they may begin work immediately on following up the recommendations in consultation with local authorities and others in Wales.

However, many of the recommendations, even those specifically directed at Wales, have wider implications. My Rt Hon Friend the Secretary of State for Health and I have agreed that we cannot give a considered view without the discussions with the National Assembly which have been impossible before today. The Ministerial Task Force set up to take forward the Government's response to the review of safeguards for children living away from home, on which the National Assembly for Wales is represented, will take the lead in considering how to respond. That work will start immediately. In addition, my right hon. Friend the Leader of the House has agreed that there should be a debate on the report as soon as possible.

This does not imply that there will be any further delay in improving the care standards we expect for children living away from home. As the Tribunal recognises, there have been significant changes over the last decade and there are more in the offing. The Children Act 1989 and the Protection of Children Act 1999 are already on the statute book, and the Care Standards Bill and Children (leaving care) Bill, which this House will be considering this session, have anticipated many of the Tribunal's recommendations. Action has been taken by central and local government on the basis of a number of reports; in particular the Second Report of the Health Committee on Children Looked After by Local Authorities and Sir William Utting's report of the review of safeguards for children living away from home. The latter was commissioned at the same time as the Inquiry and the Government's response, published in November 1998, led to a range of measures in England and in Wales to secure significant improvements in safeguards for children. We are pursuing these with vigour.

The Care Standards Bill will introduce improved arrangements for independent regulation and inspection of social and services. It will establish new arrangements in England and Wales to regulate local authority, voluntary and private sector services on an even handed basis. These will cover inspection of all children's homes, including those with fewer than four children, fostering agencies, voluntary adoption agencies, residential family centres and welfare arrangements in boarding schools. The Bill will also establish new Care Councils for England and Wales which will set out enforceable codes of conduct and practice for all social care employees. They will set standards and regulate the workforce, helping to ensure that staff get the training and qualifications they need.

## North Wales Child Abuse Tribunal of Inquiry - Secret

The Tribunal's report adds impetus to the current programme for change, but also makes significant new recommendations. We must look at the recommendations and consider how they complement changes we are planning, or are already implementing, or whether a change of direction or of emphasis is needed.

A key concern must be to satisfy ourselves, so far as we can, that people who abused children are not in a position to do so now. The child protection agencies, the Health authority and NHS Trusts, the police in North Wales, and the National Assembly and the Government have done all they can to that end.

Many of the incidents took place a long time ago. We did not have the recording systems we now have on people who abuse children. Some people have served their sentences and some have moved elsewhere. The report is being sent to all local authorities, police authorities, health authorities and NHS Trusts; to voluntary sector bodies, Area Child Protection Committees and other bodies which have a key role to play in improving the protection of children. This will enable checks to be made where appropriate. To ensure that the messages in the report are widely read, greater numbers of a summary report are also being issued.

To conclude; there have been many reports in the past on children looked after, and there are numerous police investigations under way now across the UK into allegations of abuse in similar settings and over a similar period. The events in North Wales were not unique. But this report lays bare the personal impact of the failings, at all levels, of the care system. There have been significant improvements in safeguards since then, but we cannot be complacent. This report must be a warning of the constant need for vigilance, of the need to allow children to talk and of our duty to listen to them and to treat them as people like us.

Many improvements have already been made. We must now read the report, draw breath, and consider what action we take in its light to ensure that safeguards for vulnerable children are as strong as we can make them. My right hon Friend, the Secretary of State for Health will take that on within the Government and we will start the process here when we debate the report in about a month from now.

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Top: FAAPS (MT)

cc: COS  
FAAPS  
FAIAPS (PB)  
AC/Press

FCS/00/018

SECRETARY OF STATE FOR DEFENCE

*John*  
Discussed with MoD. They are assessing whether Article 1 can be interpreted in a way consistent with current practice. I will keep an eye on it.

*Michael.*

UN Optional Protocol on Children in Armed Conflict

1. As you know, agreement has finally been reached on an Optional Protocol (OPII) to the UN Convention on the Rights of the Child (CRC) on the use of under 18s as soldiers. The ... enclosed text was adopted by consensus on 21 January in Geneva. This took six years of hard, often acrimonious, negotiation. In the end, states finally left their entrenched positions to allow a compromise text to be adopted.
2. Our negotiating team in Geneva was in constant touch with MOD experts. This was extremely helpful in ensuring a consistent and practical UK line - both in negotiations and in public presentation. The UK was in a minority throughout, although within that minority we had some good company. I believe we have now achieved a good result - certainly the best possible. Those pressing for a "straight 18" protocol moved a long way. On the other side of the debate, the US too significantly moderated its position on participation of under 18s in hostilities.
3. The outcome is a Protocol that allows for the fact that different states have different systems (including different education systems). At the same time, it firmly establishes that those under 18 require special consideration. I know that this is already enshrined in MOD practice, including the requirement for parental consent for new recruits under 18. The UK has argued all along that a high standard, which only a few states could to sign up to, would do nothing to help the real child soldiers.

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4. Having achieved so much at Geneva, I hope we can now follow through by looking seriously at what steps we would need to take to allow us to ratify.

5. The US has already announced in Geneva that they would comply with the Protocol. All of our EU partners too look likely to announce their intention to ratify at an early stage. It would be difficult for us to sustain a position that left us isolated among close allies.

6. If the UK is not able to ratify OPII, this may have eventual implications for participation in international forces. We can expect to see renewed efforts by some states to establish 18 as the minimum age for participation by military personnel in, for example, OSCE operations.

7. I am copying this minute to DOP Ministers and to Sir Richard Wilson.

A handwritten signature in black ink, appearing to read 'Robin Cook'.

(ROBIN COOK)

Foreign and Commonwealth Office  
1 February 2000

RESTRICTED

21 January 2000

DRAFT OPTIONAL PROTOCOL TO THE CONVENTION ON THE RIGHTS OF THE CHILD ON INVOLVEMENT OF CHILDREN IN ARMED CONFLICT.

**CHAIRMANS' TEXT**

PP1: Encouraged by the overwhelming support for the Convention on the Rights of the Child, demonstrating the widespread commitment that exists to strive for the promotion and protection of the rights of the child.

PP2: Reaffirming that the rights of children require special protection and call for continuous improvement of the situation of children without distinction, as well as for their development and education in conditions of peace and security.

PP3: Disturbed by the harmful and widespread impact of armed conflict on children and the long-term consequences this has for durable peace, security and development.

PP4: Condemning the targeting of children in situations of armed conflict and direct attacks on objects protected under international law, including places generally having a significant presence of children, such as schools and hospitals.

PP5: Noting the adoption of the Statute of the International Criminal Court, in particular the inclusion of conscripting or enlisting children under the age of fifteen years or using them to participate actively in hostilities as a war crime in both international and non-international armed conflicts.

PP6: Considering therefore that to strengthen further the implementation of rights recognized in the Convention on the Rights of the Child, there is a need to increase the protection of children from involvement in armed conflict.

PP7: Noting that article 1 of the Convention on the Rights of the Child specifies that, for the purposes of that Convention, a child means every human being below the age of 18 years unless under the law applicable to the child, majority is attained earlier.

PP8: Convinced that an Optional Protocol to the Convention, raising the age of possible recruitment of persons into armed forces and their participation in hostilities, will contribute effectively to the implementation of the principle that the best interests of the child are to be a primary consideration in all actions concerning children.

PP9: Noting that the twenty-sixth international Conference of the Red Cross and Red Crescent in December 1995 recommended inter alia that parties to conflict take every feasible step to ensure that children under the age of 18 years do not take part in hostilities.

PP10: Welcoming also the unanimous adoption in June 1999, of the ILO Convention 182 on the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, which prohibits inter alia forced or compulsory recruitment of children for use in armed conflict.

PP11: Condemning with gravest concern the recruitment, training and use within and across national borders of children in hostilities by armed groups distinct from the armed forces of a State, and recognizing the responsibility of those who recruit, train and use children in this regard.

PP12: Recalling the obligation of each party to an armed conflict to abide by the provisions of international humanitarian law.

PP13: Stressing that this Protocol is without prejudice to the purposes and principles contained in the Charter of the United Nations, including article 51 and relevant norms of humanitarian law.

PP14: Bearing in mind that conditions of peace and security based on full respect of the purposes and principles contained in the Charter of the United Nations and observance of applicable human rights instruments are indispensable for the full protection of children, in particular during armed conflicts and foreign occupation.

PP15: Recognizing the special needs of those children who are particularly vulnerable to recruitment or use in hostilities contrary to this Protocol due to their economic or social status or gender.

PP16: Mindful also of the necessity to take into consideration the economic, social and political root causes of the involvement of children in armed conflicts.

PP17: Convinced of the need to strengthen international cooperation in implementation of this protocol, as well as physical and psychosocial rehabilitation and social reintegration of children who are victims of armed conflict.

PP18: Encouraging the participation of the community and, in particular, children and child victims in the dissemination of information and education programmes concerning the implementation of the Protocol.

#### Article 1

X // State Parties shall take all feasible measures to ensure that members of their armed forces who have not attained the age of 18 years do not take a direct part in hostilities.

#### Article 2

State Parties shall ensure that persons who have not attained the age of 18 years are not compulsorily recruited into their armed forces.

#### Article 3

States Parties shall raise the minimum age in years for the voluntary recruitment of persons into their national armed forces from that set out in Article 38(3) the Convention on the Rights of the Child, taking account of the principles contained in that article and recognize

that under the Convention persons under 18 are entitled to special protection .

Each State Party shall deposit a binding declaration upon ratification of or accession to this Protocol which sets forth the minimum age at which it will permit voluntary recruitment into its national armed forces and a description of the safeguards that it has adopted to ensure that such recruitment is not forced or coerced.

States Parties which permit voluntary recruitment into their national armed forces under the age of 18 shall maintain safeguards to ensure, as a minimum, that:

- such recruitment is genuinely voluntary;
- such recruitment is done with the informed consent of the person's parents or legal guardians;
- such persons are fully informed of the duties involved in such military service, and
- such persons provide reliable proof of age prior to acceptance into national military service.

Each State Party may strengthen its declaration at any time by notification to that effect addressed to the Secretary-General of the United Nations who shall inform all States Parties. Such notification shall take effect on the date which it is received by the Secretary-General.

The requirement to raise the age in paragraph 1 does not apply to schools operated by or under the control of the armed forces of the States Parties, in keeping with Articles 28 and 29 of the Convention on the Rights of the Child.

#### Article 4

1. Armed groups, distinct from the armed forces of a State, should not, under any circumstances, recruit or use in hostilities persons under the age of 18 years.
2. State Parties shall take all feasible measures to prevent such recruitment and use, including the adoption of legal measures necessary to prohibit and criminalize such practices.
3. The application of the present article under this Protocol shall not affect the legal status of any party to an armed conflict.

#### Article 5

Nothing in the present Protocol shall be construed to preclude provisions in the law of a State Party or in international instruments and international humanitarian law which

① more conducive to the realisation of the rights of the child.

#### Article 6

1. Each State Party shall take all necessary legal, administrative and other measures to ensure the effective implementation and enforcement of the provisions of this Protocol within its jurisdiction.
2. States Parties undertake to make the principles and provisions of the present Protocol

widely known and promoted by appropriate means, to adults and children alike.

3. States Parties shall take all feasible measures to ensure that persons within their jurisdiction recruited or used in hostilities contrary to this Protocol are demobilized or otherwise released from service. States Parties shall, when necessary, accord to these persons all appropriate assistance for their physical and psychological recovery, and their social reintegration.

#### Article 7

1. States Parties shall cooperate in the implementation of the present protocol, including in the prevention of any activity contrary to the protocol and in the rehabilitation and social reintegration of persons who are victims of acts contrary to this protocol, including through technical cooperation and financial assistance. Such assistance and cooperation will be undertaken in consultation among concerned States parties and other relevant international organisations.

++ 2. States Parties, in a position to do so, shall provide such assistance through existing multilateral, bilateral, or other programmes, or inter alia, through a voluntary fund established in accordance with the General Assembly rules.

#### Article 8

1. Each State Party shall submit, within two years following the entry into force of the Protocol for that State Party, a report to the Committee on the Rights of the Child providing comprehensive information on the measures it has taken to implement the provisions of the Protocol, including the measures taken to implement the provisions on participation and recruitment.

2. Following the submission of the comprehensive report, each State Party shall include in the reports they submit to the Committee on the Rights of the Child in accordance with article 44 of the Convention, any further information with respect to the implementation of the Protocol. Other States Parties to the Protocol shall submit a report every five years.

3. The Committee on the Rights of the Child may request from State Parties further information relevant to the implementation of this Protocol.

#### Article 9

1. The present Protocol is open for signature by any State which is a party to the Convention or has signed it.

2. The present Protocol is subject to ratification or open to accession by any State. Instruments of ratification or accession shall be deposited with the Secretary-General of the United Nations.

3. The Secretary-General of the United Nations in his capacity as depositary of the Convention and the Protocol shall inform all States Parties to the Convention and all States which have signed the Convention of each instrument of declaration pursuant to article 3, ratification or accession to the Protocol.

#### Article 10

1. The present Protocol shall enter into force three months after the deposit of the tenth instrument of ratification or accession.

2. For each State ratifying the present Protocol or acceding to it after its entry into force the present Protocol shall enter into force one month after the date of the deposit of its own instrument of ratification or accession.

#### Article 11

1. Any State Party may denounce the present Protocol at any time by written notification to the Secretary-General of the United Nations, who shall thereafter inform the other States Parties to the Convention and all States which have signed the Convention. Denunciation shall take effect one year after the date of receipt of the notification by the Secretary-General of the United Nations. If, however on the expiry of that year the denouncing State Party is engaged in armed conflict, the denunciation shall not take effect before the end of the armed conflict.

2. Such a denunciation shall not have the effect of releasing the State Party from its obligations under the present Protocol in regard to any act which occurs prior to the date at which the denunciation becomes effective. Nor shall such a denunciation prejudice in any way the continued consideration of any matter which is already under consideration by the Committee prior to the date at which the denunciation becomes effective.

#### Article 12

1. Any State Party may propose an amendment and file it with the Secretary-General of the United Nations. The Secretary-General shall thereupon communicate the proposed amendment to States Parties, with a request that they indicate whether they favour a conference of States Parties for the purpose of considering and voting upon the proposals. In the event that, within four months from the date of such communication, at least one third of the States Parties favour such a conference, the Secretary-General shall convene the conference under the auspices of the United Nations. Any amendment adopted by a majority of States Parties present and voting at the conference shall be submitted to the General Assembly for approval.

2. An amendment adopted in accordance with paragraph 1 of the present article shall enter into force when it has been approved by the General Assembly of the United Nations and accepted by a two-thirds majority of States Parties.

When an amendment enters into force, it shall be binding on those States Parties which have accepted it, other States Parties still being bound by the provisions of the present Protocol and any earlier amendments which they have accepted.

Article 13

1. The present Protocol, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited in the archives of the United Nations.
2. The Secretary-General of the United Nations shall transmit certified copies of the present Protocol to all States Parties to the Convention and all States which have signed the Convention.



QUEEN ANNE'S GATE LONDON SW1H 9AT

31 JAN 2000

John Hutton Esq MP  
Minister of State  
Department of Health  
Richmond House  
79 Whitehall  
LONDON SW1A 2NS

DN  
EC:CS  
PU

Dear John,

**10 MINUTE RULE BILL: TUESDAY 25 JANUARY 2000**

Thank you for copying to me your letter of 24 January to Margaret Beckett about Andrew Robathan's 10 Minute Rule Bill on parental authority.

As you know, I consider that the Consultation Document "Protecting Children, Supporting Families", strikes a very fair balance between the rights of children not to be harmed and the need to support parents.

Now that the Government's views have been published, it should be clear to all that we do not intend to an physical punishment outright. Andrew Robathan's Bill is therefore unnecessary, and I agree that it should be opposed.

I am copying this letter to the Prime Minister, other members of HS and LEG Committees to HS and LEG Committee Secretaries, to Sir Richard Wilson and to First Parliamentary.

Yours ever,  
Jack

JACK STRAW





(F)

Richmond House 79 Whitehall London SW1A 2NS Telephone 0171 210 3000  
From the Minister of State

The Rt Hon Margaret Beckett MP  
President of the Council and Leader of the House of Commons  
2 Carlton Gardens  
London  
SW1Y 5AA

DN  
cc: JH  
CS  
PU

24 January 2000

Dear Margaret,

**10 MINUTE RULE BILL: TUESDAY 25 JANUARY 2000**

**ANDREW ROBATHAN MP:**

**PARENTAL AUTHORITY:** That leave be given to bring in a Bill to allow parents to use reasonable force or chastisement when exercising authority over their children.

The purpose of this letter is to set out the aims and intentions of Andrew Robathan's 10 Minute Rule Bill; relevant Parliamentary history; the background to and issue of our consultation paper on the physical punishment of children on 18 January; the extent of any support or opposition to this bill; ECHR compliance; a regulatory impact assessment and its necessity in the light of our consultation paper. **I would be grateful for responses by 1 February.**

#### **Aims and Intentions**

The aim of this Bill is to ensure that parents retain the right to use physical punishment to discipline their children. We think it has been tabled in anticipation that "Protecting Children, Supporting Families: A Consultation Document on the Physical Punishment of Children", issued on 18 January, would seek to ban parents from using such physical punishment. The consultation paper does not propose such a ban.



We are not aware of Andrew Robathan's concern with this issue or of any involvement that he may have with the "Families For Discipline" lobby which promotes parents rights to use physical punishment on their children. They, and certain religious groups, think that parents should be able to use such discipline and that it should include the use of implements. The latter groups feel that any change in the law would bring

their religious beliefs (eg "spare the rod and spoil the child") into conflict with that law.

### **Relevant Parliamentary History**

The law already allows parents to use physical punishment on their children as long as it is "reasonable chastisement". The defence of reasonable chastisement dates to a judgement in 1860 which explicitly recognised that parents had a common law right to administer such punishment but that it must be "moderate and reasonable."

Our consultation paper does not seek a ban on these rights rather to clarify them to better protect children. We are not aware of any similar Bill being tabled before. Parliamentary lobbying usually comes from those who wish to see parents banned from using such punishment. They took this action during the passage of the Children Act 1989.

### **The background to and issue of our consultation paper on the physical punishment of children**

The issue of "Protecting Children, Supporting Families: A Consultation Document on the Physical Punishment of Children", on 18 January follows our pledge to consult during the European Court of Human Rights (ECHR) case of A. v the United Kingdom. That case involved a small boy who was severely beaten by his step-father to be. The step-father to be was charged with assault occasioning actual bodily harm contrary to section 47 of the Offences Against the Person Act 1861. He was tried, used the defence of reasonable chastisement and was found not guilty by a jury. The ECHR found that UK law had failed to protect the child. Under Article 3 of the European Convention on Human Rights "no one shall be subjected to torture or to inhuman or degrading treatment"

Our Consultation Document asks for views, by 21 April 2000, on the following issues:

- What factors should the law require the Courts to take into account when deciding if physical punishment is reasonable chastisement;



\* Whether there are certain forms of punishment, such as the use of implements, that can never be said to be reasonable;

\* Whether the defence of reasonable chastisement should only be used when the charge is one of common assault and not for more serious offences;

\* Whether the defence of reasonable chastisement might only be used by parents.

This document suggests that the minimum steps needed, in the light of the European Court's ruling and approach, is to set out the following criteria, when cases involving the defence of reasonable chastisement are being considered:

The nature and context of the treatment;

its duration;

its physical and mental effects and in some instances;

the sex age and state of health of the victim.

#### **The extent of any support or opposition this Bill**

The strength of support for Andrew Robathan's Bill in the House of Commons is not known. Opposition, and probable intervention, is likely to come from David Hinchliffe MP, the Chair of the Health Select Committee. He, Peter Carter QC and members of the Children Are Unbeatable Alliance saw me last month and tried to persuade me to include the option of a ban on the use of physical punishment in the consultation paper. I declined and had received further representations from them at the time the consultation paper was issued. The Children Are Unbeatable Alliance comprise some 260 organisations, including the leading children's charities. They are as keen to press for a ban as Families for Discipline are to press for retention of the right of parents to use implements when disciplining their children.

#### **ECHR Compliance**

We would need to know more about the proposals behind Andrew Robathan's Bill to determine whether it was compliant with the ECHR provisions. Specifically it would need to be compliant with Article 3 of the Convention " No one shall be subjected to torture or inhuman or



degrading treatment. Our proposals follow the ECHR ruling. From October 2000 judges and magistrates will be required to take the judgement in A. v the United Kingdom into account.

### **Regulatory Impact Assessment Compliance**

The Bill involves no costs to business, charities or the voluntary sector.

### **The Necessity for this Bill**

The Bill is unnecessary because our proposals in our consultation paper do not prohibit parents from using physical punishment. The Bill should therefore be opposed.

I am copying this letter, together with copies of our consultation paper and the press release to the Prime Minister, other members of HS and LEG Committees to HS and LEG Committee Secretariats, to Sir Richard Wilson and to First Parliamentary, both in connection with this Bill and with their contribution to the consultation paper.

*Warm regards*

*John*

**JOHN HUTTON**

**Press release**

R53 - 12

Tuesday 18th January 2000

**PROTECTING CHILDREN, SUPPORTING PARENTS: A  
CONSULTATION DOCUMENT ON THE PHYSICAL PUNISHMENT OF  
CHILDREN**

The Government will tighten the law to ensure that children are better protected, but will make it clear that it will not outlaw all smacking, said John Hutton, Health Minister, today.

Launching the Government's consultation paper "Protecting Children, Supporting Parents: A Consultation Document on the Physical Punishment of Children", John Hutton, said:

"We welcome views, from everyone with the welfare of children at heart, to tell us how we can best amend the law to protect children from punishment that is harsh, degrading and inappropriate in a decent society. Our laws already protect most children: we want to make sure that they are strong enough to give every child such protection."

The consultation paper sets out the following areas for consultation:

- 1) What factors should the law require a Court to consider when determining "reasonable chastisement"?
- 2) Are there any forms of physical punishment which should never be capable of being defended as "reasonable, eg physical punishment which causes, or is likely to cause injuries to the head or physical punishment using implements?
- 3) Should we restrict the defence of reasonable chastisement so that it may be used only by those charged with common assault?
- 4) Who should be able to claim the defence of reasonable chastisement?

Mr Hutton continued:

"We must recognise both the rights of parents to exercise their parental responsibility and to bring up children safely, and as they think best, without undue interference from the State, while the rights of children remain protected.

"We understand the importance of encouraging non-physical methods of discipline when parents are bringing up their children. This is why, as part of the work on the consultation document, we will be inviting the National Family and Parenting Institute, the Home Office and a number of the leading Children's Voluntary Organisations to work with us to promote the availability of advice on alternative forms of discipline.

"Good parenting is vital. But, it can be a demanding job. "Protecting Children, Supporting Parents" is intended to help make that job easier whilst making sure that all children are safe from harm."

#### NOTES FOR EDITORS

1. Publication fulfils our pledge to consult, that we made following the opinion of the European Commission on Human Rights (PN 97/336) and again following the verdict of the European Court of Human Rights in September 1998 in the case of A. v the United Kingdom
2. A. was severely and repeatedly beaten by his stepfather to be who was subsequently charged with assault occasioning actual bodily harm under section 47 of the Offences Against the Person Act 1861. He relied on the common law defence of "lawful correction" and "reasonable chastisement" and was acquitted by a jury. An application was made by the child to the European Commission of Human Rights on the basis that the injuries sustained by the child were in breach of Article 3 of the European Convention on Human Rights: "No one shall be subjected to torture or to inhuman or degrading treatment."
3. In autumn 1997 the Commission concluded that there had been a breach of Article 3 in this particular case and that the existing defence of reasonable chastisement in domestic law did not give adequate protection to the child. The Commission made clear that its finding "does not mean that Article 3 is to be interpreted as imposing an obligation on States to protect, through their criminal law, against any form of physical rebuke, however mild, by a parent of a child."

[ENDS]

*Richmond House 79 Whitehall London SW1A 2NS.*  
Telephone: (Dept of Health) 0171 210-3000 (Press Office) 0171 210-5221 Fax: 0171 210-5433/4



# Protecting Children, Supporting Parents

A Consultation Document on the  
Physical Punishment of Children

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## PART I: INTRODUCTION AND OVERVIEW

- 1.1** One of the most difficult skills for parents to exercise is to apply consistent and effective guidance to their children, to enable them to develop an understanding of what is acceptable and appropriate behaviour and grow up into responsible and social adults. On the one hand, applying appropriate discipline – in the sense of responding consistently to a child's behaviour, and setting clear boundaries – is part of bringing up children well. A failure to provide guidance and set boundaries is in itself a form of neglect that can be very damaging to a child. On the other hand, discipline that is harsh can be damaging to a child both physically and emotionally.
- 1.2** Parents use many methods to guide and discipline their children, including showing and explaining what is right or wrong; physically restraining a child from harming themselves or others; encouraging and rewarding what is felt to be good behaviour; and punishing what is felt to be bad or dangerous behaviour.
- 1.3** The law recognises that there may be occasions when moderate and reasonable physical punishment of a child by a parent may be appropriate. Currently, where a parent – or somebody acting on their behalf<sup>1</sup> – physically punishes a child and is charged with assault, they may raise a defence of 'reasonable chastisement'. If a Court agrees that the punishment does amount to reasonable chastisement, then the accused person cannot be convicted of the assault.
- 1.4** The concept of 'reasonable chastisement' has its origins in Victorian times. A case taken to the European Court of Human Rights has exposed that the law needs modernising to make sure that children are protected from harsh physical punishment. The European Court ruled that, because of the way in which the defence of 'reasonable chastisement' was applied, UK law had failed to protect a boy from 'inhuman or degrading treatment' in the form of severe beatings, in contravention of the European Convention on Human Rights. As a result of this ruling, we are obliged to change UK law in a way which takes account of the Court's judgment.

<sup>1</sup> Except in all schools, nursery education, children's homes and foster care (other than private fostering). Physical punishment is not permitted under the law in any of these settings.

- 
- 1.5** The Government fully accepts the need for change. The harm and degrading treatment of children can never be justified. We have made it quite clear, however, that we do *not* consider that the right way forward is to make unlawful all smacking and other forms of physical rebuke and this paper explicitly rules out this possibility. There is a common sense distinction to be made between the sort of mild physical rebuke which occurs in families and which most loving parents consider acceptable, and the beating of children. The law needs to be clarified to make sure that it properly reflects this common sense distinction.
- 1.6** The purpose of this consultation paper is to explore how we can modernise the law relating to the physical punishment of children, so that it better protects children from harm. The aim of the consultation is to address two specific issues. First, within the context of a modern family policy in a responsible society, where should we draw the line as to what physical punishment of children is acceptable within the family setting? Second, how do we achieve that position in law?
- 1.7** The paper sets the issue of physical punishment in the context of the Government's wider policy aims in support of families, and summarises current prevailing attitudes towards this issue. It outlines the existing law; explains in more detail why change is needed; sets out our proposed way forward and options for change; and invites your views.
- 1.8** Today's children will shape tomorrow's future society. As parents, family members, friends, neighbours and citizens, we all have an interest in making sure that children thrive, and are helped to grow up into healthy and socially responsible adults. We need to achieve a balance between the right of parents to exercise their parental responsibilities and bring up their children as they think best, without undue interference from Government, the responsibility of parents to bring their children up safely, and the right of children to be protected from harm. We would welcome your views.
- 1.9** This consultation paper covers England. The Secretary of State for Wales will, with the assistance of the Welsh Assembly, carry out a similar consultation in Wales. Northern Ireland will produce its own consultation document, adapted to suit the Northern Ireland context. In Scotland, this issue now falls within the legislative competence of the Scottish Parliament. The Scottish Executive will therefore carry out its own consultation for Scotland.

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## **PART 2: SUPPORTING PARENTS AND FAMILIES – THE GOVERNMENT'S POLICY**

### **The Government's Approach**

- 2.1** The success of families in bringing up children will shape the future not only of those individual children, but of our whole future society. However, being a parent, whatever the circumstances, can be hard work as well as tremendously rewarding. And today, many families feel under stress, often linked to family breakdown and social disadvantage.
- 2.2** This Government has recognised the importance of the family and its key influence on our society, and strengthening the family has been at the heart of much of our policy development. Our consultation document, *Supporting Families*, issued in November 1998, sets out a realistic programme of sensible and pragmatic measures aimed at strengthening the family, principally through support for families with children. The programme concentrates on five areas:
- Providing better Services and Support for Parents;
  - Providing better Financial Support for Families;
  - Helping Families Balance Work and Home
  - Strengthening Marriage;
  - Providing better Support for Serious Family Problems
- 2.3** Many parents have indicated that they would welcome practical advice and support to help them with the difficult job of parenting. We are therefore setting up:
- A new National Family and Parenting Institute to provide advice and information to Government, parents, and those working to help families at a local level;

- A new national parent helpline based on the existing *Parentline* service, to provide a first point of contact and support for parents, enabling them to talk through the problems they face or to use it as a gateway to finding local support or specialist services.

**2.4** Our approach throughout has been to avoid heavy-handed intrusion into family life, but rather to put in place policies which are supportive of families, to make available help and encouragement to parents in their often complex role and to help parents recognise that asking for help is all part of responsible parenting. This consultation paper continues within that approach.

### **Support to Parents: Guiding and Disciplining Children**

**2.5** Some parents have difficulty forming positive relationships and communicating with their children. Many parents experience difficulties at some stage in gaining their children's co-operation, setting boundaries, or maintaining effective authority.

**2.6** The national parent helpline, and the work of the National Family and Parenting Institute will offer new sources of advice and support to parents who are looking for help with teaching their children to behave safely and responsibly. We are also encouraging the wider availability of help and advice through parenting education in schools, and other national and local advice and support groups. These groups will form an integral part of all Government initiatives to support families, including the Sure Start programme, which is aimed at improving the life chances of vulnerable children under the age of 4, in the most deprived areas.

**2.7** Many parents would welcome support in learning effective methods of disciplining their children that do not involve physical punishment. A key element of the advice and support offered to parents will involve helping them to find methods of getting children to co-operate and behave in an acceptable and appropriate manner, using means other than physical punishment. This might include, for example, keeping the child in, sending the child to his or her room, or stopping the child doing something he or she likes (such as watching the television). This is likely to be the most satisfactory and desirable way of resolving most conflict situations, for both parents and children. Children need to be helped to develop their own sense of right and wrong, to guide them as to how to behave when their parents are not present.

**2.8** There may still be occasions, however, when parents may consider it appropriate to discipline a child through physical punishment.

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## Social Attitudes towards physical punishment

- 2.9** In this sensitive area involving family life, we consider it very important that the law commands public acceptance. Social surveys monitoring public attitudes are one barometer of public mood. To help prepare for this consultation, the Government commissioned an opinion survey through the Office for National Statistics (ONS) Omnibus Survey 1998.
- 2.10** The results of this survey suggest that public opinion would very much defend the right of parents to use physical punishment: 88% of respondents were of the view that it was sometimes necessary to smack a naughty child, while only 8% disagreed. The survey indicated very little support, however, for the law allowing punishment that was harsh or potentially harmful to a child. Fewer than 1% of respondents thought punishment 'reasonable' if it left marks and bruises which lasted for more than a few days, and only 2% considered that the law should allow parents to smack a child on the head. There was also very little support for the law allowing the use of things like canes, sticks, belts or slippers to punish a naughty child, with only 4% supporting their use on children over 5 years old, rising to 7% supporting their use on children over 7 years old.
- 2.11** A summary of the survey findings is presented at Annex A.

## Making Physical Punishment Unlawful

- 2.12** In eight European countries<sup>2</sup> there are explicit bans on physical punishment by parents and all other carers. A number of UK organisations representing children's rights and interests have argued that the most appropriate, and indeed the easiest, way to protect children from harm is to follow the example set in these countries. As a first step, they are proposing that the defence of reasonable chastisement should be removed, thereby putting children in broadly the same position as adults in respect of the law on assault. A second step would be to introduce a law (which need not have criminal sanctions attached) which would specifically ban physical punishment of children by their parents.
- 2.13** These organisations argue that in cases of assault between adults, cases of a minor nature are not taken forward by the Crown Prosecution Service (CPS). So with children, they believe, the removal of the "reasonable chastisement" defence would not result in a light smack by a parent leading to prosecution. They argue that the possibility of prosecution and the existence of a law prohibiting the physical punishment of children, would not lead to an increase in cases of assault, but would signal the unacceptability of physical punishment, help to influence social attitudes, and encourage the use of alternatives to physical punishment.

<sup>2</sup> Sweden, Finland, Denmark, Norway, Austria, Cyprus, Croatia, Latvia

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**2.14** The Government's view is that it would be quite unacceptable to outlaw all physical punishment of a child by a parent. Nor, we believe, would the majority of parents support such a measure. It would be intrusive and incompatible with our aim of helping and encouraging parents in their role. There could clearly be no guarantee that there would not be charges of assault brought in relation to minor cases. This could victimise parents unfairly and compromise public confidence in the legal system. We do not, therefore, consider the options of withdrawing the defence entirely or introducing a new offence outlawing all physical punishment of children in Part 5 of this paper, which sets out our proposed way forward and options for change.

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## PART 3: THE EXISTING LAW

### Offences under which an Adult may be Charged

<sup>3</sup> Offences Against the Person Charging Standard, April 1996 (paragraph 4 on S39 revised in 1998)

- 3.1** Currently, an adult who is deemed to have assaulted a child may be charged by the police under a number of different provisions of the law in England and Wales. The Crown Prosecution Service (CPS) will decide whether or not it is in the public interest to prosecute, depending on the particular facts of the case in question. The police and the CPS have agreed a 'Charging Standard'<sup>3</sup> in respect of cases of alleged offences against the person, which offers guidance to police officers and Crown Prosecutors on the most appropriate charge to bring in such cases.

### Non-Fatal Violent Offences Against the Person

#### The Offences Against the Person Act 1861

- 3.2** *Section 18* creates the offence of "wounding/causing grievous bodily harm with intent".
- 3.3** *Section 20* creates the offence of "unlawful wounding/inflicting grievous bodily harm".
- 3.4** *Section 47* creates the offence of "assault occasioning actual bodily harm". The offence is committed when a person assaults another, thereby causing actual bodily harm to that other person. The prosecution are not obliged to prove that the defendant intended to cause actual bodily harm, or was reckless as to whether harm would be caused. The maximum penalty is six months imprisonment and/or a fine not exceeding the statutory maximum, on conviction in the Magistrates Court; and five years imprisonment and/or an unlimited fine on conviction in the Crown Court.
- 3.5** The Offences Against the Person Charging Standard sets out the types of injuries which should normally be prosecuted under Section 47.

These include: loss or breaking of a tooth; temporary loss of sensory functions including loss of consciousness; extensive or multiple bruising; displaced broken nose; minor fractures; minor cuts requiring medical treatment (e.g. stitches); and psychiatric injury which is more than fear, distress or panic.

### The Criminal Justice Act 1988

**3.6** Under *Section 39* of the Act, a person may be charged with common assault. An offence of common assault is committed when a person either assaults or inflicts battery upon another person. An assault is committed when a person "intentionally or recklessly causes another to apprehend the immediate infliction of unlawful force." A battery is committed when a person "intentionally or recklessly inflicts unlawful force upon another." Cases of common assault may only be tried in the Magistrates Court. The offence incurs a maximum penalty of 6 months imprisonment and/or a fine not exceeding the statutory maximum available to magistrates.

**3.7** What distinguishes this offence from one brought under *Section 47* of the *Offences Against the Person Act*, is the degree of injury which results. The *Offences Against the Person Charging Standard* states that common assault will be the appropriate charge where injuries amount to no more than the following: grazes, scratches, abrasions, minor bruising and swellings, reddening of the skin, superficial cuts or a black eye. The Standard states that where the injuries amount to no more than those outlined any decision to charge an offence contrary to *Section 47* "may be justified in exceptional circumstances or where the maximum sentence available in the Magistrates' Court would be inadequate."

### Proposals for Change

**3.8** The existing law on offences against the person has been criticised as being archaic and unclear. The Government has already consulted<sup>4</sup> on ways of clarifying and rationalising the law through a new set of straightforward offences comprising:

- assault;
- intentionally or recklessly causing injury;
- recklessly causing serious injury;
- intentionally causing serious injury.

<sup>4</sup> Proposals were set out in the Home Office consultation paper 'Violence: Reforming the Offences Against the Person Act 1861'. Consultation has now closed and responses are being considered.



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## Specific Offences Against a Child

### The Children and Young Persons Act 1933

- 3.9** Section 1(1) of this Act creates the offences of "wilful assault, wilful ill-treatment, wilful neglect, wilful abandonment, wilful exposure or wilful causing or procuring of a child to be assaulted, ill-treated, neglected, abandoned, or exposed, in a manner likely to cause him unnecessary suffering or injury to health (including injury to or loss of sight, or hearing, or limb, or organ of the body, and any mental derangement." The penalty is a maximum of six months imprisonment and/or a fine on conviction in a Magistrates Court, or a maximum of ten years imprisonment and/or a fine on conviction in the Crown Court.
- 3.10** In practice, a charge under Section 1(1) would rarely be brought against a parent who was alleged to have physically assaulted a child. This charge is usually brought in cases of neglect.

### Civil Law

- 3.11** In civil law, an action may be brought for assault as a form of trespass against the person. This allows the aggrieved person to sue for damages. An injunction preventing further assaults can also be sought.

### The Defence of Reasonable Chastisement

- 3.12** If a parent, or somebody acting in a parental role (e.g. a grandparent), physically punishes a child and is charged with assault as a consequence, under any of the provisions outlined above, they may call upon a defence of 'reasonable chastisement' of the child. In criminal proceedings for assault, where the defence of reasonable chastisement is raised, it is for the prosecution to satisfy the Court beyond reasonable doubt that the punishment was not, in all the circumstances, reasonable or moderate. In civil actions, the burden of proof for establishing whether the punishment was reasonable rests with the defendant, on the balance of probabilities.
- 3.13** The defence of 'reasonable chastisement' dates back to a judgment in 1860 which explicitly recognised a common law right of parents to administer physical punishment to their children, but established for the first time that such punishment must be "moderate and reasonable".
- 3.14** The Children and Young Persons Act 1933 subsequently gave statutory recognition to what had hitherto existed only as a common law right. Section 1(7) of the Act provides that (nothing in Section 1 see para. 3.9 above) shall be construed as affecting the right of any parent, teacher, or other person having the lawful control or charge of a child or young person to administer punishment to him."

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- 3.15 The defence of 'reasonable chastisement' is available generally to parents acting *in loco parentis*, but it may not be used by teachers and others working in schools and nurseries, staff in children's homes, or foster carers (other than in private fostering arrangements). Corporal punishment has been outlawed in all of these settings.
- 3.16 **What constitutes 'reasonable chastisement' is not defined in the law.** Whether a defence succeeds in a UK Court depends upon the facts of that case. The concept of 'reasonableness' enables the Courts to apply standards prevailing in contemporary society.

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## PART 4: THE NEED FOR CHANGE

- 4.1 The need for a change in the law arises from a case heard by the European Court of Human Rights. The Court ruled that UK law had failed to protect a boy, who had suffered repeated and severe beatings with a cane, from "inhuman or degrading treatment", in contravention of Article 3 of the European Convention on Human Rights. The case is referred to as *A. v the United Kingdom*.
- 4.2 The case arose after A.'s brother reported that A. had been beaten with a garden cane by their stepfather-to-be. The man was subsequently charged with assault occasioning actual bodily harm contrary to Section 47 of the Offences Against the Person Act 1861 (see paragraph 3.4). He was tried in February 1994 and used the defence of reasonable chastisement. He was found not guilty by a jury.
- 4.3 A. then applied to the European Commission of Human Rights which found, and the Government accepted, that there had been a violation of the boy's rights under Article 3. There was subsequently a full hearing before the Court. In a judgment delivered in September 1998, the Court held that the beating suffered by the boy reached the level of severity prohibited by Article 3 of the Convention, which states that:
- "No one shall be subjected to torture or to inhuman or degrading treatment".
- 4.4 The Court found that although the United Kingdom was not responsible for the actions of the stepfather-to-be, because of the way in which the UK defence of 'reasonable chastisement' had been applied, UK law had failed to protect A. from the severe beatings which he had received. The Court ruled that States are required to take measures to protect children against such treatment. The Court concluded that, in this case, the UK was in breach of Article 3 of the Convention.
- 4.5 The Court's decision was based on the facts of the case before it. The ruling applied to that case only. No general statement was made about

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the physical punishment of children, although the boy's legal representative had invited the Court to make such a statement.

- 4.6** As a party to the European Convention on Human Rights, the United Kingdom has undertaken to abide by the judgement of the court in a case to which it is a party. This ruling requires us to change the law, to ensure that it does protect children from 'inhuman and degrading treatment'. The Government accepts the need for change, and has made a public commitment to consult on the best way forward. Quite apart from our obligations under the European Convention, physical punishment which is harsh or violent can harm children, and it cannot be right that it should be protected under the law.

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## PART 5: PROPOSAL AND FURTHER OPTIONS FOR CHANGE

### I. PROPOSAL

#### Set out the defence of reasonable chastisement on a statutory basis

- 5.1 In order to meet the criticism made by the European Court that the current law fails to protect children from harsh or violent physical punishment, we need to change the law to ensure that physical punishment which constitutes 'inhuman and degrading treatment' can never be justified as 'reasonable chastisement'.
- 5.2 The Government considers that the best way to do this is to outline in legislation the factors which should be taken into account by a Court when considering whether physical punishment has been moderate and reasonable. (It is worth noting that after 2 October 2000, when the Human Rights Act comes into force, prosecutors, the police and the Courts will be required to take the European Convention on Human Rights and its case law into account when determining cases.)
- 5.3 The Court stated that in order to constitute inhuman and degrading treatment, ill-treatment must reach a minimum level of severity, and that the assessment of this minimum is relative, depending on all the circumstances of the case. The circumstances it decided were relevant included:
- The nature and context of the treatment;
  - Its duration;
  - Its physical and mental effects; and, in some instances,
  - The sex, age and state of health of the victim.
- 5.4 **We are therefore proposing that it should explicitly be set out in law that in considering whether or not the physical punishment of a child constitutes 'reasonable chastisement', a Court should always have regard to the factors outlined at para. 5.3 above.**

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## 2. OPTIONS FOR CHANGE

**5.5** The proposal outlined at 5.2 – 5.4 above sets out what we consider to be the minimum steps needed to clarify the law in light of the European Court’s ruling. However, the 1998 ONS public opinion survey on physical punishment (see paragraphs 2.9 to 2.11 and Annex A) suggested that the public would like to see children have much greater protection. We have therefore set out below a further three options for ways in which the use of the defence of reasonable chastisement might be further limited. These would in be *addition* to implementation of the proposal above. We would welcome your comments on these options, to help us frame the law so that it best reflects a modern society’s view of what constitutes the ‘reasonable’ physical punishment of children.

### **Option 1:** Further expand upon the factors to be taken into account when considering a defence of ‘reasonable chastisement’

- 5.6** It would be possible to add to, or elaborate upon, the relevant factors outlined at para. 5.3 in setting out the factors which a Court must consider in determining whether physical punishment constitutes ‘reasonable chastisement’. For example, additional factors might include the reasons given for the punishment, how soon after the event it was given, the persons involved, the vulnerability of the child. We would welcome your views on the factors which should be set out in the law as needing to be considered by a Court, over and above those outlined in para. 5.3 above.
- 5.7** It would also be possible for the law to state that some forms of punishment could *never* be deemed ‘reasonable’. This might exclude as ‘reasonable’ any physical punishment which causes, or is likely to cause injury to the head (including damage to the brain, eyes and ears). Drawing on the views expressed in the ONS survey of public opinion, it might also exclude as reasonable the use of implements (e.g. canes, belts, slippers). We would welcome your views on whether there are any forms of physical punishment which should never be deemed ‘reasonable’ under the law.

#### **Questions for Consultation**

**1. What, if any, factors *over and above* those factors set out in para. 5.3, should the law require a Court to consider when determining whether the physical punishment of a child constitutes ‘reasonable chastisement’?**

**2. Are there any forms of physical punishment which should never be capable of being defended as 'reasonable'? Specifically, should the law state that any of the following can never be defended as reasonable:**

- Physical punishment which causes, or is likely to cause, injury to the head (including injuries to the brain, eyes and ears)?
- Physical punishment using implements (e.g. canes, slippers, belts)?

**Option 2:** Retain the defence of reasonable chastisement for lesser assault charges only

- 5.8** This option proposes that the law should be changed so that the defence of reasonable chastisement is not available in response to the more serious assault charges. In respect of the existing law on violent offences against the person, the defence would be available *only* to those charged with common assault under Section 39 of the Criminal Justice Act 1988, and *not* to those charged with actual bodily harm (Section 47) or grievous bodily harm (Section 18 and Section 20) under the Offences Against the Person Act 1861 (see paragraphs 3.2 to 3.5). In respect of the Government's proposals for a reformed law on violent offences against the person, the defence would be available *only* to those charged with assault, and *not* to those charged with intentionally or recklessly causing injury, recklessly causing serious injury, or intentionally causing serious injury.
- 5.9** This option would harmonise most offences of assault for children and for adults (i.e. children would receive exactly the same protection under the law as adults in respect of suffering actual bodily harm and more serious assaults). It would have the effect of greatly reducing the extent to which the defence of reasonable chastisement may be used.
- 5.10 .** The main point at issue is whether a defence of 'reasonable chastisement' can, in some cases, be justified in respect of alleged assaults on children which attract a charge of causing actual bodily harm. In reaching a view, you may wish to consider the Charging Standard guidelines at para. 3.5. Should parents and others charged with causing the sort of injuries outlined in the Standard, be able to claim that their actions constituted 'reasonable chastisement'? On the other hand, would removing the defence in these circumstances be too restrictive in respect of parents' ability to physically punish their children within the law?

### Questions for Consultation

**1. Should we restrict the defence of reasonable chastisement so that it may be used only by those charged with common assault, and not by those charged with causing actual bodily harm or more serious assaults?**

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**Option 3: Clarify (and possibly restrict) who may claim the defence of reasonable chastisement**

- 5.11** This option considers the issue of who should be able to claim the defence of reasonable chastisement in future. It asks whether the defence should be available only to parents (which would significantly restrict its application); to those acting with parents' express permission; or to all those acting in a parental role, as the defence applies at present (It should be noted that this Consultation relates to the issue of physical punishment in the home only. The issue of behaviour management in regulated day care and childminding is currently being taken forward as part of the reform of Part X of the Children Act 1989.)
- 5.12** Currently, the defence of reasonable chastisement may be claimed not only by parents, but also by those acting in a parental role (*in loco parentis*), except in those settings where the physical punishment of children has been specifically outlawed (see para. 3.15). There is an *implied* delegation, from parents to those in lawful charge of their children, of the parents' right to apply moderate and reasonable physical punishment. If a relative or neighbour were looking after a child, for example, they would be able to claim the defence of reasonable chastisement even if a parent had not explicitly authorised them to smack their child.
- 5.13** A parent may be defined as a person who has parental responsibility under the Children Act 1989 (see Annex B). What this option raises is:
- Whether the defence should be available *only* to those with parental responsibility or whether it should be available, as now, to those *in loco parentis* (e.g. relatives, and others in lawful charge of a child (except in those settings where physical punishment has been outlawed)?
  - If the defence is available to those *in loco parentis*, should it be under an *implied* delegation from parents (see para. 5.12 above) as now, or should it be under an *express* delegation i.e. parents must have given their explicit permission that a specific person may physically punish their child?
- 5.14** These matters are not, however, as straightforward as they may first appear. For example, restricting the right to use reasonable chastisement to those with parental responsibility under the Children Act 1989 would have implications for a number of individuals who might have a significant role in a child's life. This would, for example, exclude unmarried fathers without parental responsibility. It would also exclude others who may be *in loco parentis* on a permanent basis where no residence order has been made, perhaps step-parents or grand parents. In family proceedings the courts are required to operate the "no order principle": they do not make an order unless doing so would be better for the child than making no order at all.



- 5.15** There might also lead to complications within re-formed families, where for example there will be a distinction between the rights of a father in respect of his own children born within marriage, his own children born outside marriage where he has no parental responsibility, and unrelated children of the mother, where the position will vary depending on the status of the father. Mothers would be in a similar position in relation to children in the family who are not their own offspring.
- 5.16** There is a further issue to consider in respect of the question of restricting the right to use reasonable chastisement to those acting on behalf of parents who have received the express permission of the parents, where parent is defined as those with parental responsibility. What happens if those with such responsibility disagree? Should all those with parental responsibility be required to agree the express delegation of the right to use reasonable chastisement? These are all important issues which must be taken into account.

#### Questions for Consultation

**1. Who should be able to claim the defence of 'reasonable chastisement'?  
Should it be:**

- **As now, all those acting on behalf of parents in looking after children (except in settings where physical punishment has been outlawed)?**
- **Parents only (defined as those with parental responsibility under the Children Act 1989)?**
- **All those acting on behalf of parents, but only if parents have given their express permission that those acting on their behalf may physically punish their child?**

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## **PART 6: SUMMARY OF QUESTIONS FOR CONSULTATION**

- 1 What, if any, factors *over and above* those factors set out in para. 5.3 should the law require a Court to consider when determining whether the physical punishment of a child constitutes 'reasonable chastisement',?**
- 2 Are there any forms of physical punishment which should never be capable of being defended as 'reasonable'? Specifically, should the law state that any of the following can never be defended as reasonable:**
  - Physical punishment which causes, or is likely cause injuries to the head (including injuries to the brain, eyes and ears)?
  - Physical punishment using implements (e.g. canes, slippers, belts)?
- 3 Should we restrict the defence of reasonable chastisement so that it may be used only by those charged with common assault, and not by those charged with causing actual bodily harm, or more serious assaults?**
- 4 Who should be able to claim the defence of 'reasonable chastisement'? Should it be:**
  - As now, all those acting on behalf of parents in looking after children (except in settings where physical punishment has been outlawed)?
  - Parents only (defined as those with parental responsibility under the Children Act 1989)?
  - All those acting on behalf of parents, but only if parents have given their express permission that those acting on their behalf may physically punish their child?

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## HOW TO SEND US YOUR VIEWS

Please return two written copies of your response, by 21 April 2000, to:

### SC3C

Response to the Physical Punishment of Children Consultation  
Department of Health  
Room 122 Wellington House  
133-155 Waterloo Road  
London SE1 8UG

**If you have accessed this consultation paper through the internet please note that we would like to hear from you in writing and *not* through e-mail.**

Please ensure that:

- Each question is answered on a separate page;
- Your reply to each question is clearly numbered to correspond with the numbering as set out in the summary of questions above;
- Your response is clearly marked with your name, address, and (if relevant) the organisation on whose behalf you are writing.

We may wish to cite, or quote from, some of the responses we receive. Please make clear whether or not you would be willing to have your views published, on a named basis, in any subsequent document that may be produced. We will assume that you are happy to be quoted unless you tell us to the contrary.

Thank you for your help with this important issue.

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## ANNEX A: THE PHYSICAL PUNISHMENT OF CHILDREN: A CONSULTATION

### The 1998 Office for National Statistics Survey

- 1 The Department of Health included questions on the Office for National Statistics (ONS) Omnibus Survey to gather information on people's views on the physical punishment of children. The ONS Omnibus Survey is a national representative survey carried out monthly throughout the year. The questions were included in April 1998 and a random probability sample of approximately 2,000 adults were interviewed.
- 2 The key survey findings are summarised below.
  - 88% of respondents agreed that it is sometimes necessary to smack a naughty child while 8% disagreed.
  - 85% agreed that parents should be allowed, by law, to smack a naughty child who is over five years old with 9% disagreeing.
  - There were no significant differences in the views on smacking held by men and women or by parents in different age groups.
  - 4% of respondents said that parents should be allowed, by law, to use a cane, stick or a similar implement to punish a naughty child who is over five years old while 7% said that parents should be allowed, by law, to use a cane to hit a child who is over seven years old.
  - Over 90% of respondents said that parents should be allowed, by law, to 'ground' or keep a naughty child at home as a punishment.
  - A minority said that parents should be allowed, by law, to punish children by depriving them of a meal or part of a meal (16%) or to shake or smack them on the head (2-3%).
  - 60% considered physical punishment that leaves no mark at all to be reasonable from the options presented. 36% would not specify any level of punishment as reasonable.
  - Nearly all respondents considered punishment that leaves a red mark or bruising to be unreasonable (96% and over 99% respectively).

|  | Agree | Disagree |
|--|-------|----------|
| <b>Opinion statements on smacking</b>  |       |          |
| Parents should be allowed, by law, to smack a naughty child who is over five years old   | 85    | 9        |
| Parents should be allowed, by law, to smack a naughty child who is over two years old  | 53    | 34       |
| Parents should be allowed, by law, to smack a naughty child who is less than two years old   | 13    | 76       |
| It is sometimes necessary to smack naughty children  | 88    | 8        |
| <b>Opinion statements on using canes or other instruments</b>  |       |          |
| Parents should be allowed, by law, to use things like canes, sticks, belts or slippers to punish a naughty child who is over seven years old                               | 7     | 89       |
| Parents should be allowed, by law, to use things like canes, sticks, belts or slippers to punish a naughty child who is over five years old                                | 4     | 93       |
| Parents should be allowed, by law to use things like canes, sticks, belts or slippers to punish a naughty child who is over two years old                                  | 1     | 97       |
| It is sometimes necessary to use things like canes, sticks, belts or slippers to punish a naughty child  | 9     | 87       |
| <b>On this card is a list of other methods that some parents have used to punish a naughty child. Which of them do you think parents should be allowed to use, by law?</b> |       |          |
| 'Grounding' or keeping the child in  |       | 91       |
| Smacking the child on the head   |       | 2        |
| Shaking the child  |       | 3        |
| Not allowing the child a meal or part of a meal  |       | 16       |
| Others (eg. sending the child to his/her room or stopping the child from doing something he or she likes to do)  |       | 35       |
| None of the above  |       | 5        |
| <b>Which of the items on this card would you consider to be a reasonable level of punishment? Physical punishment that:</b>  |       |          |
| Leaves no mark at all on the child   |       | 60       |
| Leaves a red mark that lasts for a few days  |       | 4        |
| Leaves a bruise that lasts for a few days  |       | < 1      |
| Leaves marks and bruises that last for more than a few days but which does not result in permanent physical injury   |       | < 1      |
| None of the above  |       | 36       |

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## **ANNEX B: PARENTAL RESPONSIBILITY**

- 1 In Option 3, we ask whether the defence of 'reasonable chastisement' should be available only to parents, and define a parent as a person who has parental responsibility under the Children Act 1989.
- 2 Section 3 of the Children Act 1989 sets out the meaning of parental responsibility as:

"all the rights, duties, powers, responsibilities and authority which by law a parent of a child has in relation to the child and his property" (Section 3)
- 3 Section 2 says that the following automatically have parental responsibility:
  - The child's mother and father if they are married at the time of the child's birth;
  - The child's mother if the parents are not married.
- 4 Section 4 says that where the parents are not married at the birth the father may acquire parental responsibility for the child:
  - By making an agreement with the child's mother;
  - By applying to the Court for a parental responsibility order;
  - By subsequently marrying the child's mother.
- 5 Parental responsibility may also be acquired by a person who obtains a residence order under Section 12. Any person with whom a child has lived for three years is entitled to apply for a residence order. Anyone else may apply with the leave of the court. There is no provision for step-parents or grandparents to acquire parental responsibility unless a residence order has been granted in their favour.
- 6 A person who adopts a child automatically takes on parental responsibility for that child. A parent may appoint a person to be guardian to the child in the event of the parent's death. A guardian will have parental responsibility for the child.

The Government has announced its decision to introduce a provision that unmarried fathers who sign the birth certificate jointly with the mother will acquire parental responsibility without further formality. This provision will be introduced when Parliamentary time allows.

