

THE CENTRE FOR
SOCIAL
JUSTICE

POLICY PROGRAMME 2007 – 2008
LAUNCH

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The Centre for Social Justice

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POLICY PROGRAMME 2007/08

PREFACE



Thank you for joining us for the launch of the Centre for Social Justice's policy work for 2007/08.

The Centre for Social Justice is committed to developing new policy thinking to address Britain's most acute social problems. For all the billions spent in recent years, the most disadvantaged communities are becoming detached from mainstream British society.

Our new policy work will build on the proposals of *Breakthrough Britain*. We showed there how strengthening families is key to reversing social breakdown. Two family-related commissions will look at potential reforms to the family law that may be contributing to family breakdown, and how early years provision can be improved to maximise the life chances of the most vulnerable children. Our economic dependency group will examine how the tax and benefits system could better encourage work and reduce poverty, with a particular focus on tax credits and housing benefit. Our new housing policy group will examine the links between the housing system and poverty and consider reforms to social housing to encourage social mobility.

Other policy groups will look at new ways to help two of the most vulnerable groups in society: looked-after children and destitute asylum-seekers.

Crime most hurts our hard-pressed communities. Four policy groups will consider new approaches aimed at reducing crime and achieving effective rehabilitation. Police, courts and sentencing, the prison system and youth and gang crime will each be examined individually.

As before, our policy groups comprise top academics, policy-makers and practitioners, and we will take evidence and visit projects in this country and abroad. This will give us a very clear vision of the nature and scale of the problems we want to tackle, as well as successful strategies that are already working.

We are thrilled that you have joined us today and hope you will follow and contribute to this exciting programme.

Philippa Stroud
Executive Director

POLICY PROGRAMME 2007/08

CHAIRMEN



Criminal Justice (Courts and Sentencing)

Martin Howe is a practising Queen's Counsel specialising in European law and intellectual property law, who conducts cases before the English courts, the European Court of Justice, and other European tribunals. He was appointed QC in 1996. He was called to the Bar (Middle Temple) in 1978. Before joining chambers Martin worked as a commercial and systems software programmer for IBM and for a software house, and continues to maintain an interest in evolving computer technology.



Criminal Justice (Prison Reform)

Jonathan Aitken is a former Conservative government minister who was jailed for perjury in 1999. He chronicled this life-changing experience in a two-part autobiography, *Pride and Perjury*, and *Porridge and Passion*. He is a Director of Prison Fellowship International and frequently visits prisons to talk to inmates. Jonathan's experience of both politics and prison means he is uniquely qualified to lead the prison reform policy group. Jonathan has also written biographies of Richard Nixon and Charles Colson.



Criminal Justice (Youth and Gang Crime)

Simon Antrobus has over 20 years experience in the voluntary and community sector. He has held senior positions in a number of national voluntary organisations, including Scope, the Parkinson's Disease Society and currently as Chief Executive of Clubs for Young People. Simon has served as acting Chairman of the National Council of Voluntary Youth Services and is currently its Vice-Chairman.



Economic Dependency

Dr Stephen Brien was the co-Chairman of the Economic Dependency Group for *Breakthrough Britain*. He is a Director at the management consultancy Oliver Wyman, and head of their London Office, where he has provided advice to Government departments on policy matters. He also advises a range of large corporations in the UK, Continental Europe and the US. His area of expertise is around customer behaviour and the economic impacts resulting from changes in the incentives they face.



Housing

Kate Davies joined Notting Hill Housing in mid-2004 following roles as Chief Executive of Servite Houses and Director of Housing in Brighton and Hove. She also has experience in local government and the private and voluntary sectors. She has two degrees and qualifications in housing management (MCIH) and housing association development. She is particularly interested in families, parenting, equality issues and regeneration.



Looked-After Children

Ryan Robson is a Partner of Sovereign Capital, an investment fund which supports the growth of education and social care groups. He has served as a Non-Executive Director of education and training organisations including Alpha Plus, a group of 20 independent schools and colleges and the SENAD Group which educates children with special educational needs and supports them into adulthood. Ryan is a Governor of the Alton School in Wandsworth and was a Councillor for Wandsworth from 2002-2006 and Chairman of its Education and Performance and Standards Committee.



Asylum

Julian Prior is the Project Director of Open Door (North East) an organisation that provides accommodation for failed asylum seekers who have become destitute in Tyneside. He is the author of a significant piece of research into this issue called 'Destitute and Desperate' (April 2006). On the basis of his research and first-hand experience, Julian has campaigned for change locally and nationally. Prior to working for Open Door, Julian was an Account Director for a number of leading advertising and marketing agencies in the North East.



Early-Years Commission

Family Law Commission

Dr Samantha Callan acts as a research consultant to major UK voluntary sector organisations which aim to strengthen family life. She is also an honorary research fellow at Edinburgh University and is engaged in primary research into long term marriage and committed relationships. Working from a background in Social Anthropology and Islamic Studies, she holds Masters degrees from the universities of Cambridge and Nottingham. She acts as a consultant to firms which are addressing issues of work-life balance.



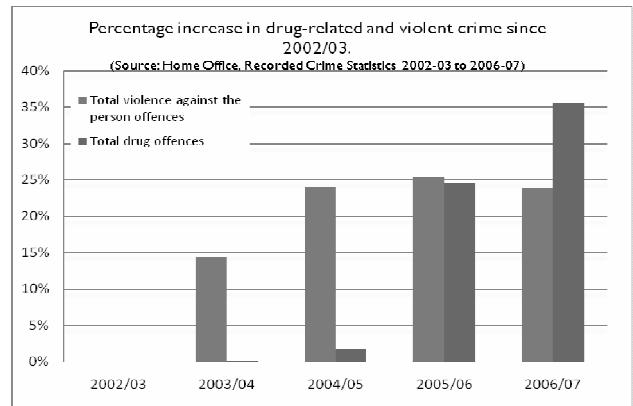
CRIMINAL JUSTICE: POLICING

Chairman: TBC.

The police service exists to detect and prevent crime and to ensure the safety of the community. But studies show that people are increasingly afraid of crime and feel less safe in their neighbourhoods. An excess of paperwork and bureaucracy, along with misguided policy, is keeping policemen off the streets. The most deprived communities, which face the highest crime levels, are often mistrustful of the police. The police force is itself highly concerned about a lack of clear direction in the broader criminal justice system, and the Chairman of the Police Federation has repeatedly called for a serious and thorough review.

The threat

- There was a 23.8% increase in the number of recorded crimes involving violence against the person between 2003/04 and 2006/07.¹
- 95% of children have been a victim of crime.²
- Between 2003/04 and 2006/07 the number of recorded offences for drug trafficking rose by 18.4%.³



The response

- An extra £6.4bn has been spent on policing since 2001/02;⁴ but total crime rates have remained static.⁵
- In 2006/07, the British Crime Survey (BCS) estimates that there were 11.3 million crimes against adults living in private households. The Home Office has itself suggested that this figure underestimates the amount of crime, and puts the figure closer to 60 million.⁶

Police off our streets

- Police paper work accounts for approximately 20% of police time.⁷ This is a total of 56,000,000 hours a year.⁸
- Beat officers spent only 17.3% of their time patrolling in the year 2005/06.⁹

Policy failure

- Jan Berry, the Chairman of the Police Federation, recently asked: "How can we have a system that discourages police officers from investigating crimes properly; from doing what they know and believe is right?"¹⁰

The CSJ is conducting an in-depth review of policing. The aim of this work is to establish clear guiding principles about the purpose of policing, and consequently to recommend policy. The policing policy group is part of wider review of the criminal justice system, which includes courts and sentencing, prison reform, and youth and gang crime. This will ensure a comprehensive and joined-up approach to all facets of the criminal justice system. On the basis of this analysis we will recommend evidence-based and practically proven solutions that best fit a clearly identified problem. The proposals will secure our streets and create a fitter police force that fully understands the community it serves.

December 2008

CRIMINAL JUSTICE: COURTS AND SENTENCING

Chairman: Martin Howe, QC

The courts are supposed pursue justice, and discipline and rehabilitate law-breakers. But there is a widespread loss of faith in the sentencing process. Citizens do not believe that the courts punish appropriately. Sentences often fail to reflect the crime and are appear opaque. Moreover, sentencing strategies do not seem successful in rehabilitating prisoners. Criminal activity and punishment are too distantly linked in the minds of many criminals because of a cumbersome and bureaucratic trials and sentencing process.

Time Lag

- 32% of defendants wait longer than 143 days between committing an indictable offence and being sentenced if they plead not guilty in a magistrate's court.¹¹

“It is not uncommon in London to have muggers released on bail eight or nine times before they face trial for their first attack.”

Lord Stevens calls for criminal justice reform¹

Crimes Missed

- In 2005 there were only three convictions for every 100 BCS estimated crimes.¹²

Misguided Resources

- A report by the Prison Reform Trust on the numbers in prison as a result of technical breaches of post-release licences estimated that approximately 8000 offenders were in prison having been recalled as a result of enforcement procedures.

Effective sentencing

- 50.5% of people who are given a community sentence go on to reoffend within two years compared to 64.7% who are sent to prison.¹³
- The most ineffective types of community punishment are drug treatment and testing orders with 82.3% of offenders going on reoffend.¹⁴
- Since their launch in 1999 till the end of 2005 a total of 9618 ASBOs have been issued; ¹⁵ however there have been 6491 breaches proven in a court of law.¹⁶
- Some 50,000 people are sent to prison for less than six months each year.¹⁷

The courts and sentencing policy group is undertaking a major review of court procedure and sentencing strategies, with the goal of restoring the propriety of judicial retribution and the effectiveness of criminal deterrence. We want to link what's happening on the streets with what's happening in the courts. We think that the excessive piecemeal reform of the last few years is only damaging the system further, and the aim of this working group is to establish clear guiding principles about the purpose of policing and sentencing, and consequently to recommend policy.

December 2008

CRIMINAL JUSTICE: PRISON REFORM

Chairman: Jonathan Aitken

Our prisons and the prison system are in desperate need of reform. Overcrowding is rife. Drug abuse in custody is commonplace and is damaging lives both in prison and beyond. 'In-house' rehabilitation is inadequate and fails to equip the majority of prisoners to live outside the prison walls. Re-offending rates for the released prisoners are stark and alarming. Our prison service neither punishes effectively nor rehabilitates, and far from improving the health of our society, contributes to its breakdown.

Overcrowding

- The prison system as a whole has been overcrowded in every year since 1994.¹⁸
- The average number of people held two to a cell only certified for one in 2006/7 was 17,974, up from 9,498 in 1996/7.¹⁹
- 8,500 prisoners have been released from prison early since the introduction in June 2007 of new measures to free up space in overcrowded jails.²⁰

The cost of crime by ex-prisoners to society is £11 billion per year.

Rehabilitation

- 48% of prisoners are at or below the level expected for an eleven year old in reading, 65% in numeracy and 82% in writing.²¹
- Half of all prisoners do not have the skills required by 96% of jobs, and only one in five are able to complete a job application form.²²
- There are only 24,000 work places available for prisoners across the estate (cleaning, catering and day release programmes) – so even if used fully only one third of the prison population can be in work at any time.²³

Re-offending

- 64.6% of all released prisoners re-offend within two years.²⁴
- The cost of crime by ex-prisoners to the UK taxpayer is £11 billion per year.²⁵

The prison reform policy group is sure that positive and progressive reform of the prison system is achievable. It is achievable, however, only if undertaken with a determination to recognise and understand that below the well-known statistics and hard-hitting figures are livelihoods, families and communities. We believe that it is essential to model a system of fair, justified punishment and consequence for those committing crime; we also believe that if we are to rehabilitate prisoners and rebuild our communities, it is essential that we put in place all we can for the future of prisoners and their families. We envisage that policy will address areas of sentencing, provision and environment, 'in-house' prison policy and practices, and post-release interventions.

December 2008

CRIMINAL JUSTICE: YOUTH AND GANG CRIME

Chairman: Simon Antrobus

The majority of young people in this country are responsible community members: they make positive contributions, work hard, and succeed in becoming fully participating citizens of the future. For some, however, this is not the case. Youth and gang crime ranges from the spur of the moment act of vandalism or graffiti, to the pre-meditated revenge killing, from shop-lifting to territorial drug dealing. Youth and gang crime blights the lives of those communities directly affected, and frightens wider society.

Muggings

- Four in every ten muggings in Britain are committed by children under 16 years old.²⁶

Knives

- The most likely person to be carrying a knife is a boy aged between 14 and 19.²⁷

Guns

- Manchester police stated that young people who get involved with gun crime should not expect to live beyond 24.²⁸
- In 2002 nearly half of all gang murders committed with firearms involved victims under the age of 18.²⁹

“We have to look at why it is young people are joining gangs in the first place. Usually it’s because they want identity, belonging and security that they are not getting at home.”

Rosemary Dixon, Project Manager FARE (Family Action in Rogerfield and Easterhouse, Glasgow)

Punishment

- Every year an estimated 70,000 school-aged offenders enter the youth justice system.³⁰
- The total number of young offenders in custody has been above 2500 every month since April 2000.³¹ Latest figures show that 1504 of the young people held in custody are 16 years old or younger.³²
- An estimated 11% of all prisoners involved in serious assaults are children, this is despite accounting for just 3% of the general prison population.³³

The youth and gang crime policy group is convinced that this situation is not inevitable; indeed we are adamant that wise policy can win back our neighbourhoods for all, including most importantly for those young people whose lives are wrecked by crime. We will look at solutions that target at-risk children in their early years, those who are in gangs or are highly likely to commit crime, and those who are already in the criminal justice system.

December 2008

ECONOMIC DEPENDENCY

Chairman: Dr Stephen Brien

The benefit system is supposed to help the most deprived people in our society escape poverty. In practice it provides perverse incentives that trap adults and their children. High benefit withdrawal rates provide important disincentives to enter the labour market and progress in work; the system encourages dependency on the government by rewarding long term reliance; and it effectively penalises family structures that are known to benefit children.

Dependency

- There are 7.79 million economically inactive people of working age. This is the highest figure since comparable records began in 1971).³⁴
- 4.35 million working-age people are living in workless households.³⁵

“After two years on incapacity benefits, a person is more likely to die or retire than to find a new job.”

John Hutton, Secretary of State for Work and Pensions, 24th January 2007

Wrong Incentives

- Nearly 400,000 working parents face marginal tax withdrawal rates of over 80%.³⁶ This means they keep only 20p of every extra pound earned through work.
- Government is paying tax credits and benefits to 2.1 million lone parents when there are only 1.9 million lone parents in the UK.³⁷

High Complexity Fails Claimants

- There are at least 51 separate benefits, compared to 27 in 1979 and only 7 in 1948.³⁸
- Lone parents moving into work can face 100% marginal tax rates.³⁹

Tax Credit Confusion

- 45 per cent of families were under- or overpaid their tax credits.⁴⁰ Overpayment leads to the Government claiming back benefits which pushes already financially vulnerable people into debt.

We believe that the state can help people to lift themselves out of poverty. Building on our work in *Breakdown* and *Breakthrough Britain*, we will work to establish a model for a benefits system which encourages people to work their way out of poverty and provide the best environment for their children, while never penalising single-parents or those who cannot work.

June 2008

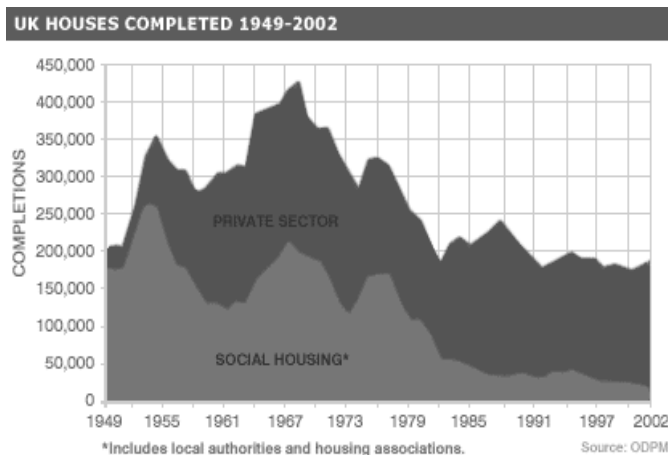
HOUSING

Chairman: Kate Davies

Britain is experiencing a housing crisis. Demand for housing far exceeds supply and the shortfall between supply and demand is growing. With housing increasingly unaffordable, owner-occupation is now out of reach for large sections of the population. Vulnerable people and social breakdown are ever more concentrated in our social housing stock. Rather than helping disadvantaged people out of poverty, social housing is all-too-often reinforcing their dependency.

Shortage

- The national shortfall is currently over 50,000 homes every year (with nearly 210,000 new households being formed in England compared with little more than 150,000 new homes built) ⁴¹
- In 2005, 1.5 million households were on the waiting list for social housing: an increase of 40% since 2002.⁴²



Quality

- More than one million homes in Britain are unfit for human habitation – and yet more than 90% of these are occupied.⁴³

Employment

- The proportion of social tenant households in paid employment fell from 47% to 32% between 1981 and 2006.⁴⁴
- Nearly half all social housing is now located in the most deprived 5th of neighbourhoods, and this concentration appears to have increased since 1991.⁴⁵

Everyone aspires to live in a decent home in a safe community. The housing policy group believes that this is achievable. Increasing the supply of housing in the social, private-rented and owner-occupied sectors must be central as part of a wider solution. As well as providing shelter for the most vulnerable, social housing must better encourage and reward hard-work and positive choices. We will look to support the aspiration to home ownership, ensure that social housing provides routes out of dependency, and create safe, diverse and cohesive communities.

June 2008

ASYLUM

Chairman: Julian Prior

It is estimated that there are about a quarter of a million destitute failed asylum seekers. The majority are not allowed to claim benefits and are also forbidden to work, or even to volunteer; yet the Courts refuse to deport them back to countries deemed unsafe. The law effectively forces them into destitution, illegal activity and vulnerability. Meanwhile the asylum procedure is overburdened and chaotic, and citizens have lost confidence in it.

The Problem

- The asylum system was designed to deal with a handful of cases, but it is now dealing with 25,000 cases a year.
- The Home Office estimates that there are between 155,000 – 280,000 failed asylum seekers living in the UK without any statutory support.⁴⁶ However press reports in October 2007 suggest the figure is closer to 450,000.⁴⁷
- 90% of the UK's failed asylum seekers feel that it is unsafe to return to their country of origin.⁴⁸

“Destitution has become a tool of public policy in the case of asylum ...Families threatened with the removal of support and with the prospect of losing their children have disappeared. Goodness knows how they are managing.”

Maeve Sherlock, Chief Executive, Refugee Council

Government's response

- A piecemeal tightening of asylum law that has restricted access to legal aid, split up asylum families by placing children in care and moving responsibility for asylum around different departments within the Home Office.
- The Government spends £1.5 billion per annum on a system that is not fit for purpose.

The Result

- A growing destitute underclass in society that is only being supported by voluntary organisations.

The asylum policy group is concerned about the role of destitution in our asylum policy. We recognise the importance of having secure borders; but we want to emphasise that asylum seekers are not economic migrants. In the main, they are human beings seeking refuge from assault and hardship (and whose claim to asylum itself creates danger for them). We believe that asylum policy needs a radical overhaul if it is to be both firm and fair. We envisage policy as addressing the asylum processing system, the ability of asylum-seekers to work, the voluntary or forced return of failed asylum-seekers who have no case to stay, and the need to maintain a robust system which is not open to abuse.

June 2008

LOOKED-AFTER CHILDREN

Chairman: Ryan Robson

Looked-after children are one of the most vulnerable groups in society. In many cases they have suffered sexual and physical abuse before they are removed from home, and going into care means more upheaval and potential trauma. All too often, the state falls short in its role as the “corporate parent”, providing inadequate funding and failing to accept the full responsibility that it has for these children in its care. The result is that care-leavers are far more likely to end up in jail, on drugs, on the streets, or to be teenage parents than their peers:

Number

- There were 60,300 looked-after children as of 31 March 2006. 70% were in foster-care.⁴⁹

Educational Crisis

- Only 8% of looked-after children achieve 5 or more A*-C grades at GCSE compared to 45.8% in England (including Maths and English).
- Only 11% of looked-after children left school with 5 good GCSEs compared with 56% of all children.⁵⁰

“Those from care who DO go to school don’t give a damn anyway because they’ve got so much on their mind they can’t focus on what they should be focusing on”
Care leaver, Breakdown Britain

Prison Link

- 27% of the prison population, and half of all prisoners under 25, were in care.⁵¹

Out of work

- 22% of care leavers will be unemployed by the September after they leave school – this is over three times higher than that for all school leavers.

On the streets

- 80% of all Big Issue sellers were in care.
- Half of all prostitutes have been in care.

The looked-after children policy group is adamant that the experiences and outcomes for looked-after children can be transformed. In *loco parentis* we must fight for them and champion their achievements. The work will examine better prevention (how we can prevent children from needing to go into care), adoption, increasing stability, the clearer assignment of responsibility for looked-after children, extending the carer’s involvement, civic pride, better training of those who assist these children, and mentoring schemes.

June 2008

FAMILY LAW COMMISSION

Chairman: Dr. Samantha Callan

The relationship between family breakdown and legal aspects of marriage, divorce, cohabitation, parental rights and the rights of extended family are highly complex but require serious consideration. *Breakdown Britain* discussed evidence which suggests that divorce reforms enacted across Europe over the last 40 years have contributed to the breakdown of marriages. The UK's own high-divorce culture and absence of robust relationship support has made it harder for couples to explore ways to rescue their marriage. *Breakthrough Britain* identified concerns about giving rights and responsibilities to cohabiting couples. It also highlighted problems surrounding post-separation parental contact rights and enforcement, and the role of fathers more generally, as well as the hurdles the law presents to the involvement of extended family in child-rearing.

A Role for Fathers?

- One in six babies is now born into a home with no father.⁵²

Family Breakdown

- According to a YouGov poll conducted for *Breakdown Britain*, if you are not brought up in a two parent family you are:
 - 75% more likely to fail at school
 - 70% more likely to be a drug addict
 - 50% more likely to have alcohol problems
 - 40% more likely to have serious debt problems
 - 35% more likely to experience unemployment/ welfare dependency

UK annual divorces per thousand married people (Source: ONS / Eurostat)

	1960-69	1970-79	1980-89	1990-2003
Rate	1.47	4.37	6.08	6.68

The family law commission will review recent developments in family law and associated policy. It will recommend those changes (legal, quasi-legal and non-legal) deemed necessary to provide a coherent framework to encourage family arrangements that are most amenable to successful relationship-building and child-rearing.

Easter 2009

EARLY YEARS COMMISSION

Chairman: Dr Samantha Callan

The first few years of a person's life are the most important in terms of physical, emotional and social development. Outcomes at 3 years are often accurate in predicting outcomes at 26 years.⁵³ As we argued in *Breakdown Britain*, strong attachment to a carer improves the chances of a baby flourishing both physiologically and psychologically,⁵⁴ and their later ability to make affectional bonds. Research has also shown that "insecure" attachment relates to future negative behaviour including high levels of separation anxiety; low expectations of adults; stunted communication skills and a lesser ability to empathise with others.

Theory

- The group will be informed *inter alia* by key concepts such as attachment theory. Attachment behaviour is considered to characterise human beings from the cradle to the grave and indicates the importance of careful nurture and maintenance of the child from its very early years.⁵⁵
- Many neurological studies attest to the importance of the first three years of a child's life to his or her future healthy development.

Future Dividends

- James Heckman, the Nobel prize-winner for economics, has demonstrated that pre-school intervention programmes have an economic payback 3 - 6 times higher than similarly intentioned programmes post-school.⁵⁶
- USA early intervention studies showed the returns to society for each dollar invested extend from \$1.26 to \$17.07.⁵⁷
- Early intervention reduces future spending on health, social work, policing and criminal justice, social security, training and preparations for employment – and it produces higher future tax yields from higher lifetime earnings.⁵⁸
- In the American Nurse-Family Partnership home visiting program, the return for each dollar invested was \$5.70 for the higher-risk population served but only \$1.26 for the lower-risk population.⁵⁹ Targeted intervention is thus essential in order to assist the most deprived and to make most effective use of the resources available.

The early intervention policy group will re-examine and supplement the proposals made in *Breakthrough Britain*, including the introduction of Family Service Hubs within the community, an enhanced role for health visitors, intensive home visiting programmes such as the Nurse Family Partnerships, and proposals to provide parents with flexible child benefits so a larger proportion of the total entitlement would be available during the first three years.

June 2008

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