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GENERAL COMMITTEES

Public Bill Committee

OFFENSIVE WEAPONS BILL

Third Sitting

Thursday 19 July 2018

(Morning)

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Examination of witnesses.
Adjourned till this day at Two o'clock.

No proofs can be supplied. Corrections that Members suggest for the final version of the report should be clearly marked in a copy of the report—not telephoned—and must be received in the Editor’s Room, House of Commons,

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The Committee consisted of the following Members:

Chairs: † MIKE GAPES, JAMES GRAY

† Atkins, Victoria (<i>Parliamentary Under-Secretary of State for the Home Department</i>)	† Morgan, Stephen (<i>Portsmouth South</i>) (Lab)
† Foster, Kevin (<i>Torbay</i>) (Con)	† Morris, James (<i>Halesowen and Rowley Regis</i>) (Con)
† Foxcroft, Vicky (<i>Lewisham, Deptford</i>) (Lab)	† Pursglove, Tom (<i>Corby</i>) (Con)
† Haigh, Louise (<i>Sheffield, Heeley</i>) (Lab)	† Robinson, Mary (<i>Cheadle</i>) (Con)
† Huddleston, Nigel (<i>Mid Worcestershire</i>) (Con)	† Scully, Paul (<i>Sutton and Cheam</i>) (Con)
† Jones, Sarah (<i>Croydon Central</i>) (Lab)	† Siddiq, Tulip (<i>Hampstead and Kilburn</i>) (Lab)
† Maclean, Rachel (<i>Redditch</i>) (Con)	† Smyth, Karin (<i>Bristol South</i>) (Lab)
† McDonald, Stuart C. (<i>Cumbernauld, Kilsyth and Kirkintilloch East</i>) (SNP)	Timms, Stephen (<i>East Ham</i>) (Lab)
† Maynard, Paul (<i>Lord Commissioner of Her Majesty's Treasury</i>)	Mike Everett, Adam Mellows-Facer, <i>Committee Clerks</i>
	† attended the Committee

Witnesses

Bill Harriman, Director of Firearms, The British Association for Shooting and Conservation

Christopher Graffius, Executive Director of Communications & Public Affairs, The British Association for Shooting and Conservation

Baroness Newlove, Victims' Commissioner

Anne Longfield OBE, Children's Commissioner

Public Bill Committee

Thursday 19 July 2018

(Morning)

[MIKE GAPES *in the Chair*]

Offensive Weapons Bill

Examination of Witnesses

Bill Harriman and Christopher Graffius gave evidence.

11.30 am

The Chair: Before we continue to take oral evidence, Members, please feel free to take your jackets off, as it is very hot in here. That applies to witnesses, too, if you want to be cooler and more comfortable—the air-conditioning in this building is erratic. I remind Members and all visitors in the Gallery to switch off their mobile phones and other electronic devices or switch them to silent.

We will now resume our oral evidence sessions and hear evidence from the British Association for Shooting and Conservation. Welcome.

Christopher Graffius: Thank you.

The Chair: Before I call the first Member to ask a question, I remind all Members that questions should be limited to matters in the scope of the Bill, and that we must stick to the timings in the programme order agreed by the Committee. For this session, we have until 12 noon. I would be grateful if the witnesses introduced themselves for the record.

Christopher Graffius: I am Christopher Graffius, director of communications and public affairs at the British Association for Shooting and Conservation, and I am a keen shooter.

Bill Harriman: Good morning. My name is Bill Harriman. I am director of firearms at BASC. I am also in my own right a forensic firearms examiner, and I am a keen collector of antique firearms.

Q169 Louise Haigh (Sheffield, Heeley) (Lab): The Minister has lost her voice, so I will start. Gentlemen, did you see the evidence we received on Tuesday from the National Crime Agency and the National Ballistics Intelligence Service?

Christopher Graffius: Yes.

Q170 Louise Haigh: Do you agree with it?

Christopher Graffius: No. I have read it and gone over it in detail, and—I am trying to think how one can say this nicely. One of the problems with rifles that are firing over 10,000 foot-pounds—in particular the .50 calibre, at which this legislation was first aimed—is that very few people have seen one, even fewer have handled one and fewer still have pulled the trigger on one, and there tends to be a lot of myth around them. I am afraid that much of what you were told was either misleading or inaccurate, and often it was quite ridiculous. May I give you some examples?

Louise Haigh: Please do.

Christopher Graffius: You were told—I am reading from the minute of the evidence—that the effective range was 6,800 metres. That is a nonsense. If you fired the rifle at 35°, the furthest the bullet could possibly reach might be that, but that is certainly not its effective range. Its effective range is more like 1,500 to 2,000 metres, or less than a third of what you were told. The effective range of a rifle is what an average, competent shot can hit a target at. You must remember that with something like the .50 calibre, out at 1,300 yards, which is less than a mile, the bullet drop can be 24 feet, so you are 24 feet off-target irrespective of what the wind will do to your shot.

You may be aware that the longest-ranged sniper shot in Afghanistan by a British soldier was about 1.5 to 2 miles. That was not done with a .50 calibre; it was done with a .338 Lapua, which would not be affected by the Bill. He missed nine times before he hit. Firing at those extreme ranges is incredibly rare and you have to be incredibly well trained to it; it just does not happen in civilian circumstances. In fact, the range at which a target shooter—a civilian target shooter—would shoot is 1,000 yards. The world championship in .50 calibre is 1,000 yards. You were told twice that.

Q171 Louise Haigh: I have the minutes here as well, and in fairness, the NCA said that the absolute maximum potential range was 6.8 km, but that the intent of that particular weapon was to immobilise light or medium-sized vehicles at a range of 1.8 km.

Christopher Graffius: Well, that is another problem with the evidence that you were given. Your witnesses went to great lengths to talk about things being extreme or military, but you must understand that many rifles that are not affected by the Bill can fire at those ranges, and that virtually every calibre in common civilian use started life as a military calibre. The most common rifle in civilian hands is a .308, which is the same as the 7.62 NATO—and I could go on. Virtually every calibre in civilian use began life as a military calibre, because that is where rifles are developed. They are then changed, given a sporting round and used in hunting or target shooting. That is another very important point.

A lot of what you have been told about the destructive powers of this rifle in military hands is because it is using ammunition that is illegal in this country for civilian use. The text of the Home Secretary's letter to MPs says that their penetrative powers mean that with the right ammunition, they can penetrate body armour worn by soldiers. In this case, the right ammunition is incendiary and is designed to penetrate such targets. In civilian terms, that is illegal; what they use is target ammunition.

Q172 Louise Haigh: What would be the damage caused by using target ammunition with a weapon of this nature?

Christopher Graffius: I am not qualified to answer that, because I have never seen a vehicle or a person shot with one of those things. In civilian use, they are used for paper targets.

Q173 Louise Haigh: What would be the implications of the ban in the Bill? Why are you and your members so concerned?

Christopher Graffius: I am particularly concerned because it will take away a legitimate, lawful and safely conducted sport, at which we do particularly well in the world championships. It also establishes a principle in law, via muzzle energy, which could be used to threaten even more commonly used calibres. That could seriously damage shooting in the future.

Q174 Louise Haigh: Are you concerned about the numbers that we were given of the number of firearms that are stolen—that have already been stolen this year—and enter the illegal market?

Christopher Graffius: Yes, of course we are concerned about that. We want to prevent even one firearm being stolen from a legitimate source. I note their comments about the number stolen, but in terms of the nearly 2 million firearms in civilian hands, 204 is not a great many. That is something we are working on: we work with our members to ensure that they keep their guns securely, we issue advice to them, and we happily work with the police to achieve that aim.

Q175 Louise Haigh: Do you have any advice as to how we can reduce the numbers that are stolen and enter the illegal market? I understand it is a small percentage.

Christopher Graffius: I would advise you to let those who work with the certificate holders work with the police to minimise those thefts.

Q176 Louise Haigh: I note that you mentioned that you are a keen antique gun collector.

Christopher Graffius: No, I did not mention that.

Bill Harriman: That was me.

Louise Haigh: That was you, Mr Harriman. Sorry. Some 30% of the guns used in firearms offences last year were of an obsolete calibre. We discussed that with the National Crime Agency and the National Ballistics Intelligence Service on Tuesday. Do you think the laws relating to antique weapons can be improved to prevent that figure from being so high?

Bill Harriman: At the moment, the Policing and Crime Act 2017 is being implemented. The way to tackle that is not to prosecute based on whether or not something is an antique. That is going to be defined in law for the first time, which I think is very good; it gives a lot of clarity. I do a lot of cases where there is no clarity about whether something is an antique. You then need to go towards the intent of the person who alleges that his firearm is an antique, and then apply the second limb of the law—does he keep as a curiosity or an ornament? If he does not, it then drops into the section in which it would come normally, and in most cases it would be a prohibited weapon, which carries a mandatory five years. The law is being looked at now, and I think it is sound in its basic intent.

Q177 Louise Haigh: One of the suggestions we heard was that there should be a new offence of possessing components of ammunition with intent to manufacture, obviously because of the potential consequences of marrying that up with an obsolete calibre firearm. Would you have any issue with that?

Bill Harriman: I can think of none. Intent is very important, although hard to prove, I grant you. It is one thing to say that somebody has something, but it is what they are going to do with it that counts. Off the top of my head, I do not have a problem with that.

Q178 Louise Haigh: How many individuals and licences will be affected by the ban in this Bill?

Christopher Graffius: I think a very small number. We are probably talking about 150 rifles. The police, who have better records of licences, identified 129, but there will be more rifles than that, and of course that does not include Northern Ireland, which the Bill also covers. I warn the Committee against legislating on the basis that it is only a small amount. These people's recreations and activities, which they have conducted perfectly safely and in accordance with the law, are important. I would hope that Parliament is here for everyone, and not for the majority over the minority.

Q179 Louise Haigh: Do you accept, though, that if these guns were to fall into the wrong hands, they would do a huge amount of damage?

Christopher Graffius: I do not accept that they would do more damage than anything else. All rifles in the wrong hands are dangerous. All rifles, even down to the lowly .22, would penetrate the body armour normally issued to police, which is an anti-stab vest. All rifles are dangerous. As I mentioned, that longest sniper shot was not even done with a .50 calibre; it was done with a .338 Lapua, which is not actually covered by the Bill.

Q180 Louise Haigh: Finally, is it just the energy value element that you object to? Do you have any issues with the bump stock part?

Christopher Graffius: I have no issues with the proposals in the Bill on bump stocks; I think you are quite right to do that. When it comes to the energy, though, there is no ballistic relevance to that energy limit. Indeed, it is quite possible that the rifle can be altered so it comes underneath that limit. If you try to legislate by limit, it may be possible to alter the rifle to comply with that.

Q181 Nigel Huddleston (Mid Worcestershire) (Con): Mr Harriman, you said that you believe that instead of banning these rifles, we can better meet the concerns by specifying a high level of security. What would that mean?

Bill Harriman: One way I would always go at security is what people refer to as dispersion in separate units. You have the stock and the barrel in one steel cabinet, the bolt somewhere else—preferably in another room—and the ammunition somewhere else. You have to do three things to get the rifle, its component to make it function and the ammunition with which to fire it. I go back to what a Crown court judge said to me in, I think, 1991: security is a series of difficulties presented to a burglar. The more difficulties you present by dispersing things, the better the security is.

Q182 Kevin Foster (Torbay) (Con): I draw your attention to page 26, clause 28(2), which will amend the Firearms Act 1968 by adding paragraph (ah) to section 5 of that Act; I will give you a moment to get there. Do you have any concerns with the type of firearm listed there?

Bill Harriman: There are these types of firearms that are licensed by chief constables to certificate holders who have satisfied the good reason test that is enshrined in law and who use them legitimately for target shooting, and I believe that they are favoured by some disabled people because they are slightly easier to use.

Q183 Kevin Foster: Do you have any concerns about the fact that these weapons could potentially be rapid-firing weapons?

Bill Harriman: I think the term “rapid firing” is always a bit difficult to define, because one man’s rapid fire is another’s very slow fire. I go back to the previous comments about bump stocks, which really do push the firing rates up, as far as I am aware. I have to say, though, that I have not actually seen a bump stock in this country, and I believe that when people here wanted to examine one, they had to buy one in. I have not seen one of those, but I have seen these rifles being fired. And while the firing rates might appear to be quite high, I think that the rates are very much lower than, say, those of a military rifle or perhaps a rifle fitted with a bump stock.

Q184 Kevin Foster: I am always a bit reticent about using comparisons with military rifles, given that military rifles can fire at very high rates of fire that we would not accept. Mr Graffius, do you have any comments?

Christopher Graffius: My comment would be that when Parliament sets a limit, the industry then seeks to comply with that limit, and that is precisely what has happened with these rifles. I have never seen one of these weapons used, but I would say that anyone who possesses one legally in this country has been determined by a chief constable to be safe to possess it, and his security is adequate. That is quite a substantial test for any rifle. The owner must also have good reason to possess it, and that may well be a disability.

Q185 Kevin Foster: To be clear: you are comfortable with the ban on bump stocks—in your evidence, that was quite clear—but you do not have a concern about this particular element?

Christopher Graffius: I would be sorry to see people who have been judged capable of owning these weapons securely and safely having them removed by Parliament, and their recreation lost.

Bill Harriman: May I also say that the good reason test in the legislation is actually quite hard to satisfy and the onus falls on the certificate holder to prove that they have a good reason?

Q186 Kevin Foster: In theory, the same could be argued for bump stocks, but—

Christopher Graffius: No, I do not think so. I can see no legitimate reason to have those weapons, including for target shooting. I fear what happened in Las Vegas: we have an example there of a bump stock being abused to kill large numbers of people. It is interesting to reflect that that bump stock turned a rifle that was not an automatic rifle into virtually an automatic rifle. If the murderer had been using a .50 calibre, it would have been a bolt action rifle and he would not have fired anything like that number of shots, because the .50 calibres in domestic possession are single-shot rifles.

Kevin Foster: Okay. Thank you.

Q187 Mary Robinson (Cheadle) (Con): Mr Graffius, you mentioned shooting as a sport, and we know that we have world-class sportsmen and women in this field. What effect, if any, do you think this legislation would have on that?

Christopher Graffius: It would mean that Britain would not compete internationally, for example, on .50 calibre and it would mean that people would have a legitimate recreation destroyed, and I think that would be a great shame. People get very passionate about their shooting, as I am sure members of the Committee do about their own hobbies, and to have it removed is always a tragedy.

Q188 Vicky Foxcroft (Lewisham, Deptford) (Lab): You referred to the distances in shooting. As we heard in evidence on antiques, if somebody is going to steal weapons or buy them legally, distance is probably not an issue if they are going to use it to commit a shooting or a murder. We have heard that they are ending up being used to shoot and murder people. You have some issues in terms of recreational shooting, but what would you suggest we do differently, bearing in mind that the items are being stolen?

Christopher Graffius: First, I would want to say that you talked about illegal antiques, but no .50 calibre rifle legally held has ever been used in a crime in this country. I know that when that is said, people often refer to the rifle that was used by the IRA to snipe at British soldiers during the troubles. That was illegally imported from America; it was not legally held in this country. That is the first thing I would say.

The next thing I would say is that range is important. There has been an attempt to convince you that these things are somehow extreme, when lots of rifles that the Bill does not affect can shoot at long ranges. Range is not what makes a rifle dangerous. It is putting it in the wrong hands, and the bullet being fired at you.

You ask what else we should do. What we should do is strive to ensure that the licensing system works properly, that customs work efficiently and that illegal weapons are not imported into this country. You are probably aware that only 1% of the firearms used in non-airgun firearms crime are rifles. I am not aware of any prosecution for attempting to import a .50 calibre from overseas. I am not aware of any illegal discharges of .50 calibre. I really think that that is the wrong target.

If you look at illegal firearms crime, 42% of it is done with pistols and those were made illegal two decades ago. The vast bulk of firearms used in illegal crime is the stock that has been there for many years and illegal weapons brought in from overseas. I urge you to look at ways that you can improve our border controls against illegal importation, and police powers and resources to seize illegally held guns.

Q189 Louise Haigh: Can I just correct that, Mr Graffius? The NCA submitted to us that a .50 calibre weapon stolen in 2016 was fired and had its barrel shortened.

Christopher Graffius: I am aware of the case, but no one can be sure as to whether it was fired by the criminals. You do not clean a rifle after every shot, so there may be residue in the barrel from the last shot legally taken by the owner. So we do not know whether it was fired.

Q190 Louise Haigh: Given that its barrel was shortened, I think we can reasonably infer they were intending to use it. That would not have been done by its legal owner.

Christopher Graffius: Well, criminals shorten barrels on lots of long guns. I think they made a mistake in doing it on a .50 calibre, because the noise, the recoil and everything else would have been quite substantial—if they did fire it, but we do not know that.

Bill Harriman: I do not actually think they knew what they had stolen. Having spoken to the man who was unfortunate enough to have his gun stolen from his house, he believes that it was simply opportunist and they stole what they could carry away. They simply grabbed this thing. I think it was abandoned.

Q191 Louise Haigh: A rifle that was stolen in the same theft was used separately in another crime by the same individual.

Bill Harriman: I think it is illustrative that one was used and it was not the .50 calibre; it was a smaller one. These things are very large. They are not the sort of thing that you can tote around the streets very easily.

Q192 Louise Haigh: No, but there is an example of it falling into the wrong hands, which is really quite terrifying and is exactly why it features in the Bill.

Christopher Graffius: Many dangerous weapons from civilian, police and military sources have fallen into criminal hands. That is always worrying, and we must always work to stop it, but the .50 calibre that fell into criminal hands from a legal source was never used in the commission of a crime, and no other .50 calibre has, precisely because it is not well suited to be used in a crime. To give you an example, the average weight of a Steer .50 calibre rifle is 30 lb. My rifle, which is a .308—the same as the NATO rifle—can shoot well over 1,000 yards and weighs 8 lb with the scope.

Bill Harriman: To pick up on that, as a young man, in the days when I was in the Territorial Army, I used to complain bitterly about being made to carry the squad light machine gun, which weighed 22 lb—and that was running around with it.

Q193 The Chair: Gentlemen, is there anything that you wish to add—something that you would like to have been asked, but did not get the opportunity?

Christopher Graffius: No, I think we have covered everything, thank you.

Bill Harriman: Thank you.

The Chair: In which case, Mr Graffius and Mr Harriman, thank you for coming this morning. We will move on to our next witnesses.

Examination of Witnesses

Baroness Newlove and Anne Longfield gave evidence.

11.57 am

Q194 The Chair: We will now hear oral evidence from the Children's Commissioner and the Victims' Commissioner. We have until 1 pm for this session. May I ask the witnesses to introduce yourselves, please, for the record?

Baroness Newlove: I am Baroness Newlove, the Victims' Commissioner for England and Wales. I also come at this from a personal perspective, having lost my late husband to gang-related violent crime.

Anne Longfield: I am Anne Longfield, the Children's Commissioner for England.

The Chair: Thank you very much. The acoustics in this room are quite difficult, so could everybody speak up? It is a long way for some of us to hear.

Q195 Louise Haigh: Thank you for coming to see us this morning. Baroness Newlove, could you describe your personal experience as a victim in the criminal justice system, and why that led you to campaign for victims' rights and a victims' law?

Baroness Newlove: The reason why I am so passionate is that I used to work in the court rooms—I used to take evidence down. When you go the other side, so to speak, and go through something personal, the way that you are treated certainly does not make you feel that the justice system is there to protect you. More importantly, my three daughters witnessed every kick and every punch to their father. They had to do cardiopulmonary resuscitation—he was choking on his own blood—and they were 12, 15 and 18. I then had to turn his life-support machine off, knowing full well that he had just got over stomach cancer, which nearly killed him, so you can imagine the trauma that we went through, and are still going through after 10 years.

I respected the court room, and still do respect it very passionately, but a lot went on around us. My daughters gave evidence and their clothing was removed. My sister took them to a VIPER—Video Identification Parades Electronic Recording—parade, which is just head and shoulder identification shots, and my sister was told to turn around and stand in the corner by defence solicitors. I think it is absolutely appalling. My children were asked to sit on their hands, and told, "Don't fidget. If you want a break, let the usher know, but you're not to cry." Yet the defendants in the dock—aged from 15 to 18—were, I have to say, mollycoddled and coached. We had one adjournment for a dental appointment. In the court room there were no family rooms. It was a very volatile situation.

I didn't have a vision for this, but when anybody says, "You really don't know what it's like," I can assure you: I am a gobby northerner and I am still going through that criminal justice system. It saddens me today that I have people in my office crying, because of the lack of respect and dignity.

Q196 Louise Haigh: Would you say that that lack of respect comes from the whole criminal justice system at every stage?

Baroness Newlove: It can come from individuals or non-communication. It can also come from the system itself, where they are expected to behave in a certain manner and they are the last port of call to find out information. Through social media, I have known verdicts in the Royal Courts of Justice before the judgment was supposed to be public. I have three daughters who live in the north and I am having to coach and tell them that it is not what it seems.

I have just been on the radio about a rape case today regarding a victim of social media. She has been trolled and basically told, "I hope you do get raped," because the case was acquitted, "and I hope you kill yourself."

For me, it is the whole process. It does not help when individuals do not make it easy for you to go and ask questions.

Q197 Louise Haigh: Could you explain to the Committee what your recommendations are for a victims' law or victims' bill of rights?

Baroness Newlove: With the victims' law, I keep challenging, because it has cross-party approval, and it has been in the manifesto twice. For me, it is about the practical issue and not just legislation. Victims do not have legal rights; they have a code of practice. We have been told by legal people that that is up to persuasive guidance. That is not good enough in my eyes and it is not good enough for the victims that I see on a daily basis around the country. I want to ensure, also, that they have the same rights as an offender—not to take away the balance of the rule of law, but to give them the same rights, so that they have the communication, they know somebody they can speak to and they can get the right information. They are not always given the right information.

That is why I want to have a victims' advocate, not to interfere with the adversarial system. It should be someone who is qualified and paid to do the job. Volunteers do a great job, but—no disrespect—you do not put a volunteer with a defendant in the dock. When they are convicted, you do not put a volunteer with a prisoner.

I am sorry, but if you are really taking victims seriously at this end of the criminal justice system, we need that qualified advocate to build a relationship from beginning to end so that even if they don't go to court, there is somebody there who will take that pressure away—so that people are not feeling suicidal, as I did. That will also help them to get support and rehabilitation. We always speak about rehabilitation of offenders. What about rehabilitation of victims? They lose their education, welfare and homes, as I did. The issue is not just legislation, but the practical skills. If they need legal aid, I would urge the Secretary of State for Justice to give legal aid where it is necessary. That is a huge issue, I know, but it is a stepping stone and it is a work in progress. A law has to be put in place now to protect the rights of victims.

Q198 Louise Haigh: On the independent advocate proposal, how is Victim Support not filling that gap at the moment?

Baroness Newlove: As you know, police and crime commissioners now have the funding for victim services. Some areas have Victim Support as their agency; others have chosen to go with Citizens Advice or to make their own, such as Vera Baird has done with Victims First, and we have victim hubs along the way. That works fine, if it works well for victims. But some of the victims I have met actually on visits to PCCs have never been involved in the support services. While the police say they do their best, it is quite interesting to listen to victims where the police are not coming out.

For me it is about that advocacy; it is not about signposting and it is not about putting everything on the police's shoulders. There has to be a professional in place. The framework I am looking at—working with Vera Baird and Martyn Underhill, who is looking at the advocacy role—looks at a court advocate, a mental health advocate and a general advocate. I am looking at a general advocate, who would be there to introduce themselves at the victim's pace.

Victim Support is under austerity measures. It can work well, but there are gaps and I do not want there to be gaps. They can send volunteers to them, but, while they do a tremendous job and they are all of a set age, I want to have a professional, because it makes you feel that you are being put parallel to the offender.

Q199 Louise Haigh: I appreciate entirely what you say about it not just being about legislation, but in legislative terms, am I right in thinking that the key element is that right to a legal review from the Crown Prosecution Service and the police?

Baroness Newlove: Yes.

Q200 Louise Haigh: Thank you. Ms Longfield, your recent report on vulnerability identified more than half a million children who were so vulnerable that the state had to step in, and tens of thousands of children involved with gangs. Could you explain what your definition of vulnerability in this context is, and why these children are so vulnerable to exploitation by criminal gangs?

Anne Longfield: This is an area of work that I have undertaken; we have just moved into the second year and have published second-year statistics. I was concerned that there were vulnerable children who were carrying risks that often were invisible. We can see them when they come into contact with the state in care or child protection, but there are a raft of children who are carrying risk that we would all be concerned about if we knew, but who often are invisible. They become visible when they hit the headlines, but at that point, the crisis has already hit.

My analysis team has undertaken an extensive piece of work that looks at severe disadvantage, bringing together data from across public datasets in a comprehensive framework of vulnerability, with 40-odd groups. We are also doing further analysis on where there is multiple disadvantage and around particular family disadvantage. The idea is to get one set of understandings of vulnerability, but also get that to be recognised when look at how we reduce those risks.

We found that, actually, about 2 million children are living in high-risk households—that is, families who either have an addiction to alcohol or drugs, have a parent with severe mental health problems or have experienced domestic violence in the household over the last year. So there is significant risk. We have been quite conservative with these estimates; they do not look in any way to exaggerate.

As you say, of those 2 million, around just more than half a million are in the social services child protection and care system. We think that about 1.5 million are not getting any visible form of support. Some will get troubled families support of some kind, but we think there is a group in there who are not getting the early identification and support that they would benefit from to enable those problems not to escalate.

You mentioned the gangs figure; around 70,000 children self-identify as being in gangs. Of those, 30,000 are 10 to 15-year-olds. Many more know people who are in gangs. We think those statistics demand reference, not only because they are children who need support now, but to better understand the policy response, which needs to be multifaceted and long term and to start from birth.

Q201 Louise Haigh: Do you think the Government's current policy response is sufficient?

Anne Longfield: The system we have at the moment does not see a child as a whole. One of my frustrations is that no matter how good a policy intervention in one Department is, it only fixes one set of symptoms; it does not look at the causes overall. Huge amounts of energy and effort—and sometimes distraction, I have to say—get taken up with particular initiatives that are in a health box, school box or crime box. Actually, none of us is as conveniently neat as that.

Human beings are complex; vulnerability affects every aspect of our lives and we know that it comes out in different ways. To really tackle the causes of vulnerability, we believe that there needs to be a joined-up approach nationally but importantly locally, too.

Q202 Louise Haigh: I do not think that anyone would disagree with that. It is a problem that every Government have struggled with—the Whitehall separation and the need for a whole-system approach. How do we crack that?

Anne Longfield: A recognition of the flaws in seeing it within segments in Departments is the first step. We also need a recognition of the divisions that are sometimes brought by different slices of money at the local level.

One of the things that I am really keen to look at is how we can maximise the potential of the new multiagency safeguarding arrangements coming into place now. They have got a year to develop their plans. They require the police, CCGs and children's services all to be at the table. They are much stronger than the previous safeguarding arrangements. The guidance is very clear that the work has to be seen within the context of safeguarding. It is not just about the risk being carried by a child and family, but the wider risks to the community from violence, gangs and the like.

Within that, there is a distinct possibility of looking to a group of agencies that have clear responsibilities in an area. The mechanism has to look in the first instance at a risk assessment and coming up with a plan. Within that, they should be asked to come up with a 10-year plan that will reduce violence and risks in that area, which they can evidence over time. That is not as explicit as I am putting it at the moment, but it is a recommendation that I put forward that we believe would provide a mechanism to start to move beyond the short-term crisis response that so many areas are in.

Q203 Louise Haigh: How do schools fit into the new safeguarding arrangements?

Anne Longfield: There is now a requirement for schools to work together. It is much more explicit about that. Many schools that contact me are very worried about what they know is happening with the pupils in their schools. I have had some very good examples of schools that are doing positive work. A headteacher from alternative provision in Manchester is doing fantastic work. She believes that half of the pupils in her school are in gangs. She is doing it on her own. She is having to identify the problem, work it out and put forward measures that I think are very strong, but she has not had help or guidance with that.

The message to schools is that it is important that they are involved in this board and this area-wide activity and plan. For those new boards, it is important

not only that they are informing schools what they are thinking, but that they are actively engaging with schools as part of the solution.

Q204 Louise Haigh: Finally, why do you think so many children are so vulnerable? Has the number of children who are vulnerable to exploitation by criminal gangs increased?

Anne Longfield: The fact of the matter is that we have not had this data before. I can only do this because I have particular powers that mean I can gather data and datasets from public bodies. I am in a position where I have an overview. My starting point is the child. I cannot say that there is an increase in totality. What we do know is that there are very concerning increases in various groups of vulnerable children. I would certainly say that an increased number of children are being marginalised, and I think the context of that marginalisation is becoming more and more concerning.

The children that have been marginalised are those who have been excluded from school and are outside the mainstream. There is new data today on the annual exclusion figures, which show a 64% increase over the past four years in the number of children excluded from school. It is 17% in the past year. Once they are outside that mainstream, they start to be in a system where they have fewer safeguards around them.

The safety net is gone. Three quarters of the children will be persistently not at school—there will be persistent absence. They are there, identified for those who wish to target them and prey on them. The children who are being pushed out or are falling out of the mainstream are increasingly marginalised. The stats show that. In terms of those that are in custody, 89% have been excluded from school. I could fill the next hour with those stats but I do not really need to because they speak for themselves. I am very happy to share them with you.

Louise Haigh: That is really shocking. Thank you both so much for giving evidence today. You have both provided really invaluable evidence. I should have said that at the beginning.

Q205 Tulip Siddiq (Hampstead and Kilburn) (Lab): My question is for Baroness Newlove. You have made a very strong case about a professional—a paid advocate who supports victims. I just want to probe that a bit further. Were you talking about support for victims or victims' families, and what do you think when it comes to qualifications? Would they be legal qualifications? Would it be counselling experience? Do you think there is a difference between being a paid advocate for people who are under 18 and one for those over 18?

I am assuming there is obviously a difference between the qualifications one would need to support victims of a different ages; but really I am trying to get a sense of what kind of person you would be looking for and, also, what their duties would be, in your experience. Would it be explaining what is happening in the court system? Not everyone will know. Would it be administrative help with filling out forms or giving advice on finances? I am trying to get a clearer picture of the case you are making, which I think is a strong case.

Baroness Newlove: Yes, everything you have said is a mixture of what we are looking at as the role; in fact, my team are doing a rapid assessment at the moment.

Tulip Siddiq: Would you mind speaking slightly louder? Sorry, I cannot hear; the acoustics are quite bad.

Baroness Newlove: On what I am looking at for a victims' advocate, one of the reviews I will be doing at the end of the year is a rapid assessment, looking at victims' advocacy, because it is very important. While I mean a paid professional, I have not fine-tuned that yet; that is why I am working with Vera Baird and Martyn Underhill and looking at the framework of an independent domestic violence adviser or independent sexual violence adviser—because you have got the framework there.

I appreciate that if we are going to start from that basis, the issue will be down to costs, whoever is in government. I do not want to duplicate what we have already got out there, because the roles of IDVAs and ISVAs are very important to the relationship with the victim and also important to empower the families, because it is family members who have got to pick up as well. That is why I think it should be paid.

If they are over 18 it can be a lot easier, but if they are under 18 we have to look at the skillsets, and that is probably why you are looking at youth workers. I know there is some evidence about whether we should make them qualified. I think anybody who comes in front of a child should be qualified, should be accredited; and more importantly the reason why I want to have a victims' advocate is that there are gaps in victim support agencies—not Victim Support, the organisation: victim support services.

If victims do not feel there is an organisation out there to support them right through, they set up on their own. That is not a bad thing; they come from a good place, but actually nationally and centrally that is a bad thing for them to have to do. We have got no national standards. We have got no accreditation system. It is not very professionalised and you would not put that in front of a young offender, or an offender who is over 18. I am trying to professionalise a system that is basically run, majority, by volunteers and good will.

Money is very tight, so I want to make sure that the money is used wisely. That is why, looking at that—and it follows right through; you have asked us if it is explaining court, if it is about finance: it is the whole package. They are signposted at different stages from different organisations. One will say, “Why don't we do this?” Victim support in some areas do not fill in the criminal injuries compensation; I am actually in the throes of doing a review on a victim's journey. Some areas do but some areas do not. It is very much a postcode lottery. Each regional area looks at things differently. Lancashire PCC's victim support service gave a counselling service to victims of terrorism—completely out-of-the-box creativity. I want to ensure that this role is looked at professionally and respected. Also, what it is bringing to the forefront is that independent domestic violence advisers—the court environment do not respect them as a professional. We are losing skilled workers who are essential to people who have been sexually abused and domestic violence victims. That is why we are looking at the role of the ChISVAs, as they are now called—the children and young people's independent sexual violence advisers—to help the youth. If they are not known as a role now, why are they not? They are literally being taken away out of the courtroom environment. If we have a victim's advocate who is

qualified enough to do that, we can start to have that stepping-stone and better mileage in understanding the victim's journey. Does that give you a flavour?

Tulip Siddiq: Yes; that was very comprehensive, thank you.

Baroness Newlove: Hopefully, a rapid assessment will give us a few more teeth to go forward.

Q206 Vicky Foxcroft: My question is about the care system. They are looked-after children and we are supposed to act as their parent. What more do you think we can do, particularly as they are far more vulnerable to being excluded, have more adverse childhood experiences and are more likely to get involved, or be tasked with being involved, in youth violence?

Anne Longfield: One of the things I have put in place over the last couple of years is a measurement of the stability of children in care, because stability is key to ensuring that children can begin to get over and move on from some of their experiences before care and start to build themselves into their journey toward adulthood. Stability is the biggest thing that children have come to me to talk about. It is the thing they say they would benefit from and want most, but it is not there for many of them. We know that placement moves are far too frequent, that school moves are far too frequent, and that most of them experience a constant movement and change of social workers. For too many children in care, all the people who we all know are really important in our lives, the trusted adults who are there to help you and to build relationships with, are constantly changing.

We know there is a particular group of children who are particularly marginalised from the relative—it is relative—stability that most in care will experience. That particular group is children with the most complex needs, who will ping or pinball around the system. It is in their teenage years that they are most likely to be at risk of that. They will be the ones with complex needs; they will be very challenging for schools, foster families and residential homes, but none the less they are put at higher risk by being pinged around and not supported or helped. Essentially, there is a gradation of risks for children in care. The vast majority will be relatively stable—not as stable as I would wish them to be, but compared to the instability of that high-risk group they are not so much in the spotlight.

The issue with that high-risk group, which involves a number of thousands of children, is that we know who they are. I suppose that is part of the message about knowing who the vulnerable children are. We know where they are. There are trigger points and clues within their lives as they grow up that things are going very wrong. That starts very early on. Talk to most early years workers, and they will be able to tell you the children they believe have carried the highest risks. It goes into school. It emerges often in teenage years, when they may be excluded from school, especially as they get into the midpoint within secondary school. Then they are in a pupil referral unit, alternative provision, custody or care.

Those children are almost going down a funnel toward a crisis point. At every point there are trigger points where interventions could help to bring down those risks and prevent children from graduating to that next

dreadful stage. There is not a system in place that is established and consistent enough, in any real way, to enable us to identify those children and have the help in place to prevent those risks escalating and to treat those difficulties. The issue we really need to understand is that many of those things are preventable and treatable, and knowing that, my argument is that we must.

We also know—although it is not all about money—that because the funding in local authorities is very tight at the moment, half of all the money that goes into children’s services budgets is going on the 72,000 children in care. If you add in those on child protection plans, it is three quarters, which means that there has been a 60% drop-off for youth services and Sure Start, which are where many of those children and families are picked up and helped. There is a context that this is happening within, which is why it needs to be flipped on its end, in my view, in terms of a proactive determination to reduce risk and intervene early.

The Chair: Before we take any more questions, may I suggest that some questions should be about the actual Bill? We have had some general discussions so far, and I have been very tolerant, but it is probably time to focus on the Bill.

Q207 Nigel Huddleston: I will try to be a bit more specific. Ms Longfield, you have articulated a story where there are almost predictable patterns of children going into violence. I know we are talking about human beings and numbers, but that kind of forensic analysis of the data can be really helpful. To be a bit closer to the Bill, I want to get down to the specific intervention that is required. In particular, when we are talking about access or exposure to violent crime or weapons, what can we really do to have an effective intervention?

Anne Longfield: I do not want to veer off too much, but the intervention will clearly be different at different ages, so you would not have the same intervention with a two-year-old who was at risk because of family factors as you would with a fifteen-year-old who had already been in custody once and was in danger of reoffending. There would be different interventions.

In the longer term, there is much work that needs to be done with families in the early years, which can reduce those risks and help to give children the resilience and the external support to grow up in a stable environment. As children are going into school, much can be done to build their skills with extra support, support within the classroom and added support around the school, along with help for families.

When you get to the point where children are at a distinct risk as a group, when they are excluded from school, there is very difficult behaviour and they are getting into trouble with the law and the like, and when there is the kind of violence we have seen in communities, you are talking about specific interventions that draw together agencies. There is an element of disruption—you disrupt the pattern and have trusted adults there who can start to talk about the different narratives and look at activities that disrupt.

You are looking at interventions at the age of seven and eight within primary schools that, again, offer different narratives and help children to develop their own sense of confidence and self-belief. The confidence, self-belief and resilience to be able to say no and walk away from being in a gang—frankly, a lot of kids will

say they do not feel they have any choice, because the violence is so extreme and the organisation is so forensic—start early, at the end of primary school.

It is breaking a cycle. I was shocked to find out—I know that I am forever joining the dots and there is always something new to find out—that in a young offenders institution I visited lately for 16 and 17-year-old boys, a fifth of them were already parents and had babies. That is why I talk about that constant life cycle and being able to intervene at different points.

Essentially, you have to make it the day job of every agency that comes into contact with them, so the relevant people are around to help. This is not about putting everything on teachers and making them the last people standing on this. It’s really about being able to understand who can identify who those kids are, who can help and what you can do. By the time you are talking about prevention—last-chance prevention almost—you are talking about significant help to bring mental health problems down. You are talking about real help to look at options, resilience, confidence building, self-belief, respect, relationships, and all of the things that so many of those children will not have had from their own family circumstances, or indeed as they go through school, because a lot of these children will not have been in school since primary school.

Q208 Nigel Huddleston: We heard evidence earlier this week that exposure to gangs is a real problem, and that very young children as victims can all too easily become perpetrators because of their environment. We heard about the importance of education, about the power and influence of acid attacks and knives, and about understanding the victims. Is there an educational element in terms of that empathy and understanding? I know it sounds bizarre, but there is a link between victims and perpetrators.

Anne Longfield: Of course. There is a strong educational element. On the kind of work I was talking about in relation to seven and eight-year-olds, what I have seen happening in a very positive way has been in the final years of primary school with ex-probation officers who have gone into schools and actually talked to children in a relatively grown-up way about violence and the impact of your actions, and they have talked about being able to understand and have some empathy with those that you will have an impact on. Who will be affected if you attack someone? Family; community; and not just on one day, but forever.

All the evidence shows that the final year of primary school is a really powerful moment to put in alternative narratives, not only about what is good, what is cool and what is the thing to be, but about building empathetic skills and resilience skills. In a workshop that I was in, they started on a Monday and said, “What do you think is the best weapon you have?”, and of course everyone said the most powerful weapon: a knife, a gun, whatever. By the Friday, after five sessions, they said, “Your brain.” Having a sense of agency, using your brain and knowing some tactics to get out of difficult situations was what they felt they gained from. The kids were overwhelmed by it and thought it was fantastic.

Q209 Stephen Morgan (Portsmouth South) (Lab): Baroness, could you say a little more about what change a victims’ law would make to individuals from your perspective?

Baroness Newlove: A victims' law would make victims feel they have legal rights. The majority of victims, or most victims that I see, believe they have no legal rights when they listen to the courtroom system. Sadly, I met some victims who had lost their daughter to murder. They felt the system was very much offender-focused and all about the rights of the offender. They felt that the police and the defence had to abide by the offender rules in the courtroom. That is why I believe that if we have legal rights for victims, they will feel that they are very much part of the process and will not feel that their loved ones are just a piece of evidence.

As my daughter said when she was 18 and gave evidence, her father was on a map and he was Man A. She has never forgotten that. That is the whole point. I appreciate, Chair, you want to go back to legislation, but in this legislation there is no wording about victims. Although I welcome the Bill, it is about the crime. We are talking about offenders and how we can make the message sterner, but there is no information or wording about the victim. If you are serious about both, you must ensure that that is looked at. If you look at offenders as victims as well, they need to know that they can be protected from going down the criminal path.

Q210 Stephen Morgan: This morning we have seen reports about a further increase in knife crime. Can you say a little more specifically about knife crime and acid crime and about any particular feedback on the standard of service that victims of those crimes face?

Baroness Newlove: I have done this work now for 10 years. Before I became a baroness in the House of Lords, I went and did my homework. I have been into prisons and youth offender institutions, and I have also worked with medics on first aid. I have spoken to young gangs about knife crimes, and 10 years ago it was about how they cut the person. It was the designer cut—it was a weapon of message. Now we are seeing that weapons have got even worse, with the shape of them. They are absolutely appalling.

Talking to victims of knife crime, they feel that there are two sides. Why are they carrying a weapon? To feel protected—yet they kill another human being. It does not add up for them. Also, if they live in an area where there is high knife crime—I have met families in Hackney who have lost family members from that—they do not understand why they have the ability to get hold of a knife in the first instance.

They also believe that we need to educate them. I met a very good group of medics who carried out first aid for young people who were in gangs—this was in a youth offending centre. Young people have this thought that if they just stab someone once they will not die—it is just a warning. Actually, as the consultant said, you can die from a wound in your big toe. I thought then—this was seven years ago, and I know we are talking about medics now for the programme—that that was a good idea. They were not only teaching them first aid so they could help their friend in the gang, and get them to A&E, but getting to understand their language. When they come into A&E they freeze up, and they could be a pure victim stuck in a gang environment. That has always hit home for me.

I am delighted that we are looking at medics, but more importantly, if we are looking at education to stop this, victims say, “Why are we not educating them more

about the graphic detail?” They will go on an Xbox and think it is great to shoot and knife people, but it is not life—you can pause. Unfortunately, in life somebody will be injured. In education, it is very important that we bring first aid back into our classrooms as mandatory. First aid helped my daughters to help their father. Helping these gangs with more creative first aid will educate them, and make them feel that they have some tools.

Also, if these are pupil referral units—PRUs, as we say—why are we paying so much money to these individuals to then shove them in a room? They probably do not have academic skills but have practical skills to use a knife in a practical way to get a job. I get really infuriated when I have been round and seen victim services helping these families to cook, to wash and to raise their family in the best way, and the schools feel it is quite right to send their PRUs to them, but not to pay them the premium money that the school gets. That is where victims keep asking me, “Why are we not doing enough on early intervention to stop that?” I think it is commendable of victims' families—the people who have lost somebody—to help people.

Q211 Stephen Morgan: Thank you for that—that is hugely helpful. In the light of the provisions in the Bill, is there anything specific around the victims of acid attacks?

Baroness Newlove: What worries me with acid attacks is that medics have said that they do not want to report them. They are very scared, and the offender finds it the easiest weapon, as such. They are not born with this weapon, but this liquid seems to be easy. We have to pull out of that and highlight the horrible acid attacks and what they do, and be stronger on sentencing as well. Liquid is quite easy to throw, but is devastatingly effective on victims. The system they go through is more life threatening than anything.

Q212 Stuart C. McDonald (Cumbernauld, Kilsyth and Kirkintilloch East) (SNP): This is a quick question for Anne Longfield. In some of the submissions that we have received, and some of the evidence that we have had, there has been a suggestion that we should make it a specific offence for somebody who is under 18 to attempt to purchase either a corrosive substance or a knife. What is your position on that suggestion?

Anne Longfield: On an attempt to purchase?

Stuart C. McDonald: Yes.

Anne Longfield: I want to do anything possible to reduce the violence, both from children and on children, but I do not want to criminalise them. I want to do as much as possible to intelligently act on these triggers, but I know that when we criminalise children there is one path. We know that over the last two or three years, there has been a doubling of children, under 18, who are in prison because of knife crime. Once they are in there, we know that 68% reoffend, so there is one route. My position is firmly on preventing that from happening, and using that as a trigger.

Q213 Stuart C. McDonald: So you would oppose any sort of attempt to put that into the Bill.

Anne Longfield: I do not think it would be an effective solution to what I want to see.

Q214 Mary Robinson: We have heard from you and from Rob Owen about what seems to be a very strong link between offensive weapons and young people who have been excluded from school. You have talked about the work that can be done and alluded to alternative provision in Manchester. Can you give some specifics about what can be done at the point when young people have been excluded from school and, as we hear, are being targeted by gangs because they are available and perhaps vulnerable and in trouble? Are there any successful pilots currently operational in this field?

Anne Longfield: I do believe there is a link between children being marginalised and outside school and an increased risk of being involved in violence and knife crime. There has been a huge increase in the last five years—a significant increase of 64%. When children get into PRUs, they cost us a lot more—£30,000 a year, which is six times as much a place—so on social and economic grounds this is completely unsustainable. They often have a twilight timetable, which means a couple of hours here and there, which means they are getting all the benefits of contact with those who wish to get in contact with them and none of the benefits of stability from any kind of provision.

The first thing is to reduce the number of children who are falling out of school. In my view, mainstream schooling should be mainstream. Some areas have done very good things to keep children in schools, and the default needs to go back to keeping kids in schools. The kind of things you see in some of the best alternative provision—some is good—are about close relationships with parents, agreed ways of walking to school, agreed leaving times, phone calls if they are not there, and extra support, one-on-one tuition and the like. All of those things. That could be delivered within a school context, but of course a lot of schools think they do not have the incentives for that because they will not be judged on it, which is why there must be a change in what we look at in terms of judgment around schools.

Keeping children in school is really important, as is increasing the quality of the provision of those out of school and being clear about the purpose of them being there, and—it sounds ridiculous—having a much greater focus on the kids' outcomes when they are there. This is not a warehousing exercise for children who are a bit difficult and too difficult and complex for a school; it is about children's futures. That just does not work in the PRU system. It is set up to fail, and if you end up in that situation it only goes one way. You had the St Giles Trust here the other day, which is well respected, and it says that 100% of the children and young people it works with on county lines come from PRUs. Clearly 100% is a lot—it is a big figure—but we get the sense of scale in that.

The headteacher who wrote to me had a whole raft of things in place across her alternative provision. She had training for teachers, a whole school approach, relationships with family members and specific activities in the classroom to bring down the rhetoric and language around gangs, because there is a whole language around street violence that breeds violence, and a whole way of looking at things, showing that retribution is not the only way forward, teaching young people life skills that will take them away from violence rather than towards it. I have

yet to visit that place, but that is a good example of where a school knows there is a problem and is proactively doing very good, responsible things.

In different areas there is a hotch-potch in responses. In some areas the police will look to scabble a bit of money together—often only a few hundred pounds—to put on sessions and workshops in schools, but sometimes they find it difficult to get that money. They are often working with the police and crime commissioners, but again there are limited funds. They are often not well set up to start working with feeder schools for hotspot secondaries. All that is new territory for a lot of police forces. That is why a longer-term collaborative approach is the way forward. There is not a magic bullet for this, and we cannot police or legislate our way out of it. Although that is clearly important, this has to be a long-term process that looks at an alternative approach for those children and recognises where help is needed.

Q215 Karin Smyth (Bristol South) (Lab): Baroness Newlove, in terms of the sorts of things you would like to see for victim support, are you looking at models elsewhere in the world and considering whether they may be helpful for us? I know you are working on it here, but is there anywhere else that looks good?

Baroness Newlove: Unfortunately, my role and my budget only allow me to go to Wales, so I cannot say I have seen them personally, but my team are looking at rapid assessment. That is why it is important to see where it works well with support. I could not say without evidence and without having looked at it, and of course doing that takes a lot of resources, but at the end of the day, if we cannot get it right here, we have to look elsewhere. This is about humanity at the end of the day.

Q216 Karin Smyth: I do not disagree. I am just interested in whether there are places that could be considered with other resources.

Baroness Newlove: There will be places. The USA has victim advocates, but there are different county lines and county issues there. That is why I am looking forward to rapid assessment, which we looked at in "What works"—the international evidence assessment of the four pillars. I think it will be on the basis of that that we look at the support mechanisms right through. I can always send you that report when it is available.

Q217 Karin Smyth: Thank you. This question is for Ms Longfield. We heard that a lot of the crime associated with the sorts of weapons we are looking at is around London, where there are major problems. Do you have a view about the geographical spread of the problems we all have in relation to the outcomes of the sorts of things we are looking at in the Bill?

Anne Longfield: There are certainly urban hotspots in terms of violence, and clearly London is one of those, but we have seen over the last few years that that is increasingly affecting every area of the country—perhaps not the extreme violence and murder that we have seen in London, but certainly things like county lines. At one point, that largely involved drugs being exported from urban areas to coastal towns and the like; now, every police force in the country says they have county lines in their area. The strong message from that is that none of

us should think it is something that happens just over here or in particular communities—in urban areas that are the most disadvantaged. The prevalence may be higher there, but this actually happens in every area now. We know from the NCA that there are more than 1,000 county lines around the country.

Any of us would be shocked by the viciousness and tenacity of that business model, which is based on extreme violence. Young people who live in areas where it happens sometimes say, “I’ve got no choice. Joining isn’t a lifestyle choice to me—I can’t see any other way. I don’t have the protection of a family. I don’t have the kind of consistency at home that gives me the safety net and the resilience to be able to fight this.” They want to belong. They want to be protected. Someone from St Giles said the other day, “Kids pick up knives like you might pick up car keys before you leave the house.” It is on that level of normality. We need to understand that and then act in a very determined way to ensure that it does not remain normal going forward. It cannot be right.

Again, there are reachable, teachable moments, but this is a concern for anyone—every police force in every area of the country—because the business model is very determined and it acts very deftly, so if there is a blockage here, it will go a different way. County lines, which are based on violence and coercion, now work in a way that recruits young people from a local community, and they are the ones who go out to sell and deliver the drugs, and report back to a base, sometimes hourly, with photos to show how they have been doing. That should be a concern for all of us, which is why I talked about the new safeguarding arrangements. They are in every area and they have a consistent responsibility and requirement to pull those agencies together. They all have to write a plan based on what they know the risks are, and we should be explicit about violence and knife crime as part of that plan.

Q218 Kevin Foster: I found it interesting to hear what you said, Chair, about being conscious that we are a Bill Committee, so I will focus on a couple of questions about the Bill. In terms of clause 1, which details the sale of corrosive products to persons under 18, we have asked in the other evidence sessions whether 18 would be a suitable age. I have asked retailers. Do you have any thoughts about that provision?

Anne Longfield: Certainly many agencies now look at young people up to the age of 25. We know that 18 is often quite an arbitrary age, because children are still developing. In terms of mental health, for instance, most of the mental health care that is most effective looks at under 25s, so—

Q219 Kevin Foster: I am conscious that we have only nine minutes. Is 18 still the appropriate age to be in the Bill, or should it be 25?

Anne Longfield: We are working on the basis of 18. I do not have any opposition to 18. I just put before you the fact that 18 is not always the most effective age in terms of improving outcomes for children and their communities.

Q220 Kevin Foster: I accept that there has to be a cut-off, because we are making a piece of law. What impact do you think the provisions on corrosive substances

will have on reducing the number of victims of those offences given, as you outlined earlier, Baroness Newlove, the huge impact it has on people?

Baroness Newlove: I think it will send a message to victims of acid attacks. At the moment, people use acid to injure people, and it is an easy thing to do, because there is no custodial sentence for it. We have to make it clear, but we also have to look at the sentencing. It is a life-changing injury, which costs a lot to the state in healthcare, so we have to have a good sentence. The whole Bill has to mean what it says on the tin, and that is why this is important, but the sentencing guidelines have to follow through. We already have knife crime legislation and it does not have that effect.

Q221 Kevin Foster: Thank you for those comments. Can I take you to clause 6(1)(b) of the Bill, which says “when the offence was committed, the person...was aged 16 or over”?

Are you content with that provision? Is it appropriate?

Anne Longfield: Again, for 16 and 18-year-olds the response needs to reflect the age of the young person. If they are criminalised at that stage, they will only go down one track. I would prefer a way that triggers a response. I am not looking to be soft on people who are perpetrating crimes in any way, but if we are looking for an effective response, it has to be robust about that.

Baroness Newlove: Can I add to that? I know somebody else who has gone through it. If you have an offender who is 16, or under 18 years old, a victim who is 18 years old is seen not as a child but as an adult, and they will then get an adult provision. We are messing around with ages here. There is no clarity for victims of that age. That is my worry—that it will not have the right effect for victims to feel supported.

Q222 Kevin Foster: Given that we have spent a lot of time talking about the provisions on the prohibition of certain types of firearms, which are quite a major part of the Bill, do you have any specific thoughts on those areas in relation to your positions and roles?

Baroness Newlove: I do not have any evidence to produce on that. That is not my area, so I would not like to add anything.

Anne Longfield: No, the young people I talk to are not as involved in this area. I do not have particular evidence to offer.

Kevin Foster: So not a particularly strong view either way on those provisions. Thank you.

Q223 Louise Haigh: What do both of you think about mandatory minimum sentencing for children?

Anne Longfield: Where do I start? My starting point will always be prevention. I do not want kids to be in prison; I want them to be elsewhere and I do everything I can not to have them there. While they are in there, I acknowledge that some young people say it is the first time that they have felt safe. Those who work with them say that when they know that the average time they are in custody will be 14 weeks, all they can do is stabilise and move on. I want to have a system that can respond to individuals, so my instinct is not to go down the mandatory minimum sentences route but to look at individual cases.

Baroness Newlove: As Victims' Commissioner, I have to say that victims tell me they want mandatory; only then will it be effective.

Q224 Louise Haigh: Can you reconfirm that your victims law and your recommendations about it were in the Conservative manifesto in 2017?

Baroness Newlove: It was across the party for a victims law to be produced in the manifesto, but I am independent as the Victims Commissioner. It is something I keep speaking about.

Q225 Louise Haigh: But there was a victims law promised in that manifesto.

Baroness Newlove: Yes, that was in the manifesto.

The Chair: Are there any more questions about the Bill? No. In that case, I thank the witnesses for coming. It has been a very useful session.

Ordered, That further consideration be now adjourned.—(Paul Maynard.)

12.57 pm

Adjourned till this day at Two o'clock.

