

PARLIAMENTARY DEBATES

HOUSE OF COMMONS
OFFICIAL REPORT
GENERAL COMMITTEES

Public Bill Committee

OFFENSIVE WEAPONS BILL

First Sitting

Tuesday 17 July 2018

(Morning)

CONTENTS

Programme motion agreed to.
Written evidence (Reporting to the House) motion agreed to.
Motion to sit in private agreed to.
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,

not later than

Saturday 21 July 2018

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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)
† McDonald, Stuart C. (<i>Cumbernauld, Kilsyth and Kirkintilloch East</i>) (SNP)	† Smyth, Karin (<i>Bristol South</i>) (Lab)
† Maclean, Rachel (<i>Redditch</i>) (Con)	† 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

John Poynton, Chief Executive, Redthread

Patrick Green, Chief Executive Officer, Ben Kinsella Trust

Rob Owen OBE, Chief Executive, St Giles Trust

Jaf Shah, Executive Director, Acid Survivors Trust International

Andrew Penhale, Chief Crown Prosecutor, CPS North-East, Crown Prosecution Service

Trish Burls, Trading Standards Manager, London Borough of Croydon

Ben Richards, Campaigns and Policy Executive, Chartered Institute of Trading Standards

Public Bill Committee

Tuesday 17 July 2018

(Morning)

[MIKE GAPES *in the Chair*]

Offensive Weapons Bill

9.25 am

The Chair: Before we begin, let me say that Members can take your jackets off if they wish; I am certainly going to take off mine. Please switch all electronic devices to silent. Tea and coffee are not allowed during sittings, but you can finish the ones that you have—I am feeling lenient.

We will first consider the programme motion on the amendment paper, then the motion to enable the reporting of written evidence for publication, and then the motion to allow us to deliberate in private about our questions before the oral evidence sessions. In view of the limited time available, I hope that we can take those matters formally without debate.

I call the Minister to move the programme motion in her name, which was discussed yesterday by the Programming Sub-Committee for the Bill.

Ordered,

That—

(1) the Committee shall (in addition to its first meeting at 9.25 am on Tuesday 17 July) meet—

- (a) at 2.00 pm on Tuesday 17 July;
- (b) at 11.30 am and 2.00 pm on Thursday 19 July;
- (c) at 4.30 pm and 7.00 pm on Tuesday 4 September;
- (d) at 11.30 am and 2.00 pm on Thursday 6 September;
- (e) at 9.25 am and 2.00 pm on Tuesday 11 September;
- (f) at 11.30 am and 2.00 pm on Thursday 13 September;

(2) the Committee shall hear oral evidence in accordance with the following table:

TABLE

<i>Date</i>	<i>Time</i>	<i>Witness</i>
Tuesday 17 July	Until no later than 10.55 am	Redthread; The Ben Kinsella Trust; St Giles Trust; Acid Survivors Trust International
Tuesday 17 July	Until no later than 11.25 am	The Crown Prosecution Service; London Borough of Croydon; The Chartered Trading Standards Institute
Tuesday 17 July	Until no later than 3.15 pm	The National Crime Agency; The National Ballistics Intelligence Service; National Police Chiefs' Council lead on firearms and explosive licensing; The Metropolitan Police

<i>Date</i>	<i>Time</i>	<i>Witness</i>
Tuesday 17 July	Until no later than 4.00 pm	National Police Chiefs' Council lead on corrosive attacks; National Police Chiefs' Council lead on knife enabled crime
Tuesday 17 July	Until no later than 4.30 pm	The British Retail Consortium; British Independent Retailers Association
Thursday 19 July	Until no later than 12.00 pm	The British Association for Shooting and Conservation
Thursday 19 July	Until no later than 1.00 pm	The Children's Commissioner; The Victims' Commissioner
Thursday 19 July	Until no later than 2.30 pm	The Union of Shop, Distributive and Allied Workers
Thursday 19 July	Until no later than 3.00 pm	Thames Valley Police

(3) proceedings on consideration of the Bill in Committee shall be taken in the following order: Clause 1; Schedule 1; Clauses 2 to 30; Schedule 2; Clauses 31 to 40; new Clauses; new Schedules; remaining proceedings on the Bill;

(4) the proceedings shall (so far as not previously concluded) be brought to a conclusion at 5.00 pm on Thursday 13 September.—(*Victoria Atkins.*)

The Chair: The deadline for amendments to be considered at the first line-by-line sitting of the Committee is Thursday 30 August.

Motion made, and Question proposed,

That, subject to the discretion of the Chair, any written evidence received by the Committee shall be reported to the House for publication.—(*Victoria Atkins.*)

Louise Haigh (Sheffield, Heeley) (Lab): I am grateful for the publication of written evidence, but the responses to the consultation that was the forerunner to the Bill have not yet been published. A summary of the responses is on the Home Office website, but several of the witnesses who will give evidence today reference their consultation responses in their biographies, and we have not had access to them. Could we at least have the consultation responses from the witnesses who are giving evidence today and on Thursday, if not all the responses?

The Parliamentary Under-Secretary of State for the Home Department (Victoria Atkins): Yes.

Stephen Timms (East Ham) (Lab): The list of corrosive substances in schedule 1 is based on some scientific advice that the Government have received, as I understand it. Could that advice be made available to us as well?

Victoria Atkins: If I may, I will check with the officials and get back to the Committee on that.

The Chair: Perhaps we will come back to that, if necessary.

Question put and agreed to.

The Chair: Copies of written evidence will be made available in the Committee room.

Resolved,

That, at this and any subsequent meeting at which oral evidence is to be heard, the Committee shall sit in private until the witnesses are admitted.—(*Victoria Atkins.*)

9.29 am

The Committee deliberated in private.

Examination of witnesses

John Poynton, Patrick Green, Rob Owen and Jaf Shah gave evidence.

9.32 am

The Chair: Good morning. We are now in the public part of our sitting. We will hear evidence from Redthread, the Ben Kinsella Trust, St Giles Trust and Acid Survivors Trust International.

I remind all Members that questions should be limited to matters within the scope of the Bill. We must stick to the timings in the programme motion that the Committee has already agreed. For this session with the four witnesses here, we have until 10.55 am. Before we start, do any Members of the Committee wish to declare any relevant interests in connection with the Bill?

Victoria Atkins: For the sake of completeness, Mr Gapes, I used to prosecute for the Crown Prosecution Service and other prosecuting agencies before I was elected to this place.

The Chair: Thank you very much. Any others? No.

I ask the witnesses that when you answer a question for the first time, please introduce yourselves and tell us about your background. We will do it that way rather than any other way round, to save time.

Q1 Victoria Atkins: I start by welcoming the witnesses to the Committee. Thank you for coming to give evidence. To help to put the measures in the Bill on knives and acids into context, could you explain to the Committee what your organisations do in supporting victims and survivors, and explain the work you do with young people to divert them away from serious violence?

John Poynton: My name is John Poynton. I am chief executive of Redthread, a youth work charity that works in partnership with health, particularly emergency departments at major trauma centre hospitals. The charity meets young people when they are victims of violence and attends the emergency departments. It uses that window of opportunity or teachable moment to help with wrap-around support and to encourage and empower young people to help to break their cycle of violence.

There is a recognition in working with the London major trauma centres and other local emergency departments and the major trauma centres across the midlands that by the time a young person attends a major trauma centre with a major trauma stabbing or shooting injury, they have often already attended on average four to five times with lower-level injuries. The idea is that violence breeds more violence. Some victims

will go on to become perpetrators if there is not an opportunity to interrupt the cycle of violence, and others will go on to become victims time and time again.

There is an amazing opportunity in that clinical setting for Redthread youth workers—I am sure Rob will talk about the St Giles team on the trauma ward at the Royal London—to be embedded and to work shoulder to shoulder alongside the doctors and nurses, so that they meet the victims of violence in the department and follow the patient to give them support and really use that teachable moment.

Rob Owen: I am Rob Owen from the St Giles Trust. I suppose we are best known for the fact that I probably employ more former armed robbers and drug dealers than any other organisation in the UK. They like the fact that I am a reformed ex-investment banker, so that probably fits well.

Our model is that we want to use people with lived experience, who have had similar life experiences, to help our client group. In this field in London we want to focus predominantly on the preventive side. We run a very effective project called SOS+, using people who have had those lived experiences, who have been trafficked, sometimes exploited and certainly involved in gangs, to go into, now, predominantly primary schools and secondary schools to explain to kids the realities of getting into a gang—the realities of having a drug debt; the realities of someone forcing you to take drugs out of your backside at point of violence. They demystify the allure that a lot of people feel about county lines, getting involved in drugs and carrying weapons. The spread of county lines in market towns and coastal areas is something that I am sure you guys are aware of and something that is going to become an increasingly big problem in the UK.

That is the preventive side. On the doing side in London, we run one of the largest gang-exit services, again called SOS, which was founded 10 years ago by an amazing man called Junior Smart. It uses people who have very credible life skills to work with those who are in gangs and are at the point when they probably feel they can exit. We want to get them out safely, so sometimes we work intensively with the police to get them relocated, but getting a young child out of a gang is often much simpler.

Finally, to go back to John's point, we were very fortunate in being approached by Martin Griffiths who is the most amazing trauma surgeon in Britain and was celebrated by the NHS 70-year awards. He was fed up with the fact that 46% of young people on his slab had been there before—it was very interesting what John was saying. Martin was upset by the fact that these kids now have on average seven puncture wounds. They are not being attacked, as in the old days, by one kid on one kid; they are being attacked by multiple kids, so you get one person with very traumatic injuries. He was fed up with the fact that these same kids were coming back again and again. He brought in, through Redthread, our ability to come in and have those SOS caseworkers at the hospital, at the point of most need—a point of reachability, I suppose is the answer—to try to de-escalate violence that could occur because that young child has been attacked with their peer group, but also to take that kid and give them a much better chance of not getting involved again in the cycle of gangs. That percentage

has gone from 46% to 1%, which we are obviously quite pleased with and which I think Martin is very relieved about.

The people we are dealing with are multi-disadvantaged and very hard to engage. They feel they have no role or stake in society. The only way to help them is to put in place intensive support that encompasses their family and their siblings as well. That is the scope of what we are doing.

Patrick Green: My name is Patrick Green, CEO of the Ben Kinsella Trust, which was set up 10 years ago following the murder of Ben Kinsella in Islington in north London. We work with children who generally display really good behaviours and values and go to school. A lot of the children we speak to would not normally be those whom we feel are concerned with knife crime, but our ethos is that it is important that all young people should have a conversation around knife crime. We believe there is a teachable moment much earlier in the process, and our job is to stop young people going to John's and Rob's services. We hope to lower that number.

Many young people learn about knife crime from other young people or via social media, which are never the most reliable sources. We give young people the opportunity to talk to a credible adult and have an experience that helps them to embed good values. No young person is born with a knife in their hands. It is a learned behaviour. If you can help them to unlearn those behaviours or value the good behaviours and values that they have, at a point in the future when they might be tested, they can go back to a point that they have a reference on, and it makes a big difference in making more positive decisions. We have worked with about 10,000 young people since 2012.

Jaf Shah: Good morning. My name is Jaf Shah, executive director of Acid Survivors Trust International. Interestingly, we have always historically had an international focus, but the rise in attacks in the UK, particularly over the last five years or so, led a number of our partners and Government organisations with whom we have worked overseas to say, "Look, you are advising us. Why aren't you doing anything in the UK?" In order to not appear hypocritical, we decided to take on a largely advocacy role here in the UK to bring about some of the changes that we have brought about in other countries with a great deal of success. Our focus over the past few years has been about trying to raise awareness of acid attacks in the UK, to place them within the context of how it happened—why it happens, who are the victims, who are the perpetrators—and to use some of the methodologies that we have acquired to tackle those issues in other countries—with, as I said, some success. It is a new journey for us here in the UK because we are dealing with a quite different demographic than we would be dealing with in terms of perpetrators.

Our latest research is based on a Freedom of Information Act request, having approached all the police forces in the UK. I was of the view two years ago that the vast majority of attacks were committed by young men on young men, but our latest Freedom of Information Act request has revealed that that figure is distorted by the figures from London, where it is true to say that two thirds of victims are young men and a third of victims are female. If you take the Met figures out of the

equation, you realise that at least 52% of victims are women, which then starts to follow more closely the global pattern.

Here in the UK, we are looking to bring a change in legislation, and we are working with local partners to start to engage with the communities most affected. Our offices are based in Tower Hamlets, which has probably the third highest number of attacks in the whole of London. We particularly want to engage with survivors to begin engagement with young people around education programmes, and many survivors with whom we are working closely are very interested in pursuing that goal, with the desired outcome of reducing attacks in the UK.

Q2 Victoria Atkins: Thank you. May we hear your views on the availability of knives and acids to young people at the moment? We will start with Mr Poynton.

John Poynton: I do not have the precise statistics on what is coming in, but there is no question that there is no place for zombie knives, machetes and large weapons like that. My concern is that a number of young people will come to hospital with all sorts of improvised weapon injuries from screwdrivers and the like. Clearly it is important to make weapons less easy for young people to get hold of, but there will always be a need for education and earlier intervention, to look at how we get young people to understand that certain weapons are tools, and that there are ways to use them. This should not be about finding any sharp implement, be it a screwdriver or something else that has been sharpened, to use. When young people come to hospitals, it is not as clearcut as saying that it is just about zombie knives or kitchen knives.

With regard to availability, a lot of young people talk about the traditional method of ensuring that the public feel safer that weapons are being taken off the streets: we see the traditional use of photos of weapons that have been found or taken, and that helps us to feel that those weapons have been removed. The broader picture—the public health approach to looking at this issue—is that lots of young people will see those same pictures that make us feel safer, but they will perhaps not read all the copy that goes with the picture and they will see those pictures as showing the weapons that are available, and they are somewhat traumatised by the idea that those weapons are available. The availability or lack of availability of certain weapons needs to sit alongside a clear and simple narrative to ensure that the entire community—including young people and us—understands that the community needs to be safe. We all need to have the same perception that the community is safe, and not have this misunderstanding of what they need to do to feel safe.

It was interesting for the police to recognise last year that only 25% of knife crime could be attributed to gangs. My question is about what we do with the 75% of "normal"—for want of a better phrase—non-gang members. How do we really educate them to understand that they do not need to pick up a knife to feel safe on the streets?

Rob Owen: Picking up on John's point about escalation, it is almost like an arms race. What is happening with county lines in particular is that London gangs are looked up to as the grandfathers of gangs, and regional areas aspire to be more like London gangs, often because

of social media. They are saying, “We now need to have weapons, because we need to up our game.” In the old days the drug market in a market or coastal town was safer. Nowadays the kids who are involved in county lines or local drug dealing groups are thinking, “We need to have the next big thing.”

There is definitely an escalation in violence, and there is definitely an escalation outside London of the use or ability to use a weapon. The really sad thing is that a screwdriver is more deadly than a knife. If you talk to a surgeon, they will say that it is more complicated to sort out a stab wound from a screwdriver than from a knife, which I was surprised by. In primary schools, it is about demystifying. On social media, people see that there are safe places to stab each other—this is well documented. Actually, there is no safe place to stab someone, because if you hit an artery, it is pretty much game over.

A public health approach has to be taken. When the police catch a kid with a knife, one of the things that has to happen is that has to be seen as a beacon of need—that that kid needs some support to try to break that cycle. The kid is carrying that knife for a multitude of factors, but we are not going to solve things by taking that knife away or taking the drugs off them—then they would have a drug debt, too—and throwing them in prison. They will come out and have the same problems. It is about putting in that intensive care, even if they are caught with a knife, however unpalatable that is to the *Daily Mail* or whatever it is. It is about a beacon of need. All these kids who are being targeted by gangs are either in pupil referral units or have been excluded from schools. So 100% of the clients we are working with on county lines who are carrying weapons have been excluded from school. If you ever want a beacon of need for where resources should go, it is kids who have been excluded from school.

Patrick Green: Clear, unambiguous messaging around knives is important in the preventive world. If you are working with young people and there is any ambiguity, you get the “but” argument—“but I know somebody who this didn’t happen to”. You can lose the group. We are working with peer groups in schools, and that is so important.

I believe that it is important that the online world is brought into line with the retail world in terms of sales and the restrictions on sales. I have no figures for you, but from the conversations we have with the young people we deal with—particularly those who admit to carrying a knife or having carried a knife—knives will mostly be got from domestic settings, but shoplifting comes very high up in where they get knives from.

I feel that the voluntary code for e-tailing is not delivering as it should be. That possibly relates to the second part of your sitting today. The open display of knives gives young people an opportunity to take knives that they might use in other places. They are less likely to buy a knife and are more likely to shoplift it. That is why I think the legislation is important. It will help the preventive agenda and our conversations with young people. It will make it clearer to them what they can and cannot do, and that is important at this time.

Jaf Shah: I would echo much of what has been said, particularly around deploying a public health approach to addressing the root causes of this escalation not only in acid attacks, but in violent crime. In the case of acid and the availability of corrosive fluids, many complications

clearly arise from the availability of lots of household products that contain high levels of corrosive content. How you regulate access to those types of products is a challenge. What the Bill proposes around licensing for sulphuric acid is an important step, because sulphuric acid at a concentration of 98% causes enormous physical and psychological damage to survivors. That licensing is a vital step, but the passing of legislation in itself is insufficient.

We need to ensure that we deploy a long-term approach to dealing with the root causes. We know that once you reduce the availability of one type of weapon, another weapon becomes available, and I think that is what has happened with the rise of acid attacks. It came at a time when there were greater attempts by law enforcement agencies to control other weapons. Many would-be perpetrators saw loopholes in the existing system that are now being addressed, so they chose to use acid, because it is a lot easier and cheaper to purchase and causes an enormous amount of physical and psychological scarring.

Q3 Louise Haigh: May I echo the Minister’s thanks for coming to give evidence to the Committee today? Your evidence so far already shows the vast experience that you have in this area. You mentioned exclusions and the fact that gangs target pupil referral units. That is certainly the experience in my constituency, where every child who has been murdered so far this year had been permanently excluded from school, and was murdered by another child who had been permanently excluded from school. In your experience of working with schools, are they all willing to co-operate? If not, is there anything that the Government could do to help that co-operation at a local level, with the voluntary sector, the police and local authorities?

Rob Owen: I think it is very varied. We do work on prevention. Through SOS+ we go into quite a few PRUs. They have been fantastically helpful and welcoming. It is really mixed. A lot of schools do not like to admit that there is a gang problem—some primary schools particularly are very worried about admitting that they are becoming targeted.

The gangs are becoming much more sophisticated in the way they recruit. They often do it through siblings. It is not simple. The different county lines are not uniform; they all have their own style and tolerance to violence. They all do it slightly differently, but there is a theme emerging that any child excluded from school becomes a target, because they have become alienated, and are the sort of material that the gangs are looking for.

Sadly, the people we are looking at are 10, 11 and 12-year-olds. It is no longer 16 or 17-year-olds. County lines have been going forever, but it was always older kids doing it. Now the real problems are the level of sophistication in almost brainwashing them into the gang, the levels of violence that are associated with those gangs, and the targeting of kids who have been excluded from school.

Patrick Green: I would echo that. It is really sad. We work with a lot of young people who have been excluded from school. There is no question that they are in a particularly difficult place in terms of the level of intervention and support that they need. I feel that some schools, as you would expect, do that a lot better than others.

I do not think that there is universal engagement at the moment. Things have definitely changed. Certainly, schools listen to Ofsted. We could get far more co-operation from Ofsted in terms of safeguarding, not just in the school itself but in the surrounding area and on the journey that young people make to and from school.

I just think that far too many young people are being excluded from school in the first place. We can probably tell when primary schools come to us and highlight young people whom we are already concerned about, purely from the attitude that we can see in a short two-hour workshop. Far more could be done in terms of safety nets and checks and balances on young people. When they get to being excluded from school, it is really difficult and a tough road back.

John Poynton: There is a real need to not make the schools and the young people feel as if they just have to focus on a lesson on gangs and knife crime. We have all mentioned that knife crime, gangs and county lines are symptoms of much deeper, longer-term root causes. Schools will probably not have any problem recognising that they have children who have had adverse childhood experiences throughout their lives. They have parents who perhaps are not able to support their children in quite the way they need. I suppose I really want to look at how schools are supported to engage the families and the children on those root-cause issues, rather than at trying to talk a headteacher into just having a gangs, knives or county lines lesson plan in their personal, social, health and economic education. I think you need to do both but, again, this is similar to my point about showing weapons that have been taken off the street. In going into schools, my colleagues here obviously do a very good job of ensuring that children are not traumatised. For children who perhaps are not engaging or listening in quite the same way as those who are going to stay on in mainstream education and do well, they might hear that this is normal. There is an element of re-traumatising, or possibly triggering a previous childhood trauma.

For me, it is again about ensuring that schools are better supported to work as early as possible around adverse childhood experience and support the parents through primary school, so that, as Rob pointed out, we are not having to bring the personal, social and health education lessons around county lines and gangs lower and lower, because we should be meeting it at the very beginning.

It is less threatening to teachers and to heads to talk about how we support all children with adverse childhood experience from reception, rather than to try to go backwards in talking about the more worrying subjects. I am not saying it is either/or; it is both.

Q4 Louise Haigh: You have all talked about the multitude of factors that can lead to young people, and indeed adults, carrying knives and acid. I am sure we would all agree that simply taking that weapon off a young person is not going to solve the factors behind this. Do you agree with evidence we have had from the Standing Committee for Youth Justice, which has concerns about the mandatory minimum sentencing for young people in the Bill? It says:

“Children carry weapons for a multitude of...reasons” and criminal justice measures are unlikely to be effective in tackling this. It also says:

“There is no evidence that the threat of custody deters children.” Is that a concern that you share?

Rob Owen: I broadly do. I do not think that, for many of our clients that we are working with, that is a factor that stops them carrying a weapon, sadly. A lot of it is to do with the glamorisation on social media, which has been mentioned before. Social media is now explaining to kids the most effective place to stab someone in the heart. How is that possible? Failure rates of surgery are very sensitive, but kids are now being shown on videos the two places if you are going to kill someone.

It is not a simple solution about saying, “You’ll have a mandatory sentence if you get caught with a knife.” It is completely about educating kids to understand the effects it will have longer term and the effects it will have on families. The longer term solution has got to be much more about education than sentences. That is not working; it is not putting people off.

Q5 Louise Haigh: Just to come back on that, the Government would obviously argue that they have a serious violence strategy and that there are measures alongside it. Do you actually oppose mandatory minimum sentences for under-18s?

Rob Owen: There have got to be two things. One is that there have to be regulations and laws, and I completely get that. At the same time, there has also got to be some form of common sense and humanisation about that situation and about what the best thing is for that person to ensure that they do not create another victim.

My experience of parents of victims, sadly, is that what they are most obsessed about is ensuring that no other child suffers and no other parent has to go through what they have gone through. What we are trying to achieve is that the best environment for that to happen is available. But that is often not just about sentencing; that has got to be about a package of support that is put in place.

Patrick Green: It is a difficult one. Certainly, from the victim’s perspective, many of the young people who have been victims of knife crime are often concerned that the perpetrator is back on the streets very quickly, and that heightens their feeling of insecurity. Our view in terms of first-time offences is, yes. Young people carry knives for a range of reasons; some of them may be around protection, and people are just making a mistake. Certainly, when it comes to second offences, there is due concern there about the young person falling into a trend and sentencing really playing a part in helping take that young person off the street.

The key issue is the support from the first offence to the second offence. I am not entirely sure that young people who are caught with a knife are getting the right level of support to help them and deter them from coming back on to the street the second time. The “two strikes and you’re out” should absolutely be the final option, but there should be a range of support. This is about rehabilitation and helping—as somebody said earlier on, if you are carrying a knife, it is almost a cry for help, and we should be doing far more around that.

John Poynton: Earlier this year, with Sarah Jones, we had young people from all around the country attend the all-party parliamentary group on knife crime to talk about their experiences. One of the overriding messages from them was that their experience of prison or the threat of prison was not a clear deterrent to being involved in risky or criminal behaviours. As Rob says, there needs to be a clear package of support. I think it is

really important that that strategy is recognised. It is about vulnerability and safeguarding, and we need to look at how we support the young people.

The comment was made that young people are very clever at finding loopholes. We had a number of young women who talked about the fact that they are coerced into carrying weapons so that the young men are not caught carrying them. I am just making the point that the young people carrying the weapons are very possibly not the young people likely to be using them. That is a statement—just to recognise that young women and very vulnerable young children are coerced into behaviours that they would not otherwise deem normal on their own.

You cannot have a sledgehammer to crack a nut. I am very aware that the strategy is not saying that—it is putting a raft of support in to look at how we work with these young people—but my concern would be the classic “cry wolf” issue or the “but what about” point that Patrick made. Young people will always know of someone else who has been stopped twice holding a weapon, who, perhaps quite rightly for a number of reasons, may not have been given a mandatory sentence. The issue is that that will always become the narrative, “In that case, it is not going to happen to me.”

I would push for a really broad package of support for young people and a very simple narrative around the issue, so that young people recognise that they should not be carrying weapons. We also need to look at why these young people are being coerced into carrying weapons or drugs or other things that they would not normally do on their own.

Jaf Shah: May I flip back briefly to an earlier question around engagement with schools? As I mentioned, our engagement in the UK at a programmatic level is embryonic, but what we know from our work overseas in terms of engaging with schools, schoolchildren, teachers and so on, and engaging from a very young age, is that it is a very effective way of engaging with children about the repercussions of a violent act—in particular acid violence. By the very nature of acid attacks, the face is targeted, so you have a very visible form of violence. When survivors go into schools and talk with children, the impact is very strong. They certainly realise that there is a human beyond the facial disfigurement and that they have their own narrative, and that story carries a very strong message.

I was very interested when I visited Scotland and met Dr Christine Goodall from Medics Against Violence. I thought that their work was absolutely brilliant. It is a strand of work that could work particularly well with survivors of acid attacks engaging with school children.

To fast-forward to the most recent question, it is enormously difficult around the mandatory sentencing of under-18s, because there are many complicating factors. I have been hearing locally that young children are actually carrying acid in schools—but as protection, because it has become so commonplace. I think it is a very difficult subject in terms of having an absolute answer. It requires, as everyone else has mentioned, a far more sophisticated package of engagement with groups who might be affected.

Q6 Nigel Huddleston (Mid Worcestershire) (Con): Mr Owen, I think you mentioned earlier that you are hearing about children as young as 10 or 11 carrying

knives. At what age are children actually perpetrating acts of violence or being victims? How young are we talking about?

Rob Owen: Same age.

Nigel Huddleston: Really, same age?

Rob Owen: Yes.

Q7 Nigel Huddleston: Mr Shah, you mentioned that children at school are carrying acid—what age with them?

Jaf Shah: The demographics vary between London and outside London. Within London, particularly in the three boroughs that are most affected in east London, the average age might be late teens, but there have certainly been some high-profile cases where 16 or 17-year-olds have engaged in what might be described as a spree of attacks in a very short space of time.

Q8 Nigel Huddleston: We hear a lot, and we have heard it today, about men—primarily—and young men perpetrating these attacks. Is it all men? With knife crime, what are we talking about—70%, 80% or 90% men?

Rob Owen: There is obviously higher usage among men, but the focus now for a lot of these gangs is to recruit people who do not stand out, so women or young girls are more likely to get targeted to become members, because they are less likely to be stopped and searched, and so on. The interesting thing for us, particularly in the county lines world, where gangs are looking to export the drugs out of London, is that they are now recruiting locally. The old model was to use London kids to go out to Dover, Ramsgate, Margate or wherever, but now they are recruiting locally, and they are recruiting lots of girls—obviously less, but an increasing amount. The worry is that there is starting to be an overlap between not only transporting drugs and weapons but being used in the sex trade. So there is an increasingly nasty element of exploitation—modern slavery, effectively—that is happening, and that is happening with lots of young girls, sadly.

Q9 Nigel Huddleston: Finally, all of you have talked about the need for intensive support, interventions and so on, but I am still not 100% clear on exactly what that means. Mr Shah, you talked about education and ensuring that people understand the impact—the human stories behind the crimes committed—but what else is there? What else can be done? What works in terms of that intervention? Is it counselling, education, finding other activities or locking people up? What actually works?

Jaf Shah: A combination of interventions is required to deal with a pretty complicated scenario. Obviously, in understanding acid violence, we know that, effectively, 50% of acid attacks occur in London. Within London, the three boroughs most affected constitute probably in the region of about 35% of attacks. It is no coincidence that those three boroughs are the three poorest boroughs in London, so you have to think about the issues of disadvantage of many young men—it is predominantly young men.

From 2017, in our data, 75% of perpetrators were men, 10% women and the rest unknown. What we are seeing is, again, the gap in what those young men aspire to and what they can realistically achieve through legitimate

means. The aspiration thing is a key element. Every young person aspires to achieve something, and that might mean material goods, but what happens if you are not going to achieve that aspirational goal?

Not only do we have to ensure that there is a very strong educational programme that works around issues of respect and anti-violence, but we have to create opportunities for those young men, in particular, to find alternatives. That might be further education; it might be university. Clearly, most young people want to have some money in their pockets, so the issues around employment opportunities also come into play. If you take a trauma approach to dealing with the problem, you have to understand that many young men who commit these crimes have probably been victims of violence themselves. You have to engage with them at that level as well.

It is a very complicated scenario—hence the fact that I think you need to have an integrated approach in dealing with the problem, because it requires engagement with so many different stakeholders. That is not going to happen very easily; it will take at least two years—maybe a year if you are lucky—to embed the infrastructure, align all the stakeholders to a clear objective and then deliver a programme of work.

Patrick Green: It is all the things you mention. If I can borrow from public health language, in a health setting, in preventative work, we send out positive help messages to everybody to eat well, exercise well, not drink too much and so on. We have those positive, preventative messages. If there is then early intervention in terms of screening, we screen people and hope that everything is positive. For those that are negative, we move in very quickly and intervene. We do whatever is necessary to stop it going to the next stage.

It is a similar approach to tackling youth violence and knife crime. We need to do far more in terms of the preventative work. The early intervention work can be all the things you mention plus 100 things more. It comes down to really good youth work. You have to really understand what is happening for the young person involved, both for them and in their environment. If you put the right measures around them and allow them to fail once or twice along the way, then, generally, you can pull young people back from that setting. Sadly, it is not just about doing a prescribed number of seven or eight different things, and I think the serious violence strategy captures a lot of this; it is about doing a large number of interventions in a strategic manner.

Q10 Stephen Timms: I want to ask some questions about the corrosive substance elements of the Bill, so I guess my questions are mainly to Mr Shah, but I would be interested to know what others have to say about this as well. Mr Shah, at the start you told us that you had done a freedom of information exercise, compiling data about acid attacks around the UK. Do you think that enough data on this subject is being collected at the moment and published by the Home Office?

Jaf Shah: No, but the Home Office last year commissioned the University of Leicester to look into the motivations behind the attacks. Some of the critical data and understanding of what types of corrosive fluids are being used in attacks could be produced through the forensic work conducted within hospitals and the investigation process when attacks are reported.

There is a lack of data because it is a relatively new crime; well, it is not a new crime, as we all know—it is an old crime—but the numbers are so much higher than they have ever been in the past. Suddenly we are addressing a relatively new crime, and we are at those early stages where more data needs to be accumulated to better understand the problem, the motivations and the environment in which perpetrators are committing those attacks—to understand the real motivations behind those acts.

I commissioned a lot of research on the subject because it is a relatively new phenomenon here in the UK. I have commissioned law studies to understand what laws are in place in other countries, how we can learn from those laws and how they are being implemented.

Q11 Stephen Timms: On the data for the UK, did you say half the acid attacks in the UK are in London? Did I understand you correctly?

Jaf Shah: There were 470 reported attacks in London in 2017, out of 948 nationwide.

Q12 Stephen Timms: So not quite 50%, but very close.

I would be interested in your views about something that puzzles me about the Bill—no doubt at some point we will have the opportunity to ask the Minister about this. There are two main offences in the Bill relating to corrosive substances: selling them to people under 18—the Bill bans that—and having them in a public place. However, the definition of “corrosive substance” differs for those two offences. For the first, there is a reference to a schedule: you must not sell the products in schedule 1 to people under 18. For the second, there is a different definition, in clause 5(9), which states that

“‘corrosive substance’ means a substance which is capable of burning human skin by corrosion”.

From your point of view, which of those two approaches is preferable? Should we have a list setting out the problem substances, or would a more general definition work better?

Jaf Shah: I would be interested in having a list. The reason I would prefer that method is that once you start to collect data after an attack has been committed and you have the forensics, you can understand which substance is most likely to have been used. If you can compare it with an existing list, that helps in terms of accumulating hard data, and then we can actually target the particular fluids that were used. It makes sense to have a list and to report against that list.

Q13 Stephen Timms: Does the list in schedule 1 look roughly right to you?

Jaf Shah: Yes, it does.

Q14 Stephen Timms: Is there anything that it strikes you is not on the list but really ought to be?

Jaf Shah: If I remember correctly, there are about eight substances, and they certainly constitute the types of substances that have been used in attacks internationally.

Q15 Stephen Timms: The Bill makes it an offence to sell any of those substances to somebody under 18. Do you think 18 is the right place to set the age limit, or should we look at banning sales to people under 21, for example?

Jaf Shah: I would certainly be open to extending the ban to people under 21. I put forward 18 initially, really to tie it in with existing controls for other weapons so that there was consistency, but I can certainly see the value of increasing the age to 21.

Q16 Stephen Timms: One more question. You referred to the fact that sulphuric acid was recently promoted from the lesser category under the explosive precursor regulations to the higher category, which means you have to have a licence to purchase it. I agree with you that that was definitely the right thing to do. Do you think there is a case for having a fresh look at that whole classification arrangement and the distinction in those regulations between substances that are reportable and those that are regulated?

Jaf Shah: I certainly think so. Part of the issue we have is a lack of data. If we keep our options open, we may prevent attacks from occurring in the future. Limiting the range may be detrimental in the long term, I suspect.

Stephen Timms: Thank you very much.

Q17 Paul Scully (Sutton and Cheam) (Con): I have four questions, so perhaps I can aim one at each person rather than going through everyone. Mr Owen, you are absolutely right to say that education is key to stopping knives. Clearly, by the time someone has a knife, it is too late. Stop-and-search and sentencing are important, but they are part of a whole, as you say. Notwithstanding what Mr Poynton said about custodial sentences and people knowing people who did not go to prison after committing two offences, what is people's awareness of custodial sentencing? You said it is not really a deterrent. Is that just because they think they can get away with it, so they are going to do it anyway? What is the level of awareness that they might get caught?

Rob Owen: I think there is generally a very low level of awareness. If we twist this slightly, to stop this happening and effectively break the cycle of offending, in our view, you need to inject into that person's life a credible caseworker who they can relate to and who will go that extra mile to start sorting out pragmatic issues. Often they revolve around the family situation. We are not talking about nuclear families here; we are talking about multiple siblings—many of them failing at school and being failed by school—who are very well known to social services and to nine-plus Government agencies, but there is no one in that person's life who they actually want to engage with.

I suppose the great trick with these individuals is to put someone into their very complicated lives who they actually believe in and can see is on their side, and who is enabled to do something about it. We always talk about going the extra mile, but if you are trying to help someone with a housing situation and you go down to the homeless persons unit, it will take you five or six hours to advocate through that glass. Several times you will get back a piece of paper saying, "You brought the wrong form. Come back again tomorrow." If you leave that to the client, it is never going to happen. You often need someone there with the right skills and the right determination, and who that client believes in, to start changing their attitude from, "I'm not going to engage in school."

You need to get in place someone who is the right role model who will actually start changing their perceptions. The point about aspirations is interesting. Lots of young people who are very vulnerable want the trainers and so on, and they think the easy way to get them is by dealing drugs. The reality is that they earn less than they would do at McDonald's, and they have a threat to their life. Education is about having someone in their life who they believe in and can engage with. A lot of people are put into their life but they do not want to engage with them, so it is a complete waste of time and makes things worse. That is the reality.

Q18 Paul Scully: That is a very interesting point about what they might earn at McDonald's, because often the attraction, as you say, is that they think they can earn a couple hundred quid a day by dealing drugs, and you will find it hard to encourage them to get a normal job like most people, but you have turned it on its head.

Rob Owen: The reality is that if you are a youngster who has been offered a couple hundred quid to do county lines, going off to poor old Margate, they know where you are going and that you have drugs on you. Someone will come and take the drugs off you, often at knife point. You now have a drug debt. The cost of a life is about £800, so if you have a debt bigger than £800 and you cannot pay that back, your family is threatened. They threaten to rape mums or sisters as well, so there is a drug debt and threats of violence. They are effectively in bonded labour.

The glamour of going "out county", or whatever it is called, disappears when they have to spend time in a crack den as a 10 or 11-year-old, with people vomiting and needles everywhere. They look down on the junkies. It is not as though there is a relationship there. They are cuckolding vulnerable people out in the sticks to use their premises, and trafficking young kids to deal the drugs from there. They are not making any money out of it because often they have a drug debt. They are being forced to carry packages of drugs internally. If they cannot get them out at the right time, they are sometimes pinned down and people will use spoons to force it out of their backside—girls and boys. The reality is not that you are earning lots of easy money. The reality is sadly very different. They do not believe that from someone who is a well-meaning probation officer, youth worker or whoever it is; they need to hear it from someone who has actually been there and done it.

Q19 Paul Scully: Absolutely. Thank you very much; that was very powerful. Mr Poynton, I am interested to hear a little more about the 75%—the non-gangs—because that is a huge figure. Is there a sense of profile? Why are kids not only carrying knives, but then using them? Is it just for protection around schools, or something like that?

John Poynton: That was a Metropolitan police figure. I do not think that we have got to the bottom of why 75% of young people who are not known gang members, and are not on the gangs matrix, are carrying. I think it alludes to the fact that young people do not feel safe. We know from research that young people do not have the cognitive ability to make clear adult decisions and recognise the consequences of their actions until they are 23 or 24.

For us, putting ourselves at risk of being caught with a weapon just does not make sense, but it does not work like that for young people who are very much in their development phase. That is why we, as adults, cannot have clearcut ideas about what should put someone off. There is definitely an element of young people not feeling safe and then potentially carrying weapons in order to feel safe, or vulnerable young people are being coerced into carrying weapons for others who are more ready to perpetrate or deal and use them.

It is about looking at how we get to the bottom of this. For want of a better analogy, there is no one silver bullet answer; it has to be about a really clear package of support for these young people. As Rob has clearly said, they are known to so many agencies, but often they are not engaging with them. Key workers, youth workers and case workers are often very good at working with all those agencies and advocating on behalf of those young people. If a young person does not have the ability to put two and two together, and work out what the consequences are, we need to look at their network, both professional and family, and all the underlying issues to make sure that we help and support them to make those decisions.

This cannot be about telling young people, “Do not carry weapons.” We know that telling a young person not to do something will not work when they feel or know that their peers are doing it anyway. We have to work with the whole network, the whole peer group and the families, and we have to do so much earlier. We must not look at this simply as an offensive weapons issue, a knife crime issue, a corrosive substance issue, a gangs issue or just a county lines issue; all violence is joined up.

I think we need a health approach to tackling violence, because then we would be getting early intervention and helping parents to teach their children at the earliest age how to make good decisions and how to develop good decision-making skills. It is too little too late to wait until my team is working with them when they have been stabbed. That is an incredibly powerful, reflective, teachable moment when a young person is on a bed in a resus bay in a hospital A&E department. I would be very happy for Redthread to be put out of a job by a much earlier, broad public health approach work that educates parents, peer groups and professionals.

Q20 Paul Scully: Thank you very much. Mr Green, I was wondering about the types of knives used. Do you have any thoughts or findings on whether different types of knives are used between gang members and people who are carrying them for personal protection? Are they the same sorts of sources—shoplifting, as you were saying?

Patrick Green: I do not—that is the honest answer. Domestic knives seem to be more popular because of ease of access. Lower-level knife carriers tend to talk about carrying domestic knives. As young people drift into more offending, they tend to get bigger knives, for want of a better expression, because they are now competing with somebody else who has a knife, so they need to have something that provokes a level of fear. So yes, there is that runaway train, and that is why there is the attraction towards zombie knives.

Q21 Paul Scully: Is that where zombie knives and machetes manifest themselves?

Patrick Green: They have a fear factor. If you have got a bigger knife than the other guy, you have a higher standing. We should be aware that the funnel is getting quite tight at that point. Very few young people who carry zombie knives are those who St Giles and Redthread engage with right at the end. They are probably involved in some level of criminal activity such as drugs. They carry them more to protect their occupation than for perceived safety.

Q22 Paul Scully: I am not sure whether you will know this, Mr Owen. Knives are obviously easier to conceal, but has the use of guns changed with younger people in gangs?

Rob Owen: What I am hearing is that it is an arms race. As I said before, London gangs are looked up to by more regional gangs, so they now want to upgrade their arsenal. There is not at the moment a great use of firearms, but I am sure it will increase and start to ratchet up. Sadly, the people who are caught with the weapons, particularly pistols and so on, are not the people who will use them; there will be a young girl who has been asked to look after it and it is found under her bed. There is a lot of coercion with weapons. It is complicated.

Q23 Paul Scully: Mr Shah, you said that you broadly agree with the list in the schedule. What is the context of the materials? How do they manifest themselves in household products? What kind of products are typically used?

Jaf Shah: This is largely anecdotal, because we do not have a lot of hard data, but my understanding is that many young men literally just walk into hardware stores, the local shops, where they can buy drain cleaner. That seems to be the most common type of product—there are fairly well known brands—that will do some damage. Some of those products contain pretty high levels of corrosive content. I have proposed that the manufacturers think about reducing the concentration of some of the more dangerous products and think about the viscosity of the liquid itself so that it is less easy to fling at someone. There are a range of other potential measures that can be examined by the industry and by the guys who produce and sell the products.

Paul Scully: Thank you.

Q24 Sarah Jones (Croydon Central) (Lab): I do not think I need to register the fact that I chair the all-party group on knife crime and John is close to the secretariat. This has been a really interesting morning. You are painting an accurate and vivid picture of some of the challenges. I want to ask a couple of questions about education and health, which we have talked about quite a lot. The statistics on people who come to hospital, having been stabbed again and again, and who then have an intervention are incredible: they do not come back. It works. How many major trauma centres have this amazing service and how many have not? What interaction have you had with the Department of Health and Social Care? Does it fund anything? Does it interact or engage in this agenda?

On the education side, everything you said chimes with what I have seen. In Croydon we had 60 serious case reviews of youth violence, and in every single case each of the 60 kids was outside mainstream school,

so there is clearly a pattern there. What specifically do we need in terms of resources in schools? We have not touched on policing in schools, which is one aspect that may or may not be worth mentioning. What engagement is there from the Department for Education on this, and indeed from Ofsted? We talked about Ofsted potentially having a greater role. The question is about what traction you are getting from other Government Departments.

John Poynton: Shall I jump in and answer the first part? Redthread hosted a symposium of all of the hospital-based violence intervention programmes in the country—Victoria kindly opened the conference for us last week. That is a conference of only about eight existing hospitals, but there is a growing number of emerging interested hospitals. We had colleagues come from Glasgow and Edinburgh, from across Nottingham and Birmingham, and also from London, who are delivering hospital-based programmes, such as those at Redthread, St Giles and the Royal London.

There are 23 major trauma centres in England and Wales, four of them in London. The four in London have hospital-based violence intervention programmes embedded within them, between Redthread and St Giles. Redthread is working in Nottingham and is launching this month in Birmingham, so there are a number—I will let you do the maths. A number of other major trauma centres are interested, but it comes down to the resource question.

There is brilliant and innovative commissioning from police and crime commissioners, from the Home Office's tackling crime team and the Mayor's office for policing and crime in London, where commissioners are recognising, from the policing and criminal justice side, that we cannot arrest or enforce our way out of this problem. They are looking at where they can innovate and spend their money. But there is not match funding coming from other Government Departments—from the Department of Health and Social Care, from NHS England, from Public Health England or from the Department for Education.

The only way for us to be able to have hospital-based violence intervention programmes, where we know that we will be able to wrap around a comprehensive package of support in this teachable and reachable moment for young people, when they are victims of violence and they are most reflective and open to breaking their cycle of violence, is to have a clear cross-Government match-funding approach. We know that the Department for Education needs to be on board with this because, as we have talked about, perpetrators and victims of violence are very likely to have dropped out of mainstream education.

Coming from a family of teachers, I am not saying it is just about putting more responsibility on classroom teachers and headteachers but it is looking at resources. It is looking at how we support these young people outside of the classroom. There needs to be a clear approach from health colleagues in how they support this. There is advocacy and championing of a hospital-based violence intervention programme from clinicians on the shop floor; from Mr Martin Griffiths or Dr Emer Sutherland or Dr Asif Rahman, to name a few clinical champions in London hospitals.

There is funding in kind in ensuring that there is space for youth workers, caseworkers to be embedded in those hospitals, but there is no financial resource coming

from the top down. As I have advocated, this needs to be an approach that is not just about knife crime or gangs or just about corrosive substances. This needs to be moving down to looking at a foundational approach to all forms of violence. There is a very clear example model for us to take a closer look at in the way that sexual assault referral centres are commissioned. Those are clearly accepted to be commissioned jointly by criminal justice and NHS England. That is one form of special commissioning from NHS England, where it jointly match-funds with its justice colleagues. That is an example that could be looked at in match funding in order to find the resource that we need to ensure that we can work with the victims.

The Chair: We only have a few minutes left and four people still wish to ask questions. If we have quick questions and brief answers, we will get everybody in; otherwise, we will not be able to, as we have an absolute cut-off on the time. I call Mary Robinson.

Q25 Mary Robinson (Cheadle) (Con): I will try to be as brief as I can. People will be shocked to know that children as young as nine, 10 or 11 are engaged in this sort of crime. We are talking about legislation, but the common theme has been around education, which seems to be pivotal in avoiding this in the future and moving people away from it.

One clear link struck me—that between school exclusion and young people becoming involved in county lines. It is a clear marker, which says to me that it is a clear point for intervention. At the point of school exclusion—the education side of things may have failed for whatever reason, and young people may have troubled family backgrounds—are the interventions robust enough? Are they strong enough? What needs to be done? Given that we are seeing county lines moving out into other regions and other areas, which may not have the experience of London, can we take the learning experience and do something there quickly in terms of interventions?

Rob Owen: This is something I feel very strongly about. We are failed by the Department of Health and Social Care. It does not fund any of the trauma work—MOPAC does. Surgeons beg for funding, but they do not get it. The NHS has a major role to play. Sadly, education is really letting these kids down. If you get a kid from school, they do not go missing for a day or two—they sometimes go missing for two weeks. The parents are often worried about reporting that to social services because, first, they do not trust social services, and secondly, they do not want to engage with social services.

The kid comes back from disappearing and doing county lines for a couple of weeks and they are supposed to have an interview, but the kid does not want to say anything to the person doing the interview and the school does not quite know what to do, so nothing gets done. If you go missing from school for two weeks, that should be an absolute beacon of need—come on! That is where we need intensive intervention. It is not just working with that young child; it is working with their family and their siblings.

At the moment, the sad thing is that people do not want to spend money on that preventive stuff. The cost of investigating one murder is £1 million a year.

What we are talking about is tens of thousands of pounds to have caseworkers in the hospitals or working with the kids who have been excluded from school, to be able to stop several murders a year. We have got it all wrong. We need to invest up front, so that there are intensive caseworkers about who can prevent things down the line. At the moment, the analogy is that we are putting an ambulance at the bottom of a cliff when we could just build a fence along the top. That is where it really goes wrong.

Patrick Green: The issue is partly that a school's clear goal is academic achievement. The young people we are most concerned about are those who have really poor aspirations. They just want to make money, but have no idea how to do that. In terms of the safeguarding element, schools and education need to look at building the person. You do not need to have full academic achievement to go on in life. Many people do really well not doing as well in education. That is what is missed, and it is missed very early on.

John put the point really well about the level of support needed for young people when they have been excluded from school—it is an environmental issue; it is not just one thing. That is what is missing. We probably do not know enough about the schools that are doing really well in this area. All we know is that the level of exclusions is getting worse.

The Chair: Okay—

Jaf Shah: Can I come in on that?

The Chair: Can we move on? We are not going to get everybody in otherwise.

Q26 Vicky Foxcroft (Lewisham, Deptford) (Lab): My question is primarily for Rob Owen, but others can chip in. It is about ex-gang members working with young people. If I look to the “Scared Straight” programme, for example, young people involved in that were between 1.1% and 2.6% more likely to get involved in criminal activity using knives and so on. I have not yet seen any evidence that supports ex-gang members advertising themselves as ex-gang members working with young people and having any positive outcomes.

Rob Owen: I think “Scared Straight” was a disaster. It is not something in which we believe in any way, shape or form. It was targeted at the wrong people. If you want evidence then please go to our website. It features people like PwC, Pro Bono Economics and Frontier Economics, who can demonstrate that using ex-offenders with that client group reduces reoffending rates by a further 40%. I would be pleased to talk you through it. There are robust evaluations on the St Giles Trust and our SOS work. We pride ourselves on this.

Q27 Vicky Foxcroft: To carry on with that: it is a narrow group, not a wide one.

Rob Owen: That is for different services. We have had multiple evaluations.

Q28 Vicky Foxcroft: Exiting gang members is slightly different.

Rob Owen: Using people's lived experiences to work with complicated young people has a massive impact on reducing their reoffending rates. I would love you to read through the reports; they are all on our website.

Q29 Tulip Siddiq (Hampstead and Kilburn) (Lab): My question is for Mr Green. Going back to what you said about credible adults speaking to young people: in my borough we have had a number of fatal stabbings, and one of the schools now has a named police officer. Would you clarify what you think is the effectiveness of having a named police officer in a school, and whether you think every school should have them? In my experience, it worked in certain schools in our borough but not others with different ethnic make-ups. Not much trust was built with the school, because of inherent suspicions of police officers, I suppose. Have you been able to quantify the results of having a police officer in a school? Is it something you would recommend?

Patrick Green: Generally our experiences are positive. We see good relationships being built up between young people and the police officer, and the level of trust builds up. The caveat is that it depends on the police officer. Some are really good at this work, and then it works really well. You need a police officer who understands youth work and how complex that is, rather than just a police officer.

Tulip Siddiq: Do I have time for another question?

The Chair: No.

Q30 Stuart C. McDonald (Cumbernauld, Kilsyth and Kirkintilloch East) (SNP): Mr Shah, the Bill would seek to make it an offence to sell corrosive products to people under the age of 18. Would you be concerned if the Bill did not also make it an offence to supply corrosive substances to under-18s for free, or for example to buy a corrosive substance on behalf of someone under the age of 18?

Jaf Shah: I suspect that it is quite common, so it would be a big concern. I will, if I may, briefly divert back to the point we have all been making around the public health approach and make an economic case for that: we conducted an economic impact assessment of acid attacks in the UK for six years. Acid attacks alone cost £350 million over six years. If we include knife crime and gun crime then we are looking at costs far in excess of £1 billion. That is an economic case to make a long-term public health approach a viable way of dealing with the problem.

Q31 Tulip Siddiq: Mr Owen, I was struck by what you said about safe places to stab people, and that it was on social media. I do not know what kind of relationship you have with social media platforms that promote this, and whether there is an onus on them to take responsibility for the fact that this is being advertised, and young people are being influenced by it.

Rob Owen: There is slowly, slowly beginning to be some work. The platforms they use are well known; it mainly involves two or three platforms. The Home Office are trying to engage with the issue, but there is still a lot of resistance from them. Often it is hidden, and is not obvious. The youngsters know where to go to find it, but not many others do. It is about starting to get to gritty levels where someone can flag it and it gets taken off instantly, with the process being speeded up. There are small amounts of funding going in and it is beginning to happen, but obviously it is not enough.

The Chair: That brings us to the end of the time allotted for this first panel. I thank all four of you for coming this morning; your evidence has been very useful and will help with deliberations when we consider the Bill.

Examination of Witnesses

Andrew Penhale, Trish Burls and Ben Richards gave evidence.

10.56 am

The Chair: We will now hear oral evidence from the Crown Prosecution Service, the London Borough of Croydon and the Chartered Trading Standards Institute. We have until 11.25 am for this session. Would you like to introduce yourself briefly?

Andrew Penhale: My name is Andrew Penhale, I am the chief Crown prosecutor for the north-east of England. In common with many chiefs, I have a legal lead area, which is knife crime, gang crime, firearms and corrosive substances.

Ben Richards: Good morning. My name is Ben Richards, I am from the Chartered Trading Standards Institute. I am here as a double act with Trish. My background is doing our workforce survey for the last few years, so I offer the national perspective, while Trish has the more legislative perspective.

Trish Burls: Good morning. I am Trish Burls, I am the manager of Croydon trading standards and the London lead for trading standards in relation to knife test purchasing, alongside the Metropolitan police.

Q32 Victoria Atkins: I should declare that I used to prosecute for the Crown Prosecution Service and other prosecuting agencies. Thank you for joining us. To help to establish measures on online sales of knives and the package of measures on corrosive substances in the Bill, could you explain how action currently is taken against retailers that fail to follow the law for online sales of knives in particular?

Andrew Penhale: It probably has not been adequately dealt with as it should be. Part of the work we have been doing in conjunction with trading standards and the Metropolitan police has been to look at measures to deal with online companies that sell knives without putting checks in place. The obvious check for a standard retailer is that you can ask for ID when somebody comes to pick it up. Responsible retailers will do that. Online, that is a little more difficult. There is a declaration, and if a credit card is used, that may to some extent offer a guarantee that somebody is 18, but of course, people can lie. Online retailers do not always put in place the checks that they should. There have been test purchases made and companies have been given warnings. There are current test purchase investigations underway.

The Bill changes the picture because it imposes concrete obligations on retailers to check the age of the purchaser and to ensure that the items are delivered only to somebody who is 18. That is a completely different picture from what we have had before. It also requires the packaging to be marked up accordingly so that it is clear to the deliverer, who may be completely different from the retailer. The Bill imposes a series of obligations that are really needed, because at the moment the online picture is not one where the checks are adequate.

Q33 Victoria Atkins: Just to clarify, since 2006 it has been prohibited for knives to be sold online to under-18s. Of course, knives have not been allowed to be sold to under-18s since the 1950s.

Andrew Penhale: That is true. The trouble is in establishing that all due diligence and checks are put in place. That is quite clear when you have got a retailer like Sainsbury's, for instance, with a face-to-face transaction, because they can ask the question. It is a bit more complicated in the online sphere. How do you carry out a check? Without improved measures there is not really a position. The law has not kept up with technology, and as a result the Bill is really needed to resolve that.

Trish Burls: I think we should make a distinction. The police take prosecutions through the CPS route, whereas local trading standards departments take them through their local authority's prosecution route. As far as I am aware, trading standards have not taken any online prosecutions. The onus of a prosecution will fall on a local team's budget. The work we have done up to now has been alongside the police.

The new measures are welcome. However, it is important to say that we are missing a set of statutory powers in the Bill, which will not necessarily aid trading standards in carrying out much more work in that area.

Q34 Victoria Atkins: The measures on knives are mirrored when it comes to corrosive substances. What are your views on that?

Andrew Penhale: Again, it is important and needed. There is this gap with online provision, and it is really important that that is duplicated from knives. It is exactly the same problem: there needs to be a verification process to ensure that they are delivered to people 18 or over.

Ben Richards: We mirror the importance of this, and we understand that. As Trish has touched on, the issues are within statutory duties and resources to be able to take on duties on top of those already being carried out.

Q35 Louise Haigh: Ms Burls, did you say that the Bill is still missing the statutory powers you need?

Trish Burls: For trading standards officers, yes, it is.

Q36 Louise Haigh: What would those powers look like?

Trish Burls: We have powers within much of the rest of the legislation that we enforce that allow us to do things such as enter premises and seize documentation and goods in relation to an inquiry we are carrying out if we suspect that an offence has taken place. The Bill does not contain any powers for trading standards officers, whereas police powers would obviously come from the Police and Criminal Evidence Act 1984.

Q37 Louise Haigh: Do you have drafts of amendments that would reflect that, or could you submit that to the Committee?

Trish Burls: We could submit that to the Committee.

Q38 Louise Haigh: Mr Penhale, in the last four years in particular we have seen violent crime rising, but equally the numbers of arrests and prosecutions have fallen. A recent *Sunday Times* investigation into nearly

[*Louise Haigh*]

1 million crimes in 2017 showed that nearly half of violent and sexual offences were not taken to successful prosecution even when there was an identified culprit. Is the CPS and the criminal justice system sufficiently resourced to deal with the current legislation, let alone more legislation?

Andrew Penhale: Gosh, that is a broader question than I had anticipated. We have resource. I cannot answer the question of whether we have sufficient to do our jobs as a whole; that is a bigger question that I guess the director would have to answer. We are resourced how we are resourced, and we are dealing with the crimes presented to us. We are certainly not prosecuting because we lack resources to do the job.

We prosecute in accordance with a code, and whether cases meet the code because they are not evidentially sufficient is another matter. We can only prosecute those cases that do meet the right standard. In a very short answer to your question, we are not prosecuting because we lack the resources to do so.

Q39 Louise Haigh: But there have been increasing numbers of cases and increasing numbers of trials that have collapsed, have there not? This is largely due to a lack of sufficient resources in the wider criminal justice system.

Andrew Penhale: There are a number of cases that collapsed where decisions were made that should not have been made because of a lack of consideration of wider evidence. That is not necessarily a resource issue; that is a decision-making issue.

The Chair: Can I gently suggest that we ask questions specifically about the Bill?

Louise Haigh: My point, Mr Gapes, is that there is not a lot of point passing new legislation if it is not going to be enforced.

The Chair: I understand your point, I am just gently suggesting that we focus on the Bill.

Q40 Louise Haigh: Can I ask, then—we covered it slightly in the first session—about mandatory minimums and whether you have concerns that mandatory minimums, particularly for under 18s, fetter judicial discretion?

Andrew Penhale: By the nature of their being mandatory, there is not a great deal of judicial discretion. In relation to some offences, they are there for a reason that Parliament has decided, which is to signify the importance of dealing with knife crime and firearms robustly. There are other offences where mandatory sentencing is imposed. Essentially, Parliament has made that decision. It is not really for the Crown Prosecution Service to say whether or not that is the right thing; we have got to implement what Parliament requires us to.

Q41 Louise Haigh: Finally, part of the lobbying around this Bill and around serious violence more broadly is around the rights of victims in the criminal justice system. Do you have any thoughts on the Victims' Commissioner's suggestions that all victims of serious

crime should be entitled to an independent advocate? Do you think that would be welcome to help them to navigate through the criminal justice system? Obviously it is quite a complex environment, and often their rights are quite diminished in the wider system.

Andrew Penhale: First, I think it is really important that the victims' views in the criminal justice system are taken into account. The Crown Prosecution Service has a victim's right to review system, which requires us to go back and explain our decisions, but also to review them where the victim disagrees. That process is already well established. Whether there is a place for a separate advocate is, again, for a wider debate rather than for the Crown Prosecution Service.

Q42 Paul Scully: I remember going down Sutton High Street with a couple of anti-knife crime charities last year, walking down some of the big department stores and some of the smaller stores as well, looking at the displays and at how easy it is to swipe a knife, frankly. Are there any regulations or recommendations that trading standards is able to use at the moment with shops?

Trish Burls: We have local responsible retailer agreements on knives, which echoes the Home Office's established voluntary agreement on the storage and sale of knives. These are local; it is not national. There are no regulations that prohibit the way in which a knife is displayed, whether that is via a shop doorway or for open access. We rely very much at the moment on retailers' good will and common sense.

Q43 Paul Scully: I know you are the London lead, but do you do that in Croydon?

Trish Burls: Yes, we do.

Q44 Paul Scully: How does it work?

Trish Burls: On the whole, very well. The vast majority of retailers—both bricks-and-mortar and online—are law-abiding, very decent people who want to make this law work and want to make the place safer. It is an unusual retailer that will not abide by that, although we do have one or two who refuse to put their knives behind the scenes.

Q45 Paul Scully: What do you do? Do you walk around and check them, or is it feedback?

Trish Burls: All our knife retailers in Croydon have been visited. Together with a member of the police, they have signed a formal agreement whereby they agree to store their knives safely and not to sell to under-18s. As I said, that is a voluntary agreement; we cannot force them to put them behind the scenes.

Q46 Paul Scully: How do you envisage policing the corrosive substance aspect of the Bill?

Trish Burls: Up to now, corrosive substances have not been enforced at all by our team. There is going to be a large resource issue that will no doubt have an impact. I am sure that Ben will be able to tell you about that in a moment. We anticipate as a local team—the Croydon team—that before this becomes law we will roll out a very similar agreement, whereby we try to raise awareness and educate, so that people are aware of it before it

becomes law. We will roll out a responsible retailer agreement on acids pretty much along the same lines as the one on knives. Then, when it becomes law, the requirements are hopefully already embedded in people's minds.

Q47 Paul Scully: Ben, do come in. You presumably would also need specific training. It is pretty clear what a knife is, but for a corrosive substance you need a bit more technical knowledge presumably.

Trish Burls: Absolutely.

Ben Richards: What I would say is that some areas are very different depending on what their local priorities are. Some areas will not have those voluntary agreements in place. Likewise, as the changes come in, there will not be that preparation for taking action in their local area, because it will not be seen as a priority at all. It is the decision of each local authority to make those preparations how they see fit.

Q48 Stuart C. McDonald: A couple of quick questions. First, the Bill seeks to make it an offence to sell corrosive substances. Is there a need also to make it an offence to supply without consideration corrosive substances to under-18s—for example, a 19-year-old buying a corrosive substance on behalf of a younger sibling, or someone else?

Andrew Penhale: The trouble is, what constitutes a supply? A mother buying bleach for a son who is 17 and moved into his own flat would constitute a supply. Once you move into the domestic setting it becomes rather difficult to police in a neat way. There are offences that could be committed if, for instance, somebody purchased a corrosive substance with a view to an offence being committed. You would need wider evidence of that, but we could prosecute that now.

Q49 Stuart C. McDonald: Would it not be better to deal with the domestic situation that you have described by having a defence to the offence of supply, rather than just removing supply from the Bill altogether?

Andrew Penhale: It would seem a bit odd to make it an arrestable offence to supply in a perfectly innocent way. I understand the point you are making; I just think the practicalities of drafting would be quite difficult. I think there are sufficient powers. You would have to prove that there was a degree of knowledge or belief that a criminal offence was going to be committed. If, for instance, somebody provided bleach for a domestic purpose, clearly an offence would not be committed. The evidential hurdle would be to prove a knowledge or belief that an offence was going to be committed. I think we could prosecute for that already. There are offences under the Serious Crime Act 2015, for instance, that allow us to prosecute offences of incitement or assistance in the commission of an offence. The hurdles are evidential rather than legal ones.

Q50 Stuart C. McDonald: That is very helpful, thank you. You also mentioned that quite often the people involved in the delivery of either corrosive substances or knives will be different from the remote seller. Do you think that the Bill goes far enough in placing responsibilities on delivery companies not to do so to residential premises, or to persons under 18?

Andrew Penhale: I think it does go far enough. The difficulty is where you impose the obligation. These days, the delivery companies are often people who are completely unconnected with the retail function; they are just paid on a job to deliver to x number of people in a certain amount of time. I think the requirement for due diligence on their part is really important. Whether that should go further, I am not sure.

Q51 Stuart C. McDonald: Just to give you an example that struck me, it is an offence, as I understand it—I might be wrong—for a delivery person to deliver a corrosive product, or indeed a knife, to a person under 18 if the seller is outside the United Kingdom. I do not understand why the provisions relate only to a seller outside the United Kingdom. Do you have any idea why that might be the case?

Andrew Penhale: I think that is an additional measure to capture those occasions when, obviously, the retailers have not gone through that due diligence because they are operating internationally, so it is then required on delivery. The difficulty is, of course, that if they do not know what it is, they would not have committed the offence. We cannot impose obligations on international companies. That is an additional element, which is an important obligation on them, but whether it has sufficient weight is debatable, because they might not know what they are delivering.

Q52 Stuart C. McDonald: A final question from me. There is a new offence of delivery of bladed products to residential premises. For perfectly understandable reasons, there are various defences. For example, for a person charged with an offence under section 15—delivery to residential premises—a defence is that, first, the bladed product was adapted for the buyer before its delivery in accordance with specifications provided by the buyer and, secondly, such adaptations were made to enable and facilitate the use of the product by the buyer or its use for a particular purpose. That seems to be pretty broad and almost vague. Do you have any concerns about the scope of the defences?

Andrew Penhale: I might have to come back to you on that. It is an interesting point. Various measures have been specifically drafted to allow handmade products and things like that. On whether there are wider concerns in the CPS, I would like to come back to you, if I may.

Q53 Stuart C. McDonald: Are there any other comments on any of those questions?

Trish Burls: I would certainly like to come in on the residential premises one. The definition of residential premises could cause a problem for businesses and enforcers alike, in that residential premises have been defined in the Bill as places purely for residential use—no business use at all. These days, increasingly, many people work from home or have businesses registered at home and so on, so businesses might find that difficult to comply with and enforcers might find it difficult to enforce against.

Q54 Stephen Timms: The Bill makes it an offence to sell corrosive substances to people under 18. As I understand it, the evidence is that when checks are made of retailers' compliance with not selling things that they are already

[Stephen Timms]

prohibited from selling to under-18s, there is a high level of failure. Can you tell us a little about what trading standards' experience is of the degree of compliance with bans on sales to under-18s, what you think that tells us about how effective the ban will be in this case, and what we can do to make it more effective?

Trish Burls: In terms of age-restricted products in general, do you mean?

Stephen Timms: Yes.

Trish Burls: We enforce a range of products already—alcohol, tobacco, fireworks, butane and knives, obviously—and trading standards advocates age check 25 or age check 21, a system whereby a retailer is encouraged and advised to check someone's age if they look under 25 so as to give the retailers a big gap between 18 and 25, and to get them into the habit of asking for the appropriate identification at that point.

Levels of compliance have got much better in recent years, in part because of the fact that age-restricted products are high on the agenda for trading standards to keep children safe. Most trading standards departments do regular checks on this through test purchasing—almost a double band of checks as well. In Croydon we offer a lot of education to traders—we offer free-of-charge trader training sessions for them so as they aware of the law in that area—and we will check that they are complying by carrying out test purchasing, using young people.

Overall, I feel that the age of 18 is challenged a lot more now. Certainly our rates of failure, in terms of test purchases carried through by a young person's purchase of an age-restricted product, are lower than they used to be.

Q55 Stephen Timms: Let me ask about another aspect of compliance. The sale of some things listed in the explosives precursor regulations requires a licence to buy them. Sulphuric acid has recently been added to that list. Some of these products are sold in hardware stores and, I think, in some cases pound shops, where drain cleaner is sold. What is your impression of the degree of compliance likely with this new obligation to have a licence before buying these things? Are shopkeepers going to check that? How does it appear?

Trish Burls: I do not know, is the simple answer, I am afraid. I would guesstimate that when advice and education go first there will be a high degree of compliance among retailers, because awareness is raised. As I said before, it is an unusual retailer who will deliberately sell an age-restricted product into the hands of a young person, but I am afraid I do not know.

Ben Richards: We do not have any concrete figures. The only thing we would say is that obviously consistency will be the issue. Some areas are very proactive with their business communities, reaching out with advice and guidance. Some are less so, because of resource constraints. That will be an issue with the delivery of the obligation.

Q56 Stephen Timms: One final question: to what extent do you think retailers are alert to the concerns about acid sales? Is this on their agenda? Do trading standards departments discuss it with retailers or is it quite new and not in operation?

Trish Burls: I think exactly that. At the moment, this is still a new area for them. I would anticipate that there would probably be a low level of compliance if you were to go out now and carry out a series of test purchases on acid-related products, simply through lack of awareness and lack of training. Certainly, some work needs to be done before this becomes law to educate to prevent sales.

The Chair: I call Nigel Huddleston, and this will be the last question.

Q57 Nigel Huddleston: I will make it a short one. This is specifically for Mr Penhale. Clause 26 makes changes to the legal test of threatening with an offensive weapon. Can you explain the challenges you face with the current test?

Andrew Penhale: First, let me deal with some numbers. At the moment, we bring very few prosecutions for threatening with an offensive weapon, whereas we bring quite a number of prosecutions for possession. The difference in numbers is vast. To illustrate, I think last year there were about 9,000 prosecutions for possession whereas only about 600 for threatening. One of the difficulties is that the test requires us not only to show that the person who has an offensive weapon is using it in a threatening way, but that there is also a risk of immediate serious violence—the test is the risk and immediacy of that violence.

The Bill is designed to change that test to shift the evidential burden on to the reasonable belief of a member of the public or reasonable person and their expectation of a risk of serious violence. Rather than having a test that can essentially be objected to, because, for instance, there might not be a proximity and therefore no immediate risk, when the people witnessing the threatening behaviour feel a sense of immediate risk, even though they may not be immediately proximate, that offence would now be captured. So it would capture a degree of behaviour that is not currently captured, and, obviously, it is a more serious offence than simply possessing an offensive weapon. I hope I have explained that clearly.

Nigel Huddleston: Thank you.

The Chair: That brings us to the end of our oral evidence session. The Committee will continue to take oral evidence this afternoon from 2 pm. I thank our witnesses on behalf of the Committee for their evidence and ask the Government Whip to move the adjournment.

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

11.25 am

Adjourned till this day at Two o'clock.

