

Consultation Response from Children and Young People



Putting Our Communities First: A Strategy for Tackling Anti-Social Behaviour

Scottish Executive September 2003

Children in Scotland

Children in Scotland is Scotland's national umbrella agency for organisations and professionals working with and for children and their families. It exists to identify and promote the interests of children and their families and to ensure that relevant policies, services and other provisions are of the highest possible quality and are able to meet the needs of a diverse society.

Children in Scotland represents over 300 members, including all the major voluntary, statutory and private children's agencies, professional associations and local authorities as well as many smaller community groups and children's services. Children in Scotland facilitates the National Early Years Forum, the Scottish Parenting Forum, the Special Needs Forum, Enquire – the national advice service for special educational needs in Scotland and a National Steering Group on Children infected/affected by HIV/AIDS. It works in partnership with the National Children's Bureau and Children in Wales, and is a member of the European Forum for Children's Welfare (EFCW).

The Consultation Process

The response is based on consultations with 18 young people aged between 14 and 17. This response is informed entirely by their responses and addresses the consultation document thematically rather than answering the set questions. However, some specific questions contained in the consultation document have been answered where possible.

General Comments

Overall, it would seem that the strategy fails to address many of the issues that young people feel are important in tackling anti-social behaviour. There is little recognition of the influence played by social background and upbringing or relationships with parents and peers on anti-social behaviour by young people. Measures such as tagging and dispersal of groups for people as young as 12 years old are against their right to be a child. It can also be damaging to their self-esteem; many of the young people consulted recognised that those who committed anti-social behaviour often had low self-esteem and didn't think that punishment would help to improve a person's self-worth. One young person commented that "[the strategy] is trying to make kids grow up too fast."

Concerns were raised by many young people about what effects some of the new proposals could have on vulnerable groups of young people, such as homeless young people, or those with mental or behavioural difficulties. However, perhaps the most pressing concern felt by all of the young people was that the proposals confirmed stereotypical views of young people as anti-social.

The consultations revealed a clear need for further provision of youth services such as youth clubs, drop-in centres and affordable leisure facilities.

Children in Scotland would like to highlight comments made by many of the young people in regards to their general lack of awareness of this strategy. For many of them the first they heard of this was from our consultation events. Children in Scotland question that if we are really to consult with young people and listen to their views, how can we effectively expect them to participate if they have not been informed?

Key points:

- Young people believed that as a group, they were often stigmatised and poorly represented by the media and society in general. They felt that the emphasis on young people's behaviour in the consultation document only served to reinforce these negative stereotypes.
- Although there was recognition of the problems of anti-social behaviour by a few of the young people, they all said that poverty was the biggest problem for society and it's young people. They suggested that the Scottish Executive must deal with this issue before they could hope to successfully tackle anti-social behaviour.
- Overall, the young people thought that restorative or punitive measures, such as Community Reparation Orders or Anti-Social Behaviour Orders, would have little impact on re-offending as these measures would not tackle the underlying reasons why young people committed anti-social behaviour.

- Young people were unanimous in their support for an increase in youth facilities, such as youth clubs, drop-in centres and leisure facilities. These were seen as positive support for young people in their communities and prevented the boredom and frustration which often lead to anti-social behaviour.
- Young people were insistent that the Scottish Executive needed to advertise and educate everyone in society about any new legislation regarding anti-social behaviour, so that everyone was aware of their rights and the legal consequences of their behaviour.

PROTECTING & EMPOWERING COMMUNITIES

Community Reparation Orders

Opinions were divided on the possible success of Community Reparation Orders (CROs). Most of the young people felt that CROs would not stop them re-offending. CROs were seen as “an easy way out”. Many did not see the point of CROs unless they were backed up by a set of values.

Others thought that repairing the damage you had done to a community was a good idea. However, they believed that CROs would not be effective unless they worked alongside other measures that looked at why the young person had done the damage in the first place. CROs weren’t enough on their own.

“There needs to be a follow-up to everything”.

In response to Question 4 of the Consultation Document, all of the young people said that it would be wrong to impose an upper age limit of 21 on CROs. They believed that to target CROs would be discriminatory as “older people commit anti-social behaviour too”.

PREVENTING ANTI-SOCIAL BEHAVIOUR – CHILDREN & FAMILIES

Anti-Social Behaviour Orders

The majority of young people decided that ASBOs would be ineffective at preventing anti-social behaviour for a variety of reasons, but mainly because young people might have difficulty understanding ASBOs and their implications. None of the young people we consulted knew anything about ASBOs and they all pointed out that if ASBOs are extended to under 16s then it is important that all children and young people are told about what an ASBO is, what you could get it for and what the implications would be of having one.

- Young people thought that children aged 12 might have difficulty understanding how ASBOs worked, how they would effect their lives and it was most likely that they probably would not care about receiving one.
- Some young people viewed ASBOs as “just a bit of paper” and said that the threat of an ASBO would not stop them from anti-social behaviour.

Of those young people who were concerned about the implications of ASBOs their main points were:

- The Consultation Document doesn't clarify what type of behaviour will lead to an ASBO. It was strongly felt that there had to be a set of criteria so that an ASBO wasn't open to wide interpretation and abuse.
- Even though an ASBO is a Civil Order, rather than Criminal Order, there was a feeling that if people in the local community found out about it then the young person would be stigmatised.
- Some were worried that an ASBO would show up on Disclosure checks and affect their chances of getting a job.
- Concerns were raised about what effect ASBOs would have on young homeless people and how it would effect their chances of getting decent accommodation and employment.

Electronic Monitoring

Opinions were divided on the issue of Electronic Monitoring. Some young people were not deterred by Electronic Monitoring and saw tags a bit like a status symbol.

"That would be quite cool, I'd want one".

Others saw tagging as an infringement of their rights and were against the idea in principle. However, they also felt that tagging was preferable to secure accommodation.

Concerns were raised that tagging a young person who lived in an abusive home would only make things worse for them.

A few believed that confining young people to their homes with tags contradicted other government strategies aimed at encouraging young people to be more healthy and active.

Parenting Orders

All of the young people believed that your relationship with your parents is one of the biggest influences on your behaviour. When asked if they thought if Parenting Orders (POs) would improve the behaviour of young people the young people unanimously replied that it would not. Overall, they thought that POs would be largely ineffective, but they also suggested that POs could cause new problems for families.

It was widely held opinion that Parenting Orders would not make a difference to a young person's behaviour if they did not respect their parents or had a poor relationship with them in the first place. They felt that POs would only prevent you from committing further anti-social behaviour if you respected and cared about your parents, otherwise you would "want to get as many of them as you could, just to annoy them."

"If it gets to a certain point it can be too late."

All of the young people consulted thought that POs for parents of teenagers was “too little too late”. They felt that by the time a child had become a teenager their behaviour was harder to change, as one young person put it “the damage is already done”. For this reason, some of the young people put forward the idea of parenting classes to be available for all new parents, “sort of like a guidance teacher for parents when their kids are attending school”. All of the young people considered early intervention and positive help for parents to be a better way of preventing young people from anti-social behaviour than punishing or talking to parents at a later date.

Particular concerns were raised about the effect POs would have on families who were already in difficult situations. If a parent is already living in a stressful situation then a PO could add to this stress and cause them to take their frustrations out on their child. All of the young people recognised that POs could be viewed as a label for stigmatising parents and suggested the possibility that POs could lead to young people being thrown out of the family home, if the parent felt they couldn't cope with either the stigma or the young person.

It was asked if there was any sense in placing a PO on a parent with a mental health problem and how effective such a measure would be. The young people also wanted to know what would happen if parents were separated or divorced – which parent would the PO apply to in this situation?

SAFE, SECURE AND ATTRACTIVE COMMUNITIES

Spray paint ban

None of the young people agreed with the ban on the sale of spray paint to under-16s. Nobody thought it would cut down on graffiti.

“You can always find a way of getting something if you really want it.”

They found that graffiti was less likely to be seen in an attractive neighbourhood because it was a nice place to be. They had less respect for areas which weren't so attractive.

“It disnae matter if it's a dump”.

All of the young people viewed the appearance of your local area as a big influence on how they treated the community they lived in. It was also pointed out that some young people use spray paint legitimately for art hobbies and it would be unfair on them to ban it.

Anti-Social Behaviour and Housing

Some of the young people were particularly concerned about proposals for landlords to evict families whose children had ASBOs. They felt that this could be used as an excuse by landlords who didn't like a family or young people to get rid of them. It was also believed that punishing the whole family

for something that only one of them had done was unfair, particularly for other siblings.

EFFECTIVE ENFORCEMENT

Dispersal of groups

All of the young people voiced strong opinions at being moved on by police for hanging around with their friends. It was widely believed that this proposal was ageist. Young people have a right to be in public with their friends as much as any other group of people.

Many felt strongly about the fact that they are already moved on by the police for doing nothing wrong. They complained that moving them on doesn't solve anything but actually aggravates them making them *more* likely to commit anti-social behaviour.

There has to be a list of criteria for the police to move young people on and there needs to be clear evidence that they are doing something wrong

"The police shouldn't be allowed to break us up if we're not doing anything wrong."

They felt that breaking up a group of 2 young people was extreme and asked if the police would have the power to break up a group of young people walking home from school.

The idea of being taken back home to your parents by the police was seen by many as pointless; "it won't work if your parents don't care".

Hanging out with your friends is a normal part of growing up and preventing this is to deny someone their right to be a young person and be part of their community. As one young person put it, "it's like saying 'your child's too sociable'".

All of the young people said that they would be far less likely to hang around the streets if there were more places for them to go to. Many complained that there was no-where to go for them in the evenings. This was recognised as a particular problem for young people between the ages of 13 and 16. Most of them are too young to have part-time jobs or any money to do anything and too young to go to pubs or clubs, yet they are at the age where being with their friends is very important to them. Everyone wants to see more youth clubs and drop-in facilities for under-16s so that they have somewhere to go to "all the time". Some also suggested designated shelter areas "like bus shelters but for young folk" for young people to hang out in.

A major element of the discussion with all of the young people when talking about this issue was their relationship with the police. It was acknowledged that there was little respect between young people and the police. Everyone recognised that a positive approach by individual police officers was the key to good relations with the police.

“Some of them are alright, they talk to you like you’re a person and that’s all you need.”

However, when the police talked down to them as if they were stupid, using terms like “schemies” they became angry and felt the police were deliberately out to get them.

“They’re just on a power trip, eh?”

Some of the young people felt that the police stereotyped them because of their backgrounds and looked for them to start trouble.

“Police should be on your side but it often seems like they are against you.”

Young people are wary of giving the police more powers in this area and believe this could undermine already difficult relationships between young people and the police.

Fixed Penalty Notices

With regard to Fixed Penalty Notices it was asked where young people would get the money from if they didn’t work, adding that if it came from their parents then that punished the parents and not the young person.

“If you can’t pay it and your parents pay it then what’s the point?”

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