



House of Commons
Home Affairs Committee

**Memorandum from the
Home Office: Progress
in implementing
accepted Committee
recommendations
2001–05**

**First Special Report of Session
2005–06**



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*Ordered by The House of Commons
to be printed 21 March 2006*

Home Affairs Committee

The Home Affairs Committee is appointed by the House of Commons to examine the expenditure, administration and policy of the Home Office and its associated public bodies; and the administration and expenditure of the Attorney General's Office, the Treasury Solicitor's Department, the Crown Prosecution Service and the Serious Fraud Office (but excluding individual cases and appointments and advice given within government by Law Officers).

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Powers

The Committee is one of the departmental select committees, the powers of which are set out in House of Commons Standing Orders, principally in SO No 152. These are available on the Internet via www.parliament.uk.

Publications

The Reports and evidence of the Committee are published by The Stationery Office by Order of the House. All publications of the Committee (including press notices) are on the Internet at www.parliament.uk/homeaffairscom. A list of Reports of the Committee since 2001 is at the back of this volume.

Committee staff

The current staff of the Committee are Dr Robin James (Clerk), Mr Mark Etherton (Second Clerk), Kate Akester (Adviser (Sentencing Guidelines)), Martha Goyder (Committee Specialist), Ms Arabella Thorp (Inquiry Manager), Mr Ian Thomson (Committee Assistant), Jenny Pickard (Secretary) and Alison Forrester (Senior Office Clerk).

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First special report

The Home Office has supplied us with a memorandum, listing actions taken by the Government in implementing accepted Home Affairs Committee recommendations since the start of the 2001 Parliament. This is an updated version of a document originally submitted over a year ago, which our predecessor Committee published with its annual report in February 2005.¹ Owing to the hiatus in Committee activities caused by last year's General Election and the subsequent interval before renomination of select committees, we do not propose to produce a report on the Committee's activities in 2005 (our next annual report is planned for early 2007 and will review our operations since renomination). However, we think it would be useful to place on the public record the updated information supplied by the Government on their response to our recommendations, and we therefore print their memorandum with this Special Report.

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Appendix: Memorandum from the Home Office: Progress in implementing accepted Committee recommendations 2001–05

The Anit-Terrorism Crime and Security Bill, published 19 November 2001

Paragraph No. and text	Progress report 2004	Progress report 2005
<p>Paragraph 20: Whilst we do not, for a moment, suggest that the Government should send people back to countries where they would be at risk of torture or ill-treatment, we do think that the Government should engage in a review with our European partners, with a view to finding some acceptable solution that might avoid the need to exercise a power of indefinite detention. It would be desirable for the Home Secretary, who is accountable to Parliament, to be able to exercise his discretion within the framework of Article 3.</p>	<p>Accepted, in that a review is taking place. A Review of current CT legislation (including the powers to detain certified specified individuals) is underway. A review of the approach taken by our European partners has not revealed a clear alternative to the current approach in part 4 of the ATCS Act. We continue to consider options to strengthen our CT response in light of the ongoing review of current legislation and the results of the consultation process.</p>	<p>Accepted, but see also response to Paragraph 27 below. We have not sought to modify the ECHR and recognise the absolute nature of Article 3. We have, however, with the consent of the Dutch Government intervened in a Dutch case before the European Court which turns on Article 3. We have asked the Court to review the jurisprudence around Article 3, and specifically whether a balancing test can be applied. Separately, we have negotiated and continue to negotiate MOUs with a number of countries to which we wish to return individuals involved in terrorism. The MOUs contain guarantees which we believe will enable us to demonstrate to the Courts that deportation is consistent with our international obligations.</p>
<p>Paragraph 27: We reluctantly accept that there may be a small category of persons who are suspected international terrorists who cannot be prosecuted, extradited or deported and therefore will have to be detained.</p>	<p>Accepted. The Part 4 powers have been used sparingly and proportionately.</p> <p>Sixteen people have been certified and detained under Part 4 of the Anti-terrorism, Crime and Security Act 2001 (the ATCS Act). One further person was certified under Part 4 but was already being detained under another power.</p> <p>Since being certified and detained, two of the detainees have chosen to leave the United Kingdom, as any of the detainees are free to do at any time.</p> <p>One further detainee has been released from detention following a successful appeal against his certification and another was released by the Home Secretary on 20 September 2004. In all four cases, the certificates have been cancelled or revoked. One further person has been released from bail under strict bail conditions but remains the subject of a certificate.</p>	<p>Accepted. The Part 4 powers were used sparingly and proportionately – only 17 people were certified under this power (16 certified and detained, and one certified but detained under other powers). Those certified had a right of appeal to the Special Immigration Appeals Commission (SIAC), and all 17 exercised their right.</p> <p>The legality of the derogation from Article 5 of the ECHR sought in relation to the ATCSA Part 4 powers was also separately challenged in the Courts.</p> <p>On 16 December 2004 the Law Lords quashed the derogation order and concluded that section 23 ATCSA was incompatible with Articles 5 (deprivation of liberty) and 14 (prohibition of discrimination) of the ECHR.</p> <p>In the light of the House of Lords judgment, the</p>

Paragraph No. and text	Progress report 2004	Progress report 2005
<p>Paragraph 34: We are concerned that the power of detention is exercised only as a last resort, <i>i.e.</i>, in circumstances where it is clearly not possible to proceed with prosecution, extradition or deportation. The Committee understands that, in some cases, prosecutions do not proceed because certain types of intelligence, such as telephone intercepts, cannot be admitted in court. We believe that within the law enforcement community there is a variety of views on whether such evidence should be used in court. We</p>	<p>Of the remaining detainees, two are currently serving sentences for criminal offences, although they remain the subject of certificates and as such, will continue to be detained under Part 4 on completion of their criminal sentences. Three detainees have been transferred to Broadmoor High Security Hospital under Section 48 of the Mental Health Act.</p> <p>As a result, thirteen people continue to be the subject of a certificate issued by the Home Secretary, of whom twelve are detained and one is on bail.</p> <p>A number of the detainees brought a legal challenge against the derogation that was sought from article 5 of the ECHR. On 16 December the Law Lords ruled that the ATCS Act part 4 powers were incompatible with article 5 and article 14 of the ECHR. We are now considering this judgement. It is ultimately for Parliament to decide whether and how we should amend the law. The Part 4 provisions will remain in force until Parliament agrees the future of the law. Accordingly we will not be revoking the certificates or releasing the detainees, whom we have reason to believe are a significant threat to our security.</p> <p>In considering the future of the provisions, account will be taken of the consultation exercise launched last February with the publication of the discussion paper "Counter-terrorism Powers: Reconciling Security and Liberty in an Open Society".</p> <p>Accepted. Review of the possible use of Intercept material as Evidence underway. Ministers are expected to reach a decision on this shortly. We will need to be satisfied that the benefits of any change significantly outweigh the risks to intelligence and law enforcement partnership, and to national security. It is essential that any new system is safe from successful legal challenge.</p>	<p>Government introduced measures that could apply to UK and foreign nationals alike and which did not involve imprisonment. The Prevention of Terrorism Act 2005, which became law on 11 March 2005, introduced a new system of control orders and repealed sections 21 to 32 of the ATCSA.</p>
<p>Paragraph 34: We are concerned that the power of detention is exercised only as a last resort, <i>i.e.</i>, in circumstances where it is clearly not possible to proceed with prosecution, extradition or deportation. The Committee understands that, in some cases, prosecutions do not proceed because certain types of intelligence, such as telephone intercepts, cannot be admitted in court. We believe that within the law enforcement community there is a variety of views on whether such evidence should be used in court. We</p>	<p>Accepted. Home Secretary's Written Statement of 26/1/05 announced decision not to remove existing prohibition on evidential use of intercept but to continue to keep the issue under review. Further work, on the impact of changing technology in telecommunications and on the possible use of a pre-trial sift process to protect sensitive material in trials, will be reported to Ministers shortly.</p>	<p>Accepted. Home Secretary's Written Statement of 26/1/05 announced decision not to remove existing prohibition on evidential use of intercept but to continue to keep the issue under review. Further work, on the impact of changing technology in telecommunications and on the possible use of a pre-trial sift process to protect sensitive material in trials, will be reported to Ministers shortly.</p>

Paragraph No. and text	Progress report 2004	Progress report 2005
<p>suggest that the Government conduct a review of the law and procedure relating to the admissibility of intercept evidence in court, with a view to extending the circumstances in which such evidence could be admitted.</p>		
<p>Paragraph 40: We welcome the provisions that the power of detention will only continue in force for 15 months and then will require annual renewal by Parliament for one year. We recommend that such renewal should be based on an annual report by an independent commissioner.</p>	<p>Accepted. Lord Carlile, independent reviewer of Terrorism Act 2000, has been appointed reviewer of the workings of Part 4 of the ATCS Act.</p> <p>Lord Carlile is required to review the Act not later than one month before the expiry of the powers. In practice, this has allowed for an annual report.</p> <p>In addition the Newton Committee was appointed to review the whole of the Act. It reported back to Parliament in December 2003 and the recommendations were debated by Parliament in February/March 2004 alongside the latest renewal of the powers. The Committee has now disbanded.</p>	<p>Accepted. Lord Carlile, independent reviewer of the Terrorism Act 2000, was appointed reviewer of the workings of Part 4 of the ATCS Act. However, as outlined in the progress report on paragraph 20 above, the Part 4 powers have now been repealed so the requirements for annual renewal and an independent reviewer have therefore fallen away. (Lord Carlile has since been appointed independent reviewer of the Prevention of Terrorism Act, which contains a similar requirement for annual renewal.)</p>
<p>Paragraph 43: This measure can only be described as "temporary" if it will expire after a set number of years - subject to Parliament passing new primary legislation. We recommend that a "sunset" provision - such as that contained in the Prevention of Terrorism Act 1984 - should apply to the immigration and asylum provisions in part 4 of the Bill after five years. Any revival or continuance of the detention and other powers would then depend on the full parliamentary consideration given to a Bill and not just the 90 minute debate in a standing committee required for an annual renewal order (paragraph 43).</p>	<p>Accepted. Act incorporates a sunset clause. Detention powers will cease to have effect in November 2006.</p>	<p>Accepted. The Act incorporates a sunset clause, however, as above, the Part 4 powers have now been repealed.</p>

<p>Paragraph No. and text</p> <p>Paragraph 61: We have not seen sufficient evidence to justify the proposition that extending the law of incitement to include religious as well as racial hatred will work in practice. The proposals in the Bill would be difficult to enforce. We note in particular the evidence from a group of distinguished Muslim organisations and individuals: "we have grave reservations about the extension of this criminal power to cover religious groups at this particular time." We therefore see no reason for this measure to be included in this emergency terrorism Bill.</p>	<p>Progress report 2004</p> <p>Accepted in that the provision was dropped from the Bill owing to concerns expressed and time constraints. Subsequently a House of Lords Select Committee report on Religious Offences in England and Wales was published in April 2003 containing an extensive discussion on the question of a new offence - incitement to religious hatred. The Government issued its response in December 2003. We believe that the arguments for this extension of the law have grown stronger since 2001. Provisions have therefore been included in the Serious and Organised Crime Bill for consideration by the House.</p>	<p>Progress report 2005</p> <p>Accepted in that the provision was dropped from the Bill owing to concerns expressed and time constraints. Subsequently a House of Lords Select Committee report on Religious Offences in England and Wales was published in April 2003 containing an extensive discussion on the question of a new offence - incitement to religious hatred. The Government issued its response in December 2003. We believe that the arguments for this extension of the law have grown stronger since 2001. Provisions were included in the Serious and Organised Crime Bill for consideration by the House but these were also dropped. Following a manifesto commitment at the May 2005 general election, the Racial and Religious Hatred Bill was introduced in June 2005 and received Royal Assent in February 2006.</p>
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Paragraph No. and text	Progress report 2004	Progress report 2005
<p>Paragraph 17: We share the general concern that central interference in running individual forces is not desirable. We believe that the tripartite structure and operational independence of police forces are essential safeguards against politicisation and centralisation of the police. We welcome the safeguards proposed by the Government and hope it is clearly understood that these powers should only be used as a last resort. As originally proposed, this clause (directions to chief officers) was unacceptable. If it is eventually restored to the Bill with the additional safeguards on consultation, we will watch carefully to see how these powers are exercised.</p>	<p>Progress report 2004</p> <ul style="list-style-type: none"> • The clause (directions to Chief Officers) was amended in the Lords to powers to direct Police Authorities. • A protocol has been agreed with ACPO/APA on its use. • Ultimately the Home Secretary is responsible for the effectiveness and efficiency of forces. Reserve powers are a last resort to ensuring delivery. <p>The Government used these powers in accordance with the protocol in Humberside.</p>	<p>Progress report 2005</p> <p>Accepted. The White Paper <i>Building Communities, Beating Crime</i> signalled the Government's intention to modify the intervention powers to make them more fit for purpose. This includes broadening the trigger for intervention to enable the Home Secretary to draw upon the opinion of the relevant inspecting and other sources of information and broadening the scope of the intervention powers to cover the role of police authorities. This work is being taking forward.</p>
<p>Paragraph 40: We support the proposed changes to the police disciplinary procedures in the Bill, but we share the view of the Metropolitan Police Service that they do not go far enough. We believe that, so far as possible, police disciplinary procedures ought to reflect those in other walks of life. The current procedures were devised long before employment law gave protection against unfair dismissal. Taking modern employment law into account, police regulations could be simplified. We regret that the Government has not gone further in this Bill to reform police disciplinary procedures.</p>	<p>The Home Secretary has asked for a fundamental review of the police disciplinary system by the end of the year:</p> <ul style="list-style-type: none"> • Bill Taylor, previously HMCIC for Scotland, has been appointed as the independent chair of the review; • The review will make recommendations on the improvement of existing police discipline arrangements in a way that is likely to enjoy the confidence of the public and the police; <p>It will consider relevant recommendations that emerge from the Morris and CRE investigations during the timescale of the review.</p>	<p>Accepted in part. A Review of Police Disciplinary Arrangements was completed by Bill Taylor and a report was published in January 2005. Six recommendations were made and they were accepted by the Minister. These included:</p> <ul style="list-style-type: none"> • A new Code of Professional Standards (incorporating conduct and ethics); • New disciplinary arrangements based on Acas principles; and • A review of unsatisfactory performance procedures. <p>A Police Advisory Board working party on discipline has been established to take the recommendations forward.</p> <p>Dismissing probationers for misconduct is handled in the same way as police officers under The Police (Conduct) Regulations 2004.</p>

Paragraph No. and text	Progress report 2004	Progress report 2005
<p>Paragraph 48: We believe that, if the Home Office has concluded that strengthened powers are needed for the suspension and removal of chief constables, it should be able to give a fuller explanation of how they might be used. We would expect these powers to be used only in exceptional circumstances.</p> <p>Paragraph 49: We recommend that the proposed protocol on the operation of the powers to remove senior officers be published before the Bill reaches report stage. We hope the House, before agreeing to these clauses, will press Ministers for a fuller explanation of why they are necessary and why the matter cannot be left to police authorities.</p>	<p>A protocol for the implementation of the updated suspension and removal powers was agreed with the Chief Police Officers' Staff Association, the Association of Chief Police Officers and the Association of Police Authorities. The Police Negotiating Board circulated this protocol in PNB circular 04/05 on 5 April.</p> <p>The protocol sets out the circumstances in which the suspension and removal of chief officers might be appropriate and outlines the process for the use of the powers in sections 11 & 42A of the 1996 Police Act (as amended by the 2002 Police Reform Act). The financial consequences of the suspension and removal of chief officers was also agreed as part of this process.</p> <p>The 2004 police reform white paper also gave a commitment that 'the suspension process for chief constables will be reviewed to ensure that it is as fair and straightforward as possible. Discussions will be held with the Association of Chief Police Officers, Association of Police Authorities and the Chief Police Officers Staff Association on how best to ensure there are informal as well as formal mechanisms for addressing chief officer performance issues.</p>	<p>Paragraph 48 accepted, Paragraph 49 accepted in part. Regarding the suspension of a chief officer following misconduct, this must be done in accordance with the Police (Conduct) Regulations 2004.</p>
<p>Paragraph 51: We recommend that police regulations be amended to prevent the retirement of any senior officer suspended on disciplinary grounds until the matter is resolved.</p>	<p>We accept that an anomaly exists in that a suspended officer facing misconduct proceedings can retire before proceedings are concluded if their fixed term appointment comes to an end.</p> <p>We will look at the legal and practical implications of taking action to amend police regulations and are considering whether there are other options for dealing with this anomaly, in the light of the outcome of the Taylor review of police discipline.</p> <p>This will be followed by consultation with CPOSA, ACPO and APA, to ascertain whether there is a sufficient case to amend the fixed term appointment regulations.</p>	<p>Accepted. The work following the Taylor Review on discipline is ongoing.</p>

Paragraph No. and text	Progress report 2004	Progress report 2005
<p>Paragraph 65: We recommend that the partial police powers to be vested in community support officers and accredited community safety organisations be reflected in different uniforms, so members of the public can distinguish clearly between those with full police powers and others on duty on the streets.</p>	<p>Powers given through Police Reform Act 2002 were supplemented by the Anti-Social Behaviour Act 2003 which gave CSOs the power to issue some of the new fixed penalty notices for disorder. The power to detain a suspect for 30 minutes was trialled in six different forces for a period of two years from December 2002. The 2004 police reform white paper gave a commitment to empower forces to grant the power of detention to CSOs.</p> <p>A national evaluation is under development – an interim report is to be published on 23 December. Early indications from force level assessments are that CSOs are widely welcomed by their communities and are very effective in providing high level visible reassurance. They also have significant potential to impact on low level crime and anti-social behaviour.</p>	<p>Accepted. Provisions in the Police Reform Act 2002 relating to Community Support Officers (CSOs) and Community Safety Accreditation Schemes came into force in December 2002.</p> <p>Section 42(2) of that Act provides that CSOs and Accredited persons may only exercise their powers when wearing a uniform approved by their Chief Officer and described in their designation.</p> <p>Accredited persons must also wear a badge which has been specified by the Secretary of State for this purpose. The Association of Chief Police Officers Guidance on CSOs and Community Safety Accreditation Schemes sets out advice on appropriate uniforms for CSOs and Accredited persons.</p> <p>Section 42(2) of the Police Reform Act also requires that a CSO or Accredited person, when exercising any power or duty in reliance on their designation, must produce that designation on request. The designation must include details of their uniform and the powers with which that person has been designated by their Chief Officer.</p>
<p>Paragraph 77: We believe that the difficulties involved in recovery of policing costs from nightclubs and football clubs are unlikely to be resolved in this Bill but the Home Office circular 34/2000 on this subject should be reviewed.</p>	<p>The Association of Chief Police Officers (ACPO) has been leading work to develop a new costing methodology to underpin cost recovery for services provided under section 25 of the Police Act. Once this work is complete it will be possible to revise, perhaps even to dispense with, the cost recovery element of HOC 34/2000.</p> <p>A measure to amend Section 25 to clarify the scope of cost recovery was considered for the Serious Organised Crime and Police Bill. Although progress is being made with the ACPO methodology, it was inadequate to enable a measure to be included in the bill.</p> <p>The joint Home Office and DCMS departmental working</p>	<p>Accepted. ACPO's costing was published on 1st April 2005.</p> <p>The Violent Crime Reduction Bill contains proposals for Alcohol Disorder Zones. These will enable the police and local authorities, as a last resort, to charge licensed premises for additional enforcement activities related to the night time economy. The authority for police charging, in an ADZ, will be Section 25 of the Police Act and we are working with ACPO on a charging methodology, which will be set out in regulations.</p>

Paragraph No. and text	Progress report 2004	Progress report 2005
	<p>group is to examine all the issues surrounding the costs of policing football. It has not concluded its deliberations, but there seems little prospect that the football authorities will voluntarily offer to fund more of the costs of policing football. There has been some success in reducing those costs. The Metropolitan Police Authority set up a working group on charging in 2003 and in July 2004 agreed the recommendations of that working group's report. This introduced a policy for the Metropolitan Police Service based on reducing policing costs at matches and working in partnership with the football authorities and clubs to develop youth inclusion programmes intended to improve crowd behaviour. The joint working group will be invited to consider the wider applicability of this approach.</p> <p>The Government is working with the drinks industry to develop social responsibility schemes at national level. These voluntary schemes will combine codes of good practice with a financial contribution from the industry. Government will review this approach early in the next parliament. If the impact of the industry measures is not as hoped, other possibilities, including legislation, will be considered.</p>	
<p>Paragraph 81: The Riot (Damages) Act 1886 seems arcane and a good case has been made for repealing it. Without prejudice to any existing cases, the Government should seek to repeal the Riot (Damages) Act 1886.</p>	<p>A public consultation document on the future of the Riot Damages Act was launched in July 2003. Police service respondents strongly supported repeal of the Act. Business and insurance industry respondents wished to retain it, or replace it with a government backed insurance arrangement. Next step is to advise Ministers on the outcome and get approval to publish a summary of responses. Abolition, or reform, would need primary legislation, for which there is no immediate opportunity.</p>	<p>Accepted. Ministers were advised of the outcome of the consultation undertaken in July 2003 and agreed to pursue a measure to repeal the Act. However, it has proved impossible to reach agreement at official level that would allow DA clearance of the measure. Currently seeking an alternative way forward.</p>
<p>Paragraph 86: We recommend that the Government either bring forward amendments to the Bill to improve the arrangements for medical retirements or publish draft delegated legislation on this subject before the Bill</p>	<p>The PNB working party worked constructively to enable the PNB to agree changes to the regulations which came into effect in April 2003 and to issue guidance, <i>Improving the Management of Ill-Health</i>, on the wider</p>	<p>Accepted. Further reform of the arrangements for medical retirements is an integral part of the new police pension scheme for future entrants, which will be introduced in April 2006. The current single-tier</p>

<p>Paragraph No. and text</p> <p>receives Royal Assent.</p>	<p>Progress report 2004</p> <p>set of new procedures (up to the appeal stage) which came into effect in July 2003. The main points were:-</p> <ul style="list-style-type: none"> strengthening the medical criteria for being assessed as permanently disabled – for instance permanent now means at least until age 55; setting up a two-stage process in the medical assessment – the force medical adviser and the selected medical practitioner – to ensure that each case is fully considered; and strengthening the power of the police authority to retain a permanently disabled officer for further service wherever that is practicable. <p>Regional 3-person Police Medical Appeal Boards established commencing work in November 2003.</p> <p>The PNB included guidance on the appeal stage to <i>Improving the Management of Ill-Health</i> in January 2004.</p> <p>HMIC statistics show that medical retirements are on a downward trend. There were 14.8 medical retirements per 1000 police strength in 1997/98, 13.5 in 1998/99, 10.3 in 1999/2000, 9.8 in 2000/01, 8.8 in 2001/2, and 6.2 in 2002/3. The target of 6.5 medical retirements per 1000 police strength by 2005/6 (set in the 2003-6 National Policing Plan published in November 2002) has been met.</p> <p>Further reform of the arrangements for medical retirements is an integral part of the Government's proposals for a new police pension scheme for future entrants, published in a consultation document in December 2003. It is proposed to replace the current single-tier system of ill-health benefits with a two-tier system. Officers who are still able to take regular full-time employment would leave with an immediate unenhanced pension. Officers who are permanently</p>	<p>Progress report 2005</p> <p>system of ill-health benefits will be replaced by a two-tier system.</p>
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Paragraph No. and text	Progress report 2004	Progress report 2005
	<p>disabled from taking regular full-time employment would still leave with an immediate enhanced pension to compensate for this loss. The proposals are under consideration by a new PNB working party and the planned implementation date for the new pension scheme is April 2006.</p>	
<p>Paragraph 79: We recommend that the Bill be amended to bring police officers within the Public Disclosure at Work Act 1998.</p>	<p>Section 37 of the Police Reform Act 2002 commenced on 1st April 2004 bringing police officers under the protection of the Public Interest Disclosure Act 1998. Under an order laid before Parliament in December 2004, coming into force on 1 January the Independent Police Complaints Commission will become listed as a prescribed organisation under PIDA.</p>	<p>Accepted. The IPCC is now a prescribed organisation under PIDA 1998.</p>

The Government's Drugs Policy: Is It Working? published 22 May 2002

Paragraph No. and text	Progress report 2004	Progress report 2005
<p>Paragraph 109: In the event of the successful completion of clinical trials and a positive evaluation by the Medicines Control Agency, it is recommended that the law is changed to permit the use of cannabis-based medicines</p>	<p>GW Pharmaceuticals applied to the Medicines and Healthcare products Regulatory Agency (MHRA), in March 2003 for marketing approval for Sativex, a cannabis-based medicine. Market approval is the responsibility of the MHRA; a marketing authorisation will be issued if or when the product has demonstrated its quality, safety and efficacy. On 1 December 2004, the MHRA informed the company that the Committee on the Safety of Medicines had advised it not to grant market authorisation on current evidence. If or when the product is approved by the MHRA, the Home Secretary will seek Parliament's agreement to change the law to enable the prescription of cannabis-based medicine for the purpose of relieving pain.</p>	<p>Accepted. In October 2005, Sativex was granted a conditional licence by the Canadian authorities and, as a result, it may be made available to patients in the UK as an unlicensed medicine on importation from Canada. The decision to do so (and the subsequent responsibility) rests with individual clinicians.</p>
<p>Paragraph 120: We accept that cannabis can be harmful and that its use should be discouraged. We accept that in some cases the taking of cannabis can be a gateway to the taking of more damaging drugs. However, whether or not cannabis is a gateway drug, we do not believe there is anything to be gained by exaggerating its harmfulness. On the contrary, exaggeration undermines the credibility of messages that we wish to send regarding more harmful drugs.</p> <p>Paragraph 121: We support, therefore, the Home Secretary's proposal to reclassify cannabis from Class B to Class C.</p>	<p>Cannabis was reclassified as a Class C drug on 29 January 2004. The maximum penalty for supply of cannabis has remained at 14 years' imprisonment, in recognition of the fact that it is an illegal drug and its use is to be discouraged. The maximum penalty for possession has been reduced from 5 years' to 2 years' imprisonment. ACPO guidance states that there will be a presumption against using the power of arrest for possession of the drug, except in those cases where there are specific aggravating factors, such as consumption near a location frequented by young people.</p>	<p>Accepted. The Home Secretary requested that the Advisory Council on the Misuse of Drugs (ACMD) provide advice on links between cannabis use and mental health, and the incidence of increased THC content "skunk" varieties of the drug. The ACMD undertook a thorough review, considering newly published research and taking evidence from a number of people and organisations. They submitted their report to the Home Secretary in December 2005 and published in January 2006. The Home Secretary has accepted the ACMD's recommendation that cannabis remain as a Class C drug, given that its inherent toxicity and harmfulness are not comparable to those of other Class B drugs. The Home Secretary also announced that evidence relating to cannabis would be kept under review, an enforcement campaign against cannabis farms would be launched and an information campaign focusing on the health – and, in particular mental health – harms and legal penalties would also be launched.</p>

<p>Paragraph No. and text</p> <p>Paragraph 140: We recommend that the number of treatment places for cocaine users is substantially increased. We recommend that resources are channelled into researching and piloting innovative treatment interventions for cocaine users.</p>	<p>Progress report 2004</p> <p>Provision of treatment services will be focused accordingly. The majority of services do provide some treatment for primary cocaine users, but only a minority provide specialised treatment for this group. The Government is working to improve this through research on the most effective responses and services. New guidance for practitioners will be issued later this year, along with improved training and support to implement the guidance.</p>	<p>Progress report 2005</p> <p>Accepted. Findings from National Treatment Agency (NTA) commissioned research challenge assumptions about the effectiveness of existing crack and crack/cocaine services, the types of treatment services required by primary crack and crack/cocaine users and highlights the risk of developing services for individual drug types in a substance misuse sector where multiple drug use is increasingly the norm.</p> <p>The research indicates that effective interventions with this client group are services that address multiple drug use and include counselling, residential rehabilitation services and/or prescribing services. The NTA have been successfully working to increase the capacity and range of drug treatment services and/or prescribing services, and to reduce waiting times and increase the number of drug users, regardless of drug(s) of choice, accessing treatment services. To achieve this, the NTA have been working to ensure that treatment services address the needs of both primary and secondary crack users. For example, they have requested that all High Crack Area Drug Action Teams (DATs) ensure that the demand for crack services is properly reflected in their annual treatment plans and subsequent commissioning.</p>
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Paragraph No. and text	Progress report 2004	Progress report 2005
<p>Paragraph 147: As with cocaine, we recommend that more treatment places are created for crack users and that resources are channelled into researching and piloting more effective treatments. We further recommend that in the meantime efforts are redoubled to extinguish supply of crack cocaine.</p>	<p>There has been an increase in stimulant users in treatment, including crack cocaine users. The trend towards poly drug use means that treatment services have to provide treatment options that meet the needs of drug users who may be using opiates or stimulants or, a combination of both. Recently announced increases in public spending on drug treatment will support the continued growth and expertise of treatment providers in order to meet these needs.</p> <p>Efforts to challenge crack cocaine's place as part of a Class A drug market continue. Police, Customs and Excise, the Ministry of Defence, the Foreign Office, National Crime Service, National Criminal Intelligence Service and national intelligence services have come together as Concerted Interagency Drug Action (CIDA). Its objective: to have a sustained impact on the supply of Class A drugs to the UK, and availability within its communities.</p> <p>A three-month national police campaign against crack houses will begin in January, with police forces using new powers introduced in the Anti-Social Behaviour Act 2003. The powers are proving particularly successful at closing longstanding crack houses and keeping them closed.</p>	<p>Accepted. The advent of SOCA from April 2006 will further strengthen law enforcement capacity to deal with drugs.</p> <p>A three-month national police campaign against crack houses, which ran from January to March 2005, saw 170 crack houses closed.</p>
<p>Paragraph 164: We recommend that the broadest possible range of treatments is made available to opiate users, and that all treatments and therapies should have abstinence as their goal.</p>	<p>Guidance on optimal models of care for drug treatment services was published in October 2002. The NTA has set a series of milestones for DATs to achieve and it is holding workshops to introduce the Models of Care agenda. In addition the NTA is working with a small number of DATs to pilot selected aspects of the guidance, providing support through training and tools.</p>	<p>Accepted. The <i>Models of care for the treatment of adult drug misusers</i> (NTA 2002) set out the national framework for commissioning the treatment of adult drug misusers in England. The NTA is currently consulting on an update, <i>Models of care for the treatment of adult drug misusers: update 2005</i>. This will build on the framework and concepts in <i>Models of care 2002</i> and improve the effectiveness of drug treatment.</p>

Paragraph No. and text	Progress report 2004	Progress report 2005
<p>Paragraph 190: We conclude that the Dutch and Swiss evidence provides a strong basis on which to conduct a pilot here in Britain of highly structured heroin prescribing to addicts. We recommend that a pilot along the lines of the Swiss or Dutch model is conducted in the UK. Should such a pilot generate the positive results which one would expect from the Dutch and Swiss experience, we recommend that such a system should supersede the little-used "British system" of licensing.</p>	<p>The development of heroin prescribing pilots is a joint initiative between the Home Office, Department of Health and the NTA. The Home Office has taken the lead in funding this initiative with £1.6m being made available.</p> <p>The procurement process to develop a small number of pilot sites began in January 2004. The NTA contacted all DATs, Joint Commissioners and Drug Treatment Providers asking for expressions of interest in participation in the heroin prescribing pilots.</p> <p>Three Pilot sites were selected, one in London and two in Manchester. The sites should be operational by the end of the year.</p>	<p>Accepted. Home Office, DH and NTA jointly developed a heroin prescribing programme to: enhance the evidence base; test different prescribing methods; and encourage the wider appropriate use of this form of treatment. The programme established two pathfinder projects in London and Manchester, where, for the first time, injection of pharmaceutical heroin is taking place on the premises, under the direct supervision of clinical staff. The two pathfinders began recruiting drug users in January 2005 and a full evaluation will be available in December 2006. The NTA have set up a dedicated web page where updated guidance manuals and information developed specifically for these projects have been placed for all doctors to see. The aim of this is to allow immediate changes to be made to the guidance as results emerge and for all doctors to be kept informed of progress. The NTA are responsible for the management of this programme and it should ensure that heroin is made available to around 100 additional drug users in the first instance.</p>
<p>Paragraph 213: We recommend that drugs prevention and education programmes are targeted towards particularly vulnerable groups of young people, such as truants, those excluded from school, and children in care.</p>	<p>Getting and keeping young people away from drugs is the highest priority of the Government's Drug Strategy. DfES now have lead responsibility for young people's drug prevention policy and share responsibility with the Home Office for delivery of the PSA target. DA(D) ministers have agreed a new cross-departmental Young People Drug Delivery Plan for the SR2004 period which focuses on prevention and early intervention with vulnerable young people, including the children of drug-misusing parents, truants and school exclusives, looked-after children and young offenders. The delivery plan is fully linked to the Change for Children / Every Child Matters programme.</p>	<p>Accepted. Preventing young people's drug misuse is an aim within the Every Child Matters outcomes framework 'Be Healthy'. Strategic Guidance has been issued to chairs of DATs and directors of children's services, with the key objective of ensuring provision is built around the needs of vulnerable children and young people, with more focus on prevention and early intervention. 30 High Focus Areas have been working to make more rapid and sustained progress in implementing these priorities. A rigorous performance management package is on stream and examples of effective practice are being identified.</p>

Paragraph No. and text	Progress report 2004	Progress report 2005
<p>Paragraph 218: We conclude that General Practitioners are, for the most part, inadequately trained to deal with drug misuse. We recommend that training in substance misuse is embedded in the undergraduate medical curriculum and postgraduate General Practice curriculum, as a problem which will arise with increasing frequency over the careers of all prospective doctors training today. We recommend that the Department of Health funds more training courses in substance misuse for existing General Practitioners.</p>	<p>The Department of Health (DH) has made available additional funding of £700,000 to fund the RCGP Programme on the Management of Drug Misuse in Primary Care until April 2005. 150 GPs and 120 other healthcare professionals are due to attend the 2003-04 course.</p> <p>Substance Misuse Management in General Practice (SMMGP) is jointly managed by the Royal College of General Practitioners (RCGP), Trafford Substance Misuse Services and NTA. It aims to develop and support GPs and other primary care workers. The creation of a multi-professional clinical team within NTA will improve the spread of good practice and ensure an enhanced clinical perspective informs all NTA work in the future. DH and NTA have commissioned a comprehensive mapping of the working of specialists in addiction to inform future workforce support and planning.</p> <p>The Government and the NTA are holding ongoing discussions with the BMA and the Royal Colleges of GPs and Psychiatrists.</p>	<p>Accepted. DH has been funding the Royal College of General Practitioners (RCGP) training course on the Management of Drug Misuse in Primary Care since 2000. To date, over 776 GPs, 119 nurses and 105 pharmacists have received this training.</p> <p>Substance Misuse Management in General Practice (SMMGP) is jointly managed by the RCGP, Trafford Substance Misuse Services and NTA. It works to develop skills and to support GPs and other primary care workers who work directly with drug users. The creation of a multi-professional clinical team within NTA has improved the spread of good practice and has ensured a clinical perspective that informs all NTA work.</p>
<p>Paragraph 219: We would also expect the British Medical Association and the Royal College of General Practice to take a rather greater interest in this area than is evident so far. In particular we would expect these organisations to use their considerable influence to ensure that treatment of drug misuse is included in the medical curricula. We would also expect the professional bodies to encourage more of their members to take an interest in treating drug abusers so that a handful of dedicated General Practitioners are not left to shoulder the burden alone.</p>		<p>Accepted. The Government and the NTA regularly interact with the Royal College of General Practitioners and the Royal College of Psychiatrists, who are now actively involved in a number of key work programmes.</p>

Paragraph No. and text	Progress report 2004	Progress report 2005
<p>Paragraph 235: We recommend that training for healthcare professionals in addiction is improved, and we believe that it ought to be possible to provide treatment for those urgently in need within a week</p>	<p>In December 2001 the NTA developed a programme to tackle the issue of growing waiting times. Targets on the maximum acceptable lengths of waits were set. The NTA's programme has achieved falls in waiting lists across the country. Latest drug-related deaths figures from the Office of National Statistics show the first annual reduction since 1993.</p>	<p>Accepted. In December 2001 the NTA developed a programme to tackle the issue of growing waiting times. Targets on the maximum acceptable lengths of waits were set. The NTA's programme has achieved falls in waiting lists across the country and average waiting times are now between two and three weeks.</p> <p>Drug-related deaths figures from the Office of National Statistics show that drug-related deaths in England have fallen to their lowest level since 1998: from 1,666 in 2000 to 1,388 in 2003.</p>
<p>Paragraph 236: We also believe that the quality of the service needs to be improved. Drug Action Teams need to make more effort to involve the families and carers of drug abusers and listen to what they have to say rather than simply tell them what is good for them.</p>	<p>The Home Office has funded three voluntary organisations (ADFAM, PADA and Famfed) to work with families and carers of drug misusers to identify good practice for service providers and commissioners. The results of their work will be published before the end of 2004 as guidance for local partnerships and service providers. The NTA Board now includes a carer representative and there is a User and Carer Advisory Group that feeds into the Senior Management Team. The FRANK campaign provides parents with a credible source of information and advice. The Blueprint programme will include a module that involves parents in the drug education of their children.</p>	<p>Accepted. The NTA Board now includes a carer representative and there is a User and Carer Advisory Group that feeds into the Senior Management Team. The FRANK campaign provides parents with a credible source of information and advice. The Blueprint programme includes a module that involves parents in the drug education of their children.</p>
<p>Paragraph 245: We recommend that a target is added to the National Strategy explicitly aimed at harm reduction and public health, in addition to the Treatment objective. This target should be measured through two indicators: to reduce the number of overdoses (measurable through Accident and Emergency records) and to reduce the number of new infections through injecting of HIV and Hepatitis (measurable through medical records of drug users).</p>	<p>The Department of Health's Substance Misuse Delivery Plan includes an action plan to reduce drug-related deaths, the introduction of improved clinical governance of methadone prescription by 2004, and the implementation of a Hepatitis C action plan in 2003.</p> <p>The NTA has fulfilled much of the DH action plan to reduce drug related deaths. It has finalised and disseminated overdose related products and worked within regions to develop and implement local targeted strategies. Its current research projects include studies on the effectiveness of Naloxone, a national survey of community pharmacists and ethnographic video</p>	<p>Accepted. A national audit of needle exchange services has been carried out. Work with key stakeholders to consider the implications of latest research, such as that on the increase in Blood Borne Viruses among injecting drug users.</p> <p>The Government target is to reduce the number of drug related deaths nationally by 20% from the baseline data set in 1999. Although achievement will not be known until 2006, current evidence suggests that the target will be met.</p> <p>The National Institute for Clinical Excellence is to prepare a guideline for the NHS in England and</p>

<p>Paragraph No. and text</p>	<p>Progress report 2004</p> <p>research of injecting practices.</p> <p>2004/05 will see a national audit of needle exchange services. Work with key stakeholders to consider the implications of latest research, such as that on the increase in Blood Borne Viruses among injecting drug users.</p> <p>The Government target is to reduce the number of drug related deaths nationally by 20% from the baseline data set in 1999. Although achievement will not be known until 2006, current evidence suggests that the target will be met.</p> <p>The National Institute for Clinical Excellence is to prepare a guideline for the NHS in England and Wales on the management of, and care packages for, drug misusers in the community and prison settings for oral methadone, sublingual buprenorphine substitute prescribing and for oral naltrexone prescribing.</p>	<p>Progress report 2005</p> <p>Wales on the management of, and care packages for, drug misusers in the community and prison settings for oral methadone, sublingual buprenorphine substitute prescribing and for oral naltrexone prescribing.</p>
<p>Paragraph 260: We recommend that the Home Office and the Department of Health urgently review the current legal framework on the dispensation of controlled drugs by community pharmacists in consultation with the Royal Pharmaceutical Society.</p>	<p>A considerable number of measures relating to the procedures for the prescribing dispensation, administering and destruction of controlled drugs are being considered in the wake of 4th Shipman report. The Government response is expected in December, but it has made it clear already that it supports reform in dispensing of community pharmacists.</p>	<p>Accepted. The Government response to the 4th Shipman report accepted that significant changes were needed to the management system for controlled drugs. In November 2005 legislation was passed that allowed computer-generated prescription for all controlled drugs as well as extending the list of controlled drugs able to be prescribed by specialist nurses. The Government issued a consultation on a wide range of changes to the overall prescribing regime in July. The responses were mainly favourable and subject the approval to the AMCD and Ministers the necessary legal changes are expected to be implemented in the early part of 2006.</p>

The Conduct of Investigations into Past Cases of Abuse in Children's Homes, published 31 October 2002

Paragraph No. and text	Progress report 2004	Progress report 2005
<p>Paragraph 34: We take the view that any initial approach by the police to former residents, should—so far as possible—go no further than a general invitation to provide information to the investigation team. We invite the Association of Chief Police Officers to revise the internal police handbook for senior investigating officers, in order to set out clearly the terms of an initial approach to potential witnesses (paragraph 34).</p>	<p>Changes have now been made to the SIO manual which includes safeguards recognising the needs of those who may have been accused but as yet have not been charged.</p> <p>The SIO Handbook on the Investigation of Historic Institutional Child Abuse is under continual review. The cross-agency review group will be considering the current guidance and its fitness for purpose. It will also be taking on board subsequent guidance issued that effect this investigative process. The group has been asked to include considerations arising from the report and subsequent discussions as part of its work as well as learning from more recent cases.</p>	<p>Accepted. It is anticipated that the cross-agency review group will be in a position to submit revised guidance to Association of Chief Police Officers (ACPO) by April 2006 for its consideration.</p>
<p>Paragraph 50: We recommend that resources are channeled into researching and piloting the use of "statement validity analysis" as a tool for evaluating the credibility of witness testimony in complex historical child abuse cases.</p>	<p>Statement validity analysis was developed as a tool for generating further lines of enquiry from child witnesses in countries that have an inquisitorial system. It has not been evaluated for use when adult witnesses give evidence nor has it been used in an adversarial setting. It is not a tool for testing the veracity of any particular evidence.</p> <p>The ACPO Investigative Interviewing Research Group is including this in its remit.</p> <p>Following the review of procedures in the tragic Damilola Taylor case, the Director of Public Prosecutions launched a consultation exercise inviting the public, police, legal profession and judiciary to express their views on the desirability of allowing prosecutors direct access to witnesses in order to assess their credibility. The Attorney General is currently considering the representations.</p>	<p>Accepted. Following the review of procedures in the tragic Damilola Taylor case, the Director of Public Prosecutions launched a consultation exercise inviting the public, police, legal profession and judiciary to express their views on the desirability of allowing prosecutors direct access to witnesses in order to assess their credibility. A pilot study will run from January to September 2006.</p>

Paragraph No. and text	Progress report 2004	Progress report 2005
<p>Paragraph 72: We note that failure to disclose evidence inconvenient to the prosecution case was a factor in many - if not most - proven miscarriages of justice and we express the hope that the recommendations made by these various studies are acted upon without delay. We look forward to hearing from the Home Office on this point.</p>	<p>Following the issue of revised Joint Operational Instructions (JOPI) in December 2002, national CPS training began in April 2003 and is ongoing. Police training on the JOPI was a matter for individual Chief Officers of Police to arrange. The SIO Handbook revision group includes CPS. It will ensure guidance issued since the Handbook was first produced is considered as part of the review process.</p> <p>The Criminal Justice Act 2003 received Royal Assent on 20th November 2003. Work on implementing the disclosure provisions is currently underway. The current target for implementation is the financial year 2005/06. The provision introducing a new single disclosure test to replace the present two tests is incorporated in Part 5 of the CJA 2003.</p>	<p>Accepted. Part 5 of the Criminal Justice Act 2003 introduces a new single prosecution disclosure test to replace the previous two tests. This provision was implemented on 4 April 2005, together with a number of other improvements to the disclosure legislation. Recent changes apply to all investigations commencing on or after 4 April 2005. Investigations commenced between 1 April 1997 and 4 April 2005 will still apply the pre-CJA scheme including the primary and secondary disclosure tests, and investigations commenced before 1 April 1997 will continue to apply the common law rules of disclosure.</p> <p>Implementation of these changes was accompanied, in particular, by a new code of practice on the recording, retaining and revelation to the prosecutor of relevant material obtained in a criminal investigation, a new edition of the Attorney General's guidelines on disclosure, and a new edition of the CPS/ACPO Joint Operational Instructions on the Disclosure of Unused Material (JOPI). The latter is now known as the "Disclosure Manual</p>
<p>Paragraph 74: We welcome the proposal for a national protocol for the disclosure of third party material and hope to see its speedy delivery. In the longer term, we support Lord Justice Auld's recommendation for a new statutory scheme for third party disclosure, "to operate alongside and more consistently with the general provisions for disclosure of unused material". We again look forward to hearing what plans there are to implement Lord Justice Auld's recommendations on disclosure.</p>	<p>Following ratification of the model protocol by the CPS and other relevant organisations such as the LGA and the ADSS, it was issued by the CPS for dissemination on 31st October 2003. The development of protocols based on the model is now being taken forward locally.</p> <p>The Home Office is consulting with relevant departments and organisations on the best way to take forward Sir Robin Auld's recommendation that consideration should be given to a new statutory scheme for third party disclosure.</p>	<p>Accepted. A working group, comprising relevant departments and organisations and co-ordinated by the Office for Criminal Justice Reform, has been established to take forward Sir Robin Auld's recommendation that consideration should be given to a new statutory scheme for third party disclosure.</p>

<p>Paragraph No. and text</p> <p>Paragraph 115: We recommend that the Criminal Injuries Compensation Authority conduct a review of its Scheme, with a view to ensuring that it is sufficiently user-friendly and attractive to victims of past institutional child abuse.</p>	<p>Progress report 2004</p> <p>The Scheme was reviewed again during 2003, culminating in the issue of a public consultation document on 12 January 2004 Compensation and Support for Victims of Crime. This invited views on a range of proposals for amending the Scheme and for raising new sources of revenue to help victims of crime.</p> <p>Following consultation, the Government is seeking a power in the Domestic Violence Crime and Victims Bill, currently before Parliament, to enable the Criminal Injuries Compensation Authority to recover from offenders the compensation it has paid to their victims.</p> <p>The Government is considering whether any further changes should be made to the Compensation Scheme in the aftermath of the consultation exercise.</p>	<p>Progress report 2005</p> <p>Accepted. A further public consultation on support for victims and the Criminal Injuries Compensation Scheme was launched on 7 December 2005.</p>
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Criminal Justice Bill, published 4 December 2002

Paragraph No. and text	Progress report 2004	Progress report 2005
<p>Paragraph 40: We fully support the proposal to impose a 'treatment' condition on the bail of drug misusers. It is essential that sufficient resources are made available for the provision of treatment. We look forward to hearing from the Minister as to his proposals for making appropriate treatment more widely available for purposes of Clause 16.</p>	<p>Section 19 was commenced on 5 April 2004 and is being piloted in areas where treatment is available so that effectiveness and resources implications of the measures can be fully assessed.</p>	<p>Accepted. Section 19 was commenced on 5 April 2004 and after initial implementation from May 2004 in three areas, is now operating in local justice areas within 47 Drug Action Team areas. The Home Secretary announced on 30 November 2005 that it will be rolled out further to cover all Local Justice Areas in England from 31 March 2006. The Home Office has worked closely with the National Treatment Agency to ensure that there is sufficient and effective treatment available to the 47 DAT areas where this is currently activated, and for the further roll out.</p>
<p>Paragraph 71: We recommend that the Bill be amended so that, where the prosecution wish to interview a defence witness in advance of trial, they should be required to notify the defence and offer to interview the witness in the presence of the defence. We further suggest that any interview be tape-recorded.</p>	<p>Appears in Act. Code of Practice must include these factors and a draft Code of practice is currently out for consultation.</p>	<p>Accepted. Responses to public consultation on draft Code of Practice currently being considered.</p>
<p>Paragraph 89: We accept that there may be cogent reasons for dispensing—in some cases—with a jury in a complex financial case. In particular, the length of these cases can place a significant burden on the jury system which, in turn, may reduce dramatically the pool of available jurors. This (arguably) undermines the principle of random selection on which our jury system is based. However, such cases should not be used to undermine generally the jury system which has served well justice in this country.</p>	<p>Government has not yet determined how it will proceed in this area. If we wish to commence the provisions in the Act we will need to have another vote in both Houses.</p>	<p>Accepted. Appears in the Act as section 43; an affirmative resolution of both Houses is required to commence it. An order was laid on 27 October 2005 but has been withdrawn to enable discussions to take place with the Opposition parties to see whether it is possible to find an acceptable alternative to trial by judge alone.</p>
<p>Paragraph 101: We invite the Government to consider the merits of repealing section 8 of the Contempt of Court Act 1981, in order to permit meaningful research into how the jury system operates.</p>	<p>Considering how more meaningful research can be conducted.</p>	<p>Accepted in part. Department for Constitutional Affairs launched consultation paper "Jury research and impropriety" in January 2005.</p>

Paragraph No. and text	Progress report 2004	Progress report 2005
Paragraph 107: We welcome the provisions of Part 10, which are broadly in line with our predecessors' recommendations for reforming the double jeopardy rule.	Form part of the Act. Aim to commence early next year.	Accepted. Commenced 4 April 2005.
Paragraph 127: In our view, oral testimony given in court is the generally the best form of evidence. We therefore welcome the Government's proposal to preserve the general exclusionary rule against hearsay evidence, with the modified exceptions provided under chapter 2 of Part 11.	Appears in Act. Likely to be commenced in April 2005.	Accepted. Commenced in April 2005.

Asylum Removals, published 8 May 2003

<p>Paragraph No. and text</p> <p>Paragraph 27: It is very difficult to address the problem of over-staying failed asylum seekers effectively in the absence of reliable statistics. It is not satisfactory that the Government is unable to offer even a rough estimate of the number of failed asylum seekers remaining in the UK.</p>	<p>Progress report 2004</p> <p>The Government is continuing its work towards the development of a method to estimate numbers of illegal residents in the UK. The methods used in other countries, identified by Home Office commissioned research, have been given detailed consideration in the light of the availability of appropriate UK based data. Primary data collection exercises specifically for the purpose of estimating the illegal population are not feasible, due to disproportionate costs. A method of estimating the size of the illegally resident UK population is currently under development using existing data sources. The primary goal is to develop a method to produce a 'working estimate', to which further refinements can be made over the medium term.</p>	<p>Progress report 2005</p> <p>Accepted. The Government published its work on sizing the unauthorised (illegal) migrant population in the UK in 2001 as a Home Office Online Report (29/05) in June 2005. Home Office commissioned research identified methods used in other countries and it was decided that the Residual Method, used in the USA, was the only method that could currently be sensibly applied in the UK. The methodology was adapted to obtain an indication of the number of unauthorised immigrants living in the UK using data available in the UK. Using the Residual Method, the total unauthorised migrant population (including failed asylum seekers) living in the UK in April 2001 has a central estimate of 430,000. However, it must be emphasised that this is just one method for such estimation and that over-reliance must not be placed on the results in the absence of the means to produce other estimates using different methods.</p>
<p>Paragraph 27: We believe that the Government should explore the most appropriate method for building a complete picture of net migration into the UK.</p>	<p>The National Statistics Quality Review on International Migration Statistics was published in September 2003. An implementation plan has been drawn up and progress is being monitored by a project board chaired by the Office of National Statistics.</p> <p>Expressions of interest have been received for work on the second National Statistics review of the publication the 'Control Of Immigration Statistics: United Kingdom' and invitations to tender are about to be issued. It is expected that work will commence shortly.</p>	<p>Accepted. An implementation plan for taking forward the 19 recommendations of the review was published in January 2004. Progress has already been achieved against a number of the review recommendations, and further work is planned.</p> <ul style="list-style-type: none"> • new questions introduced to the International Passenger Survey (IPS) both to identify shorter-term migrants and to allow investigation of the relationship between peoples' intended and actual lengths of stay; analysis of this new data will be undertaken as soon as it becomes available, and findings will be fed into the methods used to estimate visitor and migrant switchers; • comparison work of overseas estimates of immigration from the UK with estimates of

Paragraph No. and text	Progress report 2004	Progress report 2005
<p>Paragraph 36: We are concerned at the number of initial decisions which are not sustained, and this is an issue to which we shall return in our forthcoming inquiry into Asylum Applications.</p>	<p>One factor in the high overturn of appeals is the time gap between the initial decision and the determination of the appeal. As the speed of appeals increases and the backlog of asylum claims come close to elimination, the rate of overturns should reduce.</p> <p>We have agreed with Treasury Solicitors and UNHCR a substantial expansion of their involvement in the sampling of asylum decisions. External sampling has quadrupled to 100 cases per month since August 2004.</p> <p>We are satisfied that, in general terms, caseworkers finish initial training with the skills required to make sound initial decisions on asylum claims.</p>	<p>emigration to those countries is in progress, with initial work having focussed on EU countries;</p> <ul style="list-style-type: none"> • work is ongoing to compare data from Home Office sources and the IPS, and to evaluate methods for their integration; some minor methodological improvements have already been implemented for the 2003 Total International Migration estimates (published in November 2004); • requirements for information on international migration are being fed into the development of future data sources, in particular the Home Office e-borders programme. <p>Work is ongoing on the second National Statistics review on the Command Paper the 'Control Of Immigration Statistics: United Kingdom', an early findings paper was published in August 2005 at http://www.statistics.gov.uk/about/Consultations/immigrationstats.asp. The report is due for completion by the end of 2005, when it will go to the National Statistician for approval before consideration is given upon how to respond to its recommendations.</p> <p>Accepted. The New Asylum Model (NAM) includes a case owner, responsible for every claimant until the end of the case, with responsibility for all the key stages of the claim, from when it is first made, through to either integration or removal. Under the New Asylum Model being developed for the handling of asylum claims, case owners will be responsible for both the initial decisions and presentation of the Home Office case on appeal. This will help to ensure that there is direct feedback on the quality of the initial decision.</p>

Paragraph No. and text	Progress report 2004	Progress report 2005
<p>Paragraph 42: We recommend that—</p> <p>(1) if the Secretary of State wishes to add further countries to the list in Section 94 of the Nationality, Immigration and Asylum Act, he should append a written memorandum to the relevant Statutory Instrument, explaining the rationale for believing those countries to be safe;</p> <p>(2) if grounds other than nationality for considering an claim "clearly unfounded" are developed by the Home Office, an explanation of those grounds should be made available to this Committee; and</p> <p>(3) a review of the practicality and effects of non-suspensive appeals should be carried out after they have been in operation for 12 months.</p>	<p>We have produced revised instructions to reflect, amongst other things, the commencement of provisions in the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004, concerning the non-suspensive appeals process, which took effect on 1 October 2004. They contain a section on "case-by-case" certification, i.e. certification of clearly unfounded claims made by those who are not residents of a designated State.</p> <p>The monitor, Sarah Woodhouse, was appointed in January 2004. She will produce annual reports from 2005 onwards in accordance with the requirements of the legislation.</p>	<p>Accepted in part. Recommendation 1 not accepted.</p> <p>The monitor, Sarah Woodhouse produced her first report in July 2005 and she will produce annual reports from 2005 onwards in accordance with the requirements of the legislation.</p>
<p>Paragraph 48: We recommend that the Voluntary Assisted Returns Programme is opened up to detainees in Removal Centres, advertised in the Centres and otherwise brought to the attention of detainees. We further recommend that the Immigration Service advises asylum seekers of the option of voluntary return from the beginning of the asylum process.</p>	<p>The Government is continuing to look at ways in which the voluntary assisted returns and reintegration programme can be expanded. This includes ensuring that information about the programme is made available to asylum seekers at every stage in the asylum process. The Government is considering the recommendation to extend the scheme to detainees.</p>	<p>Accepted. IND is already committed to ensuring that the case owners, who will have charge of individual claims handled under the New Asylum Model, ensure that claimants are aware of opportunities such as voluntary departure.</p>
<p>Paragraph 58: We recognise the difficulties posed by the absence of proper travel documents to co-operate with the return of their citizens. We welcome the establishment by IND of a dedicated Documentation Unit and assurances that the Immigration Service now seeks to tackle this problem at an early stage in the proceedings and look forward to seeing these changes reflected in the figures for removals.</p>	<p>The IS Documentation Unit has continued to build on its earlier success in securing travel documentation as well as playing a key role in formulating and pursuing returns objectives under the Country Action Plans. The "Think Documentation" initiative aims to embed the early address of documentation issues within processes, as well as raising the quality of evidence submitted to receiving countries when seeking re-documentation. The demands upon ISDU remain high, and the unit is currently working to recruit to fill remaining vacancies with a target completion of two months. Over and above this, additional work needs to be completed to meet new targets. The continuing increase in the number of countries that will not accept</p>	<p>Accepted. The ISDU programme included setting KPIs in relation to processing applications (which are consistently met) and increasing staff numbers to a baseline of 72. To date, the unit consists of over 60 staff with a designated management team with sole responsibility for managing ISDU. A system of regular reviews is currently being rolled out with Embassies / High Commissions and ports, as is closer working with the International Delivery Directorate, Foreign & Commonwealth Office and Country Targeting Unit. ISDU are working closely with colleagues involved in the New Asylum Model and Documentation Units across the country to ensure a coordinated approach is adopted to</p>

Paragraph No. and text	Progress report 2004	Progress report 2005
<p>Paragraph 60: We consider that the negotiation of Readmission Agreements with countries currently reluctant to accept the return of their nationals should be a diplomatic priority.</p>	<p>the use of the EU Letter and insist upon the UK lodging an application for a travel document may require a further increase in resources in due course.</p>	<p>achieve the overall objective of increasing the number of removals. In addition, the team are about to embark on a programme of road shows to share best practise and raise the importance of obtaining supporting evidence at the earliest opportunity to assist in obtaining Emergency Travel Documents. ISDU has continued to build on its earlier success in securing travel documentation as well as playing a key role in formulating and pursuing returns objectives under the Country Action Plans. The “Think Documentation” initiative aims to embed the early address of documentation issues within processes, as well as raising the quality of evidence submitted to receiving countries when seeking re-documentation.</p>
<p>Paragraph 65: In the absence of adequate statistics, it is difficult to know the extent of the problems caused by absconding. The current situation, in which the Home Office simply does not know—even in broad outline—what proportion of failed asylum seekers abscond is unacceptable. It ought to be possible to obtain at least a snapshot of the scale of the problem and we recommend that steps are taken to do this without delay.</p>	<p>IND and the FCO have been working closely together to resolve these issues as part of a joint HO/FCO taskforce on immigration. The UK has successfully negotiated bilateral returns arrangements on the return of immigration offenders with a number of states, including Afghanistan, India, Somaliland, Sri Lanka and Turkey. We are currently in negotiations to extend these arrangements with other countries. The UK fully supports the European Commission’s negotiations on readmission agreements with third countries.</p>	<p>Accepted. We have now secured agreements with most of our source countries.</p>
	<p>Work is ongoing to develop methodology to identify absconders using existing data sources and to collate reliable data. Once this has been completed, we will analyse the data and if the data quality is satisfactory, we will consider the most appropriate method for publishing this information.</p>	<p>Accepted. Work is still continuing in this area</p>

Paragraph No. and text	Progress report 2004	Progress report 2005
<p>Paragraph 82: We recommend that the Immigration and Nationality Directorate should provide quarterly figures on total numbers detained during the period with lengths of detention.</p>	<p>Data on the number of persons detained over a period continues to be unavailable. Although a possible methodology for estimating detention over a period has been developed, there is currently no way to independently verify the figures. There is a major quality issue with the data held on people detained in prison establishments under Immigration Act provisions. This is currently being investigated, with a reconciliation of all the relevant data sources. Any necessary revisions to the regular statistics will be considered once the issue has been resolved.</p>	<p>Accepted. Work is continuing on this issue.</p>
<p>Paragraph 96: We regret the delay in publishing a full set of detailed Operating Standards for Removal Centres. As the Centres have now been operating for some time, the inevitable consequence of this delay has been the emergence of undesirable disparities in standards and conditions between different Centres. We urge that remaining Operating Standards should be published as soon as possible. Standards governing visiting hours and legal access are particularly needed. We further recommend that standards should be raised in those Removal Centres run in former Prison Service accommodation, to match the best practice of privately-contracted Centres, and that a target date should be set by which consistency of standards across private and public Removal Centres is to be achieved. If, after a reasonable time, the public sector is unable to achieve an acceptable standard, the contract should be put out to tender.</p>	<p>We have now issued 24 operating standards and these cover the following areas: Activities (adults), Activities (children), Admissions/Discharge, Arrangements for Expenditure, Case Progress, Catering, Clothing, Communications, Complaints/Requests, Detainees' Cash, Detainees' Property, Female Detainees, Healthcare, Interpreters/Translations, Personnel/Staff Training, Race Relations, Religion, Removal from Association, Safer Removal Centres, Security, Standards Audit, Suicide and Self-Harm, Temporary Confinement & Use of Force.</p> <p>The final set of draft standards is currently out to consultation.</p>	<p>Accepted. A full set of 36 operating standards has been issued and are available on the IND website. The final standards being issued in January 2005.</p>

Paragraph No. and text	Progress report 2004	Progress report 2005
<p>Paragraph 99: We accept that current arrangements for access to legal advice are inadequate. It may be that the matter can be resolved by appointment of a welfare officer, as we have recommended at paragraph 75 above, who can either put detainees in touch with their own legal representatives or who can provide access to emergency legal advice. Failing that, however, consideration should be given to providing detainees with access to a duty solicitor.</p>	<p>The Government remains concerned to ensure that detainees have access to competent, independent legal advice and representation. IND is facilitating a research project to be conducted jointly by the Office of the Immigration Service Commissioner, the Law Society and the Legal Services Commission to assess the extent of the problem in particular removal centres.</p>	<p>Accepted. A welfare officer post is being piloted at Haslar Removal Centre and, if successful, will be extended to all centres.</p> <p>Asylum claimants subject to detained fast track processes have access to a legal representative before their asylum interview. At Harmondsworth and Yarl's Wood this is via a duty solicitor scheme administered by the Legal Services Commission.</p>
<p>Paragraph 114: We believe that the welfare of the child should be paramount, and that separation of a child of an asylum seeker from both parents by removal is nearly always unjustified.</p>	<p>The Government position and the working practices in respect of this recommendation remain unchanged.</p>	<p>Accepted. The Government position and the working practices in respect of this recommendation remain largely unchanged.</p> <p>Ministerial consent must now be sought when the family are being separated by the actions of IND either for removal to different countries or where we are not seeking to remove one or more members of the family if;</p> <p>a) the family had been a family unit before arrival in the UK and it remains subsisting, or</p> <p>b) it is a subsisting family unit.</p>
<p>Paragraph 130: We recommend that the Home Office, through the Advisory Panel on Country Information, commissions research into the reception of failed asylum seekers by the authorities in their source countries, after removal</p>	<p>The evaluation of the Voluntary Assisted Return and Reintegration Programme (VARRP) 2003, undertaken by IRSS together with Deloitte Consulting, has explored the effectiveness of reintegration support provided to failed asylum seekers and others who have returned voluntarily to their countries of origin. This exploration has included qualitative fieldwork with returnees to assess the effectiveness and sustainability of their return and reintegration. It also seeks to ascertain how support could be improved in the future. The evaluation is due to be published by the end of the year. No research is planned on non-voluntary returns.</p> <p>A new Voluntary Returns Steering Group, composed of Home Office officials and members of refugee NGOs, UNHCR and the IOM, has been established to help develop strategy and to inform policy on voluntary</p>	<p>Accepted. A programme for the ongoing monitoring of VARRP is now being finalised, to go to tender before Christmas. This is a three year programme, combining analysis of IOM data with interviews with returners and stakeholders in the most common destination countries.</p> <p>No research is planned on forced returns.</p>

Paragraph No. and text	Progress report 2004	Progress report 2005
<p>Paragraph 133: We believe it is self evident that the efficient removal of asylum seekers whose claims have failed is a precondition for the credibility of the entire asylum process.</p>	<p>returns. It will consider the sustainability of returns and will aim to identify gaps in existing research and recommend research proposals for the future.</p> <p>There has been a substantial increase in the removal of failed asylum seekers and an increase in those who are returning home voluntarily. In 1996, the number of removals was equivalent to only 20% of unsuccessful claims. So far this year, that proportion has increased to almost 50%.</p> <p>The Government has introduced, and continues to introduce, a number of initiatives in order to remove those people who have no legal basis of stay in the United Kingdom. These include the 'Back on Track' scheme, the expansion of the detention centre estate, using contact management more intelligently in order to maintain contact with failed asylum seekers, and developing routes to overcome barriers to return to prioritised countries.</p>	<p>Accepted. The end-to-end role of the New Asylum Model case owner has been developed in order to achieve in non-detained cases the close case management and swift integration or removal at the conclusion of the case which is normally achievable where the claimant is detained.</p>
<p>Paragraph 135: We also reach a number of conclusions and make recommendations about how to make the system quicker and more efficient. There is a pressing need for more accurate statistics. Improvements are essential to the process of initial decision-making. Enforced removals need to be carried out more rapidly, effectively and humanely.</p>	<p>The Government is continuing to promote voluntary returns through a number of different avenues. A new Voluntary Returns Steering Group, composed of Home Office officials and members of refugee NGOs, UNHCR and the IOM, has been established to help develop strategy and to inform policy on voluntary returns.</p>	<p>Accepted. IND is already committed to ensuring that the case owners, who will have charge of individual claims handled under the New Asylum Model, ensure that claimants are aware of opportunities such as voluntary departure.</p>

Sexual Offences Bill, published 10 July 2003

<p>Paragraph No. and text</p> <p>Paragraph 47: There is much concern and disagreement as to whether this Bill will legalise sexual activity in public toilets. We recommend that sexual activity in public toilets should be a criminal offence and suggest that this could be dealt with by an amendment to section 5 of the Public Order Act 1986, which makes it clear that "insulting" behaviour includes sexual behaviour. This would dispense with the need to prove specific sexual acts and also has the advantage of empowering the police to give a warning before making an arrest. We believe that it is appropriate for this offence to be dealt with in the Magistrates' Court, rather than in the Crown Court.</p>	<p>Progress report 2004</p> <p>The law was passed as set out in the previous column. Implemented in May 2004, along with rest of Act. The Government gave a commitment to monitor whether the offence was being used to target homosexual activity in a discriminatory fashion. Information will be collected on the gender of those prosecuted for this offence, and will be evaluated by the Interdepartmental Ministerial Group on Sexual Offending.</p>	<p>Progress report 2005</p> <p>Accepted. We are currently undertaking a stock take of the Sexual Offences Act 2003 and will be examining the use of section 71 as part of that process. The stock take was completed in December 2005 and its findings will be reported to The Inter-Departmental Ministerial Group on Sexual Offending.</p>
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Asylum and Immigration (Treatment of Claimants, etc.) Bill, published 16 December 2003

<p>Paragraph No. and text</p> <p>Paragraph 29: We recommend that the Government should clarify its intentions as to whether or not, if it were to introduce a power to require carriers to copy travel documents, this would apply to all carriers and all flights.</p>	<p>Progress report 2004</p> <p>We tabled a new clause on 19 January 2004. This was debated by Standing Committee B on 27 January and now forms part of the Act.</p> <p>Section 16 gives an Immigration Officer the power to require a carrier to provide either a full or partial copy of any document relating to a passenger and containing information about that passenger. This is intended to address the issue of individuals who destroy their passport or travel document before presenting themselves to Immigration Control. Such action makes establishing their true identity and nationality difficult and obstructs any subsequent attempt to remove them from the UK. A six months' trial began in Johannesburg on 14th June to test the impact on carriers and with a further trial beginning in Freetown on 29 October. Only if the voluntary scheme proves ineffective will the provision in the Act be commenced. We will only seek to introduce a statutory requirement to copy documents on routes which have high proportions of inadequately and undocumented arrivals. Before any provision in the Act is commenced, it has been agreed that a voluntary scheme should be tried in co-operation with the industry.</p>	<p>Progress report 2005</p> <p>Accepted. Three further trials (in addition to the Johannesburg and Freetown trials in 2004) took place this year and ended on 11 September. We intend to operate a targeted voluntary scheme with the co-operation of carriers, but will use the legislative power if we feel that copying would be effective but for problems resulting from its voluntary nature. It is possible for any carrier to receive a request to copy on one or more of its routes; however we will only ask a carrier to copy documents if intelligence suggests that there is a significant risk of passengers destroying their documents on that route with that carrier. Chartered routes are not exempt from this provision, but are unlikely to be affected.</p> <p>Further meetings will take place with carriers and industry representatives to finalise agreement.</p>
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Paragraph No. and text	Progress report 2004	Progress report 2005
<p>Paragraph 33: We recognize that a power [to require carriers to copy travel documents] such as the Government envisages may be useful if used in the targeted manner described by the Minister. We believe that the Government should demonstrate that the proposal would not cause undue delays to legitimate passengers and that the costs imposed on airlines would be commensurate with the benefits to be gained in tackling abuse of the asylum system. We hope that the Government will not seek to amend the Bill to introduce this provision without first publishing the results of its consultations with carriers and other interested parties. We believe that it would be desirable for the Government to publish an assessment of the operation of similar powers in the Netherlands.</p>	<p>The summary report on consultation responses was published on 17 December 2003. An amendment was tabled on 19 January and a Regulatory Impact Assessment published. The proposal is being tested in the Johannesburg and Freetown trials as stated above. A full RIA will be published once the results of the trial are known. We are not seeking to impose a particular copying technology upon carriers; the trial will be used to demonstrate whether the copying of documents of all passengers on a flight is feasible.</p> <p>We are in contact with colleagues in The Netherlands. Due to the different nature of the system used there a separate report would be of limited value. The effectiveness of the system used in the Netherlands will be considered as part of our evaluation.</p>	<p>Accepted. We published separate reports of the trials in Johannesburg and Freetown in early 2005. These showed that a voluntary document copying scheme could be operated without a delay to flights and that passengers' documents could be scanned quickly prior to boarding. A full RIA was published with the consultation document after the results of the Freetown and Johannesburg trials.</p> <p>Due to logistical difficulties that are likely to arise under a voluntary scheme it was decided that IND would exceptionally provide equipment to carriers. Nonetheless, were we to operate a statutory scheme we would expect carriers to provide copying equipment.</p> <p>We are continuing to consult carriers and carriers' representative bodies to ensure that the proposed voluntary scheme is able to operate effectively and with minimum inconvenience to the Government, carriers and passengers.</p> <p>We contacted colleagues in The Netherlands in the early stages of the document copying project for research and used what material we could. However, due to the different nature of the system used there a separate report would be of limited value. Where possible we used what we could from the Netherlands but mainly based evaluations from IND's specific findings.</p>

<p>Paragraph No. and text</p> <p>Paragraph 53: We repeat our earlier recommendation, in respect of non-suspensive appeals, and make a similar recommendation in respect of the proposals relating to 'safe third countries' in the present Bill, i.e. that if the Secretary of State wishes to add further countries to the list in Schedule 3 to the Bill, he should append a written memorandum to the relevant Statutory Instrument, explaining the rationale for believing those countries to be safe.</p>	<p>Progress report 2004</p> <p>We have set a high test to designate countries as safe in the context of the provisions in Schedule 3 to the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004. We have undertaken detailed research to comply with the obligation that we are satisfied as a matter of fact that countries are safe from an ECHR and 1951 Convention point of view within the structure of the legislation. By taking a graduated approach on a statutory basis to deal with human rights claims we acknowledge that not all countries are the same in that regard and that exceptional cases may arise. The potential remains for an in-country challenge to removal on human rights grounds except where that challenge is certified as clearly unfounded, with that certificate being susceptible to judicial review in an appropriate case. Furthermore Part 6 of Schedule 3 as enacted ensures active Parliamentary scrutiny of the decision to add a country to any of the lists. Parliament will therefore have an opportunity to debate the issues raised and the appropriateness of including a particular country on a list.</p>	<p>Progress report 2005</p> <p>Accepted. The explanatory memorandum to The Asylum [Designated States] [No.2] Order 2005, a draft of which was laid in Parliament on 24 October 2005, explained the reasons for proposing designation.</p>
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Paragraph No. and text	Progress report 2004	Progress report 2005
<p>Paragraph 69: The principle behind Clause 7, of removing taxpayers' support from those with no right to asylum, is justified, and we do not recommend that Clause 7 be removed from the Bill. However, we recommend that the Government should give assurances that Clause 7 will not come into effect until the House is satisfied that in practice it will not lead to significant numbers of children being taken into care.</p>	<p>During the passage of the legislation the Government set out clearly the process prior to any withdrawal of support under section 9 (clause 7 as was). Families will receive an initial letter advising them that they have no basis on which to remain and explaining the consequences if they fail, without reasonable excuse, to take reasonable steps to leave the UK voluntarily or to place themselves in a position in which they can do so. They will be offered the opportunity for an interview and will then receive a further warning letter before consideration is given to the withdrawal of support.</p> <p>The Government remains determined to keep to an absolute minimum the number of instances where it is necessary for children to be accommodated by the local authority and will work closely with local authorities in the three local enforcement areas where the procedures will be introduced initially.</p>	<p>Accepted. A pilot began in three areas (parts of London, Greater Manchester and the Leeds area) on 1 December 2004, involving 116 families, and the process as agreed during the passage of the legislation. Regular discussions have been held with the local authorities. However, despite the warnings inherent in the process, families are still reluctant to take steps to leave the UK, and decisions to withdraw support have been made in 41 cases (as at 7 November 2005).</p> <p>The Government remains determined to keep to an absolute minimum the number of instances where it is necessary for children to be accommodated by the local authority and continues to work closely with local authorities in the three local enforcement areas where the procedures have been introduced. Local authorities remain concerned that the provision conflicts with Children Act principles and have been reluctant to take steps to separate children from their parents. A detailed evaluation of the provision, including views from all major stakeholders is currently taking place, after which decisions on the way forward will be made.</p>
<p>Paragraph 70: If the provisions in Clause 7 are brought into effect, we recommend that the Government should submit a written report to Parliament once a year on the number of families from whom benefit has been removed under the terms of the clause, and the number of children who have been taken into care as a result of the operation of the clause.</p>	<p>We have not published any statistics because section 9 does not come into force until 1 December. These statistics will only become available once we have started, and when families whose support has been terminated approach local authorities for assistance. They are obliged to tell NASS of any such case therefore NASS will have these statistics eventually.</p>	<p>Accepted. The provision has been applied only to 116 families in three pilot areas so far the n r. A detailed evaluation is planned shortly which will include quantitative and qualitative data from major stakeholders. The main findings of this report will be made publicly available.</p>

Asylum Applications, published 26 January 2004

<p>Paragraph No. and text</p> <p>Paragraph 136: We support the decision to pilot the fast tracking of incoming airline passengers at Harmondsworth. However, it is important that claimants subject to fast-tracking procedures should be treated humanely and receive a fair hearing, with safeguards to ensure that any genuine refugees who have been sifted in error have their rights protected. We hope that HM Chief Inspector of Prisons will continue to monitor conditions at Oakington and Harmondsworth, as well as at other asylum detention centres, and we expect the Home Office to take action where necessary in response to her findings. We are not satisfied that the Government has done enough to ensure that adequate legal advice is available to asylum seekers and repeat the recommendation in our previous report (see paragraph 130 above) that steps should be taken to remedy this.</p>	<p>Progress report 2004</p> <p>HM Chief Inspector of Prisons will continue to monitor the conditions at Oakington and Harmondsworth as part of the rolling programme of announced and unannounced inspections. A further announced inspection of Oakington took place in June 2004 and the report was published on 9 November 2004.</p> <p>The Government remains concerned to ensure that detainees have access to competent, independent legal advice and representation. IND is facilitating a research project to be conducted jointly by the Office of the Immigration Service Commissioner, the Law Society and the Legal Services Commission to assess the extent of the problem.</p> <p>Claimants subject to fast track processes are treated humanely and the processes offer them a full and fair opportunity to make out their claims. Claimants have access to a legal representative before their asylum interview. At Harmondsworth this is via the “duty solicitor” scheme administered by the Legal Services Commission. There is also a safety mechanism to ensure that, where new or additional information comes to light which suggests that the claimant is not suitable for fast tracking, he is transferred to the mainstream process. The Fast Track Appeals Procedure Rules which are made by the Lord Chancellor under the authority of the Nationality, Immigration and Asylum Act 2002, give the immigration adjudicator who hears a fast track appeal the power to remove an appellant from the jurisdiction of the fast track into the mainstream appellate system</p>	<p>Progress report 2005</p> <p>Accepted. In addition, the Asylum and Immigration Tribunal (Fast Track Procedure) Rules 2005 which are made by the Lord Chancellor under the authority of the Nationality, Immigration and Asylum Act 2002, as amended by the Asylum and Immigration (Treatment of Claimants Etc.) Act 2004 give the immigration judge who hears a fast track appeal the power to remove an appellant from the jurisdiction of the detained fast track into the mainstream appellate system.</p>
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Paragraph No. and text	Progress report 2004	Progress report 2005
<p>Paragraph 139: Given the delays in opening accommodation centres, and the fall in asylum applications, the Government in its response to this report should clarify how many accommodation centres it intends to establish, with what capacity, on what timetable and at what cost.</p>	<p>The first centre, near Bicester in Oxfordshire, was granted planning approval by the Deputy Prime Minister in August 2003. Construction of this centre is expected to commence in early 2005 with completion in late 2006.</p> <p>As asylum intake continues to reduce, accommodation centres will enable us to more effectively manage the asylum process for a larger proportion of the intake. The accommodation centre near Bicester will be an essential part of our network of centres. This includes induction, reporting and removal centres enabling swifter processing, better management of cases and the speedy removal of those who have no right to stay in the country.</p> <p>Work continues to identify sites for further centres. The costs of establishing accommodation centres remain commercially confidential.</p>	<p>No longer applicable. Ministers announced in a Written Ministerial Statement in June 2005 that we would not proceed with an accommodation centre at the former MOD site outside Bicester. Nor at any other potential site.</p> <p>Following detailed consideration, it was decided that accommodation centres could no longer offer good value for money; changes in the asylum landscape no longer justify such centres.</p>
<p>Paragraph 140: There will be some local sensitivities about the siting of both induction centres and accommodation centres. For induction centres, a flexible approach including the use of dispersed accommodation may reduce these concerns.</p>	<p>The new North West Consortium (East) Induction Service which opened in July 2004 provides a dispersed flexible model. Asylum seekers are accommodated in individual houses, flats or bedsits with processes conducted in a series of locations.</p>	<p>Accepted. The consultation process with local stakeholders has been reviewed and strengthened to respond to past concerns.</p>
<p>Paragraph 141: We recommend that the Government should move as quickly as possible towards a situation in which all asylum seekers are processed either through an induction centre, accommodation centre or a fast-tracking facility. The investment necessary to expand the IND estate must be made available as a matter of priority.</p>	<p>We continue to work to establish a national network of induction centres. A new induction service opened in the North West in July 2004 and a one day induction centre came on line in Brixton in September 2004.</p>	<p>Accepted. A national network of induction centres – now known as Initial Accommodation is now up and running. The final sites in Croydon and Hounslow went live in August and September respectively.</p>
<p>Paragraph 142: We support the extension of the language analysis scheme as part of the asylum screening process and believe that this should be developed as quickly as possible.</p>	<p>Negotiations are underway with our Dutch, Irish & Spanish counterparts regarding the setting up of a joint language bureau. European ARGO funding is being sought for this project.</p>	<p>Accepted. We are further investigating the use of language analysis and the concept of language analysis over the phone with a quicker turn around time for the results.</p>

Paragraph No. and text	Progress report 2004	Progress report 2005
<p>Paragraph 146: We recommend that the Government should publish details of the Treasury Solicitors' assessment of the quality of IND decision making on asylum applications. We further recommend that the Home Office should commission an independent review of the quality of that decision-making, and publish its results. We also recommend that the Public Service Agreement targets for future years should be more challenging. A reduction on the current relatively high proportion of successful appeals should be formally included as part of the target. The system of decision-making should be subject to constant assessment and review.</p>	<p>There has been a considerable extension of the independent external element in quality assessment of initial decisions over the summer. Sampling by the Treasury Solicitor has been doubled from 25 cases to 50 cases a month. A pilot project began in August 2004 - UNHCR sample 50 decisions each month, which they select at random. UNHCR assessors provide written and oral feedback to the caseworkers concerned. This demonstrates the Government's firm commitment to ongoing independent assessment and review.</p>	<p>Accepted. UNHCR have continued to sample 50 decisions selected at random and to provide feedback to the caseworkers concerned, demonstrating the Government's firm commitment to ongoing independent assessment and review and to building quality firmly into the processes.</p>
<p>Paragraph 148: Finally, it is essential that the system of processing asylum applications should be properly resourced.</p>	<p>The asylum backlog has been reduced from a peak of 120,000 cases in January 2001 to 10,300 at end of September 2004, demonstrating our commitment to properly resourcing the asylum system. The asylum intake has fallen significantly over the last 18 months - new applications stood at 8,605 in the 3rd quarter of 2004, a decrease of over 60% on 2002 when intake was at its peak. We will retain the capacity to continue to further reduce the number of outstanding asylum applications to "frictional levels" ie all cases will be ongoing work.</p>	<p>Accepted. The asylum intake has fallen significantly over the last two years. New applications stood at 40,625 in 2004, a decrease of over 60% on 2002 when intake was at its peak. We will retain the capacity to continue to further reduce the number of outstanding asylum applications to "frictional levels" ie all cases will be ongoing work.</p>
<p>Paragraph 162: As the system for applications is tightened, we can expect a rise in illegal migration and illegal working, whether by failed asylum seekers or by those who do not make an asylum application. It is important that the Government should devote as much attention to this problem as it has done to the level of asylum applications.</p>	<p>The Government is devoting close attention to the problem of illegal migrant working. Our strategy includes increasing enforcement activity, developing joint working across Government, and working with business to promote compliant behaviour and to prevent the use of illegal labour. The Immigration Service has carried out nearly 700 operations against illegal working during financial year 2002/03, and is also increasing prosecution activity against employers who negligently or deliberately use illegal workers. We have announced our intention to pilot a joint enforcement team in the West Midlands in 2005, which</p>	<p>Accepted. The Government is devoting close attention to the problem of illegal migrant working. Our strategy includes increasing enforcement activity, developing joint working across Government, and working with business to promote compliant behaviour and to prevent the use of illegal labour. The Immigration Service carried out 1,600 operations against illegal working during 2004, and has also increased prosecution activity against employers who negligently or deliberately use illegal workers. We are currently piloting a joint enforcement team in the West Midlands. This draws together officers from different departments responsible for enforcing workplace regulations and builds on existing joint</p>

Paragraph No. and text	Progress report 2004	Progress report 2005
	<p>will draw together officers from different departments responsible for enforcing workplace regulations, and build on existing joint working initiatives. The team will explore the scope for even closer co-operation between departments in sharing and using intelligence to disrupt rogue businesses.</p>	<p>working initiatives. The team will explore the scope for even closer co-operation between departments in sharing and using intelligence to disrupt rogue businesses.</p> <p>The current Immigration Asylum and Nationality Bill contains measures to strengthen the legislative framework on the prevention of illegal working and will make the controls easier to enforce.</p>
<p>Paragraph 181: We recognise that the Government is in the early stages of implementing the recommendations of the independent review. In order that we can subject to proper scrutiny the Government's progress in tackling the problems of NASS, we recommend (a) that the full text, including recommendations, of the independent review should be published; and (b) that the Director-General of IND should submit to us by the end of 2004 a progress report on the work of his steering group on NASS reform, with a view to our taking further oral evidence on this subject from him in early 2005.</p>	<p>The full text of the independent review of NASS was published on 25 March 2004.</p> <p>The Director-General of IND will be happy to submit a report to the Home Affairs Committee by the end of 2004 on the progress that has been made by NASS as a result of the reforms that he is leading.</p>	<p>Accepted. The Director-General submitted a report to the Committee on 21 December 2004 setting out developments in NASS since the publication of the review. Further progress has been made in addressing key findings in the review.</p>
<p>Paragraph 186: The danger that restoration of the concession to work after six months may act as a 'pull' factor is a real one. We recommend that the ban on working should remain in place while the applications process is being streamlined, to avoid re-creating a work incentive; but that the Government should make a commitment to eventually restoring the concession. In the long run, the inability to work is not advantageous to asylum seekers themselves (who may sometimes be, for example, engineers or doctors whose skills are in demand) or to wider society.</p>	<p>Current UK policy is to restrict access to the labour market, but exceptionally to permit it on a case-by-case basis by Ministerial discretion. The Council Directive laying down minimum standards for the reception of asylum seekers (the Reception Conditions Directive) allows Member States to restrict access to the labour market for applicants for up to one year. If an initial application is still outstanding after one year, Member States are to determine conditions of access to the labour market, if the delay is not attributable to the applicant.</p> <p>The Directive must be implemented by 5 February 2005 and the UK will continue to restrict access to the labour market. We will provide for applicants to access the labour market if they have an initial decision outstanding after one year. We envisage this will affect</p>	<p>Accepted. The Council Directive laying down minimum standards for the reception of asylum seekers (the Reception Conditions Directive) allows Member States to restrict access to the labour market for applicants for up to one year. If an initial application is still outstanding after one year, Member States are to determine conditions of access to the labour market, if the delay is not attributable to the applicant.</p> <p>From 5 February 2005 specific provision is made in the Immigration Rules for asylum seekers who have been waiting for 12 months for an initial decision to apply for permission to take up employment; provided the delay cannot be attributed to the applicant.</p>

Paragraph No. and text	Progress report 2004	Progress report 2005
<p>Paragraph 220: We welcome the Minister's evident commitment to improving the treatment of children in detention. We repeat our comment in our earlier report:</p> <p>"Under current practice, children should only be detained prior to removal when the planned period of detention is very short or where there are reasonable grounds to suppose that the family is likely to abscond."</p> <p>We note that the Government has accepted this in principle, and trust that the Minister's package of proposals will be implemented in accordance with this principle.</p>	<p>very few applicants.</p> <p>The Government does not consider that it would be right to routinely allow asylum seekers access to the job market. Their stay in the UK is temporary until such time as their application for asylum is decided. Those whose claims are successful must be given every opportunity to obtain work. Those whose claims are unsuccessful must return home. It would be wrong to give any expectation that they will be allowed to remain simply because they are in employment. By opening up ways for people to come and work here legally we also help tackle illegal working and abuse of the asylum system. Managed migration is not an alternative to developing the skills and employment opportunities of our existing population but is a complement to our ongoing work to achieve that.</p>	
<p>Paragraph 220: We welcome the Minister's evident commitment to improving the treatment of children in detention. We repeat our comment in our earlier report:</p> <p>"Under current practice, children should only be detained prior to removal when the planned period of detention is very short or where there are reasonable grounds to suppose that the family is likely to abscond."</p> <p>We note that the Government has accepted this in principle, and trust that the Minister's package of proposals will be implemented in accordance with this principle.</p>	<p>The detention of families is taken on a case by case basis, with each case being considered very carefully on its individual merits. A family's history of absconding or failing to comply with any reporting restrictions would be taken into account before detention is authorised.</p> <p>A senior IND official has been appointed to oversee detained family cases. In addition there are now enhanced detention review arrangements for family cases.</p> <p>In the vast majority of cases families with children are detained for very few days and in most cases this will be prior to removal. There is a system of Ministerial authorisation in the exceptional event that a child's detention reaches 28 days.</p> <p>It remains our intention to put in place a system of welfare assessments for any child who has been detained for 21 days. The principal focus of this work will be at Yarli's Wood Removal Centre, which will begin to hold families with children at the end of the year.</p>	<p>Accepted. Systems for the welfare assessment of any child who has been detained for 21 days are now in place.</p>

Paragraph No. and text	Progress report 2004	Progress report 2005
<p>Paragraph 221: We also note the Chief Inspector of Prisons' criticisms of the regime at Harmondsworth. These reinforce some of the comments in our report on asylum removals, for instance in regard to the inadequacy of legal advice for detainees. We expect the Home Office to take these criticisms seriously and look forward to its formal response to the Chief Inspector's report.</p>	<p>The Home Office responded to the Chief Inspector's report at the end of January 2004. The majority of the recommendations were accepted, a number as a reflection of current practice. A number of changes had been made in and to the Centre following a programme of major refurbishment. Following a disturbance in July 2004 Harmondsworth has once again undergone repair work. There were no detainees at the centre from mid-July until late October.</p>	<p>Accepted. Asylum claimants subject to detained fast track processes have access to a legal representative before their asylum interview. At Harmondsworth and Yarl's Wood this is via a duty solicitor scheme administered by the Legal Services Commission.</p>
<p>Paragraph 230: We repeat our previous recommendation that—subject to proper evaluation and costing—embarkation controls should be reinstated at UK borders, so that credible estimates can be made of the number of failed asylum seekers who remain in the country. We believe that the Government has by now had ample opportunity to carry out such evaluation and costing. The Government should include details of this work in its formal response to our report.</p>	<p>Project Semaphore, the first stage of the e-Borders programme, will be underway by the end of this year. This pilot scheme will use online technology and advance passenger information provided by airlines to screen and record individuals as they enter and leave the UK. The e-Borders programme will provide a modern, high-tech replacement for the outdated paper embarkation controls, which were removed in 1994 and 1998.</p>	<p>Accepted. Since 15 September the Immigration Service has been operating intelligence-led targeted embarkation control at major ports and this situation will continue in the medium term. The controls contribute to identifying immigration offenders, those committing identity fraud and to the national security effort.</p> <p>Under the e-Borders programme we aim to collect passenger data from carriers on services operating into and departing from the UK. The provision of this audit trail of passenger movements and the linking of the inbound record to the outbound record will support compliance measurement.</p> <p>Provision of departure information will enable a check to be made to ensure that someone whose leave to remain has expired has departed. The reliability of such a check will be influenced by:</p> <ul style="list-style-type: none"> (i) the extent of coverage of e-Borders which is a major programme of change subject to phased implementation until 2013/2014. (ii) whether information captured on departure can be matched accurately against the identity in which the passenger was granted leave; and (iii) the accuracy of the data collected by carriers. <p>Project Semaphore, a pilot scheme intended to inform the design of and de-risk the main e-Borders Programme, commenced in December 2004. Under this project, which is providing targeted operational benefit on routes of interest to</p>

Paragraph No. and text	Progress report 2004	Progress report 2005
<p>Paragraph 231: We also reaffirm the potential importance of voluntary resettlement, and urge the Government to make greater efforts to draw the Voluntary Assisted Returns Programme to the attention of asylum seekers at all stages of the process. We recommend that the Home Office should work with the International Organisation for Migration to make this service more pro-active—for example, by contacting failed asylum seekers at the time of notification of the failure of their application in order to offer advice and assistance. We also recommend that the Government should consider whether a relatively modest increase in the level of assistance provided, financial and otherwise, might lead to a greater take-up of the scheme and a net saving to public funds arising from a reduction in expenditure on enforced removals.</p>	<p>The Government is continuing to promote voluntary returns through a number of different avenues. In particular, we are looking at a range of options for raising the profile of voluntary returns throughout the asylum process and with asylum seeker communities.</p> <p>The Government continues to provide assistance to voluntary returnees mainly through VARRP. Since 1999 International Organisation for Migration (IOM) have been the preferred supplier. As the programme is launched on a yearly basis it does not mean that IOM will automatically continue to be the preferred supplier. In the VARRP 2004 programme IOM use their judgement and experience to assess what is the most appropriate form of in-country support for those who seek it. We are looking again at the use of incentives to encourage the uptake of voluntary returns.</p>	<p>the participating agencies, advance passenger information (passport sourced data) is currently being collected on 28 routes operated by 13 carriers.</p> <p>Accepted. The Government is continuing to promote voluntary returns through a number of different avenues. Refusal decision letters have included an information sheet which refers to the International Organisation for Migration (IOM) for some time. Asylum Screening Units have been provided with literature to put up in their public areas and hand out if requested. Reporting Centres have also received this information and literature, as have all the Local Enforcement Offices (LEOs), National Asylum Support Service (NASS) regional offices and Detention Centres. We are also raising awareness amongst the Asylum Casework teams including the New Asylum Model.</p> <p>IND is already committed to ensuring that the case owners, who will have charge of individual claims handled under the New Asylum Model, ensure that claimants are aware of opportunities such as voluntary departure.</p> <p>Both IOM and the Government are also pursuing a number of ideas for promoting voluntary returns through means other than through the asylum system, including ethnic media, voluntary sector advisers, and other advertising campaigns.</p> <p>Asylum seekers and failed asylum seekers receive up to £1000 worth of reintegration support in their country of origin, which can include business start-up costs. It is the Government's view that in-kind assistance provides the most sustainable source of support for both returnees and the country of origin.</p>
<p>Paragraph 236: We believe that this option [that of requiring people who are about to receive their asylum appeal decision to attend at a special location in person to receive that decision] should be pursued much more vigorously by Government. On the basis of the evidence we have taken, in this and our</p>	<p>The draft Asylum and Immigration Procedure Rules which DCA have produced to underpin the provisions of section 26 of the Asylum and Immigration (Treatment of Claimants etc) Act 2004 provide for the determinations of the new Asylum and Immigration Tribunal to be served by IND on the appellants. This will enable determinations to be served personally in</p>	<p>Accepted. The close case management of the New Asylum Model should ensure that contact with claimants is sustained throughout the end-to-end casework process, with the result that those refused asylum are available for removal at the appropriate (appeal rights exhausted) stage.</p> <p>In April 2005 Procedure Rules for the Asylum and Immigration Tribunal (AIT) and for the courts were introduced to enable</p>

<p>Paragraph No. and text</p> <p>previous inquiry, we are far from convinced that every effort is being made to ensure that failed asylum seekers can take an informed decision on the options open to them. Requiring asylum seekers to attend in person to receive their appeal decision, with their dependants, would make it possible for them, if necessary, to be detained immediately with a view to speedy removal. This measure would increase the rate of removals and reduce the likelihood of failed applicants remaining in the UK in a state of destitution. We urge the Government to bring forward new pilots at the earliest possible opportunity.</p>	<p>Progress report 2004</p> <p>appropriate cases so addressing the concerns identified by the committee. The Procedure Rules are subject to public consultation. In addition the Civil Procedure Rules Committee will consider whether the Civil Procedure Rules can be amended to enable those appeal determinations which are made by the Courts can also be served by IND. It is anticipated that the new appeal structures will be in place by April 2005.</p>	<p>Progress report 2005</p> <p>determinations of appeals relating to an asylum claim to be served by IND. Since then processes have been established to serve determinations in person at all Reporting Centres on those who are subject to reporting restrictions and due to report within time limits for service. Up to 11 November 2005, 75% of determinations suitable for service in person have been so served. Applicants have their options explained to them at the time of service. Removal action is however frequently not an option due to onward appeal rights.</p>
<p>Paragraph 237: We also recommend that they should review urgently the whole system by which failed asylum seekers are advised on their options.</p>	<p>The Government is continuing to look at how information provision about voluntary returns can be improved so that we can ensure that failed asylum seekers are aware of the options open to them. This includes ensuring that information about returns is made available to asylum seekers at every stage in the asylum process, from initial application to refusal, and through to contact management of failed asylum seekers. The delivery of advice and support is through IND's own processes and through the advice given by its implementing partners, the IOM.</p>	<p>Accepted. IND is already committed to ensuring that the case owners, who will have charge of individual claims handled under the New Asylum Model, ensure that claimants are aware of opportunities such as voluntary departure.</p>

Paragraph No. and text	Progress report 2004	Progress report 2005
<p>Paragraph 271: We believe that there is an urgent need to gather objective evidence on the extent to which EU countries vary in their approach to asylum. We recommend that the UK Government should take steps to secure the agreement of its EU partners to the establishment of a body with appropriate powers and expertise at EU level to monitor and report regularly on the practical operation (rather than the theory of operation) of the asylum system in each EU member state.</p>	<p>The Hague Programme calls on the Member States to establish structures to facilitate co-operation between Member States. We secured references making clear that this should be practical and collaborative co-operation of the type envisaged by the Committee.</p>	<p>Accepted. The Hague Programme calls on the Member States to establish structures to facilitate co-operation between Member States. The references are clear that this should be practical and collaborative co-operation of the type envisaged by the Committee. The Commission is due to publish a Communication outlining detailed proposals for how to take this work forward. This is likely to be issued in January 2006.</p> <p>The continuing success of G-DISC (which brings together Director Generals of Immigration from across Europe) has already improved the levels of practical co-operation and information sharing between EU Member States. The Commission envisage that G-DISC will be able to take forward projects under the umbrella of practical co-operation.</p>
<p>Paragraph 321: We believe that Mrs Hughes's scheme is premised upon a degree of pan-European harmonisation in the field of asylum which is not likely to be achieved for many years. In the short to medium term, we consider that a more realistically achievable option for the British Government to pursue would be the establishment of a central European body to monitor and report on the practical implementation of individual member states' policies, as we recommend in paragraph 271 above.</p>	<p>As above.</p>	<p>Accepted. As above.</p>
<p>Paragraph 161: This is an inescapable consequence of the border-control and other measures which the Government have taken in order to crack down on abuse. We do not criticise the Government for taking such measures, but we do believe that their full implications for potential genuine asylum seekers must be recognised. The Government should acknowledge that, as genuine claims become harder to make, more needs to be done to fulfil the UK's humanitarian obligations</p>	<p>Tighter border controls do not prevent refugees from obtaining protection. Protection is accessible for the vast majority of refugees within their region, and those who, for example, make it to France should apply there rather than in the UK. We are also working hard to deal with the wider picture of illegal immigration and facilitation in conjunction with the other agencies both in the UK and overseas. We are not required to facilitate the entry of asylum seekers into the UK, particularly when the vast majority could have claimed asylum somewhere else.</p>	<p>Accepted. The UK's Gateway Protection Programme provides a legal route to the UK for up to 500 of the world's most vulnerable refugees a year. We have made a commitment to expand this programme in our Five Year Strategy published in February 2005.</p> <p>Strengthening regional protection capacity of third countries in or near regions of new or protracted refugee situations is a priority for the UK. We see that by investing in this, people fleeing persecution and conflict can be ensured access to effective protection more quickly and closer to their homes.</p>

<p>Paragraph No. and text</p> <p>to the world's refugees by alternative means. There is a moral obligation on the Government to provide alternative legitimate routes by which refugees can gain access to this country, to assist refugees closer to their country of origin, and to tackle the roots of enforced migration.</p> <p>Paragraph 287: We have argued above that if the effect of the British Government's policy is to make it more difficult for genuine refugees to gain access to the UK to claim asylum, then it is essential for the Government to be pro-active in seeking to assist refugees in or near to their countries of origin, as well as to develop a clearer policy for assisting refugees through UNHCR. We believe that this argument holds good on an EU-wide scale as well, and recommend that the Government should seek the implementation of concerted, pan-European policies of active assistance to refugees in or near the countries of origin and co-operation with UNHCR in accepting quotas of refugees.</p>	<p>Progress report 2004</p> <p>The UK has developed the Gateway Protection Programme to provide a legal route to the UK for up to 500 of the world's most vulnerable refugees a year. The refugees are referred by UNHCR, and they are interviewed and their cases assessed by IND caseworkers. They are also security screened and given a health check. The first arrivals under the programme landed in the UK in March 2004. The UK is proud to have become a resettlement country and we look forward to many years of working with UNHCR to provide a new life for refugees who have suffered torture and other traumatic experiences in their countries of origin.</p> <p>We believe it is in the UK's interest to strengthen protection in the region to reduce secondary movements and the associated incentives to migrants to cross continents, often supported by organised crime. We are looking to develop Migration Partnerships with countries in asylum generating regions. We see these arrangements as modern partnerships, based on equality, where the two parties recognise that their migration issues are of common concern and need to be tackled together. The partnerships are intended to be flexible addressing a range of migration issues. They are also based on the belief that issues such as secondary movement can be effectively addressed in the regions of origin. We have welcomed the Commission's proposals, put forward in their Communication of June 2004, in which they aim to enhance protection capacities in the regions of origin. We are now looking forward to the Commission's plan of action, which will inform the development of a future pilot Regional Protection Programme.</p>	<p>Progress report 2005</p> <p>To this end we are fully supporting the EU Commissions proposals for Regional Protection Programmes (RPPs). These are part of the international effort to contribute to the global refugee protection regime, by improving the protection capacity of regions to the benefit of refugees there and the communities hosting them. The concept is being taken forward through the initiation of two pilot programmes.</p>
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Paragraph No. and text	Progress report 2004	Progress report 2005
<p>Paragraph 246: Illegal working can have a particularly pernicious effect on community relations and an unfair impact on the legally employed workforce. It is important that the Government should be seen to be vigorously tackling the problem. This will help to create confidence in the operation of the asylum system. The extremely low level of prosecutions for employment of illegal workers under Section 8 of the Asylum and Immigration Act 1996 is a cause for concern. We appreciate that there are difficulties in enforcing Section 8 in its current form. We therefore recommend that the Government shortly bring before Parliament legislative proposals to make it easier to proceed against employers of illegal workers.</p>	<p>We have introduced secondary legislation pursuant to section 147 of the Nationality, Immigration and Asylum Act 2002 to strengthen the document checks under section 8 of the Asylum and Immigration Act 1996 that employers must carry out to ensure new employees are entitled to work in the UK. The changes create a firmer legislative basis on which to prosecute employers who profit from illegal labour. The changes, which came into force on 1 May 2004, have been supported by detailed guidance distributed to 1.4 million employers.</p> <p>We used the Asylum and Immigration (Treatment of Claimants) Act 2004 to increase the upper penalty for employing an illegal worker, by making the previously summary only offence also triable in the Crown Courts.</p> <p>We continue to increase enforcement action against employers committing the offence of employing illegal workers. However, there is no direct correlation between successful enforcement and prosecutions under section 8. Where a more serious offence is committed this will be pursued ahead of the section 8 offence.</p>	<p>Accepted. In the Immigration Asylum and Nationality Bill, we are taking these reforms further by introducing civil penalties for employers of illegal workers who fail to carry out proper document checks. The penalty will be up to £2,000 for each illegal worker detected, and will enable immigration officers to encourage compliance and enforce controls far more effectively. The Bill also creates a new, more serious criminal offence of knowingly employing illegal workers, punishable by up to 2 years imprisonment following conviction on indictment.</p> <p>We continue to increase enforcement action against employers committing the offence of employing illegal workers. However, there is no direct correlation between successful enforcement and prosecutions under section 8. Where a more serious offence is committed this will be pursued ahead of the section 8 offence.</p>
<p>Paragraph 247: We believe that a significant factor in the problem of illegal working is the deliberate decision by some employers to break the law. We recommend that the Government should target such employers, who are not only easier to identify than those they employ but arguably more culpable. We refer below to the Government's commitment to use the Proceeds of Crime Act as a weapon against people traffickers. We recommend that the Act should also be used to seize profits made from the employment of illegal labour. The Home Office should be pro-active within Government in seeking to ensure that other departments take action against illegal</p>	<p>Recently introduced secondary legislation strengthening section 8 and the provision in the recent Asylum and Immigration Act increasing the maximum penalty for employing an illegal worker will ensure that employers are targeted and convicted in proportion to the offence.</p> <p>We fully supported the Gangmaster (Licensing) Act 2004 and will work closely with the new Licensing Authority to drive illegal labour provision out of the agricultural sector. We also continue to explore ways of working more effectively across Government departments to combat deliberate use of illegal workers.</p> <p>On 10 November 2004, the Home Secretary</p>	<p>Accepted. In September 2005, we established a pilot team, drawn from departments responsible for enforcing workplace regulations, to tackle the use and exploitation of illegal migrant labour. The pilot in the West Midlands will test the ability of departments to work more closely together, and identify any opportunities for and barriers to joint working.</p> <p>We continue to work to encourage compliant behaviour through discussion with employers and their representatives. The police are already able to use Proceeds of Crime Act powers to confiscate the profits of exploiting illegal labour, and we are considering whether this facility should be extended to UKIS.</p>

Paragraph No. and text	Progress report 2004	Progress report 2005
<p>working—for instance, by means of a concerted attempt to prosecute employers of illegal labour for other related breaches of employment legislation (e.g. failure to pay the minimum wage or to observe health and safety regulations). We note the comments by the Environment, Food and Rural Affairs Committee on the collusion of employers with illegal rural labour through the gangmaster system, and support their view that the Government should treat this problem with greater seriousness.</p>	<p>announced the establishment of a pilot team, drawn from departments responsible for enforcing workplace regulations, to tackle the use and exploitation of illegal migrant labour. The pilot, to commence in the West Midlands next year, will test the ability of departments to work more closely together, and identify any opportunities for and barriers to joint working.</p> <p>The terms of reference of Ministerial Committee on Social and Economic Aspects of Migration (MISC 20) have been amended to include an explicit reference to the co-ordination of the Government's response to the problems of gangmasters and illegal migrant labour.</p> <p>We continue to work to encourage compliant behaviour through discussion with employers and their representatives; the development of sector based codes of practice and the wide distribution of guidance on the changes to section 8. We are actively considering the issue of using Proceeds of Crime Act powers to confiscate the profits of exploiting illegal labour.</p>	

<p>Paragraph No. and text</p> <p>Paragraph 83: It is also clear that the integrity of the UK system will be dependent on the integrity of the passport, asylum and visa regimes in other EU countries. In our visit to Germany we were told of a pilot scheme involving biometrics to prevent fraudulent asylum and visa applications. The Minister of State has set out the UK's involvement in similar schemes. As part of the development of the identity card scheme, the Government should report regularly to Parliament on progress being made across the EU to tackle any weaknesses in other EU countries, and, in particular, those countries currently judged to be the least secure.</p>	<p>Progress report 2004</p> <p>Home Secretary in evidence on 2 November confirmed that he would report to Parliament on work being undertaken in the EU on enhanced security features for documents.</p>	<p>Progress report 2005</p> <p>Accepted. This work was mandated by the Hague Programme (JHA 5-year work programme) in November 2004 and reinforced by the special JHA Council of 7 July 2005.</p> <p>The work is intergovernmental as there is no Community competence over ID cards.</p> <p>A Resolution of the Member States was adopted by the JHA Council on 1 December 2005. It contains interim conclusions on technical features and agreed minimum standards on the security of issuing processes.</p> <p>The Home Secretary wrote to the Chairs of the European Committees in both Houses on 31 October 2005 to inform them of progress.</p>
<p>Paragraph 147: The structure of the database, and how to set it up and manage it, are among the most important choices the Government has to make. We are greatly concerned that the Government's procurement process appears to be taking these key decisions without any external reference or technical assessment, or broader public debate. We recommend the Government publishes details of consultations with any external bodies and also any technical assessments that have been undertaken.</p>	<p>Technical specialists are already engaged in advising on procurement.</p>	<p>Accepted in part. Technical specialists are already engaged in specifying database architecture requirements that will comply with policy requirements for the National Identity Register whilst allowing for connectivity with other databases that will enable use of ID Cards as the key to other government services. Wherever possible, procurement requirements will be expressed in such a way as to allow the market to propose alternative solutions that are compliant.</p>

Paragraph No. and text	Progress report 2004	Progress report 2005
<p>Paragraph 175: The security and reliability of biometrics are at the heart of the Government's case for their proposals. We note that no comparable system of this size has been introduced anywhere in the world. The system proposed would therefore be breaking new ground. It is essential that, before the system is given final approval, there should be exhaustive testing of the reliability and security of the biometrics chosen, and that the results of those tests should be made available to expert independent scrutiny, perhaps led by the Government's Chief Scientific Adviser.</p> <p>NB This is raised also at point 57 and is dealt with here.</p>	<p>Work is ongoing. Results will be made available subject to security and commercial considerations.</p>	<p>Accepted. Trials during procurement will examine enrolment and verification performance, usability, resistance to spoofing and will include testing the ability to find matching sets of fingerprints in a large database. During the early years of Scheme operation enrolments will be closely monitored to ensure that all performance requirements are being met. This is expected to include the first 2-3 million registrations.</p>
<p>Paragraph 212: The Home Office have provided us with details of the assumptions on which their costings have been based, on a confidential basis. We are not convinced that the level of confidentiality applied is justified. Cost information is an essential element in determining the value for money of any project. It is of prime importance where expenditure is funded from the public purse and of particular relevance with regard to public sector IT projects which have a history of poor performance and cost-overruns. We are also concerned that the least robust cost estimates appear to relate to the assumptions with the greatest cost-sensitivity, such as the length of enrolment time, the anticipated number of applications requiring further investigation, the cost of card production and the criteria for subsidised cards. Changes to any one of these factors could cause significant increases to the cost of the programme.</p>	<p>Home Secretary gave details of revised costs in evidence to the Committee on 2 November.</p>	<p>Accepted. The Committee may find it helpful to refer to the Government's response to a report produced by the LSE, and also a report by KPMG, both of which deal with issues relating to costs.</p> <p>Both these documents can be found at: www.identitycards.gov.uk</p>

Paragraph No. and text	Progress report 2004	Progress report 2005
<p>Paragraph 213: The failure to attach a Regulatory Impact Assessment to the draft Bill, or to provide any detailed information on estimated costs and benefits, significantly weakens the basis for pre-legislative scrutiny and the public consultation exercise. This secrecy is all the more regrettable since the case for an identity card system is founded on whether its benefits are proportionate to the problems it seeks to address: a proper cost-benefit analysis is an indispensable element of this. The excuse of commercial sensitivity should not be used to avoid publishing a full Regulatory Impact Assessment with the Bill.</p>	<p>The RIA was sent to LP Secretariat on 12 November in advance of meeting on 18 November.</p>	<p>Accepted. A revised RIA was published on 25 May 2005 when the Bill was introduced into the Commons.</p> <p>On 13 October 2005 the Home Secretary made a statement that the cost of issuing a standalone ID Card was expected to be £30.</p>
<p>Paragraph 257: We agree with the CRE that the Bill should be accompanied by a full Race Impact Assessment and that there should be a further Assessment at the time of the move to compulsion.</p>	<p>A Race Equality Impact Assessment has been prepared for LP Committee.</p> <p>Further assessments will follow as necessary.</p>	<p>Accepted. A revised REIA was published on 25 May 2005 when the Bill was introduced.</p>

Rehabilitation of Prisoners, published 7 January 2005

Paragraph No. and text	Departmental response published March 2005 Cm 6486	Outcome/Latest progress
<p>Paragraph 46: We conclude that reconviction rates should remain the central focus against which re-offending is measured. However, the two-year post-release snapshot is a blunt measuring tool. Currently no differentiation is made between different types of offenders. As such, the current measure is too basic to provide an accurate assessment of the effective prison rehabilitation regime. We suggest the adoption of a more sophisticated measure which includes criteria based on an offender's sentence length and offence type.</p>	<p>The Government is committed to exploring ways to supplement the use of reconviction rates to measure the overall success in reducing re-offending against the PSA targets. Reconviction rates are likely to remain the main measure in the short term. In Autumn 2004 a research contract was awarded to explore methods by which changes in the frequency and severity of a person's offending could be included in measures of re-offending. A report is due by April 2005, and the Government will consider the advantages and disadvantages of new measures during the financial year 2005-06.</p>	<p>Accepted. The research report on frequency and severity has been received and the recommended methods are being applied to larger datasets. Once this work is complete the Government will consider the advantages and disadvantages of using these new measures alongside the standard reconviction rates by the end of the financial year 2005-06.</p>
<p>Paragraph 81: We recognise that home detention curfew has a role to play in the Criminal Justice System. We recommend that the Government continue to monitor carefully the re-offending rates for those on home detention curfew.</p>	<p>The Prison Service, in conjunction with the Home Office, keeps the Home Detention Curfew (HDC) scheme under constant review and monitors the rate of recall and re-offending for prisoners subject to HDC.</p>	<p>Accepted. Since the scheme began in January 1999 over 115,000 prisoners have been released on HDC. 85% of those have completed their period on curfew without any problems at all and only 4% have been reported to re-offend during the curfew period.</p>
<p>Paragraph 137: We recommend that the OASys assessment tool should be extended as soon as possible to apply to remand and short-term prisoners.</p>	<p>OASys offender assessments, for those sentenced to less than 12 months imprisonment, are mandatory only for young adult offenders, aged 18 to 20. Some adult short-term prisoners will have had an initial OASys prepared by the National Probation Service, as part of a pre-sentence report, and this will be available to the Prison Service to inform offender management.</p>	<p>Accepted in part. It is intended to introduce Custody Plus in Autumn 2006. All new short term sentences would then have a period of at least 6 months post release supervision, and offender managers would be responsible for preparing, at the earliest possible moment, an OASys based assessment and sentence plan, if one had not been prepared at the pre-sentence report stage.</p>
<p>Paragraph 160: The model of HMP Coldingley demonstrates that through a coherent, focused prison work strategy, prisoners can obtain transferable skills and qualifications at the same time as gaining experience of a real working environment and routine. We recommend that the Prison Service develop a prison industrial strategy to ensure that—in the words of the President of the Prison Governors' Association—</p>	<p>The Government agrees with the Committee's view that prison work can offer prisoners a better experience of a real working environment in which transferable skills and qualifications are encouraged. That is indeed a part of its strategy for prison industries and elsewhere we outline what steps are being taken to develop the strategy. The new performance standard is a major step forward in providing a solid framework for</p>	<p>Accepted. The revised strategy for Prison Service industries continues to develop and be implemented. The focus remains on making products for the internal market where this is judged sensible and adds value, combined with establishing and building on current partnerships with the private sector. The Performance Standard for industries means that the Prison Service is in a much better position to judge,</p>

Paragraph No. and text	Departmental response published March 2005 Cm 6486	Outcome/Latest progress
<p>"prison after prison does the same thing and does it in a very businesslike way to very high standards and very competitively".</p> <p>Paragraph 163: We believe that the Prison Service should make the development of structured work a central part of the national prisons strategy. Every effort should be made to use the Coldingley system as a model for other establishments, adapted as necessary to extend it to those who have little previous experience of work or who are reluctant to take on prison work.</p> <p>Paragraph 164: A coherent constructive prison work strategy will not be developed while the responsibility rests on <i>ad hoc</i> initiatives by individual prison governors.</p> <p>Paragraph 180: We believe that a radical reprioritisation of work within the prison rehabilitation agenda is necessary. Partnerships between the prison sector, companies and their supply chains should be established as a matter of priority to identify and provide sustainable employment opportunities for offenders on successful completion of relevant training courses. Basic labour shortages and skills gaps in the external labour market should be identified and matched to vocational training and work programmes in prison. There should be much greater use of day release schemes on the German model to enable prisoners to experience work in the community prior to their release, and demonstrate their abilities and trustworthiness to employers.</p>	<p>industries as it links the training and work opportunities that will be delivered in prisons with the labour shortages and skills gaps in the relevant external labour markets. Providing effective strategic direction and a national framework for industries are crucial to the management of a successful regime. But there is also a place for local initiative within an overall agreed framework. There is now a formal requirement on Governors to consult and gain agreement before workshops can either close or be re-designated. In the event of a disagreement the Industries Management Board acts as the final decision maker.</p> <p>It is also agreed that partnerships with the private sector are invaluable in providing opportunities for prisoners on release. An established partnership is already in place with a large multi-national company that provides quality work experience for prisoners in the production of office furniture. It is hoped to expand the number of prisons involved in this venture and the Service is actively seeking a further major contract with another company later this year.</p>	<p>across a range of criteria including prisoner training, the performance of individual workshops. Having an agreed system for opening, shutting or re-designating workshops makes central planning more efficient and effective.</p> <p>Within this overall strategy a greater emphasis is being placed on training prisoners in a real working environment and guidance has been issued on the most appropriate training applicable for each industry sector. Work also continues in linking work in prisons to employers and real resettlement opportunities.</p>

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<p>Paragraph 161: In one respect only we consider that the Coldingley regime is open to criticism: that it does not allow prisoners to work part-time in order to accommodate other rehabilitative activities such as education, as recommended by the Prison Industries Review. We recommend that in this respect the regime should be modified.</p>	<p>The regime for prisoners at HMP Coldingley has been further modified since the early stages of the part-time working initiative at the time of the Committee's visit to the prison in May 2004. The opportunity for prisoners to work part-time and thus to be able to access other rehabilitative activities including education, has now been built into prison's regime and resettlement systems.</p>	<p>Accepted. The development of the learning and skills agenda at Coldingley has added to the portfolio of opportunities available to offenders. The combination of programmes, work, education and vocational training offers prisoners a mix of opportunities to meet individual needs assessments. The STEPs project is now beginning to deliver real custody to work opportunities. Agreements have already been made with a variety of business partners and the project is now at the stage where offenders have started to be linked to employers with job interviews arranged on release.</p>
<p>Paragraph 181: We recommend that a business case should be formulated for the creation of a specialist not-for-profit agency outside the Prison Service, staffed by personnel with the necessary financial and commercial expertise and experience, to co-ordinate investment, marketing and supply for prison industries.</p>	<p>The Committee has raised an interesting point about how work for prisoners might be procured. We will need to undertake some detailed work in order to fully assess whether this recommendation should be implemented. The Prison Service has already re-structured the central unit that supports industries and a team within that unit are conducting the tasks noted by the Committee. These responsibilities include supporting establishments, engaging with employers, sourcing quality work and spear heading appropriate qualifications to improve prisoners' prospects on release.</p>	<p>Accepted. The work of the team responsible for the tasks outlined continues and assistance has been provided by the private sector in ascertaining the best ways in which work for prisoners might be gained. It is too early to see how successful this initiative has been. Consideration of the recommendation will continue in light of experience gained.</p>
<p>Paragraph 182: We recommend that the emphasis on prison work should be on employing the largest number of prisoners in some form of productive work scheme for the standard number of hours of the working week, rather than design a system facilitating full-time work for a very small number of highly trained prisoners.</p>	<p>The Prison Service endeavours to provide as many prisoners with purposeful activity as possible. The aim of prison industries is to occupy prisoners in out of cell activity and wherever possible to help them gain skills, qualifications and work experience to improve their employment prospects on release, thus impacting upon reducing re-offending.</p>	<p>Accepted. The objective remains the same. One of the key principles in rationalising and modernising Prison Service Industries is to ensure that overall no prisoner activity work places are lost.</p>
<p>Paragraph 190: We urge the Prison Service to monitor closely the development of the Howard League's pilot project at HMP The Mount.</p>	<p>The proposals to pilot the running of a workshop at The Mount are still under discussion. The Prison Service will monitor the project as it progresses.</p>	<p>Accepted. The workshop has opened at HMP Coldingley rather than the original proposal of opening at HMP The Mount. The project employs six offenders earning just above the minimum wage. The project delivers detailed training and then real</p>

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<p>Paragraph 192: We recognise that the argument for paying prisoners a more representative wage is not to make them better off while they are in prison, but to give them experience of paying tax, national insurance and living costs, and facing up to the same responsibilities as other citizens. We recognise the complexity of developing such a policy, not least in terms of public perception, the costs of administration of such a system and the setting of deductions. We recommend that the Prison Service run a small number of pilot schemes to assess the impact of paying market rates with appropriate deductions to cover the cost of accommodation, food, child support and—as a requirement—reparation for victims. This might help overcome objections that prison work undercuts local companies.</p>	<p>The Government will consider the value of further pilots paying real wages in addition to that already planned at The Mount, in co-operation with the Howard League.</p> <p>Where the Prison Service has been able to find suitable work in which to place prisoners at a normal rate of pay, it has ensured that these prisoners pay tax and National Insurance as appropriate. The Prison Service will continue to look for work opportunities which will allow it to pursue such a policy. However, new powers would need to be provided in legislation to allow enforced deductions from earnings for the purposes which the Committee propose. In its White Paper, “Justice for all” the Government recognized the benefits of an approach of this kind and will continue to look for a legislative opportunity to implement it.</p>	<p>contract IT design work. Some of the prisoner’s earnings are available to them during their time in custody with the rest transferred to their personal bank accounts (linked to the bank account pilot working in partnership with UNLOCK). All the prisoners involved have committed to donating 20% of their earnings to Victim Support. That donation is made by direct debit from their personal bank account.</p> <p>Accepted. The Howard League has opened a scheme at HMP Coldingley (see above).</p>
<p>Paragraph 214: We recommend that consultative forums be established in each prison to allow prisoners the opportunity to contribute to decisions regarding delivery and content of educational programmes.</p>	<p>Currently many prisons already have such consultative forums organized by the education department; prisoners meet on the wing and discuss issues such as food, education and libraries.</p>	<p>Accepted. We continue to encourage forums of this kind.</p>
<p>Paragraph 216: We note the damage done to prisoners’ education by the ‘churn’ of prisoners through an overcrowded system. We support the proposal by the Prison Reform Trust that every prisoner should have a personal record of achievement which they will take with them when transferred to a new prison. Communication between prisons, and co-ordination of</p>	<p>The Government accepts the thrust of this recommendation, although it is planning a final solution that differs in its detail.</p> <p>It is a fundamental requirement of the “Offender’s Learning Journey” – the document outlining the new Offenders’ Learning and Skills Service – that the offender should be able to make seamless transitions</p>	<p>Accepted in part. We have revised our ICT Strategy and have decided on a way forward in respect of data storage and exchange. As part of the offender learning and skills service (OLASS) reform, we are putting in place a streamlined assessment and planning process. A record of the individual’s skills, learning plan, and achievements</p>

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<p>educational provision within the prison system, should be improved to minimise the disruption caused to prison education by transfers.</p>	<p>between custodial settings and the community without disruption to their learning. Information Advice and Guidance, Assessment and an Individual Learning Plan are key elements of the journey, and will ensure that the learning experience is tailored to need. The offer includes a system of more effective individual learning plans which, on the basis of IAG and assessment, set out learning and other goals and progress against them.</p> <p>At present, prisons are required to transfer Individual Learning Plans within a maximum of 5 days. There are plans to improve performance in this area. Three development Regions are prototyping different methods of transferring records and an ICT strategy has been developed. It proposes an offender learning database, based on an electronic system which shares Individual Learner Records (ILR), and is used by LSC funded providers with 14-19 year olds throughout Bristol. The database would make it possible to access all IAG and ILP information when offenders move around the estate, negating the need for repeat assessments.</p>	<p>will accompany every offender throughout the length of the sentence.</p> <p>Subject to a procurement exercise, the LSC intends to specify and procure a longer term offender learner data management system to apply across the country from next year.</p> <p>Work is underway across stakeholders in criminal justice and education to develop secure, shared access arrangements for authorised NOMS and OLASS professionals without compromising offender data or public protection issues. This will support effective learning planning as required by the Offenders' Learning Journey, and the individual learner record requirements necessary for LSC contract management.</p> <p>Skills Coaching and Skills Passports offer real potential for diagnosing and recording the skills possessed, skills required, and transferring personal learning information through different stages. The skills passport is being trialled and evaluated as part of the skills coaching trial project from April 2005. It provides individuals with a validated record of the skills they have achieved and plan to achieve.</p>
<p>Paragraph 217: We recommend that the Prison Service consider encouraging more extensive use of the 'Toe-by-Toe' system of teaching basic reading and writing skills.</p>	<p>Toe by Toe is a programme designed for primary school children with dyslexia. Although not specifically designed for adults, it appears to be successful with prisoners with a wide variety of educational histories and learning difficulties. Its highly structured approach appeals to learners who thrive on easily grasped, repetitive procedures which progress in very small incremental steps. The Offenders' Learning and Skills Unit is currently funding a small project to evaluate the Toe by Toe methodology.</p> <p>The evaluative exercise offers a structured analysis</p>	<p>Accepted. In summer 2005, DfES published the report on Toe by Toe. The report recommended that the Toe by Toe scheme developed guidance material for mentors in order to signpost links with the Government's Skills for Life strategy and the new policy context for offender learning. This work is now underway, funded by the Skills for Life Strategy Unit. The output will be a reference manual.</p>

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<p>Paragraph 240: We endorse the view of the Prison Service that HMP Grendon is "a model of good prison practice and a leader in the treatment of severe personality-disordered offenders". Although by its nature this model of treatment will only be suitable for a minority of offenders, we consider it important that the work done at Grendon should continue. We recommend that the Government should commit itself to maintain and if possible increase the present level of resourcing of Grendon and other therapeutic units. We agree with the Minister that prisoners should only be sent to Grendon if they are willing to benefit from that regime and have been assessed as suitable for allocation there.</p> <p>Paragraph 267: We commend the key elements of the Kent and Medway Short Term Prison Project, in particular its use of continuing targeted intervention and police and volunteer supervision. We recommend that this be developed nationally and taken forward by NOMS.</p>	<p>that will: -</p> <ul style="list-style-type: none"> • identify the success factors in the secure estate; • determine the role of the learner/tutor relationship in the scheme's success and consider its applicability to all learners; • ascertain the potential for mainstreaming within the wider <i>Skills for Life</i> learning community and stronger links with the overall <i>Skills for Life</i> initiative. <p>The Government welcomes the Committee's view that HMP Grendon is a model of good practice and that it is important that the work there continues. The Democratic Therapeutic Community core model received full accreditation from the Correctional Services Accreditation Panel (CSAP) in March 2004. There are currently six Democratic Therapeutic Communities in operation.</p>	<p>Accepted. Therapeutic communities are subject to the same efficiency savings required of all prison establishments. With these resources they will continue to deliver their accredited programme and are audited annually via the Community of Communities peer review process against the agreed standards.</p>
<p>Paragraph 240: We endorse the view of the Prison Service that HMP Grendon is "a model of good prison practice and a leader in the treatment of severe personality-disordered offenders". Although by its nature this model of treatment will only be suitable for a minority of offenders, we consider it important that the work done at Grendon should continue. We recommend that the Government should commit itself to maintain and if possible increase the present level of resourcing of Grendon and other therapeutic units. We agree with the Minister that prisoners should only be sent to Grendon if they are willing to benefit from that regime and have been assessed as suitable for allocation there.</p> <p>Paragraph 267: We commend the key elements of the Kent and Medway Short Term Prison Project, in particular its use of continuing targeted intervention and police and volunteer supervision. We recommend that this be developed nationally and taken forward by NOMS.</p>	<p>This will be considered further in light of evidence as to the project's effectiveness.</p>	<p>Accepted. Persistent offenders schemes have now been subsumed within the new strategy for Prolific and Persistent Offenders. All prisons are now required to prioritise these offenders for treatment and intervention. A performance management framework has been developed to support the strategy and an impact evaluation is currently underway. When Custody Plus is implemented, all prisoners will be subject to probation supervision, providing continued intervention on release.</p>

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<p>Paragraph 271: We recommend that every prisoner should receive health care screening, including mandatory drug testing, on admission to prison, as part of their needs assessment. Whilst we are aware of the arguments against such a potentially invasive mandatory drug testing requirement, we consider such a step justified in light of the current statistical evidence of the high levels of drug misuse by very many entering the prison system. It does not seem to us unreasonable that there should be a power to drug-test those who have been convicted and sentenced equivalent to the existing power to drug-test those who are arrested. We recommend that this provision should be introduced by way of Government amendment to the Drugs Bill expected to be introduced in the present Session of Parliament.</p> <p>Paragraph 272: Mandatory drug testing on admission will benefit prisoners by facilitating more accurate assessments of the types of treatment required, thereby ensuring the most appropriate package of rehabilitative interventions for individual prisoners. In addition, mandatory testing will generate data which can be used to inform the development of a more targeted prison drug treatment strategy, and which will allow comparisons to be made with the results of compulsory drug testing on arrest.</p>	<p>Arrangements already exist to ensure that, when offenders are first received into custody, healthcare screening takes place. Amongst other things, the screening procedures will identify those drug-misusers who require further assessment and intervention (including for alcohol-misuse, as part of poly-substance-misuse) and take into account any prior engagement with community drug teams. If required, a therapeutic urine test may be undertaken as part of the clinical management. In addition, the results of testing in the community can be passed to CARAT teams as a means of referral.</p> <p>The Government does not, however, accept that MDT should be conducted on reception. MDT is primarily carried out for deterrent and disciplinary purposes and to allow long-term patterns of drug-misuse to be monitored. While certain elements of the MDT programme can help identify those in need of treatment, to conduct MDT at reception for this limited purpose would duplicate existing healthcare assessment work and dilute the finite resources needed to run the wider MDT programme effectively throughout the prison estate. In addition, MDT might detect drugs taken prior to an offender's arrival in custody – for which it would be inappropriate to award punishment under the Prison Rules.</p> <p>Existing healthcare screening procedures, together with further clinical and CARAT assessments, are better suited than MDT to assessing PDUs' needs. Qualified healthcare professionals are able to consider individuals' needs in the round – for example, taking into account mental health problems that accompany drug-misuse ("dual diagnosis"). Only by understanding an individual's over-arching needs can the most appropriate treatment and support be identified.</p>	<p>Accepted in part. The Government's position on Mandatory Drug Testing (MDT) remains as previously stated. Additionally, the Office for National Statistics conducted a review into the impact and effectiveness of MDT in prisons. The review concluded that MDT was effective in meeting key objectives and did not, as some had feared, lead to substantial changes in drug-misusing behaviour.</p>

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<p>Paragraph 278: We recommend that the number of places available on intensive drug treatment programmes be substantially increased, and that resources invested in community drug treatment services should be made available to the prison population, with prisons being directly linked with local community drug treatment providers.</p> <p>Paragraph 279: In addition, we recommend that short, intensive, drug treatment programmes be made available to short-term prisoners, who are currently excluded from any form of intensive drug treatment programmes. We welcome the Government's commitment to developing a short duration drug treatment programme for short-term prisoners as an action point in its National Action Plan.</p>	<p>Work is already underway to increase drug treatment programme capacity. The former Key Performance Target (KPT) to have 5,700 problematic drug users entering drug rehabilitation programmes by March 2005 has been increased to 6,500 starts. This is scheduled to rise to 9,000 entrants by March 2006. A number of initiatives are already underway to increase drug rehabilitation programme capacity. These include rolling-out the P-ASRO and SDP drug rehabilitation programmes and converting some general offending behaviour programme funding to drug programmes. A dedicated unit, the National Drug Programmes Delivery Unit, was established in the summer of 2004 to oversee the operational roll-out and delivery of prison-based drug rehabilitation programmes.</p> <p>Through participation in the Government's national Drug Interventions Programme, prisons – through their CARAT teams – are already managing to secure access to community drug treatment services and associated funding for drug users ahead of release. By maintaining effective links with the Criminal Justice Integrated Teams, CARAT teams are able to get drug users entered onto the latter's caseload – ensuring these offenders remain in end-to-end treatment and that continuity of care continues uninterrupted. In so doing, there is less risk that drug users will re-offend during or after the community part of their sentence has been completed.</p> <p>Further investment by the Department of Health in 2006/07 and 2007/08 onwards for the clinical management of substance-misusers will increase the number of individuals who receive a clinical service based on individual need. Additionally, funds will be made available to community drug teams for the continuation of drug treatments begun in prison.</p> <p>A drug rehabilitation programme specifically for short-</p>	<p>Accepted. The Government is meeting its previously stated commitment to increase drug treatment capacity by rolling out the Short Duration Programme (SDP) and the Prisons-Addressing Substance-Related Offending (P-ASRO) programme.</p> <p>In 2004/05 117 drug rehabilitation programmes were running across the prison estate an increase of 50% on 2003/04. The Short Duration Programme saw an increase from eight to 32 programmes over the same period, and currently stands at 40 programmes. 2005/06 will see a 65% completions target against an anticipated 9,000 entrants. Prisons continue to engage effectively in the Drug Interventions Programme, ensuring those drug-misusers leaving custody are able to access timely continuity of treatment on return to the community. Needs analysis work is underway to help ensure resources can be realigned, as necessary, to allow the new drug service contracts introduced in May 2005 to be delivered more effectively. Capacity and quality of interventions is also being enhanced through the collaborative Integrated prison Drug Treatment System (IDTS) that will see enhanced clinical and psychosocial support, Counselling, Assessment, Referral, Advice & Through-care services (CARATs), offered to drug-misusers during their crucial first 28 days in custody. IDTS, supported by substantial funding from the Department of Health, the Home Office and NOMS, is being developed at 11 Pathfinder sites.</p>

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	<p>term prisoners is already being rolled-out following a helpful pilot launched in April 2004 (see response to paragraph 73).</p> <p>Although short-term prisoners have, in the main, been unable to engage with intensive drug rehabilitation programmes – due to the limited time spent in custody – nevertheless, in some cases, short-term PDUs have been able to engage with the P-ASRO drug rehabilitation programme. More widely, short-term PDUs have since 1998 been able to engage with wider drug interventions – primarily clinical services (detoxification and maintenance-prescribing programmes) and CARATs.</p> <p>SDP is intended to be a platform for the longer-term needs of such PDUs once they return to the community. To help ensure drug-misusers receive timely continuity of care on release, prisons – through their CARAT teams – are already key participants in the Government's national Drug Interventions Programme.</p>	
<p>Paragraph 280: We recommend that the Government should make a public commitment to ensuring that the guaranteed quality of access to drug treatment for prisoners will never be less than that offered to offenders in the community.</p>	<p>The Prison Service is already delivering drug interventions at least comparable in quality to those in the community and is committed to continue delivering drug interventions that are compatible with those available in the community. This allows seamless continuity of care for PDUs continuing treatment on release from custody – primarily those identified and retained in treatment under the Drug Interventions Programme.</p> <p>A number of factors safeguard delivery:</p> <ul style="list-style-type: none"> - prisons are integrating NTA Models of Care (currently being reviewed by Department of Health) into the custodial setting - the aim being to publish guidance by end May 2005; prisons will, additionally, work towards all drug workers in prison meeting national DANOS 	<p>Accepted. The Government's position on quality of access to drug treatment remains as previously stated. Prisons are continuing to integrate the NTA's Models of Care (MoC) into the custodial setting. Full integration was to have taken place by summer 2005 but, intentionally, this has had to be deferred, pending completion of the NTA's ongoing review into the MoC themselves (this will see prison drug treatment services specifically referred to in the revised document). On the expectation the NTA will conclude its review by January 2006, prisons anticipate fully implementing the revised MoC during April 2006. In addition, by engaging effectively with the Drug Interventions Programme, prisons are now better able to ensure that drug-misusing offenders can access continuity of treatment in a timely</p>

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	<p>(Drug & Alcohol National Occupational Standards) requirements;</p> <ul style="list-style-type: none"> - drug interventions are underpinned by a range of quality standards, including: • external Correctional Services Accreditation Panel (CSAP) approval of intensive drug rehabilitation programmes, • Department of Health guidelines for the clinical management of substance-misuse services (detoxification and maintenance-prescribing programmes), • range of internal Prison Service Orders, Instructions, Standards and Specifications that cover the whole Drug Strategy. <p>In practice, prisons are already often the lead providers of drug treatment – not least in terms of volume when compared with local community providers. Access to drug treatment is often available more quickly in prison. For example, clinical management is normally available within 24 hours of entering prison, compared to the National Treatment Agency target of three weeks for community GP access, and two weeks for specialist prescribing.</p>	<p>manner on release.</p>

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<p>Paragraph 286: We recommend that the Government work in partnership with community providers to put in place a tracking system to monitor prisoners' access to community drug treatment and report to Parliament on the progress made in levelling out access to and provision of drug treatment as part of its Reducing Re-offending National Action Plan.</p>	<p>Under the Government's national Drug Interventions Programme, the Home Office and the Prison Service are already working collaboratively on revised paperwork for the Criminal Justice Integrated Teams and CARAT staff. This will enhance their ability to share information so as to better monitor drug treatment before and after release, to support research and to safeguard better continuity of care once prisoners progress to community drug treatment services. The revised Integrated Team Minimum Data Form (ITMDF) will be rolled-out nationally from April 2005.</p>	<p>Accepted. The revised Integrated Treatment Minimum Data Form (IDTMF), subsequently renamed the Drug Interventions Record (DIR), was introduced in May 2005. This now allows offenders' drug-related data to be monitored and shared as they move between custody and the community.</p>
<p>Paragraph 302: We welcome the Government's publication of a programme specifically focused on reducing female offending, but we note with disappointment that this is couched in very general terms. A clearer and more detailed statement of planned actions and expected benefits is needed. We recommend that the Government develops a more focused prison rehabilitation strategy for women prisoners which can be incorporated into the National Action Plan.</p>	<p>The Women's Offending Reduction Programme Action Plan, published in March 2004, provides an overview and summary of the various actions that stakeholders in the Programme agreed to deliver and explains what those actions are designed to achieve. A more detailed Stakeholder Delivery Plan had already been produced that set out exactly what each action point would entail, the process that would be gone through to implement it, who was responsible for delivery and whether the action would be taken forward in the first year of the Programme or in the longer term. The Stakeholder Delivery Plan was issued to all those responsible for action points in the Programme but was considered too long and detailed for general publication.</p> <p>A resettlement strategy for women's prisons and prisoners is being developed by the Women's Team in the Prison Service. It will take account of developments in the National Offender Management Service and link to the regional rehabilitation strategies that are currently being drawn up in response to the Government's Action Plan to Reduce Re-offending.</p>	<p>Accepted. This is being taken forward as part of our plans to mainstream diversity within regional plans to reduce re-offending. A Framework document for regions is being developed to support this approach. The Women's Team is working with a range of external agencies to develop a more strategic approach to women's resettlement, including with SOVA Women Into Work and Business In Prisons self-employment advisers, who work in virtually all women's prisons.</p>
<p>Paragraph 305: In our view, women prisoners, like men prisoners, should be held in prisons according to the security category that is appropriate to the risks they</p>	<p>Women prisoners are held in prisons that are appropriate to the security category that they fall into. The women's population is, at present, significantly</p>	<p>Accepted in part. HMP Peterborough opened in March 2005.</p> <p>The recent rise in the male prison population means</p>

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<p>pose. As we have already noted, women prisoners in general pose much less of a security risk to society than men prisoners. Current sentencing policy and the number of open places available for women prisoners means that the security conditions under which they are held are not necessarily correlated with actual risk. We recommend that the Government take action to remedy this mismatch as a matter of urgency. In particular, we recommend that the number of places for women in open prisons be substantially increased.</p>	<p>below the current projections. We are, therefore, reviewing the estate in terms of its size and use to ensure the most efficient and effective arrangements are in place for accommodating prisoners within the existing estate. Every effort is and will be made, where appropriate to the individual needs of the prisoner, to locate her close to home.</p> <p>Newly built prisons are designed to be flexible in order that they can accommodate a variety of prisoners, to meet the needs of changes in the profile of the prison population. A new women's prison, HMP Bronzefield, opened in June 2004 and provides modern, good quality accommodation, and an improved environment in which female prisoners serve their sentences. It has excellent detoxification and healthcare facilities, a well-equipped mother and baby unit, and provides improved regimes. HMP Peterborough, which is due to open in March 2005, will offer similar high quality accommodation in a unit for women prisoners. Both of these establishments will assist with the location of women prisoners who have families in the South East and East of England.</p> <p>There is also a strong commitment to reducing prisoner numbers by reducing the number of women sent to prison as discussed in the response to the recommendation. In addition, funding from the Spending Review 2004 has been announced in order to develop "radical new approaches" to women's offending, which will enable pilots to be conducted on new and innovative approaches to dealing with women offenders. Again, the focus of this investment will be on improving multi-agency community approaches to women's offending and reducing the use of custody as far as possible.</p>	<p>it is essential that we maintain a flexible approach to our management of the prison population and estate. By doing so, we seek to make maximum use of all available space within the prison estate. This helps us to ensure we are able to meet operational needs.</p> <p>NOMS recently announced the change of function of HMP Buckley Hall to accommodate male prisoners. This will provide extra capacity for the adult male estate where population pressures are acute. The female population has not risen as rapidly as previously anticipated in prison population projections, and this has led to spare capacity in the female estate.</p>

Paragraph No. and text	Departmental response published March 2005 Cm 6486	Outcome/Latest progress
<p>Paragraph 308: We recommend that the delivery and content of offending behaviour programmes should be adapted to meet the specific needs of women prisoners, taking account of those women's different life experiences and placing their offending within the context of what may often be long-term victimisation or abuse.</p>	<p>Around 1,000 programme places for women were provided in 2003/4, with half being on substance use intensive programmes. Developing programmes for women is one of the key actions specified in the Reducing Re-Offending National Action Plan. We are making significant progress in developing and piloting new interventions for women.</p> <p>We have also made a significant investment in understanding offending by women. This has included research into the personal and social factors related to re-offending, the role of victimisation experiences in women's entry into and desistance from criminal activity, and the differential needs of female substance users.</p> <p>In consultation with non-statutory agencies and women in prison we have developed the new multi-modal intervention CARE programme (Choices, Actions, Relationships and Emotions) specifically for women in custody. The programme will be piloted in February 2005 and addresses a number of personal and circumstantial difficulties known to be linked to self-harm, substance misuse, mental ill-health and re-offending.</p> <p>Historically programmes have been piloted and/or accredited just for men in custody. This is no longer the case. The Short Duration Drug Programme, FOR...A Change and P-ASRO are now being piloted with women in prison and will be submitted for accreditation.</p>	<p>Accepted. CARE (Choices, Actions, Relationships and Emotions) has been developed with an exclusive use of independent research with women and girls and in collaboration with non-statutory service providers with expertise in areas such as domestic violence, childhood maltreatment, social inclusion and the experiences of women from minority ethnic groups. CARE was piloted at HM Prison Cookham Wood between February and April 2005. CARE is delivered in partnership with a non-statutory agency and integrates fixed duration psychological intervention with mentoring and advocacy that continues upon release. The programme content, structure and local management arrangements respond to the co-occurrence of violence, substance use, self-injury and mental illness. The model of change specifically addresses the important role of victimisation experiences in the onset and persistence of difficulties in each of these areas. The programme was positively received by CSAP in March 2005. A submission for full accreditation is being prepared and is due for completion by January 2007. The evidence base used to develop CARE is informing the delivery and content of the short motivational resettlement programme (FOR...A Change for Women) which is currently being piloted with men and women.</p>
<p>Paragraph 309: We welcome the Government's commitment in its National Action Plan that research will be carried out into the specific risk factors relating to women's substance misuse and offending. However, we do not think this response to the problem is adequate, given that around 40% of all women prisoners can be diagnosed as harmful or dependent</p>	<p>The number of intensive drug treatment programme places available in women's prisons is to be increased from the 455 places currently available. In August 2004, six drug treatment programmes were being delivered to women. By March 2005 there will be an increase leading to a total of eight establishments</p>	<p>Accepted. The number of intensive drug treatment programme places available in women's prisons has increased from 455 places to 580 places in 2005/6 with further increases anticipated in 2006/07. In August 2004 six drug treatment programmes were being delivered to women; this has now increased to</p>

Paragraph No. and text	Departmental response published March 2005 Cm 6486	Outcome/Latest progress
<p>users of drugs. We recommend that the substantial increase in the female prison population be matched with a proportionate increase in the number of intensive drug treatment programme places available in women's prisons from the 455 places currently available.</p>	<p>delivering treatment programmes.</p> <p>In order to support the increase of drug treatment provision, the Prison Service has developed the National Drug Programme Delivery Unit to manage the training of facilitators, implementation of programmes and audit. The quality and integrity of drug treatment programmes for women will also be increased. The Women's Team has appointed a drug treatment specialist with a role to develop a range of accredited programmes. These will address the needs of young offenders, women on remand, those serving short sentences and women serving longer sentences in need of high intensity treatment.</p>	<p>nine.</p> <p>The quality and integrity of drug treatment programmes for women has also increased. A range of accredited programme has been developed aimed at addressing the needs of young offenders, women on remand, those serving short sentences and women serving longer sentences in need of high intensity treatment. Two programmes will be submitted to the Correctional Service Accreditation Panel in November 2005. Research for the development of a third programme is underway and being supervised by Cambridge University.</p>
<p>Paragraph 313: We consider that whilst the majority of women prisoner's first priority on release may be to secure accommodation for themselves and their children, women prisoners should nevertheless be given equal opportunities to access education, relevant skills training and work programmes as part of their prison regime. In devising a work strategy for women prisoners, we recommend that the Prison Service should consult with women prisoners themselves to identify the types of skills training and work programmes they would find most useful and relevant to them. The general focus on work-like experience and relevant training we have set out in respect of men prisoners is equally important for women prisoners. Outside prison the Government has supported women—including mothers—into work through the New Deal, on the grounds that this is best for them and their children. It is perverse to apply a different attitude to women prisoners who, arguably, have most to gain from secure employment on increased incomes.</p>	<p>The Government agrees with the Committee that women prisoners should have equal opportunities to access education, skills training and employment. This is already happening and in 2003/4 more than 1,500 women leaving prison went into jobs, training or education. The figures for 2005/6 are expected to show a further increase. The resettlement strategy being developed by the Women's Team in the Prison Service and regional rehabilitation strategies will consider how further opportunities can be developed, and there will be continuing consultation with women prisoners and organisations like SOVA Women Into Work and Nacro that have expertise in this area. There is already significant consultation at establishment level when resettlement programmes are drawn up and delivered.</p>	<p>Accepted. In 1991 SOVA, with the Prison Service as a partner agency, launched the Women into Work programme under the ESF Equal Community Initiative Programme. WIW focuses on researching and tackling the barriers to employment for disadvantaged women, particularly prisoners and those involved in the criminal justice system. An interactive CD Rom has been produced "Apply Within" for use by employers. Briefing material for employers has been produced in liaison with NACRO. Further research is being commissioned looking at barriers to employment for specific groups of women offenders. During 2005 two new WIW schemes began.</p> <p>Since April 2004 funding from the Phoenix Development Fund has made it possible for Business in Prisons (BiP) to work in virtually all women's prisons throughout England. There are dedicated BiP business advisers covering the country and Community Development Funding Institute (CDFI) loan funds are available for women as a last resort funding option for business start-up when all other avenues have been exhausted.</p>

Paragraph No. and text	Departmental response published March 2005 Cm 6486	Outcome/Latest progress
<p>Paragraph 315: We recommend that the Prison Service, in partnership with relevant community agencies and social support services, devises a resettlement plan for women prisoners, the contents of which should include basic advice on the care of children whilst women prisoners are in prison, and guidance on childcare, benefits entitlement and housing needs on release.</p> <p>Paragraph 320: We recommend the development of a specific and focused rehabilitation strategy for women prisoners informed by independent research identifying trends across the women's estate in relation to levels of mental illness amongst women prisoners, the extent of drug misuse, and problems emerging from mother and baby units. We recommend that the Government develop national policies in relation to women prisoners' health care, childcare, education, employment, contacts with families, alcohol and drug misuse, and counselling and resettlement.</p> <p>Paragraph 321: We recommend the development of a comprehensive needs assessment programme orientated to women prisoners which identifies the individual female prisoner's problems at the same time as investigating the wider context of social exclusion and abuse suffered by those prisoners.</p>	<p>As noted in the response to paragraph 86, the Women's Team is drawing up a resettlement strategy for women's prisons and prisoners. That strategy will be informed by research, previous analyses like the Social Exclusion Unit's report on Reducing Re-offending by Ex-Prisoners, thematic reports by HM Inspectorates and work done by Nacro, SOVA Women Into Work and Sheffield Hallam University, the Prison Reform Trust and others. The strategy will be evidence-based and reflect the particular needs of women prisoners, drawing, for example, from OASys, prisoner passports and needs assessments undertaken by most psychology departments in prisons. There will be further consultation with prisons and prisoners as well as the voluntary sector and other external agencies, building on the already established partnerships and networks facilitated by the Women's Team.</p> <p>There are already a range of resettlement programmes and interventions in place in women's prisons. There are housing advice projects at all establishments and housing advisers at all women's locals. Jobcentre Plus staff run benefit surgeries at all women's prisons as part of structured reception, induction and pre-release programmes providing interventions relevant to the women's needs and priorities. Voluntary sector organisations working in women's prisons include Nacro, SOVA and Business In Prisons, and new initiatives will include Prison Service Plus working in six women's prisons and a number of projects funded by</p>	<p>Edition 3 of PSO 4801, Prison Service Mother and Baby Units, published in January 2005, emphasises that women in MBUs will have access to the full range of regimes in prison and that a nursery facility will be provided in every MBU to facilitate this. This happens in all MBUs.</p> <p>Accepted. The Draft Resettlement Strategy has gone out for consultation and it is expected to be published by April 1 2006. It has been prepared in consultation with the National Probation Service who are producing a guide for probation practitioners on working with women offenders. The Women's Team in the prison service is also currently supporting three projects looking at how Offender Management can be implemented into women's prisons.</p> <p>The Women's Team has continued to investigate the needs of women offenders. The research project 'Criminogenic Risk Factors Among Women' has now been completed. The study concludes that " Women prisoners experienced higher levels of need relating to their family and marital relationships, accommodation, friendships, substance use and mental health than their male counterparts"; it also reported on the growing evidence for "a link between adverse life events and the development of criminogenic needs, and the need to explore further the relationships between factors such as abuse, parenting, self-harm, mental health and their links with criminogenic need and offending".</p>

Paragraph No. and text	Departmental response published March 2005 Cm 6486	Outcome/Latest progress
<p>Paragraph 317: We were impressed by the innovative work in which the Asha Centre is involved. The Centre is assisting women in transition to have the confidence to take the first steps away from re-offending lifestyles, and to challenge patterns of abuse and offending behaviour. In our view, this is an important part of the resettlement process for ex-prisoners. It demonstrates the positive role of independent organisations in fostering community support networks which facilitate reintegration and resettlement. We recommend that NOMS should take active steps to learn from such models of good practice in developing its resettlement strategy.</p>	<p>the European Social Fund.</p> <p>The Women's Team in the Prison Service also links with national initiatives and policies so that work in women's prisons is informed by such developments. Examples include links to NIMHE, the joint project by the Women's Team and the University of Oxford Public Health Department examining the positive and negative effects of imprisonment on women's health and continuing research into the health (including psychiatric health) of women in mother and baby units.</p>	
	<p>The Government is familiar with the work of the Asha Centre and agrees that it is an example of good practice. The Asha Centre provides the sort of one-stop-shop that the government would like to develop and promote for women offenders, and those at risk of offending, where they can have a single point of access to a range of services and support in the community. The factors which need to be tackled to help prevent women from offending are many and complex, including housing, childcare, mental health, substance misuse, histories of abuse, employment and training. To be most effective at reducing the risk of offending, provision of interventions and services to address these factors need to be co-ordinated and linked rather than different agencies and organisations working independently from each other.</p> <p>This kind of co-ordinated multi-agency approach is important not only to meet the resettlement needs of women who have been released from prison, but also to support the use of community sentences for women offenders, and even for women from the community who may not have offended but need help and support to reduce the risk of this happening.</p> <p>The Asha centre provides a good model of how this can be achieved, as does the 218 women's centre in Glasgow, and the learning from these and other</p>	<p>Accepted. The Home Secretary announced in March 2005 that £9.15 million will be spent over the next four years on setting up new community initiatives for women in two areas. These will demonstrate how a co-ordinated multi-agency approach, including the concept of the one-stop-shop, can be effective at tackling the factors which affect why women offend. The intention is to learn from, and build on, existing examples of where this kind of approach has already been operating successfully, including the Asha Centre and the Calderdale Women's Centre. The Asha Centre's Chair of Trustees and the Director of the Calderdale Centre are now members of the Programme Board set up to provide governance for the new initiatives.</p>

Paragraph No. and text	Departmental response published March 2005 Cm 6486	Outcome/Latest progress
<p>Paragraph 336: It is regrettable that the Government's National Action Plan for rehabilitation does not provide a strategy for dealing with juvenile prisoners. We recommend that the Government develop a comprehensive prison rehabilitation regime for juvenile prisoners. This should address the lack of provision of appropriate housing for young people and the difficulties in securing education and training post-custody. In addition, access to and provision of drug treatment programmes should be improved for juvenile prisoners.</p>	<p>models will be used in the development of NOMS strategies for dealing more effectively with women offenders.</p> <p>When the Home Office published its Reducing Re-offending National Action Plan in April 2004, over sixty action points covering key areas that support the rehabilitation/resettlement of offenders were identified. One of the action points was for the Youth Justice Board (YJB), in partnership with others, to develop a juvenile (resettlement/reducing re-offending) national action plan. The juvenile action plan should complement the adult national action plan, as well as the developing regional and local strategies and activity.</p> <p>The YJB has established a national juvenile resettlement steering group of key departments and agencies.</p> <p>A mapping exercise has been undertaken in each region, to identify regional resettlement issues and priorities to help inform the development of the national action plan, and to highlight the juvenile relationship with the adult action plans. Six priority "pathways" for the juvenile national action plan (in line with the adult pathways) were identified. They are:</p> <ul style="list-style-type: none"> • Accommodation; • Education; training and employment (ETE); • Families and social support; • Substance misuse, mental and physical health; • Finance; and • Transition/process. <p>Subgroups will meet in early 2005 to draft action plans for each pathway, identifying priority issues with</p>	<p>Accepted. The Youth Justice Board (YJB) is in the final stages of developing a National Youth Resettlement Framework for Action to sit along side the adult Reducing Re-offending National Action Plan which was published in July 2004. The YJB hope to be in a position to publish the Framework for wider consultation shortly.</p>

Paragraph No. and text	Departmental response published March 2005 Cm 6486	Outcome/Latest progress
	<p>actions at national, regional and local levels. Lead and partner agencies will then be identified to take these forward. The action plan will be presented to the National Reducing Re-offending Programme Board before the document goes to wider consultation. There are plans to publish the completed action plan in autumn 2005 to then be delivered via the regional resettlement partnerships.</p>	
<p>Paragraph 377: We also recommend that Crime Reduction Partnerships should be actively involved in the resettlement of ex-prisoners. Resettlement strategies should be integrated into local crime reduction strategies so that health, education and housing agencies, together with social services, are committed to dealing with the resettlement of offenders.</p>	<p>The Government notes that this recommendation is directed at Crime and Disorder Reduction Partnerships, and would endorse the view that they have an important role to play in the resettlement of ex-prisoners. Reducing re-offending requires action at a national, regional and local level. Account is also taken of the recent recommendations in the LGA report 'Going Straight' that signals the important role of local authorities and partners in assisting criminal justice agencies in the task of reducing re-offending. There is work to be done to join up partners at a regional and also local level, and work underway includes the Rehabilitation and Resettlement element in the Prolific and Priority Offender (PPO) Strategy already being implemented by CDRPs, working in partnership. The work required with PPOs highlights the partnership work required between NOMS, Local Criminal Justice Boards (LCJBs) and local CDRPs to effect change from prevention through to rehabilitation. The Government believes that the development of Regional Reducing Re-offending Strategies will further assist in providing PPO and other projects with a wider strategic framework within which they can operate to reduce re-offending. This will help in avoiding duplication of effort and inform the decision over whether particular interventions are best developed at the regional or local level. Sharing of data between partners at both the local and regional level will also help to make the most effective use of resources, commissioning and</p>	<p>Accepted. The draft NOMS Communities and Civil Renewal strategy was circulated in March 2005 as part of a formal consultation process. The NOMS and YJB Approach to Communities and Civil Renewal was launched on 22 November 2005. The aims are to encourage and promote an approach to offender management that brings a community focus into regional reducing action plans and local plans. The paper highlights the importance of partnership working with a range of agencies/partnerships, including Crime & Disorder Reduction Partnerships (CDRPs). Partnership working will be given further impetus by the launch on 22 November 2005 of the Alliances – corporate, civic society and faith/voluntary and community sector.</p>

Paragraph No. and text	Departmental response published March 2005 Cm 6486	Outcome/Latest progress
<p>Paragraph 378: We recommend that in the short-term, co-ordinated communication systems be established to enable prison staff (and prisoners) to make contact with key agencies in the local areas to which prisoners are returning. In the medium term, resettlement teams should be established in each of the ten NOMS regions with responsibility for the practical resettlement of prisoners to that region, identifying housing and training or employment opportunities within the region, as well as liaising with housing agencies, training providers and employers and arranging support for offenders from mentors.</p>	<p>development of relevant services. NOMS will publish for formal consultation at the beginning of March its draft communities and civil renewal strategy. Aimed at reducing re-offending, it is an integral part of the Government's strategy to encourage active citizenship and will also contribute to the work of LCJBs to raise confidence in the CJS.</p>	
<p>Paragraph 378: We recommend that in the short-term, co-ordinated communication systems be established to enable prison staff (and prisoners) to make contact with key agencies in the local areas to which prisoners are returning. In the medium term, resettlement teams should be established in each of the ten NOMS regions with responsibility for the practical resettlement of prisoners to that region, identifying housing and training or employment opportunities within the region, as well as liaising with housing agencies, training providers and employers and arranging support for offenders from mentors.</p>	<p>Prisons are participating in co-ordinated communication with key agencies in the local areas to which prisoners are returning. Prisons ensure that FRESHSTART appointments are made for all prisoners who do not have a job or training place on release, linking them up with Jobcentre Plus services in their home areas. From February 2005, 14 establishments will have Jobcentre Plus Jobpoints enabling prisoners to access information on vacancies in the area to which they are returning. The employer database, which is currently being developed, will also provide information about local employers who are willing to offer work to ex-offenders. All establishments will be able to update and access the database.</p> <p>An intranet-based Housing Network is being set up to identify and share good practice on retaining or securing accommodation as part of an effective resettlement plan for sentenced prisoners and sustaining or closing down accommodation for those on remand. It will provide guidance and support on housing organisations, housing contacts, legislation and policy matters, and will encourage the formation of links between regions and/or establishments to enhance existing accommodation services by pooling resources and contacts.</p> <p>The HARP initiative in the North East is a good example of one of a number of local protocols involving the Local Authorities and the Prison and Probation</p>	<p>Accepted in part. This is being taken forward incrementally within regional strategies. In the South West an Accommodation Gateway project is aiming to develop links with housing providers and take referrals from ex-prisoners resettling within the community. Many other regions are developing similar approaches. The new offender learning and skills service will ensure that needs are addressed in a joined-up way as the offender progresses through the Criminal Justice System. The implementation of Custody Plus next year will mean that all offenders will have an offender manager to manage the process, delivering a package of interventions from a range of partners. The new Alliances, with the Corporate Sector, Civic Society, and with the Faith, Voluntary and Community Sector, will provide further opportunities to engage a wide range of local services and businesses in working to resettle ex-prisoners.</p>

Paragraph No. and text	Departmental response published March 2005 Cm 6486	Outcome/Latest progress
<p>Paragraph 380: In our view, to achieve the objective of reducing re-offending there are sound reasons in the long term to move from the regional to the local model of offender management, particularly in light in the shift towards community sentencing introduced by the Criminal Justice Act 2003. We recommend that the Government develop a long-term local community strategy in tandem with its implementation of regional offender management.</p>	<p>Services, and is designed to improve accommodation outcomes for offenders from that area.</p> <p>The implementation of end to end offender management for custodial sentences, which is expected from 2006/07, will be vital in ensuring continuity of provision for offenders moving back to the community from prison. The role of Regional Offender Managers in commissioning services and interventions will also make an important contribution. The government does not believe that with these arrangements in place, regional resettlement teams are the only, or necessarily the best, approach to enabling offenders to access housing, training or employment opportunities, or to get support from mentors. It does not therefore propose to commit itself to setting up such teams in each region. It will be for Regional Offender Managers to decide on and implement the most appropriate solution in their region.</p>	
<p>Paragraph 380: In our view, to achieve the objective of reducing re-offending there are sound reasons in the long term to move from the regional to the local model of offender management, particularly in light in the shift towards community sentencing introduced by the Criminal Justice Act 2003. We recommend that the Government develop a long-term local community strategy in tandem with its implementation of regional offender management.</p>	<p>As NOMS contribution to a forthcoming cross Government civil renewal plan and Local Criminal Justice Board plans to increase public confidence in the criminal justice system, the draft National Offender Management Service (NOMS) Communities and Civil Renewal Strategy will be circulated to statutory agencies and the voluntary, community and private sectors for formal 90 days consultation in March 2005. NOMS plans to build on current good practice by prison, probation and partners in engaging with local communities and has as its twin aims contributing to reducing re-offending and increasing public confidence in the criminal justice system with actions planned at a national, regional and local level.</p>	<p>Accepted. Local Strategic Partnerships are being encouraged to address reducing re-offending under Local Area Agreements, and guidance has been developed to support this. The new Civic Society Alliance will also promote this agenda by working with local authorities, other partners and local people to improve support to offenders. It complements the NOMS and JYB "Approach to Communities and Civil Renewal", published on 22 November, which will focus on four priorities: public protection; unpaid and reparative work; victims and restorative justice and community integration.</p>

Paragraph No. and text	Departmental response published March 2005 Cm 6486	Outcome/Latest progress
<p>Paragraph 390: We recommend that, in future, rehabilitative needs should be taken into account when decisions are taken on the locations of new prisons. It is particularly important that a network of local community prisons be built up to benefit short-term prisoners and prisoners close to the end of their sentence.</p>	<p>NOMS aims to hold shorter sentenced prisoners close to home and currently around 80% of those prisoners with a sentence of 12 months or less are held in local prisons. The end-to-end approach being developed will also see longer sentenced prisoners being transferred back to their home area towards the end of their sentences.</p> <p>It is planned that new prisons will be built in areas that improve the closeness to home and access to courts, prisoners' families and other agencies.</p>	<p>Accepted. In his speech to the Prison Reform Trust on 19th September 2005 the Home Secretary said that we should aim to provide good quality community prisons. An internal review has been commissioned but has not yet reported its findings.</p> <p>NOMS' Pathfinder Programme is a new initiative that is being piloted in the North West to assist prisoners in maintaining family ties and to aid community reintegration. It locates prisoners with short sentences, and those nearing release, in prisons in their home area.</p> <p>In September 2005, the London Resettlement Strategy was published. This forms phase one of the London Reducing Re-Offending Action Plan, and sets out how London agencies will work together to improve resettlement outcomes for London's offenders.</p>

Home Office Target-Setting 2004, published 23 February 2005

Paragraph No. and text	Departmental response published June 2005 (Cm 6592)	Progress report 2005
<p>Paragraph 38: In addition, we recommend that key performance indicators (KPIs) and supporting data are routinely published so that Parliament and the public can form a rounded appreciation of the performance of the Home Office in attaining these targets and objectives.</p>	<p>We already publish a range of information on KPIs. For example, end of year performance on the NOMS KPIs is published in a Written Ministerial Statement annually; police performance assessments are published annually in the autumn and IND information is published on a quarterly basis. Local targets set by CDRPs are published by CDRPs in their audits and strategies publications.</p>	<p>Accepted. Publication of KPIs has continued as set out in the response.</p>
<p>Paragraph 52: We recommend that when the Home Office next reviews its PSA targets, as part of the 2006 Spending Review, a higher proportion of targets should contain "realistic but stretching" quantitative elements.</p>	<p>We consider that there can be merit in both quantitative and directional targets. In some cases it is difficult to determine a quantitative level for a target that is realistic and challenging. In these cases, a directional target is more appropriate. Inappropriate target levels risk demotivating frontline staff and reducing the credibility of the target system. Examples of where it is difficult to determine a quantitative target level include:</p> <ul style="list-style-type: none"> • Where we do not have a robust historical time series for the data. For example, PSA 6 – the voluntary and community sector contribution to delivering public services, measured by the quantitative state of the sector panel survey, which only started collecting data in 2002/03. • Where the link between outputs and outcomes is difficult to quantify. For example, PSA 2 – to reassure the public, reduce the fear of crime and antisocial behaviour, and build confidence in the CJS without compromising fairness. <p>We will consider the appropriate use of quantitative and directional targets in our PSA set during the 2006 Spending Review process.</p>	<p>Accepted. The spending review is now taking place in 2007.</p> <p>We will consider the appropriate use of quantitative and directional targets in our PSA set during the 2007 Spending Review process.</p>

Paragraph No. and text	Departmental response published June 2005 (Cm 6592)	Progress report 2005
<p>Paragraph 72: We accept that the choice of baseline year can often reflect performance management needs, and that there can often be good internal reasons for choosing particular baselines. However, we are concerned about the lack of transparency in doing so, believing that this risks undermining the accountability benefit of PSA targets as an indicator of Home Office performance. We recommend that the Home Office publishes its policy on how baseline years are set, and ensure that—in cases where it is thought necessary to depart from this—the reasons for any such departures are explained in the Technical Notes.</p>	<p>Baselines are set for each target taking into account a range of factors: for example, the time period to be covered by the target and the availability of data before and during that period.</p> <p>Generally we adopted as the baseline:</p> <ul style="list-style-type: none"> • the period for which the latest full year performance data was available when the PSAs were set or; • where a new measure was being used, the period that the first set of data would cover. <p>The baselines for each limb of the PSA targets are recorded in the technical note.</p>	<p>Accepted. The response explained the policy for selection of the current baselines.</p> <p>The baselines for future PSA targets will be published in the technical notes when these are agreed.</p>
<p>Paragraph 76: We recommend that the Home Office introduces consistent reporting categories so that it is instantly clear to the reader whether or not the target has been met or is likely to be met. Euphemisms such as "the target is challenging" should not be used if what is meant is "there has been slippage" or "the target is now unlikely to be met". As many of the new PSA targets are directional, we further recommend that the Home Office comes up with consistent reporting categories to describe the magnitude of any improvement.</p>	<p>We are committed to reporting clearly and openly on performance against our objectives in the departmental report and the Autumn Performance Report. Wherever possible we seek to use the standard Treasury approved reporting categories; however there are occasions where a wider range of descriptors are needed so as not to give a misleading impression of the status of delivery.</p> <p>We agree that the categories used should be clear and consistent. In this year's Annual Report we will report using a small number of descriptors that draw on Treasury guidance and are consistent with the terms used in last year's Annual Report and Autumn Performance Report.</p>	<p>Accepted. The department report did include a small number of descriptors based on Treasury guidance. This approach will be continued in this year's Autumn Performance Report and the next departmental report.</p>
<p>Paragraph 78: We recommend that in its next annual report the Home Office should aim to supply more fully and consistently the information necessary to judge its progress towards targets.</p>	<p>We aim to provide clear and comprehensive performance information in the Annual Report. Where possible the report provides baseline information for the target, as well as the target and any latest outturn information. In some cases information was not available on all the targets at the time of the 2003-04 Annual Report. More data is now available and the 2004-05 Annual Report will be able to report more fully</p>	<p>Accepted. This has been done and the 2004-2005 departmental report contains relevant and consistent information which will enable comparisons between the Home Office targets and its performance, consistent with the undertakings given in the Government response.</p>

Paragraph No. and text	Departmental response published June 2005 (Cm 6592)	Progress report 2005
<p>Paragraph 81: It is not always clear from the DAR that particular targets have lapsed. In some cases, performance against old, but still apparently current, targets is not reported at all. This can cause confusion, and we recommend therefore that in next year's DAR, the Home Office reports more clearly on progress against those PSA targets that may have been superseded by new targets agreed in a more recent Spending Review, but which are still live, or would be were it not for these new targets. We recommend that an additional table at the end of its Performance Summary to describe its performance against all these superseded PSA targets together with a brief note explaining whether these targets have been dropped or replaced would effectively address this concern.</p>	<p>progress against all targets. The HAC Report notes two examples of cases where information could have been more comprehensive:</p> <ul style="list-style-type: none"> • HAC suggest that the proportion rather than the absolute figures of asylum removals should be given in the next annual report. The proportion figures are published in the Asylum Statistics (Asylum Statistics United Kingdom 2003, published in August 2004). And the figures will also be given in future annual reports. <p>HAC also use as an example the target to significantly reduce the performance gap between the best and worst performing forces. The 2003/04 Annual Report noted that 13 forces were required to close a performance gap. However, it is not possible in a document of this nature to reproduce all the detailed performance figures. The detailed information was published in the Police Performance Monitors (Police Performance Monitoring Report 2003/04, published in September 2004).</p> <p>We intend to produce a table for this year's annual report which sets out the position on all targets from the 2000 Spending Review.</p>	<p>Accepted. A table setting out the position on all live targets was included in this year's annual report.</p>

Paragraph No. and text	Departmental response published June 2005 (Cm 6600)	Progress report 2005
<p>Paragraph 66: We recommend that the Government should publish as soon as possible a more detailed elucidation of the proposed future division of responsibilities between the Agency and other bodies including the PSU, and that this should recognise the need to separate short-term from long-term interventions.</p> <p>Paragraph 67: In the light of the criticism we have received that the NCPE <i>has</i> hitherto been hobbled by inadequate funding, we emphasise the importance of providing adequate resources for the new Agency.</p>	<p>The police service, the Government and wider stakeholders are committed to working together to support the continued improvement in police performance by greatly reducing the number of overlapping bodies from which police forces receive assistance and to which they are accountable. The Government welcomes the Committee's strong endorsement for significantly rationalising the number of bodies involved in policing improvement into a single National Policing Improvement Agency (NPIA), which represents a real opportunity to change the landscape of policing for the better and secure extensive headcount and other efficiency savings.</p> <p>The relationship between the NPIA and those wider organisations which will remain outside of the Agency is the subject of ongoing consultation with stakeholders. ACPO and other policing stakeholders have continued to have a strong programme governance role in determining the direction of the NPIA, so as to ensure that the police service has strong ownership of the work of the Agency. Once these consultations have been concluded, the Government will make public a more detailed prospectus on the role of the NPIA and the effect on the wider policing landscape, as the Committee recommends. In due course, this process will include Parliamentary scrutiny of provisions for the NPIA in a possible Police Reform Bill.</p> <p>The Committee differentiated the short-term performance improvements derived from PSU engagements from the longer-term aims of the NPIA to improve performance generally. The National Policing Plan 2005-08 stated clearly that the core functions of both Her Majesty's Inspectorate of Constabulary (HMIC) and PSU were separate and</p>	<p>Accepted. Functions of the NPIA have been agreed. A programme plan is in place to rationalise the number of overlapping bodies to present a streamlined, more effective and responsive national policing landscape. This will extensively reduce the headcount and improve service delivery. Police ownership of the agency is imperative to its success and we are working closely with Association of Chief Police Officers (ACPO) and the Association of Police Authorities (APA). We accept that Her Majesty's Inspectorate of Constabulary (HMIC) and the Police Standards Unit are separate from NPIA.</p> <p>The NPIA will be adequately funded. We are exploring how any funding mechanism can reflect police ownership.</p>

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<p>Paragraph 76: We share the concern of the Police Federation that police training is disproportionately targeted at the higher ranks. We recommend that the Home Office and ACPO should investigate whether this is the case. It is important that the training needs of police officers at sergeant and inspector level should not be neglected.</p>	<p>distinct from the NPIA. As the NPIA develops its scope and functions, the future direction of the PSU will be subject to further review.</p> <p>The Committee rightly states that the arrangements for the funding of the NPIA will be of critical importance in ensuring that the Agency can drive change and achieve improvement. The Government will fully scope and analyse the various funding options for the NPIA to ensure that the most appropriate option is adopted and that the level of funding is sufficient to meet the needs of the Agency.</p>	
<p>Paragraph 76: We share the concern of the Police Federation that police training is disproportionately targeted at the higher ranks. We recommend that the Home Office and ACPO should investigate whether this is the case. It is important that the training needs of police officers at sergeant and inspector level should not be neglected.</p>	<p>The Home Office recognises the importance of available and appropriate training for all ranks and staff within the police service. The provision of training specifically targeted at sergeants and inspectors and equivalent police staff managers is currently delivered through the Core Leadership Development Programme. Fully funded by the Home Office, the programme is delivered via e-learning modules and workbooks, and is in the process of being rolled out to all forces. The 16 modules have been developed to provide flexibility towards different individual's learning needs, thereby maximising the appropriateness of the programme to a wide range of managers. In addition the Professionalising the Investigative Process project (PIP) is available to develop professional skills amongst various ranks, including those of sergeant and inspector. The Home Office will work with ACPO to consider whether further provision of training to sergeant and inspector ranks is required, recognising the key managerial roles they play and influence they have in fostering a change in culture within the service.</p>	<p>Accepted. Take-up of the core leadership development programme (CLDP) by forces has been good, with most forces signing, or expected to sign, a licence to use the programme. However, roll-out within forces remains patchy. Centrex's leadership academy is developing to provide more pro-active support and consultancy on leadership within BCUs and forces and should assist as a catalyst to drive effective implementation of their leadership programmes. Development of accredited qualifications, linked to the various stages of the CLDP, should also act as an incentive to individuals to push for their force to provide access and support to them to go through the programme. The Home Office will work closely with Centrex to evaluate the effectiveness both of the programme itself and of its implementation, and will assist forces in making the most effective use of the programme. On PIP, we are currently looking at what form an accredited qualification for each level might take. In the context of wider workforce modernisation and patterns of deployment of officers, police staff and CSOs, the Home Office and ACPO are looking at what the national learning requirement might be in terms of developing core managerial and deployment skills.</p>

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<p>Paragraph 126: However, these gains have been at the margins. There has been too little progress in introducing more effective information technology. It is here that the real potential lies for saving police time and resources. Sir Ian Blair and other witnesses drew attention to the long-standing failure to introduce an integrated case and custody system. There is an acute need for an integrated transmission system allowing the police, the courts and the CPS to communicate electronically with each other. Police officers and staff are entangled in paperwork because they do not have the IT systems they need and want. Redressing this deficiency should be a Home Office priority. We recommend that in its reply to this report the Home Office should supply a detailed strategy and timetable for the introduction of an integrated case and custody system, and should continue to supply us or our successor Committee in the next Parliament with annual progress reports on this project until it has been fully implemented.</p>	<p>The Home Office will provide the successor Home Affairs Committee with a strategy and timetable for the introduction of an integrated case and custody system by late summer 2005. Following this, we will also provide progress to reports to the Committee.</p>	<p>The High Potential Development Scheme, which is designed to help officers of any rank up to and including chief inspector progress to the rank of superintendent, provides tailored training and development.</p> <p>Accepted. All police forces in England and Wales have committed to an integrated case and custody application. The NSPIS solution, one of three applications available to forces which meets the integrated custody and case preparation requirement, has successfully achieved the electronic transfer of case files to the CPS.</p> <p>Currently 14 forces have a custody application in operational use, and 18 forces have a case preparation application in operational use.</p> <p>By the end of 2005/6 27 forces are scheduled to have a custody application in operational use, and 29 forces are scheduled to have a case preparation application in operational use.</p> <p>By the end 2006/7 all police forces are expected to have fully rolled-out operational custody and case preparation applications with the exception of the Metropolitan Police Service who are currently scheduled to complete force-wide roll-out of their custody and case preparation applications by December 2007.</p>

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<p>Paragraph 137: We congratulate the Home Office on its success in reducing high rates of ill-health retirement and sickness absence. We recognise that it is too early to carry out a full assessment of the effect of Special Priority Payments, which were introduced only just over 12 months ago. In general, we support the greater flexibility they will allow in the use of resources. However, we recommend that the Home Office should address criticisms of lack of uniformity in the process by which SPPs are authorised. In a year's time it should conduct a full assessment of the operation of SPPs.</p>	<p>The Government welcomes the Committee's recognition of the Home Office's success in reducing the rates of ill-health retirement and sickness absence. We also welcome the Committee's support in relation to Special Priority Payments (SPPs). SPPs were introduced to give forces flexibility to make payments for posts that are hard to fill or particularly demanding. This flexibility includes enabling forces to draw up their own arrangements for administering and authorising payments. Since the scheme's introduction, guidance has been issued that reminds forces of the need to ensure that assessment is simple and unbureaucratic. The Government also examines schemes on this basis. We will review the SPP scheme as part of developing options for further workforce reform.</p>	<p>Accepted. There has been a further reduction of sickness absence levels in the service, as measured in the Police Performance Assessment Framework (PPAF). Sickness absence fell by 5% for police officers 8% for police staff between 2003/04 and 2004/05.</p> <p>The Special Priority Payment (SPP) scheme was reviewed by the PNB in 2003. We are reviewing the future of the SPP scheme as part of general consideration of police pay arrangements.</p>
<p>Paragraph 146: The issue of positive discrimination is a very sensitive one. There is undoubtedly a problem which needs to be tackled. Despite recent increases in recruitment from minority ethnic groups, many police forces remain unrepresentative of their wider communities. This is particularly the case in London. Doing nothing is therefore not an option. Equally, it would be counter-productive to take action which led to a lowering of recruitment standards, or which created a widespread sense of unfairness on the part of white police officers. We believe that the best way forward is through a combination of :</p> <p>(a) increased effort put into 'positive action', that is, promotional and outreach activities aimed at encouraging more members of minority groups to apply to join the police;</p> <p>(b) the prioritising in recruitment of certain abilities such as language skills and knowledge of cultural background, where relevant to policing needs in particular areas. A case can be made for doing this on a</p>	<p>The Government welcomes the clear steer which the Committee has given on the sensitive issue of positive discrimination. We are pleased with the efforts made by the Metropolitan Police Service and other forces to attract more minority ethnic groups into the service but agree there is much more to do. We must create a culture of openness and diversity within which members of ethnic minority groups feel that they are wanted and welcome. If we do not, we will not improve the representativeness of the service, we will not deliver greater public reassurance and we will not maintain the confidence of an increasingly diverse society.</p> <p>The police service has made considerable progress by removing barriers and opening up to a wider pool of talent. The introduction of Community Support Officers (CSOs) has also made a notable difference to diversity and we need to replicate this success at constable level. But much more needs to be done to ensure forces are doing all they can within the existing legislative framework. We are working with forces to</p>	<p>Accepted. The Home Office is currently working with Centrex to develop national recruitment standards for police community support officers (PCSOs).</p> <p>The Home Office has recently begun discussions with the service about how to change the single point of entry that currently exists in the service. The service has done very well in recent years at making itself more attractive to graduates through development of the high potential development scheme (HPDS). We have high expectations that such a scheme would increase the diversity of the police workforce and make it, as a career, more attractive to minority ethnic graduates and professionals in other sectors.</p> <p>It is not straightforward to fast-track those with particular language skills once they have been recruited into the service and we are still working with the service, and with Skills for Justice, Centrex and others to try and identify a robust and fair way to assess individuals' language skills and then to use those abilities as a basis for fast-tracking, without</p>

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<p>purely crime-fighting basis.</p> <p>We recommend that the Home Office should explore as a matter of urgency the extent to which proposal (b) above can be implemented without a change in the existing law, with a view to issuing guidance to individual forces on how best to modify their present recruitment practices. However, the position should be regularly reviewed by the Home Office, and if no significant progress has been made, then further action should be taken, including consideration of legislation to enable proposal (b) above to be implemented.</p>	<p>draw on and disseminate good practice and to promote the police service through a range of highly targeted marketing and campaigning activity and materials. We are also considering what more can be done to target minority ethnic graduates.</p> <p>Forces with dedicated outreach workers and strong networks, such as South Yorkshire and Lancashire, are beginning to see the rewards of their efforts. This outreach activity is also helping to build the trust and confidence of minority communities. We will consider how we might extend and improve this activity in every force.</p> <p>Whilst one of the challenges is to attract sufficient numbers of talented black and minority ethnic (BME) officers, the other challenge is to appoint them speedily where they are most needed. We agree that there is no case (or support) for lowering the standards to increase recruitment of BME officers. In fact, there is some evidence to suggest that raising the standard at our assessment centre may lead to proportionately more BME officers.</p> <p>We agree that the police service should be able to prioritise the appointment of individuals who have passed the assessment centre and who have relevant, additional skills, abilities and knowledge which are operationally desirable and which can be used to provide a better service to communities. We are therefore taking urgent legal advice to determine whether this can be done within existing legislation. We will provide further advice to forces on this as soon as possible.</p> <p>Although not specifically mentioned by the Committee in its report – but still on the subject of diversity – more also needs to be done to increase the representation of women within the police service. The culture of openness and diversity to which the Government is</p>	<p>their necessarily forming a part of the recruitment process itself. We remain committed to progress on this as soon as possible.</p> <p>The Home Office published a 'Positive Action Events Toolkit' on 21 July 2005. The toolkit is a good practice guide to conducting positive action events for police recruitment and has been developed by pooling together good practice from forces. The aim is to increase the pool of applicants to the police service from under represented groups.</p> <p>Other national products developed to help forces encourage under-represented groups to join the police service include: development of a national recruitment stand for forces to use at universities, graduate careers fairs, faith and community events; marketing materials including DVD, video and brochures and multi-lingual materials.</p> <p>Forces have also recently been asked to identify additional skills, experience, and knowledge such as the ability to speak a second language which would be operationally desirable, helping to reduce crime and disorder and improve diversity.</p> <p>Following the publication of the "Race Equality Programme for the Police Service" (in July 2005), Chief Officers should review their positive action steps with regard to recruitment and retention of underrepresented racial groups to ensure that they reflect best practice. A report from forces was requested in.</p> <p>The Home Secretary has established two new BME projects: looking at recruitment and progression of senior BME Police Officers and Staff and increasing confidence of BME communities and staff within policing.</p>

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<p>Paragraph 154: We have no reason to believe that there are any major problems with the current system of police career breaks or that a full-scale review is called for. A limited use of career breaks, subject to the overall demands of the service, helps to motivate and retain staff. However, we note that HMIC describes individual force policies as being "likely" to contain "specific information in respect of criteria and eligibility for a career break and also court commitments", and that "<i>in some cases</i> [our emphasis] this includes an undertaking by the individual concerned to advise of any known impending court commitments and to attend any court commitments as required". The implication is that some forces do <i>not</i> require officers on career breaks to give undertakings in respect of court commitments. We recommend that the Secretary of State's national policy on police career breaks should be amended to make it a requirement that all individual force policies should contain stipulations in respect of court commitments following the model of the Metropolitan Police's policy, which we cite in paragraph 152 above.</p> <p>Paragraph 172: It is clear that Community Support Officers have proved popular with the public in their role as high-visibility patrolers. The Government's proposed expansion in CSO numbers was supported by most of our witnesses, though not by the Police Federation</p>	<p>aspiring must make women feel wanted and welcome within the service, as well as ethnic minority groups. It is not acceptable that there are fewer women officers of ACPO rank now than there were seven years ago. The Government is committed to reversing this trend of decline and to ensuring that women are much better represented throughout the police service. This is one of the aims of the recruitment efforts described above. In addition, the Government is planning to review targets for the recruitment and progression of women in the autumn.</p> <p>We will progress the recommendation on career breaks and court commitments through the Police Negotiating Board.</p>	<p>Accepted. The policy on career breaks is contained in guidance agreed by the PNB. We are considering with PNB how the policy has operated since its introduction and how the guidance might be amended.</p>
<p>Paragraph 154: We have no reason to believe that there are any major problems with the current system of police career breaks or that a full-scale review is called for. A limited use of career breaks, subject to the overall demands of the service, helps to motivate and retain staff. However, we note that HMIC describes individual force policies as being "likely" to contain "specific information in respect of criteria and eligibility for a career break and also court commitments", and that "<i>in some cases</i> [our emphasis] this includes an undertaking by the individual concerned to advise of any known impending court commitments and to attend any court commitments as required". The implication is that some forces do <i>not</i> require officers on career breaks to give undertakings in respect of court commitments. We recommend that the Secretary of State's national policy on police career breaks should be amended to make it a requirement that all individual force policies should contain stipulations in respect of court commitments following the model of the Metropolitan Police's policy, which we cite in paragraph 152 above.</p> <p>Paragraph 172: It is clear that Community Support Officers have proved popular with the public in their role as high-visibility patrolers. The Government's proposed expansion in CSO numbers was supported by most of our witnesses, though not by the Police Federation</p>	<p>The Government sees neighbourhood policing as key to ensuring mainstream local policing services are driven by neighbourhood and community needs. We accept that it is those who are actually affected by problems of crime and disorder who are often best</p>	<p>Accepted. Following detailed consultation with ACPO and the APA, Ministers have agreed the basis for allocating the Neighbourhood Policing Fund (NPF) over the next two years. £88m is being made available in 2006/07 and £340m in 2007/08 to assist</p>

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<p>which represents uniformed officers. Several witnesses made the point that CSOs are most useful when they work in close liaison with police officers, and that any extension of their powers which reduced their street presence would be counter-productive. We agree with this assessment. We also think it is desirable that individual police forces and police authorities should be given the flexibility to decide for themselves whether they wish to spend extra resources on CSOs or on other personnel or activities. We recommend that the arrangements drawn up by the Home Office for the proposed neighbourhood policing fund should make allowance for such flexibility, allowing local communities to take decisions in the light of local priorities.</p>	<p>placed to identify solutions for their area, helping to cut crime, make neighbourhoods safer and build greater respect in communities.</p> <p>What we have done in Government is to provide resources (and promise more) and to work with the police service to deliver our commitment of a neighbourhood policing approach across all forces by 2008. We want every to community to benefit from dedicated, accessible and responsive neighbourhood policing teams, led by regular police officers and involving special constables, Community Support Officers (CSOs), volunteers, neighbourhood wardens and others too.</p> <p>This approach, which we believe is in line with the Home Affairs Select Committee's view, is set out more fully in our booklet, <i>Neighbourhood Policing - your police; your community, our commitment</i>, published on 9 March 2005. Numbers, staffing mix, skills and powers will need to be appropriate to the particular needs of the neighbourhood and we have not sought to prescribe a one-size fits all approach.</p> <p>By 2005/6 we will have increased Government supported spending on policing by 26% in real terms since 1997. We are setting aside additional money to support the increase in the numbers of CSOs, rising to £340 million in 2007/8. Research findings from forces show that CSOs are having a real impact in providing reassurance and making local communities safer places to live and work. However, the expansion of neighbourhood policing is not solely about CSOs, nor will it be funded solely from the Neighbourhood Policing Fund. It will also involve forces refocusing their activities on local communities. General grant and local partners – local authorities, businesses and others - can (and already do) play their part. We will discuss with stakeholders (ACPO and APA)</p>	<p>in the increase of CSOs to 24,000 by March 2008.</p> <p>Forces and police authorities were invited to submit their proposals to meet the access criteria for the NPF by 12 December. Funding will be allocated on the basis of police funding formula. We have said that we will sustain this investment into 2008 and beyond and in the longer term we have made it clear that this money will go back into general police funding. The Home Secretary will keep progress on neighbourhood policing under review.</p> <p>A National Neighbourhood Policing Programme Team (NPPT) has been set up, under the leadership of ACPO. They are currently working with all forces across England and Wales on the implementation of neighbourhood policing.</p> <p>The Government will carry on funding the service to enable it to deploy historically high numbers of police officers – but we do not want the constraints of the funding mechanisms to drive forces into making resource decisions which make no sense operationally.</p> <p>The Government sees the planned increase in CSO numbers as key to delivering neighbourhood policing teams so that every area will benefit from neighbourhood policing by 2008.</p>

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<p>Paragraph 179: We support the Government's proposals to improve call-handling. At present it is often difficult for members of the public to contact the police. This is not acceptable. However, the Home Office must ensure that suitable training and staff resources are made available to ensure that the new systems are a success.</p> <p>Paragraph 180: We also welcome the proposed introduction of a single non-emergency number. We note the concern of the APA that appropriate back-up systems should be in place before the new number becomes available. We recommend that the Home Office should address these concerns in its planning for the new number.</p>	<p>opportunities for flexibilities, but we have made it clear that one of the key objectives of the fund is 24,000 Community Support Officers in 2008.</p> <p>This growth in CSOs will not be at the expense of officer numbers – the Government will carry on funding the service to enable it to continue to employ historically high numbers of police officers – but we do not want the constraints of the funding mechanisms to drive forces into making resource decisions which make no sense operationally. The Government would like to move the debate onto the service people are getting, not just the resources we are putting in or the job group of the people who are delivering it.</p> <p>There is no intention by the Government that CSOs should be anything other than visible on the streets and the powers provided for them in legislation are targeted on the sort of issues they routinely come across when out on patrol.</p>	
<p>Paragraph 179: We support the Government's proposals to improve call-handling. At present it is often difficult for members of the public to contact the police. This is not acceptable. However, the Home Office must ensure that suitable training and staff resources are made available to ensure that the new systems are a success.</p> <p>Paragraph 180: We also welcome the proposed introduction of a single non-emergency number. We note the concern of the APA that appropriate back-up systems should be in place before the new number becomes available. We recommend that the Home Office should address these concerns in its planning for the new number.</p>	<p>The National Call Handling Standards are a first step towards ensuring improved and consistent service delivery across all forces. Successful call handling is core not only to the satisfaction of users but also to effective investigation of crime and management of intelligence. Improving force call handling will underpin key elements of the National Quality of Service Commitment, which aims to make it easier for the public to contact the police, including through clearer information about how to get in touch for non-emergencies, and will ensure everyone receives a professional and high quality service whenever they are in contact with the police. The National Call Handling Standards will help ensure that people receive a much better service when they contact the police and are confident about getting help quickly in an emergency.</p> <p>As part of the ACPO-led project on call handling, we</p>	<p>Accepted. The Standards were published in April 2005. Five forces agreed to be test sites for the standards; Hampshire, Merseyside, Leicestershire, West Midlands and Warwickshire.</p> <p>Each Force nominated a dedicated project manager for the implementation of the standards and the 'test' phase was for six months July - December 2005.</p> <p>Initial findings have been excellent with all five forces recording fewer complaints, less repeat calls, higher satisfaction levels and better primary service levels. A full review will be conducted January - February 2006.</p> <p>In order to establish national practices and procedures (and very much in line with the HMIC recommendations within 'First Contact') a National Contact Centre Managers forum was arranged for the 18th November. This was attended by 38 Forces</p>

<p>Paragraph No. and text</p>	<p>Departmental response published June 2005 (Cm 6600)</p> <p>are putting together a national accredited training course for force call handlers and supervisors. This will be rolled out to forces from April 2006. The Call Handling Standards will also include a guide for forces on how the demand for calls can be managed.</p> <p>We are pleased to note that the Committee welcomes the proposed introduction of a single non-emergency number. The Home Office has appointed a Project Director who is now recruiting a small project team. Their main role will be to ensure that a core service is available by the end of 2006, with a full national service by 2008. As part of the rigorous planning that will accompany the development of the service, the Project Team will ensure that suitable back-up systems are put in place.</p>	<p>Progress report 2005</p> <p>and was very well received.</p> <p>In November 2005, forces provided the Home Office with information as to whether or not they expected to be compliant with the Quality of Service commitment by November 2006. It appears that the majority of forces are moving towards compliance and are confident of their ability to be able to comply with standards by November 2006.</p> <p>The Quality of Service commitment has been amended to ensure it reflects the "Victims Code" published in October 2005.</p> <p>The Single Non-Emergency Team is now in place, jointly sponsored by the Home Office and the Office of the Deputy Prime Minister. The consultation to secure the proposed three digit number is being carried out by Ofcom and will conclude on 22 December 2005.</p> <p>Detailed proposals, to be submitted by 9 December 2005, are being developed by the Partnerships which will describe how the service will be delivered.</p> <p>The Single Non-Emergency Number will initially complement rather than replace existing non-emergency numbers ensuring adequate continuity and resilience.</p>
<p>Paragraph 192: There is great potential for increasing the effective use of DNA by the police. As HMIC has demonstrated, there remains unacceptable variation in the adoption of DNA technology by individual forces. The Home Office and ACPO should push for more rapid progress on the part of under-performing forces.</p>	<p>Nationally the country is the global leader in using DNA technology to detect crime. The number of DNA profiles has increased since evidence was prepared for the Committee. As at the end of March 2005, the Database held just over 3 million DNA profiles (3,000,949). The projection of the number of profiles on the Database by 2007 has increased from 3,700,000 to just over 3,800,000.</p> <p>More recent figures than were available to the Committee indicate that in 2003-04 the overall</p>	<p>Accepted. The Police Standards Unit have undertaken several streams of work including: -</p> <ul style="list-style-type: none"> development of a Scientific Work Improvement Model using computer simulation to identify any blockages in the forensic/investigative process and make recommendations for resource allocation and process improvement. The national rollout of this project will be completed by April 2006. Currently 41 forces have either completed this work or are due for completion

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<p>Paragraph 193: We note the concerns expressed by Sir Alec Jeffreys in relation to police use of DNA and recommend that, as a precautionary measure, the Home Office should consider whether changes in practice are necessary to deal with the potential problem of multiple identities. The Home Office should report to us the conclusions of this review.</p>	<p>detection rate rose from 23% to 43% where DNA had been successfully recovered from a crime scene. In 2003-04 there were over 45,000 'offender-to-scene' matches; over 20,000 'DNA detections'; and an increase of 138% in DNA detections over the figure for 1999-2000.</p> <p>The Home Office Police Standards Unit and Forensic Science and Pathology Unit (formerly the Science Policy Unit), will continue to work with ACPO to help under-performing forces make full and effective use of DNA.</p>	<p>before the end of 2005/06. Where successfully implemented, this programme is delivering benefits to a large number of forces. The work was reinforced by a performance seminar held by PSU in October 2005.</p> <ul style="list-style-type: none"> • provided 'on-site' support to forces where difficulties are noted in successfully loading DNA mouth-swabs from arrestees to the National DNA Database; and • developed the delivery of timely performance data to forces via I/Quanta.
<p>Paragraph 194: We welcome the Forensic Integration Strategy, aimed at integrating all forms of forensic evidence by 2008. We recommend that in its reply to this report the Home Office should supply us with an update on progress in implementing the Strategy.</p>	<p>The Government notes this recommendation, which concerns a complex area with important ethical as well as scientific issues. Following evidence given by Professor Sir Alec Jeffreys, the National DNA Database Strategic Board's Custodian, Dr R K Bramley, is to convene a meeting between Professor Sir Alec Jeffreys and other scientists to discuss the issues with a view to producing a joint paper for consideration by the National DNA Database Strategic Board. The Government, which is represented on the National DNA Database Strategic Board, welcomes this initiative and will carefully consider the contents of the joint paper.</p>	<p>Accepted. The meeting took place in early May. A number of experts groups (nationally and internationally) are considering the need to develop a profiling system which would reduce the potential problem of multiple identities.</p> <p>The Home Office will continue to monitor this work and will ensure that any findings or outcomes are considered.</p>
	<p>The Government welcomes the Committee's endorsement of the Forensic Integration Strategy (FIS). Agreement has been reached with ACPO to take forward the Strategy in a manner that increases the input of police officers and Scientific Support Managers in decision making compared with the arrangements for the DNA Expansion Programme. For the period 2005-06 the Home Office, with the agreement of ACPO, has identified the following key work streams:</p> <p>(i) Fingerprints: The Home Office is funding a project</p>	<p>Accepted. Progress has been made with the implementation of the strategy.</p> <p>(i) Fingerprints: the Home Office has agreed to match fund the additional investment of police forces in England and Wales (and the British Transport Police) in Livescan for two years (2005/06, 2006/07). This will ensure the introduction of a Livescan Unit in every major custody suite. A single contract for the procurement and service provision of Livescan has also been established. All existing contracts will be migrated to this single contract which will be effective</p>

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	<p>management team to oversee arrangements for the rollout of a national procurement and standard operational procedures for Livescan. It will also take forward developments with another pilot project into the electronic transmission of marks from crime scenes. The objective is to enable police officers in all custody suites to confirm the identity of individuals more quickly, for example, persons using an alias because they are being sought under any arrest warrant.</p> <p>(ii) DNA and International Workstreams: Continuing investment introduced via the DNA Expansion programme, of £51.5million will be spent on DNA analysis, police force forensic capacity and National DNA Database services. The Government aims to use its Presidencies of the G8 and EU to seek to encourage greater trans-national exchange of DNA intelligence to more quickly identify and arrest criminals who commit serial offences in more than one country.</p> <p>(iii) Procurement Reform: The Home Office is working with ACPO and the APA to develop and implement a new procurement strategy for forensic science purchase by the police. The strategy moves is intended to achieve greater value for money in a £200 million plus market.</p> <p>(iv) Forensic Pathology: The Home Office, in collaboration with the Royal College of Pathologists, has introduced new 'codes of practice and standards' for forensic pathologists. A new IT system has been developed and will come into use shortly in order to support a comprehensive quality system. £3m of funding has been committed for improvements to forensic mortuaries, with a further £6m available for 2005/6. Twelve trainee forensic pathologists and conversion programmes for four consultant</p>	<p>from 1 December 2005. The negotiation of the contract has resulted in cost reduction of approximately 40% when compared to the pre-contract cost. Considerable additional benefits both in the form of operational improvements and cost efficiencies are expected as a result of the additional unit. The Home Office will continue to work with the Livescan project management team to ensure that these benefits are maximized.</p> <p>(ii) DNA and International Workstreams: the Home Office hosted an international seminar on the subject of DNA in October. The seminar generated considerable impetus to taking forward a number of practical proposals for increasing the exchange of DNA information across international borders. The Home Office is also arranging a feasibility study looking at developing an international search engine.</p> <p>In previous years the Home Office has made available a specific grant to encourage the police service to make greater use of DNA. Ministers have decided that this funding should be moved back into the non specific police grant. Police forces will be asked to maintain the previous investment to ensure that the benefits continue to be realized. This will be monitored through the existing performance regime. The investment in the National DNA Database will continue and will be managed by a new Home Office Custodian Unit.</p> <p>(iii) Procurement Reform: the Home Office, with support from ACPO and forensic suppliers, has developed the concept of 'offence based' procurement for forensic services. A pilot is due to commence in the south west region.</p> <p>(iv) Forensic Pathology: a register of forensic pathologists has been established and all pathologists wishing to be included have been</p>

<p>Paragraph No. and text</p>	<p>Departmental response published June 2005 (Cm 6600)</p> <p>conversions are being funded in the current year.</p>	<p>Progress report 2005</p> <p>required to provide signed acceptance of the new governance procedures. A seminar will be held early in 2006 at which the new arrangements will be launched to the police service. A framework Memorandum of Understanding between the police and forensic pathologists is being developed. The majority of pathologists are trained on the use of the IT system and have been provided with laptops. Work on the improvements to forensic mortuaries is underway.</p>
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Anti-Social Behaviour, published 5 April 2005

<p>Paragraph No. and text</p> <p>Paragraph 21: We are concerned that some organisations that do not wish to tackle ASB are in danger of ignoring the needs of victims and witnesses. We recommend that regular ASB public satisfaction surveys are carried out by CDRPs to improve the evidence base in this area.</p>	<p>Departmental response published June 2005 (Cm 6588)</p> <p>Paragraph 3: To tackle anti-social behaviour effectively, local agencies need to listen to, act upon community concerns and priorities and report back on what has been done. An important element of this is the three-yearly audit and strategy process by CDRPs. This should involve consulting the local community, and ensuring this feeds into the setting of priorities in local crime, drugs and anti-social behaviour strategies. We note the Committee's observation on regularity of surveys and will give this further consideration as part of the follow-up to our recent review of the Crime and Disorder Act 1998.</p> <p>Focusing on the needs of individuals, especially victims and witnesses, and communities that receive and use police services, and being responsive to those needs, are key priorities for Government for the next five years. The police reform white paper, <i>Building Communities, Beating Crime</i>, set out our proposals to deliver a more citizen focused police service, in which members of the public have confidence. As part of these proposals, we are changing the way in which police performance is measured to recognise that public satisfaction is an essential element of good performance. We have already introduced new performance indicators that focus on quality of service. We are continuing to develop this work so that the views of victims of anti-social behaviour can also be reflected in assessments of force performance.</p> <p>The white paper also sets out our proposals to delivering accessible and responsive neighbourhood policing across the country by 2008. Neighbourhood policing will mean a change in the way that problems of crime and anti-social behaviour are dealt with – the police and other agencies will work directly with local</p>	<p>Progress report 2005</p> <p>Accepted in part. As a result of the Crime and Disorder Act (CDA) Review which took place between November 2004 and January 2005, the new Police and Justice Bill proposes to create the power to develop national standards for CDRPs/CSPs.</p> <p>These will, amongst other things, ensure that CDRPs/CSPs regularly consult and engage with their communities. It should be noted that under the existing CDA provisions, CDRPs/CSPs are currently required to consult on the findings of their three year audits with a range of local agencies and local people. The national standards that will be developed in the coming months will build on this.</p> <p>This point was covered in more detail in the Government's Respect Action Plan. This states that in future senior representatives of CDRPs will be expected to hold regular "face the people" briefings. Essentially these will take the form of question and answer sessions open to the public, media and community groups. We will work this requirement into our proposed National Standards for partnership working.</p> <p>The findings of the CDA Review are available on the crime reduction website at www.crimereduction.gov.uk/partnerships60.</p> <p>From 2006/07 the Police Performance Assessment Framework will include a Key Diagnostic Indicator on the satisfaction of those reporting anti-social behaviour. This information will be collected via local police force surveys making use of the new National Standards for Incident Reporting codes for anti-social behaviour. The survey will complement developments in surveying victims and witnesses</p>
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Paragraph No. and text	Departmental response published June 2005 (Cm 6588)	Progress report 2005
<p>Paragraph 78: We welcome the introduction by the Government of Community Justice Centres in Merseyside and Warwickshire and recommend that it expands this pilot scheme into other areas so as to achieve a stronger basis for evaluation. In the meantime, we recommend that local authorities and CDRPs develop mechanisms for ensuring that the views of local residents are taken fully into account as an essential aspect of their response to ASB.</p>	<p>people to identify the problems that are most important to their neighbourhoods and take joint action to deal with them.</p> <p>Paragraph 8: The pilot marks an innovative departure in the delivery of justice, providing an opportunity to respond to community priorities and to have a positive and tangible effect on people's everyday lives.</p> <p>The pilot Community Justice Centre in Liverpool reflects the Government's agenda to crack down on anti-social behaviour. The community justice centre will deliver justice at a local level and a resource for the community through the co-location of agencies and service providers and the leadership of one judge, able to exercise multiple jurisdictions. It will adopt a problem-solving approach towards offenders to combine help for underlying problems with punishment that, as far as possible, makes visible reparation to the community, and it will engage with the community so that the criminal justice system reflects local priorities.</p> <p>The underlying aims of the centre are to: reduce offending, anti-social behaviour and fear of crime; increase victim and witness satisfaction and local confidence in justice; enable local people to become involved in, influence and feel ownership of justice; and to support them in taking a stand against crime and bad behaviour.</p> <p>Work has begun to develop an initiative in Salford to test which community justice problem-solving and community engagement features can be integrated into the mainstream magistrates' court system. This initiative is building upon the success of the anti-social behaviour response court which is already operating successfully in Salford.</p> <p>We agree that that the theme of the criminal justice system being accountable to and working on behalf of</p>	<p>elsewhere in the criminal justice system (being developed for Local Criminal Justice Boards).</p> <p>Accepted. The Community Justice Centre, North Liverpool was launched in October 2005 but the courtroom has been hearing cases since December 2004.</p> <p>The pilot is being evaluated and will run until December 2006. No decisions will be taken about the development of centres elsewhere until the evaluation is completed.</p> <p>However, we are developing ways of mainstreaming the concept within Salford Magistrates' Court. Community engagement is underway in Salford and the courtroom started hearing cases in November as part of a phased implementation approach over coming months.</p> <p>As mentioned under Recommendation 3, as part of the CDA Review we will ensure that CDRPs consult and engage on a regular and ongoing basis. This is included in the Police and Justice Bill introduced on 25th January 2006.</p>

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<p>Paragraph 135: We were disappointed to hear that social services departments and other key players such as local education authorities, the Children and Adolescent Mental Health Service, Youth Services and some children's NGOs are often not fully committed to local ASB strategies. The failure to attend meetings of Crime and Disorder Reduction Partnerships is just one symptom of this. All these organisations are, or should be, working with many of the same young people: as the Association of Directors of Social Services has pointed out, anti-social young people frequently also have support needs. Whether these organisations are unable or reluctant to engage, it cannot be in the best interests of the young people they serve. We discuss at paragraphs 171-72 and 370-71 how some of the problems faced by social services could be overcome. But to the extent that non-participation reflects a rejection of the current ASB strategy as too punitive, social services and others are foregoing the chance actually to influence the way in which it is carried out at local level.</p>	<p>communities needs to be taken across all agencies. That is the driving force behind the establishment of the network of ASB response courts and our 14 Expert Prosecutors.</p> <p>The development of the 'trigger mechanism' (see response to recommendation 67) will provide communities with a means to ensure that they receive an effective response to ASB problems.</p>	
<p>Paragraph 135: We were disappointed to hear that social services departments and other key players such as local education authorities, the Children and Adolescent Mental Health Service, Youth Services and some children's NGOs are often not fully committed to local ASB strategies. The failure to attend meetings of Crime and Disorder Reduction Partnerships is just one symptom of this. All these organisations are, or should be, working with many of the same young people: as the Association of Directors of Social Services has pointed out, anti-social young people frequently also have support needs. Whether these organisations are unable or reluctant to engage, it cannot be in the best interests of the young people they serve. We discuss at paragraphs 171-72 and 370-71 how some of the problems faced by social services could be overcome. But to the extent that non-participation reflects a rejection of the current ASB strategy as too punitive, social services and others are foregoing the chance actually to influence the way in which it is carried out at local level.</p>	<p>Paragraph 13: We share the Committee's disappointment that some key players are on occasions not fully committed to anti-social behaviour strategies. Their full participation would improve local responses and meet the needs of communities and perpetrators. We are therefore examining what can be done to improve engagement from a range of partners.</p>	<p>Accepted. We are encouraging close working between children's services and youth justice services through a number of YOT/Children's Trusts demonstration sites. Additionally, DfES is planning to explore how children's services can intervene early to prevent ASB through an appropriate mix of challenge and support.</p> <p>The Respect Action Plan sets out plans to tackle the most challenging families through family support projects and a long term strategy. It also sets out plans to improve local government response and accountability on ASB.</p>
<p>Paragraph 136: It is clear that there are a number of misconceptions about the scope of data protection legislation. There is a need for some simple user-friendly guidance in this area, and we recommend that the Government should do more to publicise what it has already produced, disseminating its step-by-step guide to all agencies which have a responsibility for tackling</p>	<p>Paragraph 14: We agree that there is a widely held view that the law can act as a barrier to the sharing of information. The DfES, together with the Home Office, Department of Health, Department for Constitutional Affairs and ODPM will publish in December 2005 cross-Government guidance on information sharing. The guidance is aimed at practitioners working in</p>	<p>Accepted. DfES is leading the development of the cross-government practitioner information-sharing guidance for all children's services. The consultation finished on the 15th November 2005. The guidance will explicitly highlight the need to share information for the purpose of community safety and DfES will ensure that the final version provides sufficient profile</p>

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<p>ASB. We conclude also that section 115 of the Crime and Disorder Act is not having the desired effect. We recommend that the Government considers, as part of its review of that legislation, changing the power to share information into a duty in specified circumstances.</p>	<p>children and young people's services to help them know when they can share information appropriately and lawfully within and between agencies, including youth justice. Improving information sharing through effective joint working and integrated processes underpins the building of a Children's Trust to improve the well-being of children. In the medium term, the Children Act 2004 also provides for the establishment of a national system of information sharing indices to enable practitioners to quickly identify with other agencies are involved with a child or young person and to flag to other practitioners that there is a concern.</p> <p>Effective information sharing is also central to the Bichard Inquiry which followed the tragic events at Soham. A Code of Practice and guidance on information management by the police is being developed, and will cover all aspects of the recording, management and sharing of information by the police. Reviewing progress in December 2004, Sir Michael Bichard noted that significant progress had been made and put forward further recommendations aimed at effective implementation, all of which were accepted by the Home Secretary.</p> <p>The review of the partnership provisions of the Crime and Disorder Act 1998 specifically examined Section 115 and actively considered how best to encourage better data and information sharing between agencies. The findings of the review are currently under consideration and we will be publishing our proposals for change later in the year. If changes are made, then we will provide information to practitioners through the TOGETHER campaign.</p>	<p>to anti-social behaviour/crime. Detailed statutory guidance on the establishment and operation of information-sharing indexes (section 12 of the Children's Act 2004) will be published in 2006/07.</p> <p>As a result of the CDA Review the new Police and Justice Bill proposes to extend the power to share personalised information to a duty</p> <p>In addition, national standards will be developed to cover the work undertaken by CDRPs and under these provisions the Home Office will require all CDRPs to have an Information Sharing Protocol in place to set out what will be exchanged, by whom, with whom, for what purposes and with which safeguards in place. In addition, we will require someone to be identified in each of the responsible authorities to facilitate information sharing among partners.</p> <p>Information about any change to data protection arrangements will be available to practitioners and members of the public via the TOGETHER website. We will also consider providing clarification/guidance or as step by step guides if necessary.</p>

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<p>Paragraph 138: Overall, we conclude that more could be done to aid a joined-up response to ASB at local level. We recommend that the Government looks closely at ways in which performance regimes can be amended to reward partnership working. We welcome the Government's provision of funding for ASB co-ordinators—the introduction of these has often made a significant difference at local level—and recommend that it works to improve their performance through targeted national seminars and best practice guidance. We further recommend that the Government hosts a conference specifically for the voluntary sector to improve its response to ASB at local level.</p>	<p>Paragraph 16: We note this recommendation. Tackling ASB is an integral part of CDRP work and the performance management framework system developed for CDRPs ('Performance Assessment and Delivery System') encourages a joined up approach.</p> <p>The development of the joint HO/ODPM Safer and Stronger Communities Fund and the wider Local Area Agreement Pilots provide a new opportunity to make progress in joining up and developing locally agreed outcomes for people on the ground. In essence, this is already rewarding partnership working by aiming to cut bureaucracy and streamline funding streams, and we are working to join up performance regimes, where possible, in line with these aims.</p> <p>It is also important to note continuing progress with the Every Child Matters reforms to children and young people's services which encourage the development of multi-agency working to tackle problematic behaviour, by taking an early intervention approach to address a wide range of risk factors.</p> <p>DfES is looking again at integration of programmes and funding streams designed to support young people in the context of the forthcoming Green Paper on Youth. It is also looking at proposals to improve support for all young people, including those at risk of becoming involved in negative and damaging behaviours.</p> <p>Academy events are open to any practitioners and we regularly review our programme to ensure that we are reaching target groups.</p>	<p>Accepted. As outlined in Youth Matters we propose to reduce the number of individual Government grants to allow Local Authorities to use funding more flexibly and efficiently and to think more creatively about how best to target need in their area. We expect this to lead to both greater efficiency and greater effectiveness for the resources we are committing. By freeing up resources in this way we expect that, over time, Local Authorities and their partners, such as schools and colleges, will be able to focus more on prevention. This focus should be helped by improved integration across professional boundaries and breaking down barriers between programmes and funding streams. The Consultation on Youth Matters finished on 4th November and we expect to publish next steps shortly.</p> <p>We have reviewed our current TOGETHER Academy programme and have no plans to host a conference specifically for the voluntary sector at the present time.</p>
<p>Paragraph 146: We welcome the introduction of targeted diversionary and support schemes such as Youth Inclusion Programmes and Youth Inclusion and Support Panels. All the indications are that these schemes are extremely successful and cost effective in</p>	<p>Paragraph 17: We welcome the Committee's comments on the value of both Youth Inclusion Programmes and Youth Inclusion Support Panels. The evaluation of the former has shown them to be both successful and cost effective.</p>	<p>Accepted. The YISP evaluation is ongoing and due to report shortly.</p> <p>The Committee will want to note that £4.5m of additional funding has been given to the YJB for targeted youth crime/ASB prevention activities. This</p>

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<p>terms of their impact on ASB.</p> <p>Paragraph 159: Poor parenting is often an important factor in ASB by young people. We note the observation by Barnado's that in many cases parents have been seeking help with their children's behaviour for some time, but assistance is rarely given. Whilst funding has been made available for all parenting classes attached to ASBOs, there is more limited provision for parenting classes as an earlier preventative tool.</p>	<p>An evaluation of Youth Inclusion and Support Panels is underway. Without pre-judging the outcomes of that, we do nevertheless consider that such an approach is important in ensuring that there is early identification of risk factors for anti-social behaviour and criminality, together with a multi-agency response, involving mainstream or specialist services, to ensure that there is an appropriate intervention to address the identified risks and the needs of the young person concerned.</p> <p>The Government has committed itself to increase the number of Youth Inclusion Programmes and Youth Inclusion and Support Panels by 50% by 2008.</p>	<p>will be on stream from April 2006. The YJB recently published guidance on how YOTs could apply for this money, choosing from a menu of programmes. This will help deliver the Home Office Strategic Plan commitment to increase by 50% the number of YIPs and YISPs by 2008.</p>
<p>Paragraph 18: The Government has taken on board the Committee's views on this issue and will explore with DfES what can be done to expand provision.</p>	<p>Accepted. DfES is developing and implementing a parenting strategy which seeks to proactively intervene with parents who are most in need, using voluntary and compulsory approaches as necessary. A key part of this strategy is to increase the provision of evidence-based approaches.</p> <p>Intensive intervention to deal with the most challenging areas is set out in the Respect Action Plan. The Government aims to fund Pathfinders to deliver integrated targeted support where it is needed. Pathfinders will explore how best to provide support for parents of children and young people at risk, and ways of intervening early.</p> <p>A National Parenting Academy will be established to ensure the skills are in place to deliver support.</p> <p>Funding of £52m will start a national programme of change in the way public services respond to parents and expand parenting services.</p> <p>Targeted interventions will focus on parents of children and young people at risk so that they receive a quicker, more coordinated package of</p>	<p>Accepted. DfES is developing and implementing a parenting strategy which seeks to proactively intervene with parents who are most in need, using voluntary and compulsory approaches as necessary. A key part of this strategy is to increase the provision of evidence-based approaches.</p> <p>Intensive intervention to deal with the most challenging areas is set out in the Respect Action Plan. The Government aims to fund Pathfinders to deliver integrated targeted support where it is needed. Pathfinders will explore how best to provide support for parents of children and young people at risk, and ways of intervening early.</p> <p>A National Parenting Academy will be established to ensure the skills are in place to deliver support.</p> <p>Funding of £52m will start a national programme of change in the way public services respond to parents and expand parenting services.</p> <p>Targeted interventions will focus on parents of children and young people at risk so that they receive a quicker, more coordinated package of</p>

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<p>Paragraph 160: We welcome the introduction of parenting orders: it is apparent that a coercive approach is sometimes necessary and can ultimately be of great benefit to the parents concerned. However, they are underused. We conclude that, although some concern has been raised about levels of funding, the main reason for this is that not everyone committed to the notion that a coercive approach is sometimes necessary in order to help people to help themselves. Whilst family group conferences and other informal techniques can be successful, we believe that there must be a place also for a coercive order.</p>	<p>Paragraph 19: Where parents are willing to take help, a coercive approach is clearly not necessary but we agree that where they are unwilling, requiring parents to comply with parenting programmes requires the use of parenting orders. We expect that numbers will increase as practitioners become more aware of the use of parenting orders linked to ASBOs and more familiar with them. We will be further promoting the use of parenting orders through the TOGETHER campaign.</p>	<p>challenge and support.</p> <p>Teenage parents will receive Education Maintenance Allowances if they are taking parenting classes; Activity Agreement Allowances will include teenage parents; and Care to Learn schemes will also be extended, contributing to childcare costs.</p>
<p>Paragraph 171: Second, we have noted at paragraph 135 above our concern about the non-participation of social services and other agencies in ASB strategies. We recognise the strain on the budgets of social services departments and we recognise that they may often, quite legitimately, have other priorities. Nonetheless, the failure to participate is likely to undermine the success of ASB work and lead to young people not getting the assistance they require. We recommend that the Government should review urgently the barriers to participation and identify ways they can be overcome.</p> <p>Paragraph 173: Given the concerns expressed by the ADSS amongst others that the Government's ASB strategy is currently too punitive, we are somewhat disappointed that social services are not making greater efforts to fund support measures such as ISOs and Parenting Orders. We recommend that social services</p>	<p>Paragraphs 21 and 23: We welcome these recommendations. Whilst we recognise that there are often competing financial demands and strains on social services and others, we do recognise that this issue needs to be addressed so that central Government policies add up to consistency on the ground for those who are working with children, young people and parents. We will therefore look at barriers to effective engagement of social services in partnership working. The HO and DfES will explore how to take this forward.</p> <p>The Home Office and DfES will work together to fully maximise the opportunities presented by the <i>Every Child Matters</i> reforms and the Children Act 2004 in taking forward a response to the above recommendation.</p> <p>Much is being done already, for example over 41% of</p>	<p>Accepted. The Respect programme of work over the coming year will promote the use of all parenting interventions from voluntary offers of support, to contracts through to parenting orders.</p> <p>New triggers will be introduced to issue parenting orders.</p> <p>New powers to increase the number of agencies that can enter into parenting contracts will include schools.</p>
<p>Accepted. DfES is encouraging Children's Services to work closely with youth justice services to intervene early, to prevent children and young people's involvement in ASB/Crime. We are working with ADSS to see how best children's social services can respond better to this agenda. Additionally, DfES is planning to explore how children's services can intervene early to prevent ASB through an appropriate mix of challenge and support.</p> <p>Early Pathfinder schemes will help to identify "at risk" families and will involve a range of services working together.</p> <p>Youth Justice Board and Youth Offending Teams will work with other partners to ensure that recommendations on parenting are built into pre-sentence reports and national standards for young offenders.</p>		

<p>Paragraph No. and text</p> <p>departments reconsider whether, by attaching greater importance to tackling ASB, they could actually achieve more in relation to perpetrators with support needs than they are doing at present.</p>	<p>Departmental response published June 2005 (Cm 6588)</p> <p>resources for Youth Offending Teams (nationally) comes from Social Services (from Youth Justice – Annual Statistics 2003-4 published by the Youth Justice Board). However, clearly Home Office and DfES clearly need to explore issues further – for example looking imaginatively at the funding and promotion of parenting orders and ISOs.</p> <p>Preventing anti-social behaviour is reflected within the <i>Every Child Matters</i> Outcomes Framework - two outcomes in particular are relevant: Making a positive contribution (a key element of this is encouraging young people to choose to engage in law-abiding and positive behaviour in and outside of school), and Staying safe – (ensuring children and young people are safe from crime, and anti-social behaviour in and out of school.) The outcomes framework has been developed to act as the basis for agreeing local priorities and planning local change. Integrated inspection of children's services will measure improvement against these outcomes.</p> <p>Children's Trust arrangements will bring together local agencies to work towards achieving these outcomes, including a range of children's services, social services and Youth Offending Teams (decisions on commissioning and pooling will rest with the Head of Service of the YOT). The wide range of services working with children and young people will be able to share knowledge, skills, resources and agree on shared priorities and goals in a collective effort to shift services to prevention. These arrangements will be underpinned by the duty to cooperate from the Children Act 2004, and the statutory Children and Young People's Plan which provides the opportunity for tackling anti-social behaviour to be a priority for local services.</p> <p>Another crucial element of service integration that will</p>	<p>Progress report 2005</p> <p>As mentioned in relation to recommendation 17 the Committee will want to note that £45m of additional funding has been given to the YJB for targeted youth crime/ASB prevention activities. This will be on stream from April 2006.</p>
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Paragraph No. and text	Departmental response published June 2005 (Cm 6588)	Progress report 2005
	<p>help services prioritise, and deliver <i>Every Child Matters</i> outcomes, will be the pooling of budgets and resources under the powers either of section 31 of the Health Act 1999 or the Children Act 2004. Through this approach partners will have the ability to be more flexible in targeting funding to where children's needs can best be met.</p>	
<p>Paragraph 219: We welcome the suggestion from the recent Youth Justice Board research study that the use of ASBOs is not leading to the incarceration of young people who would otherwise have remained outside the criminal justice system. We note, however, that more work is being done in this area and recommend that the Home Office monitors closely the results of the September study. We would regret any evidence that the use of ASBOs has led to significant net-widening.</p>	<p>Paragraph 27: We look forward to seeing the outcomes of the September study and we will consider the findings.</p>	<p>Accepted. We are awaiting the findings from the YJB-commissioned report.</p>
<p>Paragraph 220: We do not consider that the inappropriate issuing of ASBOs, or the issuing of ASBOs containing inappropriate conditions, is a major problem in practice. We observe also that where the terms of an ASBO prove to be inappropriate, it is relatively straightforward to apply to the court which made the Order for the terms to be varied. There is also a right of appeal to the Crown Court against the terms of an order. Cases in which these options are not being taken highlight the variable quality of legal representation rather than any difficulties with the current provisions for variation and appeal. However, the reliance on anecdotal evidence is damaging, and we recommend that the Home Office commissions wide-ranging research in this area. The research should seek to establish not only the extent of inappropriate ASBOs, but—of critical importance—the reasons for failures of this kind.</p>	<p>Paragraph 28: We welcome the Committee's observation that ASBOs can be varied and in fact discharged (with the consent of both parties) if they are no longer appropriate. We encourage practitioners to set up mechanisms to review ASBOs so as to monitor compliance and to contemplate varying terms or discharging orders.</p> <p>It is important that ASBOs are credible and are tackling severe forms of anti-social behaviour. From data reported to the Home Office we know that the courts have refused only 1% of all ASBOs applied for, indicating that applications for ASBOs are well thought out and applied for in those cases that warrant such action.</p> <p>The Home Office monitors ASBOs and their use on an ongoing basis and adjusts policy in response.</p>	<p>Accepted. We continue to monitor the use of ASBOs as part of our ongoing policy development through a number of research projects. In addition to the YJB research above, findings from Home Office further research on ASBOs are expected in Spring 2006.</p> <p>The Respect Action Plan supports the measures being taken to improve ASBOs, including introducing new rules to give magistrates and Crown Courts clear powers of case management, ensuring that ASBOs are handled efficiently and effectively.</p>

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<p>Paragraph 222: We agree with Barnado's and others that in relation to young perpetrators of ASB, it may be inappropriate to issue ASBOs that last for a minimum of two years. We recommend that, in the case of children under the age of 18, the law is amended so as to give magistrates greater discretion to set the duration of the ASBO.</p>	<p>Paragraph 30: A 2 year minimum period was devised to give communities a decent period of respite from often long standing anti-social behaviour.</p> <p>While the order itself has minimum duration of two years, there is nothing to prevent a prohibition within an order being of more limited duration (R(Lonerghan) v Lewes Crown Court [2005]). In addition, the process of varying or discharging conditions is relatively straightforward. We do understand the concerns about the minimum period of ASBOs, particularly in respect of young people and will continue to monitor the position.</p>	<p>Accepted. On 20 December 2005 we announced a statutory one year review for all juveniles with standalone ASBOs. This will assess progress with abiding by the prohibitions, which may as a result then be varied. It should also look at what additional support might need to be offered to the young person or their family. The one year review reflects the fact that young people's lives and circumstances can change rapidly as they themselves develop.</p>
<p>Paragraph 230: We heard little evidence as to whether the section 30 dispersal powers are effective at local level, although they have now been in operation for over a year. We are concerned that this reflects a wider ignorance about the use of these powers, and recommend that the Home Office commissions research to examine issues of effectiveness and proportionality.</p>	<p>Paragraph 33: It is disappointing that the Committee was not able to hear evidence first hand of the impact of dispersal powers in bringing peace to communities. We are in close touch with practitioners from both police and local authorities who consider them to be a key tool for tackling anti-social behaviour, often used alongside ABCs, ASBOs and other measures. We will keep the need for research under review.</p>	<p>Accepted. We are keeping this under review. From April 2006 we will be collecting information on dispersal powers on a quarterly basis. This will provide data on the number of areas authorised and the number of people dispersed using these powers.</p>
<p>Paragraph 268: We welcome the introduction of the new housing-based powers, in particular, the powers of injunction and demotion. However, it is unsatisfactory that the Government has created these powers but not collected the data necessary to know whether they are being used or used effectively. Despite the fact that several of the powers, such as possession orders and housing injunctions, have been in force for several years, the Government does know how or how often they are being used, whether eviction is being used appropriately, or the impact of its ASB measures on homelessness. We note that the Government has now committed to collecting data relating to possession orders, with first figures to be published in 2006, and we welcome this. However, it has no plans to do the same in relation to housing injunctions, despite recognising</p>	<p>Paragraph 37: The Government recognises the importance of measuring take up and the effectiveness of housing based powers, particularly those recently introduced by Part Two of the Anti-social Behaviour Act 2003.</p> <p>We will work with local authorities and Registered Social Landlords through the Housing Corporation, in order to develop means to collect data on the use of Housing injunctions from 2006/07 onwards.</p> <p>We agree that in-depth qualitative research on the effectiveness of housing powers would be of value. However, given the fact that many of these powers have only been available to social landlords since summer 2004 we believe that research of this kind would be more productive if conducted in the longer</p>	<p>Accepted. As set out in the Respect Action Plan, the review of injunctions is complete. Amendments to legislation to maximise their effectiveness has been introduced in the Police & Justice Bill.</p> <p>ODPM and the Respect Taskforce will work together to promote housing tools.</p> <p>We are committed to collecting data from local authorities on uptake of injunctive powers to tackle ASB from 2006/07. Annual figures will then be published on the ODPM website towards the end of 2007. These figures will be broken down into regions and then individual local authorities.</p> <p>ODPM are about to commence a priority review of uptake of housing tools. The project is due to be completed by May 2006 and ODPM propose to</p>

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<p>that this information is already available locally and that data relating to ASBOs—a not dissimilar legal power—is collected. We do not believe that asking local authorities and registered social landlords to keep and supply records of their injunction applications would place an undue burden on them, and we recommend that the Government asks them to do so. In addition, we recommend that in-depth qualitative research studies should be conducted as a matter of urgency to determine take-up of the main housing powers, their effectiveness in tackling ASB and their impact on homelessness.</p> <p>Paragraph 269: It is essential that the available powers and tools are used together in the most effective manner. We have heard, for instance, of the strong advantages of offering adequate support in conjunction with demotion orders and of using ASBOs in conjunction with possession orders, and we recommend that both of these points are promoted by the Government as examples of best practice.</p>	<p>term.</p> <p>In the interim, we will undertake an immediate review of injunctive measures. The review will examine take up, the circumstances under which injunctions are commonly used and any barriers to their use and effectiveness.</p>	<p>publish a summary of key findings in due course.</p>
<p>Paragraph 269: It is essential that the available powers and tools are used together in the most effective manner. We have heard, for instance, of the strong advantages of offering adequate support in conjunction with demotion orders and of using ASBOs in conjunction with possession orders, and we recommend that both of these points are promoted by the Government as examples of best practice.</p>	<p>Paragraph 38: We agree with the Committee that there is a need to promote the effective use of powers and tools in combination with each other. This includes both the use of support and enforcement tools, which are often mutually reinforcing, and packages of legal interventions. We will continue to promote these approaches through the TOGETHER campaign.</p>	<p>Accepted. We are constantly reviewing and updating our TOGETHER website and promoting new examples of best practice. Case studies illustrating this approach are now posted and available to all.</p>
<p>Paragraph 314: We welcome many of the new powers that have been introduced to target individuals who are committing alcohol-related disorder. Fixed penalty notices, in particular, have been helpful to the police, and have allowed them to deal with more drunk and disorderly behaviour than they were doing previously. We believe also that the designated public places orders are useful powers, and have the benefit of encouraging joint working between police and local authorities. We accept the need for greater powers to tackle underage drinking.</p>	<p>Paragraph 43: We welcome the Committee's support for the use of fixed penalty notices which the police are using to good effect.</p> <p>We also welcome the Committee's acceptance for the need for greater powers to tackle underage drinking. That is why we are taking forward proposals outlined in <i>Drinking Responsibly</i> which includes measures to close premises for up to 24-hours where there is evidence of persistent underage sales, and on 4 April we introduced a new fixed penalty for buying or attempting to buy alcohol while underage. We will keep the penalty notices system under review and add further offences to support enforcement action to tackle alcohol misuse if needed. Furthermore, from November 2005, the Licensing Act 2003 will also increase the penalties against licensed premises, and</p>	<p>Accepted. The police are continuing to make effective use of penalty notices for disorder (PNDs) in tackling drunken behaviour and alcohol misuse. Action has been taken to promote greater use of penalty notices particularly in tackling sales of alcohol to under age persons in test purchase operations. In 2005 to the end of September provisional data shows that 749 PNDs were issued for this offence. The data shows that close to 100,000 PNDs were issued to the end of September with some 74% being for alcohol-related offences. PNDs have been used extensively to good effect in the Alcohol Misuse Enforcement Campaigns and their availability for drunk and disorderly behaviour is being highlighted in publicity material for the Campaign.</p>

<p>Paragraph No. and text</p>	<p>Departmental response published June 2005 (Cm 6588)</p>	<p>Progress report 2005</p>
<p>Paragraph 327: We welcome many features of the Licensing Act 2003 as sensible measures that are likely to have a positive impact on reducing alcohol-related disorder. In particular we welcome the transfer of functions to local authorities to prepare statements of licensing policy and the greater powers to modify and vary licence conditions and to enforce breach of those conditions. We note, however, that the effectiveness of all these measures will depend on how they are</p>	<p>personal licences, for underage sales.</p>	<p>Greater use of street issue of PND's continues to be promoted amongst police forces particularly for use in early intervention policing which seeks to target troublemakers earlier on in the evening before they get drunk. Administering PND's on the spot for disorderly behaviour helps limit more violent behaviour later in the evenings.</p> <p>With the implementation of the Licensing Act 2003 in full from 24 November 2005 the offences in the PND scheme are being amended consequentially to make reference to the new legislation.</p> <p>A project is currently underway looking at the use of PND's, the report from which is due to be presented in early 2006. Consideration will be given at that time to the addition of further drink-related offences as part of a general review of all offences in the PND scheme.</p> <p>The Respect Action Plan proposes measures to make it easier for Trading Standards Officers to issue PND's to people who sell age-restricted products.</p> <p>The Respect Action Plan also announced that the penalty fine for a range of serious PND offences will be increased from £80 to £100.</p> <p>We are also piloting PND's for under-16s. These are paid by their parents.</p>
<p>Paragraph 327: We welcome many features of the Licensing Act 2003 as sensible measures that are likely to have a positive impact on reducing alcohol-related disorder. In particular we welcome the transfer of functions to local authorities to prepare statements of licensing policy and the greater powers to modify and vary licence conditions and to enforce breach of those conditions. We note, however, that the effectiveness of all these measures will depend on how they are</p>	<p>Paragraph 46: From 2005 the Corporate Assessment of the Comprehensive Performance Assessment will look at Local Authorities work with partners in creating safer communities. If extended opening hours were indicated as a particular issue for a local authority prior to an inspection, the CPA may look at how local authorities are working with the police regarding decisions to grant extended opening hours</p> <p>The Government has made clear that we will review</p>	<p>Accepted. Monitoring and evaluation arrangements are already in place involving, DCMS, the Home Office, the Local Authorities Co-ordinators of Regulatory Services (LACORS), the Local Government Association and other interested Government Departments.</p> <p>In particular, senior DCMS officials are working closely with ten 'Scrutiny Councils' to monitor the implementation and impact of the Act on the ground</p>

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<p>implemented.</p>	<p>the Licensing Act 2003 one year on from when it comes into force. If there is a need to strengthen or alter any of the provisions, then we will do so.</p>	<p>over the first six months. Home Office led evaluation will provide a robust assessment of the impact of the reform of licensing laws on crime and disorder in town and city centre areas. It will also provide an authoritative assessment of whether the crime and disorder objectives of the Act have been effectively promoted. The results of this work will inform any future consideration of whether legislative changes to the licensing laws are required.</p>
<p>Paragraph 329: We are concerned also about the legal robustness of the Licensing Act 2003. We have heard of the potential for challenges in relation to saturation and diversity and believe that there may be a possibility of legal challenges to decisions about closing hours. We welcome the Government's commitment to keep the Licensing Act 2003 under review and urge it to act quickly and decisively if there is any evidence that there are difficulties in these areas.</p>	<p>Paragraph 48: We welcome the Committee's support for our approach. Where Court judgements contradict our policy intentions or the advice in the Guidance to licensing authorities we will consider whether we need to take any further action.</p>	<p>Accepted. DCMS is working with ten Scrutiny Councils and local government organisations to monitor how the Act is being implemented and inform a review of the Secretary of State's Guidance to licensing authorities. There is currently no evidence of appeals to the courts leading to widespread reversal of licensing authority decisions. However, the Government will continue to monitor the position and will respond proactively if there appears to be problems.</p>

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<p>Paragraph 330: We conclude that there is no clear-cut evidence as to whether more flexible licensing hours will make current problems worse or will improve the situation. We accept that there is unlikely to be wholesale moves towards a 24 hour opening as such, but it is to be expected that many licensed premises will after time apply to stay open longer, and in some cases much longer than currently. Moreover, once one place does extend its opening hours then others in the area are likely to follow suit because of competition. Staggered drinking hours may reduce some flashpoints, but the changes may make it more difficult for the police in an operation sense to predict where and when officers need to be deployed. We recommend that local licensing authorities work closely with police to ensure that this is addressed. In the meantime, we urge the Government to monitor the situation on the ground extremely closely and to seek to change the law if necessary.</p>	<p>Paragraph 49: As the Committee noted, we fully intend to evaluate the impact of the legislation on crime and disorder and with the consent of Parliament to change the law if that is appropriate.</p>	<p>Accepted. We would expect police operational planning to adapt to local licensing changes (e.g. through using the National Intelligence Model), while other problems could be addressed through local licensing forums or CDRPs. The main determinant of police operational planning though, is the likelihood of crime and disorder and the impact of the Licensing Act on this will be monitored through the established arrangements.</p> <p>The early indications are that there has generally been a move to a range of terminal hours for premises selling alcohol and that the first months of the new regime have not been accompanied by increases in alcohol related incidents. The Government will continue to monitor the situation as the Committee has suggested.</p>
<p>Paragraph 362: We recommend that ASBU should take over some of the responsibility for promoting and monitoring the housing based injunctive powers. Whilst we accept that re-organisation should not be done for its own sake, we believe that it would be particularly valuable to extend the TOGETHER approach here given the similarity of these powers to ASBOs and our earlier observations about the current level of knowledge in this area.</p>	<p>Paragraph 61: ODPM have and will continue to work closely with the Home Office and the Housing Corporation in promoting the role of social landlords in tackling anti-social behaviour and the measures available to them as part of the TOGETHER campaign.</p> <p>We recognise the need to continue and intensify the promotion of injunctive powers. The review outlined in response to the recommendation at paragraph 268 will help inform this.</p>	<p>Accepted. ODPM and the Respect Task Force will continue to work closely together in promoting housing injunctions (ASBIs).</p> <p>The Respect Action Plan sets out plans to develop a Respect Standard for housing management. The Standard will encourage fast and effective outcomes to dealing with antisocial behaviour, including use of ASBIs where appropriate.</p>
<p>Paragraph 370: We welcome the Government's commitment to the prevention of ASB through diversionary and support measures and believe that the balance of its strategy is about right. We conclude that substantial resources are already being made available that could assist in preventative work with young people and dysfunctional families. However, the funding</p>	<p>Paragraphs 63 and 64: The Government accepts that it is essential for funding streams to be used in a way that supports the preventative approach to work with children, young people and families. Further progress of the children's services reforms will help address this recommendation. A more co-ordinated approach to often complex funding streams is, as the</p>	<p>Accepted. Children's Trusts are already joint commissioning of services for children and young people from pooled budgets and this can help to ensure that funding is targeted where it can make a real difference. A crucial element of service integration will be the pooling of budgets and resources under the powers either of section 31 of</p>

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<p>streams are complex and we are not confident that the resources are always being targeted on those most in need of support. Services which are required to play a key role in ASB strategies, like social services and Children and Adolescent Mental Health Service not always seem to have access to additional funding, whilst other activities funded through DCMS or DfES may not be reaching the right people.</p> <p>Paragraph 371: We recommend that the Government undertakes a review of these funding mechanisms with a view to allowing more flexible use of these funds at local level. We believe that this move would be in keeping with the general direction of children's policy.</p>	<p>recommendation implies, part of the changes brought in by the Children Act 2004. The changes will see local agreements on pooling of budgets and resources across children's services. These agreements will be instrumental in enabling local partners to work together, set priorities for action and plan services accordingly, thereby helping resources reach those who are in most need of help.</p> <p>The key advantage of pooled funding is that it opens up the prospect of original thinking about how better outcomes might be achieved. It permits thinking that is independent of any unhelpful traditions, vested interests, ways of working and constraints on the spending of funds that have hitherto existed. Joint commissioning that is not underpinned by formal pooled budget arrangements can lead partners to avoid tackling critical issues and the need to integrate service delivery to meet the needs of certain children.</p> <p>Therefore one of the benefits of this approach is that it encourages innovative and user-focused service design. As funding loses its identity within a pool, maintaining pooled funds increases local partners' operational flexibility to commission services that reflect users' cross-boundary needs rather than being driven by the constraints of funding located in different budgetary silos.</p> <p>Paragraph 65: The Government has made a commitment to increase the number of YIPs and YISP schemes by 50% by 2008. The Government will also be making £25 million available (announced in the 2005 Budget) to fund targeted early intervention programmes to improve outcomes for children and young people most at risk. The Home Office is engaging in cross-departmental discussions to determine how to make the most effective use of these additional resources. The Committee's</p>	<p>the Health Act 1999 or the Children's Act 2004. The Government is looking to most areas to have well-developed Children's Trusts by 2006 and expects all to have them by 2008, supported by local agreements for pooling budgets and resources.</p> <p>"Youth Matters" also proposes that we reduce the number of individual Government grants to allow Local Authorities to use funding more flexibly and efficiently and to think more creatively about how best to target need in their area. We expect this to lead to both greater efficiency and greater effectiveness for the resources we are committing. By freeing up resources in this way we expect that, over time, Local Authorities and their partners, such as schools and colleges, will be able to focus more on prevention. This focus should be helped by improved integration across professional boundaries and breaking down barriers between programmes and funding streams. The Consultation on "Youth Matters" finished on 4th November and we expect to publish next steps shortly.</p>
<p>Paragraph 372: Notwithstanding this, we have also identified four specific areas in which we believe that a small amount of additional Government spending will have a disproportionate impact on reducing ASB. First, we urge the Government to listen to the arguments put forward by the Youth Justice Board and recommend that additional funding be provided for a very significant expansion of the Youth Inclusion Programme in particular, with extra funding for Youth Inclusion and Support Panels awaiting the outcome of full evaluation.</p>		<p>Accepted. Responding to each point in turn.</p> <ol style="list-style-type: none"> 1. The £45m for preventative services will cover this. 2. DfES is developing and implementing a parenting strategy which seeks to proactively intervene with parents who are most in need – using voluntary and compulsory approaches as necessary. A key part of their strategy is to increase the provision of evidence based

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<p>We believe that this would ultimately be a cost-saving decision. Second, we welcome the introduction by the Government of a Parenting Fund and welcome the provision of £1.5 million during 2003-04 to the Youth Justice Board for additional parenting work associated with ASB. We recommend that this £1.5 million becomes a regular investment in order to allow parenting programmes to be targeted for parents whose children have been identified as being most at risk of future anti-social behaviour. Third, we recommend that £0.5 million be invested (to match the £0.5 million already being provided by the Youth Justice Board) so as to improve the take-up of individual support orders. We believe that additional investment would reduce the breach rate of ASBOs and therefore again be a cost-saving measure. Fourth, we welcome the £2.25 million investment for targeted family interventions: however, we recommend that the Government increases this in order to help ensure that the deepest-rooted ASB problems are not simply recycled from area to area.</p>	<p>recommendations will now be included as part of this consideration.</p> <p>The Government recognise the value of parenting programmes where children or young persons are engaging in anti-social behaviour. In addition to the initial £1.5m provision, as a result of the latest Spending Review a further £2m has been identified for YOT parenting programmes for both 2006/07 and 2007/08.</p> <p>The Government and the YJB recognise the value of ISOs. Further investment in this area is, however, dependent on other pressures and future funding provision.</p> <p>In January 2004 ODPM commissioned a two year study, which is expected to conclude in early 2006, to evaluate a number of existing projects which provide residential and/or outreach support for families at risk of losing their homes because of their behaviour. This research will seek to identify the broad social and financial costs and benefits of these projects, which will help inform Government's consideration of future funding provision.</p> <p>The £2.25m funding for targeted family interventions provided by ASBU was intended purely as seed funding to get schemes off the ground and we are therefore working to prioritise this funding with existing agencies' arrangements.</p>	<p>approaches.</p> <p>There is to be an expansion of the Parenting Fund to £21m in 2006/07 and £21m in 2007/08.</p> <p>In addition, the Respect Action Plan sets out plans for £52m to start a national programme of change in the way public services respond to parents.</p> <p>3. In June 2005 the Home Office announced £0.5m to provide resources to the YJB for the provision of ISOs. In July 2005, the Home Office wrote to all CDRPs and the DCA wrote to the courts letting them know that ISOs should be considered for all 10-17 year olds with standalone ASBOs; in addition regional Government Offices have been briefed and the YJB has written to all YOTs and Chief Executives to encourage take up. We are starting to see encouraging signs of the numbers increasing. From 2006/07 funding for ISOs is included as part of the YJB £45m uplift for preventative services.</p> <p>4. The centrepiece of Respect Action Plan provides for a network of family support projects with funding of up to £28m to establish these along with parenting interventions.</p>
<p>Paragraph 379: We conclude that, in responding to ASB, Government Departments have been working together in a generally coherent manner. However, we have also identified areas in the course of our inquiry in which co-ordination could be improved further. We note also that there are now a number of local partnership arrangements, each being promoted by their respective Departments. These include Crime and Disorder</p>	<p>Paragraph 66: We recognise that the landscape of different partnerships can cause some confusion at a local level. As a step towards ensuring close, effective working arrangements, we are examining the issue of how to ensure that Basic Command Units and CDRP boundaries are co-terminous.</p> <p>We are also examining other links to ensure there are no unnecessary overlaps. The review of the</p>	<p>Accepted. We have published a document for both LCJBs and CDRPs on how to work more closely together on 28th November 2005. The document is the result of a series of interviews and regional workshops held with members of both CDRPs and LCJBs from across England and Wales. It draws heavily on what they told us about their experience of working together and how they have overcome some</p>

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<p>Reduction Partnerships, local Criminal Justice Boards, Children Strategic Partnerships, Children's Trusts and Local Strategic Partnerships. We recommend that the Government should look closely at the links between these partnerships and ensure that there are no unnecessary overlaps.</p>	<p>partnership provisions of the Crime and Disorder Act 1998 examined how CDRPs relate to other local partnerships and addressed the important inter-relationships between CDRPs and LCJBs, Children's Trusts and LSPs. We will be publishing proposals for change later this year.</p>	<p>of the barriers to effective engagement which exist. Regarding the issue of overlapping partnerships this was looked at during the review of the partnership provisions of the Crime and Disorder Act 1998. The findings of the review were published in January 2006 and proposals arising from it are contained within the Police and Justice Bill. With particular reference to the Local Strategic Partnership and the important role CDRPs have to play in the delivery of the LAA Safer and Stronger Communities block, we believe that key strategic functions of CDRPs should, in future, rest at the Local Strategic Partnership level. We will be working closely with stakeholders to reflect in more detail through national standards how we expect CSPs/CDRPs to split their strategic and operational functions.</p>
<p>Paragraph 383: We welcome the actions of the Government in improving the redress of individuals and communities whose concerns around ASB are not being addressed. In particular, we welcome the proposals in the White Paper on police reform for trigger powers to force local agencies to respond to ASB. We recommend that, if these proposals are adopted, the Government ensures that the use of the trigger powers is closely monitored and used to feed into the evidence base about the quality of local responses to ASB.</p>	<p>Paragraph 67: The Local Government Strategy documents, <i>Citizen Engagement and Public Services: Why Neighbourhoods Matter</i> (January 2005) and <i>Securing better outcomes: developing a new performance framework</i> (March 2005) suggests triggers could operate on a neighbourhood basis with people triggering action when the quality, accessibility and standards of public services in their neighbourhood fall below the level they have a right to expect. The Home Office and ODPM are working closely together to ensure that where such trigger mechanisms are put in place, they are responsive to local people's needs, avoid duplication, are non-bureaucratic and that their use is monitored.</p>	<p>Accepted. The Police and Justice Bill, introduced on 25th January 2006, contains provision for the Community Call for Action. This is a way for local communities to demand a response from agencies to persistent local community safety or anti-social behaviour problems, via an approach to their ward councillor. The Bill extends the remit of local authority scrutiny committees to consider community safety issues, and the councillor will be able to refer particularly difficult matters raised in this way to the committee. CDRP partners will have to respond to any report of the scrutiny committee, and to explain any decision not to take action.</p>

Terrorism and Community Relations, published 6 April 2005

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<p>Paragraph 153: Nonetheless, we accept that there is a clear perception among all our Muslim witnesses that Muslims are being stigmatised by the operation of the Terrorism Act: this is extremely harmful to community relations. We recognise the efforts being made by police forces, notably by the Metropolitan Police Diversity Directorate, to engage with minority communities. But we believe that special efforts should be made by the police and Government to reassure Muslims that they are not being singled out unfairly.</p>	<p>We welcome the Committee's observation that the Asian community is not being unfairly targeted by the operation of stop and search powers. However we do recognise that there is a perception within the community that Muslims are being unfairly targeted or discriminated against. We are undertaking a specific programme of work with local partners and community organisations to reassure the Muslim community on these issues.</p>	<p>Accepted. We are aware that sections of the community – in particular the Muslim community – are concerned about the use of counter terrorism powers. We are working with stakeholders to identify the issues surrounding the powers and how these might be tackled, with a view to producing nationally accepted guidance for police on the use of the powers and promoting public awareness of the powers and how they are used by police.</p> <p>Ministers have made a number of visits to local communities (in Oldham, Burnley, Leicester, Leeds, Bradford, Bolton, Manchester, Birmingham and London) specifically to give people the opportunity to express and discuss their concerns about counter terrorism powers and a wide range of other issues.</p>
<p>Paragraph 154: We have no doubt that this perception is fuelled by the high profile reporting of some police raids and arrests. Such coverage also helps to fuel more widespread fears of the Muslim community. It is particularly damaging when little coverage is given when suspects are subsequently released without trial. It seems clear that some of the most sensational coverage has sometimes been caused by unauthorised briefing from within the police service. It is essential that police forces take firm action against any officers or staff involved.</p>	<p>The Government recognises that high profile media reporting can have a negative impact on community relations. While it is difficult for the Government to influence what the newspapers choose to print, we will continue to work with the police service to ensure that operational briefings to journalists are accurate and provide as full information as possible, including on releases without charge where appropriate.</p>	<p>Accepted. We are continuing to work with the police service as part of our normal practice to liaise closely with them on all terrorist related issues, including briefings and press releases when appropriate.</p>

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<p>Paragraph 155: We believe that there should be independent scrutiny, involving the Muslim community, of police intelligence and its use as a basis for stops and searches and arrests. We do not recommend adding religion to extensive information already required on stops and searches, but do believe that some additional research could be carried out into the impact of these police tactics on different religious groups.</p>	<p>We will continue to ensure there is greater transparency and openness about CT powers and how they are used. There are however sensitive operational issues that limit the amount of information that can be made public. ACPO have indicated that they will give consideration to the proposal that communities be given some level of scrutiny of the factors that inform section 44 authorisations.</p> <p>There are serious issues to consider with regard to the recording of an individual's religion during a stop and search. A person's religion can be an intensely private matter and we are mindful that requesting this information as part of the stop and search process could be overly intrusive and offensive. We note the Committee's opinion that religion should not be included in the information collated on stops and searches. The Community Panel set up to scrutinise the Stop & Search Action Team have been asked to consider this issue further.</p>	<p>Accept in part. We are aware that faith monitoring is something that some members of the Muslim community have argued for, though others oppose. We recognise that this is a highly sensitive issue and the Home Office would not wish to introduce such an initiative if we had any concerns that it would damage, rather than support, community relations and confidence in the police. We remain committed and open to looking at ways of increasing the confidence of all communities in the police use of this power. We have commissioned independent research to determine the Muslim community's potential reaction to monitoring faith. Data on ethnicity is collected and this is published in the annual report under section 95 of the Criminal Justice Act 1991.</p>
<p>Paragraph 156: It may also be the case that stops and searches of Asians under legislation other than the Terrorism Act are nonetheless perceived by Muslims but not by Hindus or Sikhs as being related to terrorism. This possibility should be examined by the Home Office's Stop and Search Action Team.</p>	<p>We note that the Committee found anecdotal evidence of members of the Muslim community mistakenly believing that Stops and Searches conducted under PACE (where there was reasonable suspicion that a crime had been committed) were being conducted under anti-terrorist legislation. In order to test this hypothesis members of the Home Office Stop and Search Action Team are currently working with the Metropolitan Police Service to develop a "customer satisfaction" survey for those stopped and searched. This survey can be used to identify whether an individual understood the power being used.</p> <p>The solution to the potential issue, if it exists, is already couched within our recently published Stop and Search Manual on good practice and PACE i.e. that officers should clearly explain the powers they are using to stop an individual.</p>	<p>Accepted. We have been working with the Metropolitan Police Service to further develop Customer Satisfaction surveys which can determine (among other things) community reaction; whether an individual understands the power used to affect the Stop and Search; and whether the results vary for those of differing ethnicity or faith. British Transport Police have shown an interest in this work and will be part of the project. We expect there to be a period of 12 months before any results are available. Following the events of 7/7 ACPO published a guidance note to all forces reminding them of the importance to inform individuals of the nature of the Stop and Search at the start of the encounter.</p> <p>Following publication of the HAC Report, the SSAT used a series of community consultation events to</p>

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<p>Paragraph 158: We believe that statistics on the length of time that individuals are held under the Terrorism Act before being released without charge should be collated centrally and published as soon as possible, since they will be an important indicator of whether the counter-terrorism detention powers are being misused. They should also show whether the extension of the period of detention without charge to 14 days, permitted since early 2004, is being used.</p> <p>Paragraph 176: If recruitment of prisoners to extremist groups is a problem in both France and the Netherlands, it is likely to be one here. The Government should examine the issue as a matter of priority.</p> <p>Paragraph 195: We welcome the Government's efforts so far to ensure that foreign ministers of religion have the language skills and knowledge of this country to make a contribution to communities here. The success of these efforts should be kept under review and, if necessary, ideas from other countries should be studied.</p> <p>Paragraph 223: We are concerned that, although leaders of the Muslim community may have an accurate appreciation of the limits of the proposed legislation on</p>	<p>We will explore with the Police and Home Office Research, Development and Statistics whether effective, reliable and accurate statistics can be collected and published.</p> <p>The Government is examining this issue in partnership with others.</p> <p>The Government introduced an English Language requirement for Ministers of Religion from abroad in August 2004. We agree that the success of these efforts should be kept under review therefore we have invited views from faith communities on the success of this measure as part of the second stage consultation on pre-entry qualifications and post-entry qualifications.</p> <p>The Government acknowledges that efforts to manage expectations about the offence of incitement to religious hatred, proposed as part of the Serious</p>	<p>test the hypothesis that Muslims believed the majority of stops and searches to be terrorism related. There was strong anecdotal evidence to support this.</p> <p>We continue to investigate ways of ensuring as many people as possible who are stopped and searched understand the powers that have been used following an encounter. We are also in the process of producing public information that will emphasise the right of individuals to be told the power used conduct the Stop and Search.</p> <p>Accepted. The police are in the process of reviewing the material which they make available to the public on the outcome of arrests made under the Terrorism Act. The Home Office have been working with the police on this review and hope to publish extra material, including that on length of detention, shortly.</p> <p>Accepted. The Government continues to examine this issue through existing partnership structures.</p> <p>Accepted. The consultation closed on the 8th July 2005 and Ministers are currently considering the options. We expect to make an announcement on the way ahead shortly.</p> <p>Accepted. The Government introduced the Racial and Religious Hatred Bill in June 2005 and it received Royal Assent in February 2006.</p>

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<p>incitement to religious hatred, this is not shared by their community as a whole. It is vitally important not to raise unrealistic expectations in minority communities, and rather than trusting to dialogue with leaders of faith groups, the Government should develop a strategy to ensure that the extent and limitations of the proposed offence are fully understood by all. We suspect that the extent of the legislation, and how often it is likely to be used, may also be misunderstood by some who oppose it. It is of course important to emphasise, as Ministers have tried to do, that such a change in the law should not be seen as a ban on criticism of any particular religion. The right to practice a religion, to criticise religious practices or to propagate non-religious belief is a basic right in a free society.</p>	<p>Organised Crime and Police Bill, were only partially effective. This was particularly true in respect of unrealistic expectations which developed within the Muslim community. This is not to say however that extensive efforts were not made in this area. Ministers and officials worked closely with faith leaders and used the media where possible to get the right message across to communities as a whole. It is also true to say that the ambit of the offence was misunderstood by some who opposed it, though Ministers and officials also met opponents to listen to their concerns and to emphasise what the measure would and would not cover.</p> <p>The Government have decided to reintroduce incitement to religious hatred in this parliamentary session. Preparations are already taking place to ensure that the Government's message is expressed more clearly and is better understood, not just by faith leaders but by the constituencies they represent.</p>	

14 February 2006

Reports from the Home Affairs Committee since 2001

The following reports have been produced by the Committee since the start of the 2001 Parliament. Government Responses to the Committee's reports are published as Special Reports from the Committee or as Command Papers by the Government. The reference number of the Government's response to each Report is printed in brackets after the HC printing number.

Session 2005–06

First Report	Draft Corporate Manslaughter Bill (First Joint Report with Work and Pensions Committee)	HC 540 (<i>Cm6755</i>)
Second Report	Draft Sentencing Guideline: Robbery	HC 947

The following reports were produced by the Committee in the 2001–05 Parliament.

Session 2004–05

First Report	Rehabilitation of Prisoners	HC 193 (<i>Cm 6486</i>)
Second Report	Work of the Committee in 2004	HC 280
Third Report	Home Office Target-Setting 2004	HC 320 (<i>Cm 6592</i>)
Fourth Report	Police Reform	HC 370 (<i>Cm 6600</i>)
Fifth Report	Anti-Social Behaviour	HC 80 (<i>Cm 6588</i>)
Sixth Report	Terrorism and Community Relations	HC 165 (<i>Cm 6593</i>)

Session 2003–04

First Report	Asylum and Immigration (Treatment of Claimants, etc.) Bill	HC 109 (<i>Cm 6132</i>)
Second Report	Asylum Applications	HC 218 (<i>Cm 6166</i>)
Third Report	The Work of the Home Affairs Committee in 2003	HC 345
Fourth Report	Identity Cards	HC 130 (<i>Cm 6359</i>)
Fifth Report	Draft Sentencing Guidelines 1 and 2	HC 1207 (<i>HC 371</i>)

Session 2002–03

First Report	Extradition Bill	HC 138 (<i>HC 475</i>)
Second Report	Criminal Justice Bill	HC 83 (<i>Cm 5787</i>)
Third Report	The Work of the Home Affairs Committee in 2002	HC 336
Fourth Report	Asylum Removals	HC 654 (<i>HC 1006</i>)
Fifth Report	Sexual Offences Bill	HC 639 (<i>Cm 5986</i>)

Session 2001–02

First Report	The Anti-Terrorism, Crime and Security Bill 2001	HC 351
Second Report	Police Reform Bill	HC 612 (<i>HC 1052</i>)
Third Report	The Government's Drugs Policy, Is it Working?	HC 318 (<i>Cm 5573</i>)
Fourth Report	The Conduct of Investigations into Past Cases of Abuse in Children's Homes	HC 836 (<i>Cm 5799</i>)