

The British Association of Social Workers (BASW) is the professional association for social work in the UK with offices in England, Northern Ireland, Scotland and Wales. We are the independent voice of social work. We champion social work and help members achieve the highest professional standards. With over 20,000 members we exist to promote the best possible social work services for all people who may need them, whilst also securing the well-being of social workers working in all health, social care and youth justice settings. BASW works in partnership with a range of organisations in criminal justice; education and childcare; health and social care; local government; law enforcement and the private and voluntary sectors to promote the best interests of social work and social workers.

This consultation response was completed in conjunction with the Social Workers' Union (SWU) and a representative of their membership. SWU is the only UK trade union for, and run by, qualified and registered social workers. SWU works in partnership with BASW to protect social work professionals in their workplace. Having a professional association and trade union working together is important for the social work profession. Therefore, this response should be considered as the official views of both organisations.

BASW England and SWU welcome the Home Office's consultation on serious youth violence. As member-led organisations, BASW England and SWU provide wide-ranging services to our members, we do not work directly with young/adult offenders. We have not responded to the questions in Part 1 and Part 2 of the consultation, but have advised members to send in their individual responses. We have members who do work directly with children/young people involved in the youth justice system and with adults involved in the criminal justice system.

After consultation with our membership (and dialogue with service-users and relevant stakeholders), our full response is as follows:

### **Part 3**

Q1. Having read the vision and focus to preventing and tackling serious violence, we agree in principle that a multi-agency 'public health' approach is the best course of action. The partnership in Wales between key stakeholders (outlined in the consultation document) appears to be an effective model to aspire to. However, our respondents have differences of opinion on whether this model should be introduced through a new duty on specific organisations to have a due regard for the prevention and tackling of serious violence, revising Community Safety Partnerships or a voluntary non-legislative approach. We acknowledge the potential benefits of each proposal in the consultation document. However, we have reservations that imposing new duties will lead to inconsistencies in service delivery between areas (and organisations) and stifle efficiency and partnership working. This could lead to potential confusion for frontline practitioners (across all professions) and poorer outcomes in terms of criminal justice. Also, devising new legislation could mean long delays due to the Parliamentary process and Brexit. Equally, we recognise that a voluntary approach will rely on proactive leadership in each area to prevent serious violence and unify different local partners, which in itself may lead to significant variations in service delivery. The complex implications of these proposals are reflected in the ambivalent views received from our membership.

Q2. 46% of our respondents agree that Option One would best achieve the consultation vision. The consensus is that all organisations should have a duty to protect and safeguard young people from serious youth violence (and knife crime). As some crimes are not always reported, this restricts 'intelligence-gathering'. Whereas, introducing a statutory requirement would compel practitioners to act and through action practitioners could improve the culture of multi-agency working - making it more effective - potentially reducing the serious violent crime. Also, victims would know their disclosures will be

acted upon and taken seriously. However, there are already legal safeguarding frameworks, such as the Children Act 1989, Working Together to Safeguard Children (statutory guidance on inter-agency working to safeguard and promote the welfare of children) and the Children Act 2004 in existence. Therefore, enacting additional legislation may create confusion and/or duplication in practice. In terms of disadvantages, 100% of respondents believe this will increase time pressures on their organisation.

Q3. We agree the list of specific agencies listed in Schedule 6 of the Counter-Terrorism and Security Act 2015 are the right partners to achieve the consultation vision. However, schools (and Academy Trusts in particular) should be added due to school exclusions, 'off-rolling' and reduced timetables being a significant factor in young people being exposed to gangs, organised crime and other negative influences. Clearer and firmer guidelines are needed to promote consistency on school registration nationwide. Further exploration of these factors is definitely needed, as concluded in the Timpson Review of School Exclusion. The swift pipeline from exclusion to prison is very real for many young people. Also, the Youth Justice Board and Association of YOT Managers should be included in the list.

Q4. 18% of our respondents agree that Option Two would best achieve the consultation vision. The consensus is more knowledge about serious youth violence (and knife crime) across and within organisations is needed. It is felt that a lot of frontline professionals have limited knowledge about the causes of serious youth violence and an increase in raised awareness and better training would be a real positive. In addition, inter-professional working between and within organisations needs to improve to safeguard children/young people and support co-ordinated multi-agency interventions.

Q5. We agree with the list of Statutory Partners in Community Safety Partnerships to prevent and tackle serious violence in local areas. However, schools (and Academies in particular) should be added due to school exclusions (and reduced timetables) being a significant factor in young people being exposed to gangs, organised crime and other negative influences. Clearer guidelines are needed to promote consistency on school exclusion nationwide. Further exploration of this factor is definitely needed and we welcome the launch of the Timpson review. Also, the Youth Justice Board and Association of YOT Managers should be added. Also, we recommend there is broader representation from community and voluntary organisations.

Q6. 36% of our respondents agree that Option Three would best achieve the consultation vision. The consensus is that a voluntary approach that is appropriately funded would improve collaboration between agencies/organisations; improve outcomes for victims; improve outcomes for offenders; promote a more consistent approach in preventing and tackling serious violence at the local level and reduce serious violent crime. This approach would be most effective if: there is sufficient time allocated for meaningful engagement with victims and the genuine rehabilitation of offenders; adequate funding is in place; improved training (including information on warning signs) is available and inter-agency collaborative working guidelines are provided. Option Three is also the most likely proposal to be implemented most quickly and its 'voluntary' nature is more palatable. If organisations are expected to be burdened with increased accountability with the same (or less) funding – we believe this is immoral and unrealistic.

Q7. A range of measures could be introduced to support a voluntary multi-agency approach to tackle serious violence, including:

- Individual and joint inspections
- 'Shadowing' frontline professionals and teams to observe and enhance their practice
- Elected members equally promoting Council and community values and priorities
- Through local partnership forums e.g. safeguarding, community safety, multi-disciplinary teams
- Re-aligning youth justice and Probation with mainstream social work
- Reintegrating youth justice back into social work education
- Full re-unification of the National Probation Service to reverse the fragmentation of offender management
- Abolishing prison sentences under 12 months and providing intensive control and community rehabilitation
- Involving commissioning, education, housing, health (mental and physical) and social care organisations in the multi-agency approach
- Local authority services (for children, adults and housing) shifting funding models and emphasis towards early intervention, prevention and relationships. A reduction in serious violence will be dependent on adequate funding and relationship-based interventions. Unfortunately, evidence from BASW's 80/20 campaign<sup>1</sup> highlights that increasing administration demands and process-driven systems, coupled with increasingly limited resources, is

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<sup>1</sup> British Association of Social Workers, 80-20 Campaign, September 2018 <https://www.basw.co.uk/system/files/resources/FINAL%2080-20%20report.pdf>

having a detrimental impact on the quality of time that social workers can spend undertaking direct relationship-based social work practice.

#### **Part 4**

Q1. Having considered the proposal for Option One our members had mixed views. 33% of respondents believe it would improve collaboration between agencies/organisations. 33% of respondents believe it will promote a consistent approach in preventing and tackling serious violence at the local level. 33% of respondents think it will reduce serious violent crime. In terms of disadvantages, 100% of respondents believe it will increase time pressures on their organisation, worsen organisational processes and lead to regional variations.

In addition, our members added:

- The networks for organisational partnerships are known in each locality and community concerns are often known and can be addressed relatively quickly
- Community safety partnerships are vital for raising educational awareness and promoting constructive leisure activities in the community. Some areas are already working successfully through what is effectively Community Safety Partnerships or multi-agency groups by any other name. It would be helpful to explore 'what works best'. Of course, what works for one community may not be easily replicated elsewhere – but it would be helpful to highlight elements of good practice across the country.
- New duties will lead to increased resources or costs to their agency/organisation; strained collaboration with other agencies/organisations; poorer outcomes for victims/offenders; local variation in preventing and tackling serious violence and divert spending/resource away from other areas.

Q2. Having considered the proposal for Option Two, our respondents unanimously agreed this would increase time pressures on their organisation. Respondents also commented that:

- Professionals are already alert to the issues through their education, codes of ethics, professional bodies and employment contracts. New legislation will raise anxieties for frontline professionals, which will lead to over-reporting - instead of swift action. Much will depend on whether 'duty to report' will bring sanctions if not actioned. Potentially the same negative impact will occur as with 'mandatory reporting' of child abuse.
- There are already plenty of duties on the workforce – especially the expectations regarding safeguarding (children and adults) and radicalisation. Furthermore, most of the workforce are already motivated to help people to make their lives better, so do not need to be threatened to make them do the right thing. Most strategies that involve people working together (cooperation and collaboration) are more effective when they are cooperative and collaborative - rather than made compulsory.

Q3. Having considered the proposal for Option Three, our members were positive about this and believe the potential benefits would include:

- Improved collaboration with other agencies/organisations
- Improved outcomes for victims
- Improved outcomes for offenders
- A more consistent approach in preventing and tackling serious violence at the local level
- Reductions in serious violent crime

In addition, our members added:

- Whatever option is taken additional resources are needed. This will be even more the case if a legislative option is chosen and especially if sanctions are built-in for allegations or non-compliance.
- A potential drawback with Option 3 is the increased resource and cost implications to organisations. To tackle serious violence effectively meaningful investment is urgently needed in youth services, early intervention, crime prevention, social work provisions and resuscitating community resources (such as Sure Start centres and

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community centres). Young people need constructive leisure activities, as without these they are more susceptible to negative influences.

- Due to the restricted budgets across the public sector, we are concerned that some organisations may not fully commit on a voluntary basis - particularly if they mistakenly believe serious youth violence is not a problem in their area. 'County lines' highlights how sophisticated organised crime is and how it can stealthily infiltrate communities.
- Option 3 is the most realistic and workable proposal. It could be strengthened by publishing clearer guidance on partnership working, referral processes and service level agreements.

Q4. Having considered how organisations subject to any duty or voluntary response would be best held to account, we agree this should be through joint and individual inspections.

Q5. In addition to the responses provided in previous sections, the other considerations we would like to raise regarding the proposed options are as follows:

- Austerity measures are having a 'strangle-hold' effect on education, health, social care and youth justice. Economic and social injustice is a key driver which is fuelling serious youth violence (particularly knife crime and far-right extremism). Lack of financial resources has meant many providers are only able to prioritise crisis intervention, as opposed to crime prevention and early intervention. Interestingly, the All-Party Parliamentary Group on knife crime has identified a link with cuts to youth services across England. The current epidemic of serious youth violence has had a long fermentation.
- There are already legal safeguarding frameworks, such as the Children Act 1989; the Children Act 2004 and Working Together to Safeguard Children statutory guidance on inter-agency working to safeguard and promote the welfare of children in existence. Therefore, creating additional layers of accountability and legal duties will create confusion and/or duplication in practice. Furthermore, increased accountability will only exacerbate the recruitment and retention issues across frontline services.
- It is important to note that the Children & Social Work Act 2017 has restricted the scope of the Working Together to Safeguard Children statutory guidance - by not including education as a 'safeguarding partner' (alongside the Police, Local Authorities and Health). This development has created confusion for practitioners and organisations and is detrimental to safeguarding children/young people.
- There is a genuine concern that increased accountability will only intensify the self-defeating 'blame culture' that already exists. Whereas, promoting an inter-professional culture of learning from experience and being diligently proactive would only enhance professionalism and improve outcomes. We need to tackle the root cause of serious youth violence, not just address the visible symptoms.
- For any of the proposed options to be of value there needs to be meaningful investment in youth services, early intervention, crime prevention and social work provisions. Extra funding is needed to improve capacity and resources across all frontline services. Lessons need to be learned from previous initiatives, to ensure that provisions and interventions are delivered where they are needed and not smothered by bureaucratic practices and managerialist practices. Therefore, proposals to duplicate existing frameworks and systems unfortunately highlight how detached the Government is from the reality for many frontline workers in education, health, social care and youth justice.
- All relevant statutory, non-statutory, private and voluntary agencies need to be equally involved in developing new strategies to provide a holistic multi-agency approach to avoid a 'lead' organisation following its own agenda.
- It is vital important to involve service-users and young people with lived experience relating to this matter, because they will be able to advocate for the people these changes will affect the most.
- Inter-professional and organisational forums where information is shared, or concerns are raised in relation to serious crime must be better resourced across the country. This also needs to be closely monitored and be factored into the routine inspections.

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- There is an ongoing separation of criminal justice from social work. Examples of this include: the splintering of the Probation Service (which is hopefully being addressed); the separation of Youth Offending Teams from children's services; the specialisation of education and training for both services; the lack of youth justice content in social work training and the purely punitive impact of 'rehabilitation' programmes - to name just a few. This fragmented approach is fundamentally flawed and damaging for everyone. Criminal justice (in its broadest sense - with adults and young people) and social work are intrinsically linked. We need to rekindle the relationship between criminal justice, social work and community cohesion to improve outcomes.
- Our members have identified the need for improved collaboration between relevant public organisations and national government. The simplistic ideology of 'criminals/offenders' and 'victims' is simply outdated. The likelihood of a child/young person being both an assailant and a victim is a common reality. Such polarised terminology provokes polarised views, when the reality is far more complex and multi-dimensional than this. Issues such as: the lack of policing; impact of austerity; decimated community resources; gang conflict; disruptive family lives, unemployment, substance misuse and school exclusion are all glossed over when an incident occurs. Every victim and offender are products of their environment and this needs to be more widely recognised. In some cases, both offenders and victims are known to children services, youth offending services or other local services. Many young people are increasingly rejected by the education system or placed in part-time alternative education provisions – which is no substitute for proper full-time education and isolates them – heightening their vulnerability to various forms of exploitation. Safe spaces where children and young people once congregated (e.g. youth clubs) have disappeared, making it easier for them to be exploited/groomed by sophisticated criminals.
- The gross over-representation of black children/young people in the criminal/youth justice system is of significant concern. This is a societal problem and we need a multi-layered strategy with sufficient funding to tackle it properly – not racial profiling and stereotyping. More can be done to educate the public about the wider context of knife crime and to highlight counter-narratives.
- More focus and funding for educational and awareness-raising campaigns targeting, in particular, knife carrying among young people is critical to support the reduction in prevalence of knife carrying and 'knife crime'.
- It is essential to provide more comprehensive training to multi-agency staff around the issues surrounding knife crime and serious violence so that they know what to look out for and how to address concerns. Also, many frontline workers are already legally and morally bound to address serious youth violence.
- Major reforms are needed to overhaul and redevelop policy, practice and education in relation to criminal justice and youth justice in England. We need to utilise youth workers and reformed gang members (and convicted offenders) from troubled communities to work with the relevant authorities to reconnect with young people and promote their citizenship.
- Youth violence is national crisis, too many young lives are being lost and this needs to be treated with the same sense of seriousness as other government priorities.

For further information please contact:

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