

PUPIL SPECIAL

REPORT ON

Pupils 2 Parliament

CHILDREN'S RIGHTS AND CHANGES IN THE LAW

Hi all you pupils of Kingsland!

This is my special report back to you about what you and the pupils in two other schools said about changes the people in Parliament are thinking of making to the law. These are all changes that would make a difference to people's rights. That includes criminals and prisoners. But also YOUR rights as children, and the rights of people whose houses the police want to search.



What you all said is on its way to Parliament. They are going to read YOUR advice! I think that makes you real advisers to the Government!

You have given them some really important messages!

Roger

LOWERING THE AGE FOR PROTECTION ORDERS FROM 16 TO 10

THIS IS THE ONE WHICH MAKES A BIG DIFFERENCE TO CHILDREN'S RIGHTS - AND SO IT COULD AFFECT YOU !

In England, the age of 'criminal responsibility' is 10 (it is different in Scotland and in different countries)

This is the age when you are expected to know the difference between right and wrong, and so it is your own fault if you do something that is a crime

(that led one of you to say "Oh, now I wish I was nine again!")



THE RESULT OF THE PUPIL VOTE IN ALL THREE SCHOOLS WHO TOOK PART WAS THAT MOST OF YOU VOTED TO AGREE WITH THE GOVERNMENT THAT A 10 YEAR OLD CAN TELL THE DIFFERENCE BETWEEN RIGHT AND WRONG, AND BETWEEN BAD BEHAVIOUR AND SERIOUS WRONGDOING

(But only just – there were only 3 more votes for AGREE than for DISAGREE)

BUT



You then had a secret ballot vote (once we had rescued the ballot papers from the sink!) about whether Parliament should change the law about who can be given a Community Protection Notice.

Someone can be given one of those if they behave in an antisocial way which harasses people or which spoils life for people in the area they live in. It orders the person doing that to stop doing that, or to put things right again. And if they don't, they get a fine and become a criminal.



At the moment, the law says you can't be given a Community Protection Notice if you are under 16. But Parliament is going to vote soon on whether to change the law so that you could be given one for behaving antisocially if you are 10 or over.

YOU VOTED VERY STRONGLY AGAINST LOWERING THE AGE FOR BEING GIVEN A COMMUNITY PROTECTION ORDER FROM 16 TO 10



I have sent the result of your Pupil Vote to the people in Parliament, so they will know what YOU want them to do when they make their final decision

Some of you thought that

"everyone should get a notice if doing harm, regardless of age"

And that if 10 is the age when a child can tell what is and isn't a crime, then that should be the age at which they can be given a Community Protection Notice ...

“if a child can be held responsible for a crime they should also be held responsible for damage to a community / area”

But most of you thought that even if a child of that age can tell the difference between right and wrong, 10 is still too young to be given a Community Protection Notice ...

“children that young still are influenced, especially whilst having fun”



“10 year olds are still children at the end of the day”

You did think the age should be lowered from 16 though, to help fight antisocial crimes, even if 10 is a bit too low.

You suggested different ages –



Your main proposal was that the age for being given a Community Protection Notice should be LOWERED FROM 16 TO 13, which is when you become a teenager and you should be well settled in your secondary or high school.

We checked this proposal with you pupils of Kingsland, and you PASSED THIS PROPOSAL BY 28 VOTES TO 6

You also made two proposals about what should happen to children aged between 10 and 13 if they are behaving antisocially against the people living in an area ...

- A Community Protection Notice should still be given to a child of that age IF it is decided that they really can tell the difference between right and wrong, and when just behaving badly becomes a crime against other people**
- And children aged between 10 and 13 could be given warnings, and still made to help put things right if they have spoiled something in the area (for example, they should have to help clean off graffiti they have done)**



- Another of your ideas was that children who spoil their neighbourhood for other people by being antisocial, but who are too young to be given a Community Protection Notice, should be given a curfew

Some of you pointed out that if a child does not obey a Community Protection Notice, a fine has to be paid. And if the antisocial person is a child, that means that their parents end up paying the fine, not the antisocial person themselves.



Some of you also said that whatever the consequences of being antisocial are, they should happen quickly, otherwise a child or young person will not learn so well from their punishment ...

"justice should be swift"

delays can **"let crimes develop into more serious actions"**

and lead to **"an irreversible criminal attitude"**

MAKING CRIMINALS COME TO COURT TO HEAR THEIR PUNISHMENT

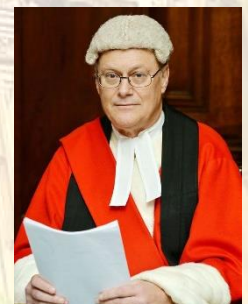


You thought about the case where someone who had been found guilty of very serious crimes simply decided that they were not going to come back to the court to hear what their punishment was going to be. Or to hear what the judge wanted to say to them about their crimes.

At the moment the law doesn't say they have to come back after they have been found guilty. They can just wait for someone else to come and tell them what their punishment is going to be. They have the right not to come back to court if they decide not to.

Most of you thought this is very wrong, and that they should not have that right any more.

ALMOST ALL OF YOU VOTED THAT THE LAW SHOULD BE CHANGED TO MAKE CRIMINALS COME TO COURT FOR THE JUDGE TO TELL THEM WHAT THEIR PUNISHMENT IS AND TO LISTEN TO WHAT THE JUDGE WANTS TO SAY TO THEM



Here's what some of you said about how criminals should not be able to escape hearing what the judge has to say:

They should "feel the full guilt"

"it's kind of tough – but they shouldn't have done the crime"

"if they're confident enough to commit a horrible crime, they then should be forced to hear their sentence"



**"they need to go court even if they are feeling a bit sick"
(though if they are seriously ill, they might not be able to come – then they should be made to listen to the judge online)**

You did not think refusing to attend court to hear your sentence, and the judge's comments, should be a right for anyone

Some of you thought that offenders should have to attend, but that force should not be used to make them come. If an offender refused to attend, they should have extra time added to their prison sentence

Some of you said that if there is a really good reason why a guilty person cannot attend court to hear the judgement against them, it should be possible for the judge to visit them in prison to tell them what they want to tell them

Offenders should always be given an explanation of what is going to happen at their sentencing hearing, and WHY they must attend to hear their sentence and the judge's comments.



Some of you had some important but different views about this ...

A few of you thought that whether a guilty person should have to attend court for their sentencing should depend on how serious their crime was

A few of you thought that the victims of a crime should have a say in whether the criminal should be made to attend court for their sentencing. Some others thought this might simply end up giving the victims a chance to take revenge on the criminal

Some of you raised the question of whether children and young people should be made to go to court again after they have been found guilty, to hear their punishment and what the court wants to say to them about their crimes.

- Some of you thought it is ok for children to hear their punishment and what the court wants to say online, rather than being made to go back to court for that



- But others thought attending the court for your sentencing is an important part of learning about how serious your actions were, and of deterring you from doing more crimes
- Some thought that parents should have a say in whether a child is made to attend court again for their sentencing

- Others thought that children or young people who are repeat offenders should have to attend court for their sentencing for any crimes after the first one. At their first offence, they should be warned that this will happen if they commit any more crimes.

Many, though, agreed that if a child or young person commits a serious crime, they must be made to listen to the consequences as much as an adult criminal should.

So, a guilty person should have to attend to face the judgement against them, whether they or their crime are big or small

SENDING PRISONERS TO PRISONS IN OTHER COUNTRIES

Parliament is thinking of doing this because there is so little space left in our prisons here in the UK.

You voted AGAINST changing the law so that prisoners can be sent to prisons in other countries

You voted more than two to one against this, even if the prisons abroad have been checked out as OK



You said UK prisoners SHOULD carry on having the right to serve their sentences in UK prisons ...



- Being sent to a prison abroad will make it harder for their family to visit them - ***so they wouldn't have "the right of a prisoner to be visited by a family member"***

- It will make it more difficult to rehabilitate them to living back at home in the future without committing crimes
- There will be **"no equality if someone from the UK gets put in a prison in the UK but another person doesn't"**
- Living in a prison in another country will have different rules and may be different to living in a UK prison – which will cause confusion and unfairness – **"how would we deal with conflicting laws and policies in other countries regarding sentences and benefits for behaviour etc?"**
- Prisoners sent to prisons abroad could face problems with different languages there, which will affect their rights
- Facing different prison rules, not seeing their families, and having language problems could increase an **"instinct to escape"** among prisoners sent abroad
- Long distance journeys transporting prisoners abroad could be risky. They will probably try to escape, could even try to hijack aircraft, and may need to be sedated.



You thought that prisons abroad might be very different from prisons in this country. They might be tougher places to be. Or some prisons abroad might be almost **"like a holiday"**.



So sending prisoners abroad should only ever be allowed **"as long as there are similar punishment levels"**

You thought any decision to send a prisoner abroad should be very carefully thought through. Things to think about are escape risks, whether the prisoner has links or family in the country they are going to, whether they have families in the UK who want to visit them, and whether they are suitable to spend part of their sentence under supervision rather than having to be in prison.

Transfer of foreign prisoners back to a prison in their own country would be a good thing, though.



You also said there are better ways to deal with overcrowding in our own prisons in the UK than to send some prisoners abroad.

Many of you thought the Government should give a greater priority to building new prisons if there is a serious shortage of space and we need more prison places to make sure that prisoners can serve longer sentences for really serious crimes.

You made these proposals to deal with shortage of prison places ...

- Build extensions onto our prisons. Or add extra storeys on top of prison buildings – one of you said we could build some prisons upwards into “skyscraper prisons”
- If money is short, it might be possible to sub-divide some spaces in some of our prisons to accommodate more prisoners



- Or to use converted transport containers to extend prison space
- Or use prison ships to add to space for UK prisoners

- Use more supervision in the community for people who have committed less serious crimes or who have been given short sentences
- Build prisons on offshore islands around the UK



- For long term dangerous prisoners needing high security, build some underground prison space underneath solar panel fields, so that the land space is used for two different purposes

- Have a new system of grading prisoners, based on length of sentence, seriousness of their offence, and risk to the public, which encourages use of supervision in the community, early release with supervision, curfews and electronic tags for low risk offenders.
- But only give prisoners supervised time in the community when there isn't enough space inside prisons. Not as right for any prisoner to serve time outside prison. A prisoner might still have to return to prison when there is space.
- Build lower security prison villages for prisoners who aren't considered dangerous, including a village for younger prisoners. Closely supervised prison villages may help to avoid the risk that "jail may make your anger worse"
- Have closely supervised youth hostels for the youngest offenders, with a focus on education



You said it is important for young offenders to be kept separate from older prisoners, even if prison space is limited.

One of you also said that being sent to a prison abroad would be best for prisoners with 'middle length' sentences, rather than those with very short sentences or very long sentences.

Sending a prisoner abroad could also be for only part of their sentence, and they should be brought back to the UK when there is space for them in a UK prison.



You all had a really important discussion about getting the balance right between punishing offenders for really serious crimes, protecting the public from dangerous criminals, and the rights of individual prisoners.

A few of you thought sending prisoners abroad was unfair to the other countries – not having enough space in our own prisons is “not the other country’s problem”

One of you made a very different point about people’s rights. You said that it is probable that some prisoners in our prisons are actually innocent and have been wrongly convicted.

The possibility of accidentally sending an innocent prisoner abroad should be thought about by those in Parliament when they decide whether to change the law about this

I just want to end up by saying that I was really impressed by how good your thinking and your ideas were about this tricky subject!

You pupils of Kingsland definitely deserve the right to have your say and to be seriously listened to about important things!

Roger