



Pointmaker

CHILDREN BEHAVING BETTER

REFORMING PROVISION FOR EXCLUDED CHILDREN

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SUMMARY

- The Coalition has announced plans to give head teachers greater powers to exclude disruptive pupils.
- This is welcome. However, excluded children currently endure “very poor outcomes” (in the words of the former DCSF) at Pupil Referral Units (PRUs, the institutions to which most excluded children are currently sent). Only 1% of 15 year olds in PRUs received 5 GCSEs at grades A*-C or equivalent in 2006.
- Deep-seated reform of PRUs is therefore essential.
- Reform is also essential if the social costs of excluded children – who are often the most vulnerable children – are to be reduced.
- New providers of PRUs are needed (as the previous Labour Government recognised), including for profit organisations.
- In addition, organisations which offer longer-term or permanent placements for excluded pupils should be particularly encouraged.
- More PRUs based on the “vigorous virtues” are also needed. The successful outcomes achieved by organisations such as Skill Force, the Lighthouse Group and the Boxing Academy suggest that this approach is more effective than currently prevailing attitudes.
- The Government should integrate funding for PRUs into the pupil premium system (or even introduce a higher band for such children).
- Local authorities should reduce barriers for entry for alternative providers. They should offer longer contracts, an element of payment by results and access to local authority premises.
- Effective monitoring of outcomes (currently woeful) is also essential.

INTRODUCTION

In August 2010, there were 183,000 16 to 18 year-olds not engaged in education, employment or training (NEETs).¹ According to a recent study, the current generation of NEETs will cost the taxpayer £31 billion over their lifetime if the costs of unemployment, health services and the criminal justice system are all included.² And, despite New Labour's vastly increased spending, the proportion of NEETs has remained roughly stable since 2003.

Some of these young people face identifiable barriers, such as having a child or experiencing serious illness or disability. Other groups are taking gap years or participating in volunteer activities. But a hard core of these – 66% of the whole and 77% of the boys – have no specific barrier to entering training or work. For many, the barrier is simply that they have become disengaged from school, from civil society and from work. While many of these problems are related to their family and communities, significant numbers of children are let down by the way in which we treat those who cause disruption in schools.

On the average school day, 420 pupils return to one of England's schools after a temporary exclusion for assaulting a teacher or another pupil. An average of 1,890 are sent home for less serious offenses, such as threatening staff or other pupils, sexual misconduct, or possession of drugs.³

Failure is not only disruptive. It is also expensive. A 2007 report estimated that each excluded pupil costs society almost £64,000.⁴ This includes the cost to the child in future lost earnings resulting from poor qualifications and costs to society in terms of crime, health and social services.

The true cost, however, is in the degradation of civil society and the creation of a workless underclass. The proliferation of criminal gangs across Britain is proof that what we are doing now isn't working, as are the persistent high levels of NEETs.

In fact there is some evidence to suggest that children permanently excluded from school have higher offending rates than children from our notoriously poor care system.⁵

The Coalition has announced that it will give school heads the authority to exclude violent and disruptive pupils. Yet the use of these powers will be limited if there is nowhere to send them. What we need is a new approach.

THE SCALE OF THE PROBLEM

New Labour tried to claim that school discipline wasn't really a problem. In 2009, Children's Minister Dawn Primarolo MP stoutly maintained that "the action we have taken is working in improving discipline in schools".⁶ She pointed to Ofsted's finding that behaviour

¹ DfE, *NEET Statistics - Quarterly Brief*, August 2010.

² The Prince's Trust, *The Cost of Exclusion: Counting the cost of youth disadvantage in the UK*, 2007. Costs estimated to be £97,000 in 2002 prices: figure given is inflated by RPI to give 2008 prices.

³ *The Daily Telegraph*, "360,000 Troublemakers suspended from school", 29 July 2010.

⁴ New Philanthropy Capital, *Misspent youth*, 2007. Note that calculations of this nature tend to be based upon a series of improbable assumptions, not least that action to address the problem will automatically lead to an equivalent amount of savings. Nonetheless, alienated pupils undoubtedly impose substantial financial costs on government and society.

⁵ C Pritchard and R Williams, 'Does social work make a difference?: a controlled study of former "looked-after-children" and "excluded-from-school" adolescents now men aged 16–24 subsequent offences, being victims of crime and suicide', *Journal of Social Work* 9, 2009.

⁶ J Shepherd, *The Guardian*, 30 July 2009.

is at least “satisfactory” in 94% of our schools. The admission that at least 250,000 children in England are forced to attend schools where standards of discipline are unsatisfactory is shocking enough, but even then Primarolo’s statement was hopelessly optimistic. In the teaching profession, it is common knowledge that many schools send troublemakers off on a hastily-arranged school trip when the inspectors are due in.

After interviewing teachers and heads in 80 different schools, Dr Terry Haydn, a lecturer in education at the University of East Anglia, concluded that pupil behaviour is a problem in nearly all schools.⁷

“Deficits in classroom climate are more widespread than Ofsted assumes. Quite a lot of kids simply don’t want to be in school and don’t want to learn. Even very good and experienced teachers have said to me, ‘I struggle.’”

Similarly, the testimony of Katherine Birbalsingh, the whistle-blowing teacher who was fired after giving a speech at the recent Conservative Party conference, confirms the prevalence of poor behaviour in some schools. According to *The Guardian*, she claimed that.⁸

“[Her] school had security guards who patted down children for weapons and that three children had been stabbed in the past six months. Another child had her head pushed through a window by two girls, before grabbing a knife and stabbing her attackers. Others were pregnant or have had children. A rival for her job had been knocked down by pupils in the corridor on interview day.”

⁷ P Kendall, *The Daily Telegraph*, “Broken Britain: the fight to save our classrooms” 8 August 2009.

⁸⁸ *The Guardian*, 8 October 2010.

The need for a police presence in almost half of our secondary schools lends a certain amount of force to these claims.⁹

According to *Back on Track*, the 2008 white paper that set out New Labour’s strategy for alternative educational provision, each year about 135,000 pupils spend some time in alternative provision – and only half of them have behavioural problems. Considering that over 360,000 pupils were excluded in 2009-2010 for behaviour, it is clear that local authorities have little option but to get them back into mainstream schools as quickly as possible. The School Behaviour Partnerships created by New Labour achieve this by encouraging schools to exchange excluded pupils. This enables officials to massage statistics without any discernable benefit to the schools involved; it also de-stabilises the lives of excluded pupils.

The great majority (91%) of excluded pupils are of secondary school age. About one-third of placements are in one of the 450 Pupil Referral Units run by local authorities, and the rest are catered for by a wide variety of provision. This can involve drop-in centres, home tutoring, work-experience placements and other full- or part-time care provided by voluntary and private providers. In extreme cases, pupils are sent to residential special schools, which can cost as much as £150,000 per year per pupil.

Of the 360,000 pupils who received exclusions in 2009-2010, only 6,550 were permanently excluded.¹⁰ We can assume that head teachers might wish to permanently exclude (but feel

⁹ *BBC News*, “Police presence in 5,000 schools”, 11 May 2009.

¹⁰ DfE, *Permanent and Fixed Period Exclusions from Schools in England 2008/09*, Table 6 [accessed 5 August 2010].

pressured to retain) pupils who are frequently disruptive. On that basis we might add a further 12,650 students who received fixed term exclusions on five or more occasions during a school year.¹¹ This gives us a potential permanently excluded population of around 19,000 pupils. These children form the nub of the problem, a hardcore of disengaged pupils who disrupt those around them and are unlikely to achieve enough qualifications to allow them to participate fully in our economy when they leave school.

POOR OUTCOMES

The average cost of a full-time placement in a Pupil Referral Unit is £15,000 a year.¹² For the 19,000 population, this would be a conservative estimate given that they are likely to include the most difficult children. However, even using this number, the cost of educating these 19,000 pupils each year totals £285 million.

Despite the high expenditure, the Department for Education admitted only recently that alternative provision often leads to 'very poor outcomes'.¹³

"There is limited performance data available for pupils in alternative provision, but what there is indicates often very poor outcomes. In 2006 only 1 per cent of 15 year olds in Pupil Referral Units achieved 5 GCSEs at grades A-C or equivalent."*

Attendance is, not surprisingly, also poor (about 70%).¹⁴

The power of head teachers to exclude violent and disruptive pupils was undermined by New

Labour's policy of inclusion. Heads were discouraged by both local and central government from excluding pupils and were penalised for making permanent exclusions. Since it costs £4,000 to keep a child in a conventional school, the financial pressures for inclusion are at least as great as the ideological ones.

The struggle to improve standards of education throughout the country (and especially for the most underprivileged) will be undermined if there is not adequate provision for excluded children. At present too many young people effectively fall through the gaps, and often they never fully return.

WHY ARE THE OUTCOMES SO POOR?

Outcomes of alternative provision are poor for a variety of reasons, including:

- the underfunding of alternative provision by some local authorities;
- too few effective suppliers;
- the premature return of troublemakers to mainstream schools; and
- a lack of reliable information on which to compare the outcomes of each provider.

Underfunding of alternative provision by some local authorities

Power over spending on PRUs is devolved to local authorities as part of the Designated Schools Grant. While this should allow local councils to tailor the support available to the particular character of their area, this freedom also allows some local authorities to underfund alternative provision.

¹¹ Ibid.

¹² DCSF, *Back on track*, 2008.

¹³ Ibid.

¹⁴ Ibid.

ALTERNATIVE MODELS FOR PRUs

CASE STUDY ONE

Skill Force

Since 2000, Skill Force has been training ex-service personnel to work with hard-to-reach pupils. Its core programme is aimed at pupils in their last two years of secondary school, the time when impending exams discourage the least academic pupils. For one day each week, these pupils are taught by a two-man Skill Force team. They work in the classroom and in the field, engaging in a wide variety of activities which do not depend upon prior academic achievement.

At present, Skill Force teams are working with more than 4,000 pupils for one day each week. They have reduced exclusions from a predicted 24% down to 4%. Pupils who receive free school meals are ten times more likely to go on to further education after training with Skill Force. (Source: Skill Force website).

Skill Force's outstanding work has attracted widespread endorsements, not least the decision of Prince William to become their patron. The Institute of Education found that:

"Skill Force is an extremely well managed programme which provides a unique service to schools... It has reduced exclusions, improved behaviour, attendance and attitudes towards education and attainment and also provided students with a range of practical, vocational qualifications. It also offers excellent value for money." (Source: Skill Force website)

A new generation of Pupil Referral Units could be developed, operating on the same principles that has made Skill Force's existing programme such an outstanding success. These could be capable of almost unlimited expansion – each year, 7,000 servicemen and women retire with a rank of sergeant or above, and 70% of them are interested in a second career in training or teaching.

Specialist providers are expected to teach some of the most troubled young people. If they do so successfully, they have the potential to save the taxpayer significant sums of money (through avoidance of future benefits, social disruption or crime). However, Local Authorities do not currently reap many of the benefits of reduced welfare bills or the need for fewer prison places.

Thus, there remains a principal-agent dilemma in which the Agent (the LA) has little incentive

to spend more on excluded children, and the Principal (the state) is frustrated in its aims.

Too few effective suppliers

While Secretary of State at the DCSF, Ed Balls MP funded a group of pilot programmes for new types of alternative provision. This was a welcome move and a real attempt to tackle the failure of existing provision to deal with the problems of repeated exclusions.

However, all of these pilots were operated by not-for-profit organisations. Limiting potential suppliers to this field suppresses a true market in good PRU provision and will necessarily restrict new entrants to organisations which will not have a motive to drive down costs, nor will they respond so readily to financial incentives to succeed and then expand.

Premature return of troublemakers to mainstream schools

Fixed term expulsions of a few days are too short a time for even a successful provider to make much mark; very little can be done in less than a year. Not only is an absence of a few days disruptive to the child's progress academically, it also seems to have little disciplinary effect upon those who are being excluded on a regular basis. Returning children who have learnt little during their absence (and not altered their troublesome behaviour) to the same classrooms from which they were banished, seems to conform to Einstein's description of madness: 'doing the same thing over and over again and expecting different results'. Their teachers merely end up having to provide extra support to help them pick up what they have missed, against a tide of increasing resentment, insecurity, and poor behaviour from the child.

A lack of reliable data upon which to compare providers of alternative provision

The short periods spent by most pupils in PRUs also make it hard to gather good data on the relative successes of different providers. Local Authorities do not have reliable information on which providers work best. It is, in practical terms, currently impossible to incentivise success through payment by results.

WHAT CAN GOVERNMENT DO?

The Coalition Government is already introducing new providers through the Free

Schools programme. At the same time they are introducing a 'pupil premium' that encourages new schools to cater for the underprivileged and pays them more money to look after those who need more attention.

But this process will be incomplete and inadequate without wholesale improvements to alternative provision. That is why it is so important that the following measures should be taken by the Coalition to facilitate the growth of alternative provision:

- allow schools to exclude children for longer while encouraging the use of more effective punishments within schools to replace short-term expulsion;
- remove any residual obligation on LAs to provide (as opposed to fund) PRUs;
- encourage new suppliers of alternative provision; and
- enable better data collection and analysis.

Longer exclusions

The poor results of PRUs, and the fact that over 12,000 children a year are receiving five or more exclusions in a single year, suggest that *short fixed-term* exclusions do not work. Longer placements – including permanent exclusions – could be more effective, allowing alternative providers to take pupils in hand for a decent period.

Repeatedly disruptive children could be excluded for the rest of the school year – if problems arise in the first term and a half – or for the rest of this school year and the whole of the next if problems arise in the second half of the school year. There should be an appeal process open to parents, pupils and teachers if at any time the alternative provision is considered inappropriate or ineffective.

ALTERNATIVE MODELS FOR PRUs

CASE STUDY TWO

The Lighthouse Group

The Lighthouse Group (TLG) is a Christian charity that works with excluded children from deprived backgrounds. The organisation acts through locally led branches across the country which work with families and provide a more structured environment to help excluded children escape from the poverty trap before it is too late.

Their programme consists of several stages. First the child is referred by social services or their school, and is then interviewed so he or she understands the nature of the course. A programme is then tailored according to the needs of the pupil. Children work with nine other young people and have regular contact with three members of staff. The programme then results in GCSE accreditation. So as to give the child a sense of pride and confidence, they have a formal graduation to recognise their achievement in completing the course. Accompanying the programme, young people are engaged in extracurricular activities to provide bonding between them. Throughout their time in the TLG scheme the individual receives substantial emotional support so as to give them the confidence to carry on their education beyond secondary school. After graduation, the individual is then able to return to school or training with sustained support from the group.

The nature of the programme is planned according to the individual but it also varies across the local branches as they decide how to organise their schemes. In the South London branch they opened up the centre for the wider community, such as the homework club and Saturday School. Often these centres are run in partnership with other groups. In the South London branch it is the All Nations Centre they are working with. The Lighthouse Group has also formed Corporate Partnerships such as with Osborne Clark Solicitors which has been actively involved in the project. This partnership has since won the "Best Corporate Social Responsibility Project of the Year" Award provided by the *Charity Times*.

The TLG scheme has had great success nationwide: 96% of those involved had gone on to further education, training, and employment.

In some cases it may be appropriate for children to be taken out of their classrooms for shorter periods but this responsibility should remain with the school so that they can better integrate a continued programme of teaching.

New Labour's School Behaviour Partnerships have proved to be both ineffective for schools and destabilising for pupils. The Coalition has wisely withdrawn their funding.

Reducing Local Authority-run provision

The Education Act 1996 decreed that:

"Each local education authority shall make arrangements for the provision of suitable education at school or otherwise than at school for those children of compulsory school age who, by reason of illness, exclusion from school or otherwise, may not for any period receive suitable education unless such arrangements are made for them."

It also makes clear that providers of all types should be considered for this purpose:

“A local education authority may make arrangements for the provision of primary and secondary education for pupils at schools not maintained by them or another local education authority.”

Yet too many of our Local Authorities fail to commission successful outside providers to look after these children, choosing instead to provide schooling themselves. This can make it difficult for voluntary organisations to raise funds to do the same job; or for private organisations to base a credible business plan upon the proposition.

However, an amendment to the 1996 Act was inserted in 1998, stating that:

“In determining what arrangements to make under subsection (1) or (4) in the case of any child or young person a local education authority shall have regard to any guidance given from time to time by the Secretary of State.”

Government thus already has the power to encourage local authorities to use new suppliers.

Encouraging new suppliers

The Government should integrate the funding for alternative provision into the pupil premium system, instead of giving local authorities full discretion over the amount paid for PRUs (as at present). As part of this, the DfE might introduce a system that automatically upgrades excluded children to the highest possible level of the pupil premium, or even creating a higher-tier band for such children. One piece of local authority discretion would remain – the ability to hold back a portion of the annual fee as an incentive payment to PRU providers. Local authorities themselves would then be offered an incentive by government, determined by the percentage of PRU graduates economically active after a defined period.

It may well be that the most effective alternative providers will take a different approach to that currently found in most PRUs. In particular, the case studies outlined in this report suggest that an approach based on promoting the “vigorous virtues” may be the most effective way of reaching these troubled children.¹⁵

Private providers can already run PRUs. But more can be done to open up this market to operators such as those outlined in the case studies in this report.

Councils should also be given incentives to make unused and under-utilised facilities available to registered providers at a nominal cost. This will be particularly important in city locations. However, it is likely that a new generation of providers – especially those from the private sector – might bring with them innovative ideas about the location and design of learning spaces.

It is also imperative that funding rules continue to allow, and indeed encourage, organisations to leverage in funds from outside the state. This could include philanthropic donations as well as corporate giving and funding from areas of government not directly linked to education – like crime reduction and drug programmes. It is entirely possible, under schemes such as this, that intensive or innovative programmes such as the case studies featured in this report, would cost local authorities very little more than the cost of maintaining a pupil in a comprehensive school. Any balance would be met by the new pupil premium. This would have the effect of lowering further any barriers to permanent exclusions.

¹⁵ The vigorous virtues were defined by Shirley Letwin as “being upright, self-sufficient, energetic, adventurous, independent-minded.” See *The Anatomy of Thatcherism*, 1993.

ALTERNATIVE MODELS FOR PRUs

CASE STUDY THREE

The Boxing Academy

The Boxing Academy began as a Boxing Club in Tottenham before the local schools, youth offending service and pupil support centre asked the coaches there to provide support for excluded children.

The Boxing Academy uses the sport of boxing to ingrain responsibility, discipline, and self-worth into 13 to 16 year olds who were being excluded from education. It went from being a community project to a company limited by charity in 2006, thus becoming the Boxing Academy. It has been working closely with the Gladesmore Community School to provide alternative education for excluded children alongside their boxing programme. They have received funding from Civitas and The William Wates Foundation, and receive referrals from across their local area. Their recently opened site in Hackney was supported by a Play Sport London grant from the Greater London Authority.

Sky News reported that the Boxing Academy:

"...is the burgeoning "new philanthropy". Wealthy businesspeople are seeking to "take responsibility for their community" by using their riches to tackle London's gang culture and youth crime."

The course involves 20 coaches, mentors, teachers, and instructors. It consists of GCSE Maths and English, BTEC in Art and Design Level 2, BTEC First Certificate for Sport Level 2, and Information Technology Qualification Level 2. There are also short courses in health & safety, drugs awareness, crimestoppers, and first aid. However, the course is still individually tailored to the child's needs.

The Boxing Academy has had significant success in helping participants to boost their chances in life. Amongst their alumni are three Labour MEPs; Mary Honeyball, Claude Moraes, and Robert Evans.

CASE STUDY FOUR

Hammersmith and Fulham

The London Borough of Hammersmith and Fulham provides most of the educational provision through its own operator, the Bridge Academy. The Bridge has an important role as a broker – helping schools to reach agreements about levels of provision that need to be made available and arranging for managed moves between schools where necessary; and a commissioner – finding specialist providers for children with Special Educational Needs or particular problems integrating in mainstream school.

As well as providing this service, the local authority has encouraged and enabled schools in the Borough to look at a range of providers who can help with school-based interventions.

So powerful has this model proved, that neighbouring boroughs have requested that Hammersmith make the facility available for the use of outside residents. The Bridge Academy's headmaster is offering advice and guidance to education authorities well beyond Hammersmith and Fulham.

Gathering better data

Local authorities should, of course, be required to register and inspect all alternative provision. Data on outcomes such as added value, attendance and onward direction of pupils should be gathered and made freely available so that councils and parents can have a clearer view of the quality and value of service provided by each facility.

REDUCING BARRIERS TO ENTRY – WHAT CAN COUNCILS DO?

Local authorities, and not central government, have the most important role in encouraging alternative PRU provision.

To do so, Councils could invite open bids for PRU provision. The invitation to tender documents could offer some or all of the following incentives:

- A three year contract with a secure income stream based on a per capita allowance.
- Access to council premises, for example buildings previously used for LA-run PRUs. This will be particularly important in cities with high property values.
- Providers to be able to specify some entrance criteria but these must be included in the initial negotiations. This would allow, for example, physically focused providers such as the Boxing Academy or Skill Force to specify physical ability while preventing providers from cherry picking the better behaved of the excluded children and leaving LAs to deal with the worst. Similarly, PRUs should have the right to refuse entry to all those who are clearly unsuited to the programme because of the most extreme behavioural difficulties.

- A contract dependent upon clearly defined basic criteria being met. These might include minimum attendance rates, efficient data gathering and a suitable inspection regime.
- An incentive scheme whereby providers receive a financial bonus based on the number of young people economically active after a set time period beyond their school years; or based on the achievement of core qualifications.
- As with schools, PRUs with a record of success that continue to provide full data on progress to the Local Authority should be subject to a lighter touch inspections regime.

After trialling the process with a small number of local authorities and a restricted group of GCSE age pupils, the approach could be expanded to lower age groups and more reluctant councils.

Local Authorities are already coming to terms – under the Free Schools programme – with their new role as commissioners rather than providers; this should be expanded to their responsibility for alternative provision and pushed further to encompass for-profit providers.



POLICY INTO ACTION

The following proposals, first made by the Centre for Policy Studies, are some of those which the Coalition is now implementing (or plans to implement):

Capital Gains Tax proposals amended: following polling and public advocacy by CPS Chairman Maurice Saatchi and CPS board Member Michael Forsyth, coalition proposals to increase Capital Gains tax were markedly less punitive to savers and investors.

Increase tax allowances to £10,000: proposals to increase tax allowances to £10,000 – and to lift millions of people out of paying tax – were first made by Maurice Saatchi and Peter Warburton in *Poor People! Stop Paying Tax!* in 2001.

Tax simplification: the Coalition has announced plans for simplifying the tax system, adopting many of the proposals made by Lord Forsyth in his Tax Simplification Committee report, *Tax Matters*, and by David Martin in *Tax Simplification (2007)*.

Abolition of the tripartite regulatory regime: recommendations in the Financial Services Regulation Bill were first put forward by Sir Martin Jacomb in his 2009 CPS report, *Re-empower the Bank of England*.

Benefit simplification: proposals for simplification of the benefit system followed the recommendations of *Benefit Simplification* by David Martin (2009).

Freedom for Schools: the intellectual roots of the Academies Bill and the Education & Children's Bill can be traced to CPS reports such as *Freedom for Schools* (2000) and *An End to Factory Schools* (2010).

Abolition of school quangos: Coalition plans to abolish the several education quangos follow proposals first made in *School quangos: a blueprint for abolition and reform* (2009).

Localism: the Decentralisation and Localism Bill echoes recurring themes of recent CPS publications, including the Direct Democracy series (2008) and *A Magna Carta for Localism* (2010).

Abolition of the Serious Organised Crime Agency and the National Treatment Agency: first proposed by Kathy Gyngell in *The Phoney War on Drugs*.

Liberty: proposals in the Freedom Bill and Identity Documents Bill follow many CPS recommendations to roll back state intrusion and restore civil liberties, including the abolition of the national children's database, ContactPoint, as recommended by Jill Kirby in *The Nationalisation of Childhood* (2006).



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