

**Overarching standard relating to Children and Young People Involved with the Criminal Justice System.**

**An integrated planning process exists across Northern Ireland for all children and young people at risk of or involved with the criminal justice system.**

**Rationale:**

The responsibility for devising this standard was taken by the Sub Group of the Children and Young People's Strategic Partnership (CYPSP) on Children, Young People and Offending. The CYPSP brings together the leadership of all agencies with responsibility for delivering services for children and young people in Northern Ireland, with the purpose of integrated commissioning to improve the 6 high level outcomes in the Northern Ireland Executive's strategy for all children and young people – 'Our Children and Young People: Our Pledge'.

The CYPSP oversees a number of Northern Ireland wide Sub Groups, with the purpose of integrated planning and commissioning in relation to specific groups of children and young people – and one of these addressed the rights and needs of children and young people at risk of or involved with the criminal justice system. The Sub Group, chaired by the Chief Executive of the Youth Justice Agency, brings together the expertise of mandated managers from Youth Justice Agency, PSNI, Health and Social Care, Education and the specialist Voluntary Sector agencies which provide services to children and young people in these circumstances. The Sub Group, therefore, has collective knowledge of the whole range of issues facing children and young people at risk of or involved with the criminal justice system. In relation to devising one standard to be included in the Children's Services Framework, the Sub Group agreed that this should be informed by the views and experiences of young people who have experienced the criminal justice system or who are at risk of becoming involved.

The standard therefore has been devised with reference to young people at risk or involved with the criminal justice system, who have brought forward their views and advice for service planners and providers through a series of engagements facilitated by Include Youth and the Youth Justice Agency. The Youth Justice Agency (YJA) aims to reduce crime and to build confidence in the youth justice system through delivering a range of services to children and young people involved in offending. As part of its consultation on the Youth Justice Review, YJA met with young people and parents involved with the Criminal Justice System to hear their views on how the system could be improved. Include Youth is an independent organisation that works with and for young people at risk of social exclusion to protect their rights and promote their best interests. Include Youth has for a decade consulted directly with young people with experience of the criminal justice system in a range of issues concerning the development of policies and services. More recently, as part of an extensive programme of work to inform the findings of the "Review of Youth Justice in NI" Include Youth in partnership with community-based organisations has consulted with over 100 young people regarding their experiences of youth justice including early intervention, policing and custody.

Whether they are victims or children involved in offending behaviour they often experience justice as being done to them rather than being active participants. Children and young people need to be given information in a way that promotes understanding and an ability to participate in the justice process.

The need for this standard was eloquently expressed by one young person (presented at the Include Youth Annual Conference 2011 – see below under Evidence). This view reflects those of many of the young people that Include Youth has worked with in the last year and previously.

## **Evidence:**

*“The next point is working together. Everyone who is working with the young person at the time when they come out of jail should meet once a month to talk about what's happening with that young person and to see what is working and what is not working, what's going good and what's going bad and what help is needed. Like the Priority Youth Offending Program, it worked for me when I was on it.*

*Make a plan every month, when the person first gets out, plan what is going to happen in the first month, set a routine for the young person and talk about what is going to do. In the next month look at the plan and see where it can be changed to make it better. Then the young person knows where they stand and all the people working with them. More communication is needed.”* (Young person at Include Youth Conference, 2011)

Partnership working and joint planning requires all agencies involved with the young person and their family (e.g. health, social care, youth justice, education, police, the community and voluntary sectors) to work together to ensure the development of a joint care plan and consistent communication with each other.

This planning will be necessary at each and every stage of the young person's criminal justice experience and after.

The evidence that has been gathered through the multi-agency Children's Services Planning process, which is now overseen by the CYPSP, is that whilst organisations are more involved in jointly planning and delivering services for children at a local level, it is acknowledged that more could be done strategically to improve collaborative working particularly at times of transition in children's' lives when they are becoming involved in the Criminal Justice System, being admitted to care or when they are remanded to or leaving custody. The four previous Children's Services Planning sub groups on children and the justice system concluded that such issues could only be addressed by Northern Ireland wide planning, as a number of the critical agencies – in particular the justice agencies, are managed through Northern Ireland wide governance arrangements. In relation to Health and Social Care, these services are now commissioned through the Northern Ireland wide Health and Social Care Board, with the potential to address long standing difficulties.

The CYPSP oversees the development of overarching early intervention and family support frameworks for Northern Ireland. The integrated planning process for children and young people at risk of or involved with the criminal justice system should be incorporated within these overarching frameworks.

The recent draft Report of the Review of the Youth Justice System in Northern Ireland brings together much evidence of the need for an integrated planning approach, at the individual level of each child, and at the strategic level.

All evidence demonstrates that diversion from the criminal justice system achieves the best outcomes for young people and in turn the community. Non criminal justice agencies and those in the community and voluntary sectors are best placed to provide such diversion.

*“the key to reducing offending lies in maximum diversion and minimum intervention”*  
(McAra and McVie , Edinburgh Study of Youth Transitions and Crime, 2010)

Additionally once involved with the criminal justice system and to ensure that young people do not re-offend they must be able to access relevant services including education, training, accommodation,

counselling and family support.

*“prepare young people for coming back out, get them somewhere to live, get tech set up straight away”* (young person in custody)

YJA feedback from young people consulted as part of the Youth Justice Review indicated that at times they did not understand what had happened in Court and feedback from young people as part of the Law Commission Review on bail indicated that young people often did not understand what their bail conditions meant.

In addition the recent CJINI Inspection report on the treatment of victims and witnesses indicated that “appropriate seamless, efficient and effective service for victims and witnesses is delivered within a framework of policies and initiatives which are co-ordinated, and deliver positive outcomes for victims and witnesses” needs to be in place. (Dr. Maguire, Criminal Justice Inspector, December 2011). This is particularly relevant for those children and young people who are involved with the Criminal Justice System as victims or witnesses in their own right.

### **Responsibility for delivery / implementation**

Partnership/inter-agency working must be instigated at the following critical points and must always be undertaken with agreement of the child/young person and their family:

- **Early intervention** – i.e. when a young person’s behaviour becomes concerning. This will be achieved through referring the to family support hubs and other family support processes
- **First arrest/contact**– effective decision making processes for non-criminal justice disposals and prevention of further offending can only be achieved through integrated decision making and joint planning which ensures that young person does not get become further involved with the criminal justice system.
- **Throughout all criminal justice processes and sentences** – Plans which deliver effective outcomes for children involved in all criminal justice processes. In a similar way to earlier stages, it is critical that the planning process around the child or young person involves all relevant agencies. The Criminal Justice Agencies have the lead in relation to addressing offending behaviour, but require comprehensive engagement across other key statutory agencies to address health, education, housing and economic welfare issues. Key voluntary and community sector agencies need to be engaged within the planning process, to ensure that what the young person experiences is a joined up process around their needs, including during any period of bail, during sentence, and whether in the community or custody.
- **Post-release or community disposal** – this is a crucial time for young people when they are often most motivated and where the provision of co-ordinated, appropriate and agreed universal and tailored services support a young person to be resettled into their communities.

It is important to note that the above may reflect different stages of a long-term intervention with a family or can, of course when effective be at different stages.

The responsibility for delivery and implementation lies with the CYPSP and its Sub Group. This Group has the necessary linkages with agencies involved to address the issue, over time.

**Quality Dimension**

The quality of the connection across agency through the integrated planning process will require to be measured through a continued process of engagement with young people and their families ( families as appropriate) and feeding this input into the system.

<b>Performance Indicator</b>	<b>Data source</b>	<b>Anticipated Performance Level</b>	<b>Date to be achieved by</b>
The planning process has been implemented, at each of the four fixed points set out above.	<ol style="list-style-type: none"> <li>1. Feedback from the agencies represented on the CYPSP Sub Group on Children, Young People and Offending.</li> <li>2. Feedback from samples of young people within the criminal justice system and their families.</li> <li>3. Number of young people U18 years identified by police involved in first time criminal activity</li> <li>4. Number of young people U18 years re-offending within a 12 month period</li> </ol>	The planning process should be place for all young people	December 2012