



Department of  
**Justice**  
[www.dojni.gov.uk](http://www.dojni.gov.uk)

**CONSULTATION ON THE REPORT ON THE  
REVIEW OF THE YOUTH JUSTICE SYSTEM  
IN NORTHERN IRELAND**

26 September 2011

# INDEX

	<b>Page</b>
<b>Ministerial Foreword</b>	<b>3</b>
<b>1. Introduction</b>	<b>4</b>
<b>2. Equality Statement</b>	<b>4</b>
<b>3. Duration of Consultation</b>	<b>5</b>
<b>4. Responding to Consultation</b>	<b>6</b>
<b>5. Alternative Formats</b>	<b>7</b>
<b>6. Confidentiality of Responses</b>	<b>7</b>
<b>7. Consultation Exercise</b>	<b>8</b>

## **MINISTERIAL FOREWORD**

In November 2010, I commissioned an independent team of experts to undertake a review of the youth justice system in Northern Ireland. The Team has now reported to me. I thank them for their work and I am pleased to present their findings for full public consultation.

We know that the overwhelming majority of our young people do not commit offences and are a credit to themselves and their families. We also know that some young people do get involved in crime, sometimes on a repeated basis. The reasons for this are varied and complex but the cost to them, their victims and wider society is high and long-lasting.

Preventing young people from offending and responding effectively to those who do are matters of concern across Government, within the community and for every individual citizen. In our devolved arrangements we now have the opportunity to fully determine these matters for ourselves and to establish a society that is inclusive, confident and forward looking.

It is for that reason that I wish to have the fullest possible debate on the findings and recommendations in this Report. I urge you to participate.

**David Ford MLA**

**Minister of Justice**

## **1. Introduction**

1.1. The Department of Justice is conducting a consultation exercise on the recently published report on the Review of the Youth Justice System in Northern Ireland.

1.2. Commissioned last year as part of the Minister's agenda to reshape the justice system, the report makes 31 major recommendations for changes to the youth justice system and wider arrangements for children in Northern Ireland. The Review was undertaken by a team of three independent experts who consulted with a wide range of stakeholders during the course of their work.

1.3. Your views are invited on each of the recommendations made within the various sections of the report, and on the report as a whole. If you have not already viewed a copy of the full report, it is available electronically, along with a number of companion documents, from:

[www.dojni.gov.uk/youth-justice-review](http://www.dojni.gov.uk/youth-justice-review)

## **2. Equality Statement**

2.1. Section 75 of the Northern Ireland Act 1998 requires all public authorities in Northern Ireland to comply with two statutory duties.

2.2. The first is the 'Equality of Opportunity' duty, which requires public authorities to have due regard to the need to promote equality of opportunity between the nine equality categories of persons of different religious belief, political opinion, racial group, age, marital status or sexual orientation, gender, those with or without a disability and those with or without dependents.

2.3. The second is the 'Good Relations' duty, which requires public authorities to have regard to the desirability of promoting good relations between persons of different religious belief, political opinion and racial group.

2.4. In addition, public authorities are also required to meet legislative obligations under the Disability Discrimination Order, particularly in the formation of public policy making.

2.5. The Department of Justice is fully committed to fulfilling its Section 75 obligations on the promotion of equality of opportunity, good relations and meeting legislative requirements in Northern Ireland.

2.6. This report was commissioned of, and delivered by, an independent team reporting to the Minister of Justice. Until such time as this consultation period has ended and agreement has been reached on issues to be taken forward, it does not constitute Departmental policy; the report and its recommendations have not therefore been subjected to screening to determine the impact on equality of opportunity and/or good relations. This will take place once the final recommendations are agreed and associated policies are developed.

2.7. Opinions received as part of this consultation will play an important part in that process. We would therefore welcome your views on any potential equality implications or differential impacts under Section 75 which you feel the recommendations may introduce. These will be considered as part of the overall consultation, and will be used to inform any EQIA which is carried out. We have also asked you to consider opportunities to promote good relations as part of this exercise.

### **3. Duration of Consultation**

3.1. Based on statutory obligations and best practice on consultation, any public consultation such as this should run for a 12 week period. However, to take account of working days which may be lost over the Christmas period, this consultation will run for 14 weeks, beginning immediately and ending on Friday 30 December 2011. All responses should be submitted by 5pm on that date.

#### **4. Responding to this Consultation**

4.1. We would welcome your views on the report and the recommendations contained within it. All responses should be sent using the attached pro-forma, and should include your name and contact address. Responses are welcomed by post (please mark the envelope with "Consultation Response"), e-mail or text phone. For queries and responses to the consultation, please contact:

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Room A4.15,  
Block A, Castle Buildings  
Stormont  
BELFAST  
BT4 3SG

E-mail: [youthjusticereviewteam@dojni.x.gsi.gov.uk](mailto:youthjusticereviewteam@dojni.x.gsi.gov.uk)

Telephone: 028 90 526568

Text phone: 028 90 527668

4.2. If you have any queries or concerns about the way in which the consultation process itself has been handled, please contact the DoJ Consultation Co-ordinator at the following address:

Mark Higgins  
Central Co-Ordination Branch  
Central Management Unit  
Department of Justice  
Castle Buildings  
Stormont Estate  
Belfast  
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E-mail: [mark.higgins@dojni.x.gsi.gov.uk](mailto:mark.higgins@dojni.x.gsi.gov.uk)

Telephone: 028 90 765784

Textphone: 028 90 527668

## **5. Alternative Formats**

5.1. An electronic version of this document is available to view and download from the DOJ website ([www.dojni.gov.uk](http://www.dojni.gov.uk)). Hard copies will be posted on request. The text phone contact details are detailed above.

5.2. Copies in other formats, including Braille, large print, audio cassette, computer disc etc may be made available on request. If it would assist you to assess the document in an alternative format or a language other than English, please let us know and we will do our best to assist you.

## **6. Confidentiality of Responses**

6.1. The DOJ will publish a summary of responses following the completion of the consultation process. Unless individual respondents specifically indicate that they wish their responses to be treated in confidence, their responses may be included in any published summary of responses.

6.2. Respondents should also be aware that the DOJ's obligations under the Freedom of Information Act 2000 may require that any responses not subject to specific exemptions in the Act may be disclosed to other parties on request.

## **Consultation on the Report on the Review of the Youth Justice System.**

This section provides a high-level summary of each of the key sections in the report and the associated recommendations. It is intended to help the reader to identify quickly the areas of interest or concern they may have. It is important when providing your comments to consult the relevant sections in the report which will set out the detailed arguments and full rationale behind the recommendations.

### **7. Early intervention (Chapter 3.3)**

7.1. The report states there is a need to focus more clearly on early intervention. It argues it is now widely recognised that investment in the health, education and parenting of children during their early years has a measurable and significant impact on their future life chances, including their likelihood or otherwise of engaging in criminal behaviour. There are good, but often isolated, examples of early intervention practice in Northern Ireland; services should target areas of deprivation, successfully engage those most at risk and strengthen families and communities.

7.2. More needs to be done to overcome the legislative, administrative and cultural barriers that prevent effective and sustainable inter-agency working and the pooling of resources. There is a need for Government at the highest level to grip this issue through a funded early intervention and prevention strategy, the setting of achievable outcomes and the development of arrangements for the delivery of joined-up services at the local level.

7.3. The report therefore recommends:

***1. As part of a revised and reinvigorated children's strategy (see Chapter 4), the NI Executive should develop an early intervention and prevention strategy, to be delivered locally through the Children and Young People's Strategic Partnership. The strategy should include a set of achievable outcomes and be accompanied by guidance on how agencies and the voluntary sector should work in partnership to deliver it, based on best practice.***

**2. The NI Executive should determine how best to secure funding to invest in early intervention and prevention.**

**3. To support this shift in resource allocation and investment we recommend that the NI Executive sets up an Early Intervention Unit. This cross cutting, inter-departmental Unit should:**

**a. co-ordinate policy and ensure priority is given to early intervention across all relevant government departments;**

**b. identify and remove barriers to pooled funding and collaborative working;**

**c. disseminate evidence of good practice and co-ordinate research and evaluation on early intervention for 0-13s;**

**d. oversee the development of guidance and standards (and where appropriate accreditation) for early intervention and prevention programmes and initiatives;**

**e. explore further funding options with public, third sector and private sector providers.**

Do you agree with the overall analysis in this section of the report? Please provide as comprehensive a response as you wish: Yes Volutneer Now support early intervention in the lives of young people who are potentially at risk. Early intervention is a key measurable factor in diversion from crime.

In your opinion, will the recommendations as drafted address the issues identified? Please include any practical, operational, resource or any other issues you feel are relevant:  
Yes.

Are there any Section 75 (1) equality issues you can identify in relation to these recommendations, or the alternatives you may have suggested, which would need to be taken account of? Please comment on any opportunities that could exist for promoting good relations [S75(2)]: No

## 8. Policing (Chapter 3.4)

8.1. The report commends the PSNI and the Northern Ireland Policing Board for the work they have undertaken in relation to young people; it is evident that there is some awareness of the importance of engaging with young people in a way that promotes mutual respect and understanding. However, this appreciation is not reflected in the Policing Plan, nor does it positively influence the attitudes and behaviour of police officers on the ground. There is still a large minority of young people who distrust the police and too many police officers who adopt a judgemental, prejudicial and antagonistic attitude towards them, and skills training should be developed to address this. The current legislative barrier to developing a local complaints mechanism should also be reviewed.

8.2. The report therefore recommends:

***4. Police should build on the progress made since the Patten report by:***

***a. raising the priority of children and young people in their planning processes at strategic and local levels;***

***b. modelling best practice in interacting with young people to increase trust and minimise offending;***

***c. developing an appropriate skills package for all officers on engaging with children and young people;***

***d. removing legal obstacles to developing robust and locally-based complaints procedures to help young people raise concerns and using this as a learning tool, while maintaining the right of unimpeded access to the Police Ombudsman.***

Do you agree with the overall analysis in this section of the report? Please provide as comprehensive a response as you wish: Yes.

In your opinion, will the recommendations as drafted address the issues identified? Please include any practical, operational, resource or any other issues you feel are relevant: Multi disciplinary training for staff at all levels who are engaged with vulnerable children is essential. Training must be child-

centred and outcome focussed, with particular emphasis on safeguarding all children.

Are there any Section 75 (1) equality issues you can identify in relation to these recommendations, or the alternatives you may have suggested, which would need to be taken account of? Please comment on any opportunities that could exist for promoting good relations [S75(2)]: Volunteer Now in partnership with the Young Life and Times Survey (2009) undertook a survey of 16 year olds with regards to volunteering and community relations. As we know poor community relations can lead to more anti-social behaviour, violent attacks and related difficulties for policing. The study has shown that young people with volunteering experience within an organisation have greater contact with people from different community or religious backgrounds. This suggests that volunteering makes a significant contribution to community cohesion and therefore to more favourable attitudes towards a shared future in Northern Ireland by our youngest citizens. This research and the encouragement of youth volunteering could significantly support the police and community understanding in the future.

## **9. Diversion and prosecution (Chapter 3.5)**

9.1. The report states that, in the main, it is not in the child's best interests to be brought into the criminal justice system. The police and the Public Prosecution Service both have key roles to play in providing a proportionate response to offending by children and young people, ensuring most are dealt with outside the criminal justice system. Prosecution should be reserved for those cases where it is necessary because of the nature, circumstances or seriousness of the offending or where guilt is contested. The first line of defence in responding to a child's misbehaviour must be the parents or guardians, who should be fully supported to carry out their responsibilities where necessary. The developing use of police discretion, subject to certain safeguards, also has an important role to play in this regard, as do community

based restorative and multi-agency welfare interventions.

9.2. Incorporation of the UNCRC 'best interests' principle in the prosecution code and specialised training for all legal professionals are both recommended. The processes, means and style of communication the PPS use with the young need to be amended to encourage early compliance with diversionary options.

9.3. The report therefore recommends:

***5. To comply with the new principal aim of the youth justice system (see Recommendation 28), the PPS should incorporate Article 3 of the UN Convention on the Rights of the Child into their Code of Practice forthwith. Further, all professionals working in the youth justice system, including defence solicitors, should receive appropriate training to reflect the new aim.***

***6. The aims of the youth justice system should reflect the principle of proportionality and include a presumption that low level offending should be dealt with by parents (with support where necessary), school and communities or through a police disposal. This will require:***

- a. the introduction of triage (or similar) at the point of arrest;***
- b. building on the successful practices of community based restorative justice schemes;***
- c. the extension of police discretion while ensuring adequate safeguards;***
- d. greater use of police warnings and cautions for offences that would otherwise have been dealt with through more formal channels.***

***7. To improve efficiency and reduce delay, we also recommend:***

- a. examining the high proportion of 'No Prosecution' cases with a view to removing them from the formal system at an earlier stage;***
- b. monitoring the impact of the PPS initiative to process diversionary disposals more speedily;***
- c. improving PPS written communications with children and their parents.***

Do you agree with the overall analysis in this section of the report? Please provide as comprehensive a response as you wish: Yes

In your opinion, will the recommendations as drafted address the issues identified? Please include any practical, operational, resource or any other issues you feel are relevant: Volunteer Now agree with the analysis in this section and are particularly encouraged to see the UNCRC principles identified as a central focus. The key principles of the Children (NI) Order 1995 including paramountcy and partnership with parents/carers should be at the heart of the review.

Volunteer Now has found from talking to young people that participation on training and employment programmes can be resented as it is a must rather than a choice. Volunteering on the other hand is a choice and the young person has the responsibility for choosing their opportunity, choosing to attend and choosing their level of commitment in terms of the role undertaken. Volunteering can be an alternative to other community based restorative programmes. The whole essence of volunteering therefore means that the young person benefits immensely from the experience particularly the feeling of being part of a team, achieving goals and seeing the impact of their work. Many organisations, within the community and voluntary sector, invest in their volunteers through the provision of training which young people find crucial for their CV's, interviews and their own self esteem/confidence. Volunteer Now encourages volunteer involving organisations to recognise their young people through the Millennium Volunteer programme as it not only encourages them to maintain their volunteering commitment but it also gives them a tangible certificate to recognise their involvement.

There is a very distinct difference between volunteering and community service and often in the past organisations supporting young offenders have got confused and in many instances put the young person off the idea of volunteering and the positive impacts which it can have. Volunteering must be

exactly that, a voluntary commitment made by the young person. In order for it to be a positive volunteering experience the young person must be at the forefront of choosing the volunteering opportunity and ensuring that it meets their personal needs. Our understanding is that community service must be undertaken for a specific period of time and ideally we would like to see volunteering either occurring in tandem with the service order or continuing on from it. In order to support the young person Volunteer Now recommends the triage proposal so that there is a tripartite meeting with the young person, the organisation and the support worker so that all parties are fully aware of the circumstances, the role and the expectations of the young person and the organisation. Volunteer Now has found that many organisations, which they Access NI check volunteers, will use common sense when faced with recorded offences.

Are there any Section 75 (1) equality issues you can identify in relation to these recommendations, or the alternatives you may have suggested, which would need to be taken account of? Please comment on any opportunities that could exist for promoting good relations [S75(2)]:

## **10. Bail and remand (Chapter 3.6)**

10.1. There are strict legal criteria, reflecting international standards, pertaining to the deprivation of liberty, particularly with respect to children. The law currently requires children accused of committing offences to be released pending trial, except under very specific circumstances. The report states that in Northern Ireland, a disproportionate number of children are remanded in custody, both in comparison with adults and other similar countries. To ensure custody is used as a last resort, the report recommends that there should be a general presumption of bail without conditions; bail information and support and supervision arrangements should be available at first court hearing; and all young people and their parents should participate in this process. Where bail conditions are set, they should be realistic, proportionate and relevant. The practice of using the Juvenile Justice Centre as a place of safety for PACE purposes should be reduced to an absolute minimum; and the current work to reduce the disproportionate number of looked after children in custody should continue and expand.

10.2. The report therefore recommends:

***8. The development of an appropriate range of supported (and if necessary secure) accommodation, accessible at short notice, to reduce to an absolute minimum the use of Woodlands as a place of safety under PACE.***

***9. Strict adherence to the statutory presumption of bail supported by:***

***a. the provision by the Youth Justice Agency of bail information, support and supervision at the first court appearance, with co-operation from the police and the Public Prosecution Service, where there is a serious risk of a custodial remand;***

***b. the application of relevant, proportionate and realistic bail conditions, but only where necessary;***

***c. the participation of young people and their parents in the setting of any bail conditions such that they understand and fully accept their implications;***

***d. the availability of an appropriate mix of suitable accommodation.***

Do you agree with the overall analysis in this section of the report? Please provide as comprehensive a response as you wish:

In your opinion, will the recommendations as drafted address the issues identified? Please include any practical, operational, resource or any other issues you feel are relevant:

Are there any Section 75 (1) equality issues you can identify in relation to these recommendations, or the alternatives you may have suggested, which would need to be taken account of? Please comment on any opportunities that could exist for promoting good relations [S75(2)]:

## **11. Youth conferencing (Chapter 3.7)**

11.1. Restorative justice now plays a crucial part in the response to youth crime in Northern Ireland. In particular, youth conferences offer an inclusive, problem-solving and forward looking response to offending in which the victim plays an important role. Re-offending rates are lower than for most other sanctions and victim satisfaction is high.

11.2. However, even with successful initiatives, fine tuning is needed to ensure that direct victim attendance is maximised, plans are relevant and proportionate and the incidence of multiple youth conferences is reduced through greater use of discretion by conference co-ordinators. Delay in the system also needs to be tackled robustly if offenders and victims alike are to gain the full benefits of the restorative process.

11.3. The report therefore recommends:

- 10. The success of the Youth Conferencing approach should be built on by:**
- a. maximising direct victim participation rates;**
  - b. ensuring conference outcomes are proportionate and relevant to the**

*offending;*

*c. reducing the time taken from arrest to conference disposal; and*

*d. ensuring coordinators use their discretion to return to court those cases which in their professional judgement would be better dealt with formally.*

Do you agree with the overall analysis in this section of the report? Please provide as comprehensive a response as you wish:

In your opinion, will the recommendations as drafted address the issues identified? Please include any practical, operational, resource or any other issues you feel are relevant:

Are there any Section 75 (1) equality issues you can identify in relation to these recommendations, or the alternatives you may have suggested, which would need to be taken account of? Please comment on any opportunities that could exist for promoting good relations [S75(2)]:

## **12. Youth Court (Chapter 3.8)**

12.1. Following the recommendations of the Review of Criminal Justice in 2000, the Youth Court has become a less formal and more child-friendly environment, but the lack of specialisation and the prevalence of poor communication concerned the Review Team despite the existence of good guidance for this purpose. They felt that failure to observe these basic principles risked undermining the effective delivery of justice. Greater specialisation, better training and greater compliance with NICTS guidance are all recommended, along with a single youth court jurisdiction.

12.2. The report therefore recommends:

***11. The status and content of the Northern Ireland Courts and Tribunals Service Official Guidelines for Youth Courts should be reviewed and arrangements***

*developed to ensure adherence on a consistent basis.*

*12. All judges, lay magistrates and lawyers working in the Youth Court should be specially trained and accredited to work within a new, single youth court jurisdiction.*

Do you agree with the overall analysis in this section of the report? Please provide as comprehensive a response as you wish:

In your opinion, will the recommendations as drafted address the issues identified? Please include any practical, operational, resource or any other issues you feel are relevant:

Are there any Section 75 (1) equality issues you can identify in relation to these recommendations, or the alternatives you may have suggested, which would need to be taken account of? Please comment on any opportunities that could exist for promoting good relations [S75(2)]:

### **13. Delay (Chapter 3.9)**

13.1. The report states that the delay that permeates the entire criminal justice system is a major problem. It denies justice to victims and defendants, undermines human rights and erodes confidence in the criminal justice system and the rule of law. Long delays affect every part of the system, from bail and remand to sentencing and rehabilitation.

13.2. Despite considerable endeavours to tackle the corrosive effects of delay, the Review Team felt that only modest progress, if any, has been made. The report argues that delay impacts more significantly on children than adults and should be addressed in the youth justice system first, with the lessons learnt being subsequently applied to the adult criminal justice system. A step-

change is needed to secure real change. A statutory time limit from arrest to sentence/disposal of 120 days is suggested as a necessary condition for reform.

13.3. The report therefore recommends:

***13. Urgent attention needs to be paid to driving down the time taken for all diversionary disposals, in particular diversionary youth conferences, which should be renamed PPS ordered youth conferences. This process should be closely monitored, with the use of appropriate targets, by the Criminal Justice Board.***

***14. Work to tackle the problem of delay should prioritise young offenders. The lessons learnt should then be applied to the adult criminal justice system.***

***15. Statutory time limits should be introduced for all youth justice cases, providing for a maximum period from arrest to disposal of 120 days. This provision, which should include protection for victims from injustice in cases where the time limits are exceeded, should be contained in the next Justice Bill and thereafter implemented within 12 months to ensure all agencies have enough time to prepare. The Criminal Justice Delivery Group and all relevant agencies should find the means to significantly reduce the time taken in advance of the legislation. The Criminal Justice Delivery Group, together with the Judiciary, should oversee and be held to account for delivering the time limits.***

Do you agree with the overall analysis in this section of the report? Please provide as comprehensive a response as you wish:

In your opinion, will the recommendations as drafted address the issues identified? Please include any practical, operational, resource or any other issues you feel are relevant:

Are there any Section 75 (1) equality issues you can identify in relation to these recommendations, or the alternatives you may have suggested, which would need to be taken account of? Please comment on any opportunities that could exist for promoting good relations [S75(2)]:

#### **14. Custody (Chapter 3.10)**

14.1. The report commends the decrease over the last 15 years in the overall number of young people held in custody and comments very favourably on Woodlands, the new Juvenile Justice Centre. Although an excellent facility, the report reflects the Review Team's view that it was too often used to accommodate young people who may pose no threat but have nowhere else to go or cannot comply with onerous bail conditions. The over-use of custodial remands, the disproportionate number of looked after children in custody and the use of an adult prison establishment, Hydebank Wood, to accommodate some of the more serious young offenders are also highlighted as matters of concern.

14.2. The report therefore recommends:

***16. The practice of allowing the courts to send persons under the age of 18 to Hydebank Wood Young Offenders' Centre should cease. Arrangements should be put in place to manage their transition to Woodlands Juvenile Justice Centre no later than 18 months from the publication of this report. As part of this, suitable options for accommodating a very small number of dangerous young offenders will need to be explored.***

***17. Young people who attain the age of 18 while in custody should have their place of detention determined by an assessment of their circumstances, paying particular attention to their needs and best interests.***

***18. The practice of using the Juvenile Justice Centre as a place of safety for PACE procedures for any child should be reduced to an absolute minimum***

*through the measures outlined in this report (recommendations 8, 9 and 19). The number of PACE places in Woodlands JJC should be limited to one or two.*

*19. Looked after children should no longer be placed in custody, either through PACE, on remand or sentenced, where this would not have been an outcome for children in the general population.*

Do you agree with the overall analysis in this section of the report? Please provide as comprehensive a response as you wish:

In your opinion, will the recommendations as drafted address the issues identified? Please include any practical, operational, resource or any other issues you feel are relevant:

Are there any Section 75 (1) equality issues you can identify in relation to these recommendations, or the alternatives you may have suggested, which would need to be taken account of? Please comment on any opportunities that could exist for promoting good relations [S75(2)]:

## **15. Reintegration and rehabilitation (Chapter 3.11)**

15.1. The report states that for those children who experience custody, there is a lack of adequate preparation for release, from day one of entry, and of continuity of support post release. In a worsening economic climate, where rates of youth unemployment are increasing, effective reintegration – which relies heavily on accessing education, training and stable employment – becomes more difficult. The situation is exacerbated by having a criminal record that can stay with the young person for many years and often well after offending has ceased. Poor choices and adolescent misbehaviour in early life should not, in the view of the Review Team, blight a young person's prospects and life chances forever. The report argues that rehabilitation policy and

legislation needs to be overhauled to reflect the principles of proportionality and minimise the counter-productive impact of a criminal record on desistance from offending. On reaching the age of 18, an opportunity should be given to some young offenders to start again with a clean slate.

15.2. The report therefore recommends:

***20. Greater priority should be accorded to the rehabilitation and re-integration of young offenders in custody. They should be prepared for release from the outset through, for example, day release for the purpose of education, training or employment and should have continuing access to support on a multi-agency basis.***

***21. Policy and legislation relating to the rehabilitation of offenders should be overhauled and reflect the principles of proportionality, transparency and fairness. Specific actions should include:***

***a. diversionary disposals should not attract a criminal record or be subject to employer disclosure;***

***b. young offenders should be allowed to apply for a clean slate at age 18;***

***c. for those very few young people about whom there are real concerns and where information should be made available for pre-employment checks in the future, a transparent process for disclosure of information, based on a risk assessment and open to challenge, should be established. The decision to disclose and the assessment on which it is based should be regularly reviewed.***

Do you agree with the overall analysis in this section of the report? Please provide as comprehensive a response as you wish:

In your opinion, will the recommendations as drafted address the issues identified? Please include any practical, operational, resource or any other issues you feel are relevant: Volunteer Now is aware that the increasing levels of youth unemployment enhanced by the worsening economic climate and the challenges faced by young offenders significantly reduces the likelihood of employment prospects. However, volunteering can greatly enhance the likelihood of young people gaining employment as it provides them with additional skills, experiences and a

personal understanding of the work place. It also shows commitment, a personal maturity and an ability to give something back to a community. The age of the MV programme has been reduced to 14 at the request of organisations and schools as they appreciate that it is beneficial for young people to begin the process of giving something back, to involve themselves constructively within the community and to receive positive recognition for their commitment. They also state that it helps to keep them off the streets at a very vulnerable age and hopefully prevent their involvement in anti-social behaviour as a result of their voluntary commitments.

Volunteer Now, through the Community Volunteering Scheme (funded by DSD to 2009), supported the development of volunteering opportunities within Greater Shankill Alternatives and their monitoring reports stated favourably the impact that volunteering had on the young people, particularly in relation to increasing community ownership, a feeling of self worth and a responsibility for their actions.

Are there any Section 75 (1) equality issues you can identify in relation to these recommendations, or the alternatives you may have suggested, which would need to be taken account of? Please comment on any opportunities that could exist for promoting good relations [S75(2)]:

## **16. Special groups (Chapter 3.12)**

16.1. A variety of specific groups of young people, especially looked after children and those with mental health and substance misuse problems, are over-represented in the criminal justice system and in custody. Agencies working with children and young people must carry out better assessments and make better provision for these groups.

16.2. The report therefore recommends:

***22. All agencies working with children and young people should improve their understanding of special needs and the impact these have on those specific groups over-represented in the youth justice system and in custody. The DHSSPS should lead in developing better assessment, inter-agency information***

*exchange and cross-referral mechanisms alongside more specialised interventions.*

Do you agree with the overall analysis in this section of the report? Please provide as comprehensive a response as you wish: Yes

In your opinion, will the recommendations as drafted address the issues identified? Please include any practical, operational, resource or any other issues you feel are relevant: Yes. Assessment, adequate and appropriate training, inter-agency co-operation and cross referral will, in our view, support and better equip staff to support young people.

Are there any Section 75 (1) equality issues you can identify in relation to these recommendations, or the alternatives you may have suggested, which would need to be taken account of? Please comment on any opportunities that could exist for promoting good relations [S75(2)]:

## **17. Strategic and practical arrangements for delivery (Chapter 4)**

17.1. The report stresses the importance of investing in the current generation of young people, and suggests that the First Minister and deputy First Minister and Ministers of Departments with key responsibilities relating to children need to commit themselves to prioritising children's issues and re-energising the Government's 10 year Children's Strategy.

17.2. Children who offend may receive targeted interventions from the criminal justice system but they should not, by virtue of this, be disconnected from the support and services available from universal providers. This general principle needs to inform joined-up thinking, policy and practice at the strategic, commissioning and delivery levels.

17.3. At the local level, services for children and young people, including those who offend, should be delivered by multi-agency teams overseen by and

accountable to the Children and Young People's Strategic Partnership (CYPSP). Policy and professional practice relating to children should be child-friendly and not adult-centric and build on the success of the youth and community sector. The Criminal Justice Delivery Group, chaired by the Minister of Justice, along with the Criminal Justice Board, need to develop a greater strategic interest in youth justice and the connections with the wider children's strategy and delivery issues.

17.4. The report therefore recommends:

***23. The First and deputy First Ministers should reconfirm the Government's commitment to children and young people through the establishment of a Ministerial Committee comprising the Ministers of Education, Health and Social Services, Social Development and Justice as its core members. Its overarching aim should be to promote social inclusion, prevent off ending, deliver better outcomes for children and facilitate the transition to adulthood. This Ministerial group should set the strategic direction, rationalise and make more coherent the current strategic planning process and engage other Ministers as necessary.***

***24. The Children and Young People's Strategic Partnership (CYPSP) should become the strategic, multi-agency forum through which regional and local priorities are agreed.***

***25. The Criminal Justice Delivery Group should develop a strategic interest in youth justice and, together with the Criminal Justice Board and the Ministerial Children's Committee, take overall responsibility for implementing the recommendations in this report. They should also address, as a matter of urgency, the paucity of high quality statistical data and research across and beyond the criminal justice system.***

***26. The Ministerial Committee and the CYPSP should take the lead in developing a multidisciplinary model of practice for children in need and oversee its implementation across Northern Ireland. Once developed and agreed, consideration should be given to putting these arrangements on a statutory footing.***

***27. The success of youth and community work in Northern Ireland should be built on by providing additional resources to support its expansion, allowing other agencies to draw on the skills and expertise of youth and community workers in engaging young people, especially those who offend.***

Do you agree with the overall analysis in this section of the report? Please provide as comprehensive a response as you wish:

In your opinion, will the recommendations as drafted address the issues identified? Please include any practical, operational, resource or any other issues you feel are relevant:

Are there any Section 75 (1) equality issues you can identify in relation to these recommendations, or the alternatives you may have suggested, which would need to be taken account of? Please comment on any opportunities that could exist for promoting good relations [S75(2)]:

## **18. Children's rights and international standards (Chapter 5)**

18.1. The Team's terms of reference required them to have regard to international obligations. They took the view that, in general, there is in Northern Ireland a clear understanding of the importance of respecting and promoting the rights and interests of every citizen, although they felt that public authorities should be reminded of their Section 75 obligations to children. With respect to youth justice, they observed that certain challenges still remained, as identified by the UNCRC Committee in 2008. Taking these into account, the Team felt that Article 3 of the UN Convention on the Rights of the Child, which establishes the principle of the best interests of the child as a primary consideration, should become part of the principal aim of the youth justice system and be explicitly reflected in policy and professional practice.

18.2. They also considered the minimum age of criminal responsibility in some detail. They concluded that it should be raised to 12 with consideration given after a period of time to raising it further to 14. The small numbers of children below these ages involved in offending still need support and discipline and to be held to account for their behaviour, but this should not be through a criminal justice process that further damages them.

18.3. The report therefore recommends:

**28. Section 53 of the Justice (NI) Act 2002 (the aims of the youth justice system) should be amended to fully reflect the best interest principles as espoused in Article 3 of the UN Convention.**

**29. The minimum age of criminal responsibility in Northern Ireland should be raised to 12 with immediate effect, and that following a period of review of no more than three years, consideration should be given to raising the age to 14.**

**30. We further recommend that, in the intervening period, appropriate local services and programmes should be developed to meet the needs of children and young people who would otherwise have entered the criminal justice system.**

**31. The NI Executive should make it clear to all public authorities that the “age” category in Section 75 of the Northern Ireland Act 1998 requires them to consider how their policies and practices impact on children and young people**

Do you agree with the overall analysis in this section of the report? Please provide as comprehensive a response as you wish: yes.

In your opinion, will the recommendations as drafted address the issues identified? Please include any practical, operational, resource or any other issues you feel are relevant: Volutneer Now support all of the recommendations outlined in the report and look forward to their implementation.

Are there any Section 75 (1) equality issues you can identify in relation to these recommendations, or the alternatives you may have suggested, which would need to be taken account of? Please comment on any opportunities that could exist for promoting good relations [S75(2)]:

## **19. Any other comments**

19.1. If you have any further comments to make on the report or its recommendations which have not already been covered, please do so here.

Further comments:

Volunteer Now has been involved in the promotion of youth volunteering since its inception through the delivery of a number of programmes, namely Young Citizens in Action and the Millennium Volunteer Programme. Volunteer Now's youth team supported by the community engagement officers regularly talk to young people about the benefits that volunteering can bring to them and to the wider community; to organisations about the benefits of including young people as volunteers and to schools and education providers about the reasons why they should support, encourage and recognise the volunteering which young people undertake.

The Young Citizens In Action programme has been encompassed into our everyday work and as a result we encourage young people to become volunteer ambassadors, share their stories and experiences and support us in our work. The Millennium Volunteer programme celebrated its 10th birthday in 2010 and over 8000 young people have been recognised for their sustained commitment to volunteering during those years. The programme is supported by the Department of Education through the Youth Council for Northern Ireland and rewards the young people (aged 14 to 24years) with certificates for 50, 100 and 200 hours.

As part of our work we have engaged further education organisations, businesses and schools to include young people as volunteers but also to recognise the value which volunteering can bring to the young person.

Outlined below are some endorsements/comments:

The University of Ulster has said...

“Skills and aptitudes gained from involvement and experiences in the broader learning environment often prove vital in enabling students to successfully complete the transition into higher education. Millennium Volunteers incorporates many of these important elements and has the potential to empower students to put their learning, through volunteering, to best use in the real world of higher education.”

Business in the Community is a membership organisation for successful companies in NI with almost 250 members and they have said, “Business in the Community recognises the value that volunteering brings through development of experience, personal skills and the knowledge of the workplace. Millennium Volunteers provides the structure and recognition to enable young people to add value to their future prospects, to make a difference to their local community and bring a wealth of experience to any organisation which they join.”

Speaking about young volunteers, Lloyds TSB Foundation for NI has said, “Skills and experience gained through Millennium Volunteers can be beneficial in their educational developments as well as developing an increased sense of citizenship.”

SEELB - Alternative Education Provision (AEP)

“We feel that working in partnership with MV provides our young people with the chance to learn new skills in different working environments in preparation for the world of work as well as develop existing skills such as building relationships and Self Confidence. Through this experience our young people appreciate the acknowledgement of their individual involvement through the presentation of certificates.”

Volunteer Now believes that volunteering can play a hugely significant role in reducing the levels of crime amongst young people, support the reduction in re-offending and also support the integration of offenders into their community.

Volunteering can give young people the personal development skills and experiences which can assist them in finding who they want to be, employment prospects and personal satisfaction for their contribution. The Millennium Volunteer programme can support this process and we would be willing to work with the Youth Justice Agency or other interested organisations to pilot this programme.

Volunteer Now would also be willing to have membership or an input into the Children and Young People's Strategic Partnership.

Thank you for taking the time to respond to this consultation. We look forward to receiving your comments by 5pm on Friday 30 December 2011.

Youth Justice Unit  
Department of Justice  
26 September 2011