

include YOUTH

Response to the Programme for Government Delivery Plan Outcome 7

January 2017

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Include Youth

Include Youth is an independent non-governmental organisation that actively promotes the rights, best interests of and best practice with disadvantaged and vulnerable children and young people.

The young people we work with and for include those from socially disadvantaged areas, those who have had poor educational experiences, those from a care background, young people who have committed or are at risk of committing crime, misusing drugs and/or alcohol, engaging in unsafe or harmful sexual behaviour, or at risk of being harmed themselves. We provide a range of tailored employability programmes for these young people, including programmes in partnership with community based organisations.

Our Give & Take Scheme adopts a youth work approach to improving the employability and increasing the self-esteem and confidence of young people aged 16 to 24 who are not yet ready to participate in mainstream training.

Many of these young people have experienced social exclusion, poverty or have other complex challenges in their lives and therefore need additional support to overcome these barriers and positively progress their education, training or employment needs. Seventy-five per cent of young people on the Scheme are care experienced, while over a third have a background in offending. We offer a range of tailored programmes including

- Core - for young people referred to us through the Health Trusts
- Start Programme – a collaborative partnership programme with community based organisations, targeted at young people in the North Down, Ards and Belfast areas
- Outreach - for groups or organisations throughout Northern Ireland
- One to One - for young people at risk of child sexual exploitation
- Transitional support - for those moving on from our Scheme and into mainstream education, training or employment

Our main offices are in Belfast, Armagh, Ballymena, Derry, Enniskillen, Newtownards and Omagh.

Include Youth also delivers an Employability Service on behalf of two of the five Health Trusts for young people aged 16 + who have had experience of the care system. This service is designed to offer tangible and concrete opportunities to assist young people leaving care to prepare for, and engage in work. We also deliver a joint employability mentoring project with Business in the Community.

Include Youth also engages in policy advocacy work in the areas of employability, youth justice and policing. This work is informed by relevant international human rights and children's rights standards, is evidence based, including that provided by young people and practitioners and is based on high quality, critical analysis.

General Comments

We support an outcome which enables young people to live safely and which addresses any barriers which may exist to them being able to contribute fully to their community and to feel secure and valued. The continued negative influence of paramilitary groups on many young people cannot be underestimated. We know from our direct work that some young people experience intimidation and threat from paramilitary groups and this has a direct impact on their feelings of harassment and control. It is critical that this outcome includes a firm commitment to address this issue. While we fully support the intention to develop proposals for interventions focusing on young men who are vulnerable to involvement in paramilitarism, we would urge that actions arising from Outcome 7 will also highlight and present concrete proposals for how young people will be protected from paramilitary violence.

As we previously stated in our response to the Programme for Government, we welcome the intention to intervene early with young people on the cusp of the criminal justice system but would emphasize the need for this intervention to be delivered from a welfare based approach rather than a justice model. Early intervention work is best delivered by health and social services, education and communities. Where possible young people and their families should not be labelled or brought into the justice system unnecessarily. We welcome the Department's commitment to adopting a welfare approach and would welcome more detail on what this will actually look like in practice and how it will involve the actions other Departments.

While the programme notes that proposals from the scoping study on children in the justice system will be taken forward and that there will be a 'refocus of the approach to working with juvenile offenders in custody', there is not sufficient detail on what the specific actions of these proposals will be.

We would also like to see reference to the need to fully implement the recommendations of the Youth Justice Review.

We welcome the move towards a problem-solving justice model and look forward to receiving more detail on how this will operate in practice.

As we already stated in our response to the draft programme, the measurement of the average time taken to complete criminal cases under Indicator 38 to Increase the effectiveness of the justice system, is narrow in its approach. While speeding up the system is undoubtedly critical, there are other aspects that must be considered when assessing the effectiveness of the system, such as how due process is protected, how children and young people have their needs met within the youth justice system, how we reduce the numbers of children coming into contact with the system and address the over representation of certain groups, such as looked after children and those with mental health issues.

Indicator 1: Reduce crime and the harm and vulnerability caused by crime

We are concerned by the limitations of using the NI Crime Survey to enable the measurement of harm caused by crime, with a particular focus on the most vulnerable. Clearly, children and young people would be regarded as being extremely vulnerable and yet as the Department has acknowledged, this survey does not include under 16 year olds, including those living in group residences. We would voice our concern about the current gap in information on the experiences of young victims and the urgent need to prioritise evidence gathering on this. There is a need for detailed research on the number and nature of crimes committed against children and young people. This is especially urgent as we know that many children do not report crime.

Our experience is that the majority of young people we come into contact with do not have faith in the criminal justice system and if they become a victim of crime do not believe that their views will be listened to or respected. In the past Include Youth has sought the views of young people on their experiences of crime and their level of awareness of support services available to them. These conversations have demonstrated that young people who are victims of crime, are largely unaware of victim's organisations, have serious reservations about reporting a crime and do not have a great deal of faith in a positive outcome if they do report a crime. The Department should develop plans to gather data that will accurately record the prevalence and impact of crime against children and young people. Unless this data is collected we will not be able to assess if the proposed actions from the delivery plan will have any real impact on young victims.

Include Youth welcome the proposal to develop early interventions with young people on the cusp of the criminal justice system and fully support the importance of intervening early. We agree that if vulnerabilities are addressed and supports are set in place at an early stage then it is less likely that young people will come into contact with the criminal justice system. It is essential that the complexities of young

people's lives are identified and understood and that appropriate, well resourced support is provided through early intervention measures. Such an approach targeted at promoting the well being of all children and characterised by universal services, holistic approaches and decriminalising responses comprise the most effective and least damaging forms of intervention and will subsequently minimise the necessity for intervention by the criminal justice system.

We would stress the importance of joint working in the area of intervention and of this work being undertaken and led by agencies from outside the justice system, including those working in health and social care, education and housing. It is our firm belief that intervention services should be supported, but not directed by the justice system but rather through genuine collaborative partnerships, which will include other government departments, agencies and the voluntary and community sectors.

We support the practice of diversion but would like to see young people diverted out of the justice system entirely rather than being diverted to another part of the justice system. We would welcome the inclusion of an independent evaluation of Youth Engagement Clinics within the delivery plan.

We would welcome further detail on the evaluation of the pilot 'Concern Hub' in Derry and Strabane Council area and the intended roll out to other areas, when it is available.

We note the intention to work with relevant agencies to support 'place based approaches' to issues, involving communities in the design and implementation of initiatives to reduce crime. Given the disconnect that many young people feel with their local Policing and Community Safety Partnerships we would urge the Department to ensure that children and young people are fully included in the development of 'place based approaches'.

Children and young people should also be included in the development of the new Victim and Witness Action Plan.

Indicator 38: Increasing the effectiveness of the criminal justice system

Include Youth have been engaged in the consultations on speeding up justice and in particular on the development of Statutory Time Limits (STLs) for the last 5 years. We have submitted detailed responses to all the consultations which the Department have issued on STLs. Our position remains the same. We are disappointed that this delivery plan does not provide a firm commitment to introduce end to end STLs in

youth courts, as called for by the Youth Justice Review and Criminal Justice Inspection. The plan states that the Department will 'finalise policy considerations on whether to introduce STLs'. This is deeply disappointing given the time that has been given and the number of consultations conducted on this issue. Include Youth have repeatedly called for the introduction of STLs as recommend by the Review.

In our view the evidence was overwhelming on the best way forward with regard to the implementation of STLs from an early stage in the consultation process. The Youth Justice Review was clear in what needed to happen with regard to tackling delay and on what the proposed start and end time of any STL could be.

The Youth Justice Review stated that the issue of delay stood out above all others as being in urgent need of reform. The Review recommended that end-to-end STLs covering the period from arrest to disposal be introduced and should be no longer than 120 days. The Review also stated that it was aware that provisions already existed in the Criminal Justice (Northern Ireland) Order 2003 for the introduction of STLs, but that it did not regard them as adequate, as they do not make provision for STLs on an end-to-end basis.

Indicator 39: Reduce Re-offending

We welcome the proposal to adopt a welfare based rather than punitive approach to children engaged in offending behaviour. We would welcome more detail on what this will look like in practice. We note the proposal to take forward actions from the Scoping Study on children in the justice system, Without being provided with the detail on what these proposals are we are unable to comment fully on this point. We would welcome more detail on the agreed Implementation Plan of the Scoping Study.

We agree that access to education, training and employment is critical to help reduce re-offending rates and young people should be being prepared for release as soon as they enter the system. Sustainable employment is a key factor in reducing reoffending and this is evidenced by the work of our Give and Take Scheme and our commitment to helping young people improve their chances at accessing training, education and securing employment opportunities. There is a deficit in provision of appropriate training and pre-employment programmes which have the necessary skills and knowledge to engage with justice experienced young people.

The delivery plan must address the specific employability needs of young people and work with other relevant departments to ensure that specific objectives and actions are developed to meet these needs.

We would seek reassurance that the proposal to address the complexities of the accommodation needs of offenders will include the accommodation needs of children and young people. This is particularly important given the number of children and young people who may be detained due to lack of suitable accommodation.

While the delivery plan notes the importance of improving access and opportunities for education and employment and addressing the accommodation needs, it does not mention the need to ensure health needs are also met on release from custody. Positive physical and mental health is an essential element in being able to build a new life on release and to prevent a return to offending. We are concerned about the high level of mental health needs of children and young people within the youth justice system and would like to see the delivery plan include the importance of the provision of adequate mental health provision for young people.

Concluding Comments

We welcome the opportunity to comment on the Delivery Plan for Outcome 7 and are happy to expand further on any of the points we have made.