



Department of
Justice

An Roinn Dlí agus Cirt
Máinnystrie o tha Laa



Strategic Framework for Youth Justice

**Annual Update Report
2022/23**

INTRODUCTION AND BACKGROUND

Introduction

The Strategic Framework for Youth Justice committed the Department to producing an annual update report in order to inform its stakeholders of progress made in delivering on the high-level outcomes set out in the Framework. This is the first such report and provides information relating to year one i.e. between the dates of 1 April 2022 to 31 March 2023.

Background

The first Strategic Framework for Youth Justice (SFYJ) in Northern Ireland was launched by the former Justice Minister in March 2022. It was developed in partnership between the Department of Justice (DoJ) and the Youth Justice Agency (YJA) and was informed by the views of stakeholders as well as a range of expert reviews and reports on the youth justice system.

The vision for the five-year Framework is for “*a progressive youth justice system – delivering better outcomes for children and communities*” and the following 4 high-level outcomes were identified as being key to ensuring the achievement of this vision:

1. Children are exited from the justice system at the earliest point, with appropriate support;
2. Positive outcomes for children, families, victims and communities affected by offending;
3. Children will only ever be placed in custody as a last resort; and
4. Working in partnership to deliver wider, systemic change to improve the lives of children.

An action plan was developed alongside the SFYJ and contains a total of 16 actions for delivery over the term of the Framework, split between the above-mentioned 4 outcomes. These are being led by 3 organisations – the Department of Justice, the Youth Justice Agency and the Regional Care and Justice Programme Team and will be delivered with the assistance of a range of key partners including PSNI, PBNI, OLCJ, NICTS and VCS organisations.

The actions have each been designated a timeframe during which they should be completed. The timeframes are split between ongoing, short-term (within 1 year), medium-term (2-3 years) and long-term (4-5 years).

Strategic Framework for Youth Justice Implementation Group

In order to ensure effective implementation of the SFYJ, an Implementation Group was established in July 2022, comprising all of the lead organisations involved in delivering the action plan as well as representation from the voluntary sector. The

terms of reference for this group, which is chaired by Reducing Offending Division within the DoJ and meets 3 times a year, are attached at **Annex A**.

While the SFYJ is a final document, the accompanying action plan is a living document and can be added to or amended during the lifespan of the Framework, subject to the agreement of the Implementation Group. The annual update provides an opportunity to share with stakeholders the latest version of the action plan, which includes any revisions, as well as information in relation to the progress made in delivering all outstanding actions.

Engagement with children and young people

Ensuring the voices of children and young people are heard and taken account of in the development of initiatives aimed at improving outcomes for those in contact with the youth justice system was a key element in developing the Framework, and continues to be important in implementing it. The views of those with lived experience of the system and those of their parents/carers will be particularly beneficial in informing policy/service development as this work progresses.

A paper clarifying our intentions with regards to participating with children and young people was agreed by the Implementation Group at its inaugural meeting and is attached at **Annex B**. Further information in relation to engagement with this cohort, in year one of the Framework delivery, is provided throughout this update report.

SUMMARY OF PROGRESS IN YEAR ONE

Outcome 1

Children are exited from the justice system at the earliest point, with appropriate support.

Priority Activity - justice organisations are to work collaboratively with other statutory and third sector partners to help children avoid entering, or moving further into, the formal justice system.

Context

Evidence points towards early intervention as being key to delivering better long-term outcomes for children and young people, whether these outcomes relate to education, health or involvement in the justice system. The number of children entering the justice system has seen a comprehensive reduction in the past decade, largely due to the focus on the implementation of diversionary initiatives aimed at preventing children from entering or moving further into it. This was demonstrated in the SFYJ by highlighting the following figures:

- a 54% reduction in the number of children entering the justice system for the first time for offending behaviour¹, from 1,555 children in 2011/12 to 710 children in 2019/20; and
- a 59% reduction in the number of children dealt with by the youth courts², from 3,023 in 2011 to 1,256 in 2019;

Further reductions were evidenced in reports subsequently published, however the impact of Covid-19 on the courts system in Northern Ireland means that these figures cannot be reliably used as comparable data.

Actions and Progress Update

	Action	Progress
1.1	Develop and deliver Earlier Stage Diversion (ESD), in partnership with statutory and voluntary organisations, in order to exit children from the criminal justice system at the earliest possible stage, with appropriate support. Lead – YJA Timeframe for delivery - ongoing	Throughout the course of 2022/23, the YJA continued to deliver a range of ESD interventions across youth justice services, in conjunction with partners from the statutory and voluntary sectors. The Agency has reported that engagement and completion rates for ESD interventions remain high. In 2021/22, 84.4% of ESD referrals were successfully completed and 96.4% of Community Resolution Notices were completed. A performance impact report

¹ First time entrants to the criminal justice system 2019/20

² Judicial System Statistics 2019

		<p>detailing information relating to the delivery of ESD in 2022/23 will be published by the Agency later in the year.</p> <p>In addition, the YJA has been working with the PSNI on proposals to expand the range of offences for which a CRN can be applied. This should have a positive impact on outcomes for young people who have been charged with low level offences, ensuring that more children are exited from the system at the earliest stage, without a criminal record. Currently offences which could result in a CRN being issued include low level public disorder, criminal damage, theft, minor assaults and minor drug related offences.</p> <p>This action has now been embedded in the YJA as business as usual and will not be reported on annually as part of the annual update to the SFYJ. Information on the delivery of ESD will continue to be available in the YJA’s Annual Report and Accounts and in YJA’s annual performance impact reports.</p>
1.2	<p>Evaluate the rollout of the Children’s Diversion Forums to ensure children throughout Northern Ireland have equitable access to multi-agency support aimed at preventing them from moving further into the formal justice system</p> <p>Lead – YJA Timeframe for delivery – 2-3 years</p>	<p>Children’s Diversion Forums (CDFs) have been rolled out across Northern Ireland. A specification and invitation to tender has now been completed in order to allow an evaluation of CDFs to be commissioned. The e-procurement process will commence early in 2023/24.</p>
1.3	<p>Explore proposals for the development of a diversionary disposal which does not attract a criminal record</p> <p>Lead – YJA Timeframe for delivery – 2-3 years</p>	<p>Work has been taken forward to develop a new diversionary disposal which would allow youth justice services to deliver ESD services to those children who require a more robust ESD provision without their case having to be escalated to the formal justice system. Discussions are ongoing with all relevant partners in order to ensure that the required systems and processes are in place before a pilot of the new disposal is commenced.</p>

Outcome 2

Positive outcomes for children, families, victims and communities affected by offending.

Priority activities identified under this outcome are:

- to simplify and streamline the current provision of community orders;
- to deliver enhanced engagement and support for the most complex cases; and
- to develop and deliver Model of Practice workstreams for continuous service improvement.

Context

Offending behaviour by young people does not only affect the individual but impacts on their families, schools and communities, not to mention the significant harm it causes to victims. Therefore, any action which can be taken to improve outcomes for young people in contact with the justice system, will also have a beneficial impact on others affected by youth offending.

While the number of young people being prosecuted at court and receiving diversionary disposals has decreased in recent years, those working with children who offend have reported increasingly complex needs, including mental health problems, addiction issues and difficulties accessing mainstream education or training opportunities. It is vital that youth justice disposals and services are designed to adequately meet the needs in those in our care to provide them with the tools they need to prevent them from reoffending.

There are 4 actions falling under Outcome 2 and these are equally split in terms of lead responsibility between the Department of Justice (2.1 & 2.2) and the YJA (2.3 & 2.4).

Actions and Progress update

	Action	Progress
2.1	Introduce a new flexible order to replace the existing 7 community orders based on current evidence and best practice. Lead – DoJ Timeframe for delivery – 4-5 years	Two task and finish groups were established in order to take forward actions 2.1 and 2.2. Both groups are well-represented by members from key justice organisations and are chaired by Reducing Offending Division in DoJ. A representative from the VCS also sits on each T&F group and an academic from QUB working in the area of youth justice has also agreed to participate in this work.
2.2	Develop a pilot for child-friendly youth court hearings informed by problem solving	The focus for the first T&F group will be to develop a framework for a new single flexible

	<p>justice approaches here and in other jurisdictions.</p> <p>Lead – DoJ</p> <p>Timeframe for delivery – 2-3 years</p>	<p>community order to replace the existing 7 orders which are available to be handed down to children. The terms of reference for the group have been agreed, including the key roles and responsibilities. Work has commenced on the following aspects of the project:</p> <ul style="list-style-type: none"> • identifying and agreeing the aspects of the current system which should be retained and/or which need addressed; • researching and sharing information and best practice from other jurisdictions to inform the development of a new community order; • identifying options and recommendations for the structure, content and delivery of the new order; and • considering relevant data and evidence to enable future measurement of success, or otherwise, of the new order once it is implemented <p>The second T&F group is looking at the current operation of youth courts in Northern Ireland and considering what changes are required in order to make them more child-friendly, with the aim of ending, what is for many children, the cycle of offending and sentencing. As is the case with the first T&F group, terms of reference have also been agreed for this group and work has commenced on the following:</p> <ul style="list-style-type: none"> • researching and sharing information and best practice on problem-solving justice and informal hearings from both NI and other jurisdictions to inform the development of the pilot; • considering the parameters of any pilot to be undertaken, including its scope, location and duration; • considering possible policy, operational or legislative barriers to progressing the pilot; • scoping relevant data and evidence to enable future measurement of success, or otherwise, of the pilot. <p>In the coming months, the focus for both T&F groups will be on engaging with children and young people to enable their views and</p>
--	--	---

		experiences to be taken into account before finalising the parameters of this work. The views of parents/guardians/carers will also be sought and taken account of.
2.3	<p>Develop and deliver an Enhanced Case Management framework for children who pose a high risk of significant harm and/or who have complex needs.</p> <p>Lead – YJA Timeframe for delivery – within year 1</p>	<p>An Enhanced Case Management (ECM) framework was designed and launched on 1 November 2022. The ECM was developed on the principles of "Children First" and will replace the YJA's Intensive Support and Supervision Programme (ISSP). All YJA practitioners and managers have been trained in applying the new framework and it is now on the data development agenda within the Agency.</p> <p>This action is now complete.</p>
2.4	<p>Develop a rolling programme of service developments that improve the support to children who have offended and help reduce re-offending. In the short-term this will focus on :</p> <p>(i) Rolling out the YJA-HSC joint CAMHS service across NI to provide effective access to mental health support services for children in the justice system, subject to budget availability.</p> <p>(ii) Improving employability among 16 and 17 year-olds in the justice system by developing a wider set of partnerships and improving connections for young people to existing services.</p> <p>(iii) Improving support for the families of children in the justice system both through direct delivery by YJA and improving referral pathways to services already funded by Health, Education and others.</p> <p>Lead – YJA</p>	<p>In respect of the last action under this outcome, 2.4 has 3 elements. Action 2.4(i) relates to the extension of the YJA-HSC CAMHS pilot on a regional basis. The pilot is currently operating in 2 areas: the Southern Trust and the Western Trust. Plans are being developed, subject to funding, to extend the pilot to further areas in 2023-24. Data collected continues to evidence positive outcomes for those children engaged.</p> <p>In respect of action 2.4(ii), the YJA actively participated in the DfC-led pilot JobStart programme for people with experience of the justice system. Out of 8 participants, 6 young people obtained a work placement through the pilot, 1 young person has been referred back for additional support and 1 participant is still on the scheme. The Juvenile Justice Centre's (JJC) partnership with People 1st ensures pathways to further training and employment are in place for young people leaving custody. A new partnership agreement was signed with Careers Service in October 2022 to improve careers advice and support for young people in contact with YJA.</p> <p>The final element of action 2.4 concerns improving support for the families of young people in the justice system. Through a dedicated family support worker in the JJC and staff in the Belfast and Eastern Area Teams, the Youth Justice Agency continues</p>

	<p>Timeframe for delivery – within year 1</p>	<p>to run a weekly Parents Support group. This primarily involves parents in the Greater Belfast area. Parent participation has identified challenges and issues for parents/carers and has assisted the designing of a timetable to allow targeted programmes and support to be delivered.</p> <p>The Agency Corporate Plan 2022-25 contains a commitment to expand its work with families and additional work is in the planning stage, including through the Working with Families component of the YJA Model of Practice (MOP).</p> <p>Actions 2.4 (ii) and (iii) have now been embedded in the YJA as business as usual and will no longer be reported on as part of the SFYJ Action Plan.</p>
--	---	--

Outcome 3

Children will only ever be placed in custody as a last resort.

Priority activities identified under this outcome are:

- to introduce legislative reforms on bail and remand for children during the next Assembly mandate; and
- to support the development and implementation of a Regional Care and Justice Campus in partnership with the Department of Health.

Context

Article 37 of the United Nations Convention on the Rights of the Child states that children should only ever be held in custody as a measure of last resort and for the shortest period of time possible. Just as the number of children entering the formal youth justice system has decreased considerably in the past decade, so has the number of children held in Woodlands Juvenile Justice Centre (the only secure justice facility in Northern Ireland). The latest published figures³ show that in 2021/22, the number of individual children held in custody was 106. This represents a decrease of 36.5% when compared to figures published for the same period 5 years earlier.

Despite considerable improvements made to keep children out of custody, concerns remain over the number of children held each year who do not go on to receive a custodial sentence. This raises the question as to whether the majority of children held on PACE or remand are being held in accordance with the principle of custody as a last resort.

Mentioned earlier in this progress update is the increasing complexity of needs experienced by a growing number of those young people in contact with the youth justice system. This is also true of those held in custody, and a Health Needs Assessment carried out amongst children in the JJC in 2019 found that almost 7 in 10 children were involved with the in-reach Forensic Child and Adolescent Mental Health Service. Incidence of moderate and severe learning difficulties amongst the assessed cohort was also much higher than the NI average, with the majority not in regular attendance at mainstream schools.

Actions and Progress update

	Action	Progress
3.1	Improve arrangements for bail and remand for children through amendment to primary legislation. Lead – DoJ	Progress on the delivery of this action has been somewhat delayed due to the absence of a working Executive. As referenced in the Strategic Framework, the Department has completed preparatory work on the drafting of

³ NI Youth Justice Agency Annual Workload Statistics 2021/22 - NISRA

	<p>Timeframe for delivery – 2-3 years</p>	<p>provisions aimed at improving outcomes for children in contact with the justice system. These provisions aim to strengthen the existing presumption of bail for children and introduce unconditional bail as standard. Work has also been undertaken in order to develop legislative provisions to address an administrative fix to the current situation whereby no person under the age of 18 is held in an adult custodial facility. The inclusion of the aforementioned provisions in a Bill for introduction during the next mandate will be dependent on the priorities of the incoming Justice Minister.</p>
<p>3.2</p>	<p>Work in partnership with Health to implement a new Regional Care and Justice Campus. As part of this joint work, we will:</p> <ul style="list-style-type: none"> - Consider alternative arrangements to “place of safety” admissions to the new secure care centre; - Implement the NI Framework for Integrated Therapeutic Care (NIFITC) for all care-experienced children in Northern Ireland; and - Develop and implement a new model of education, training, health and therapeutic care for children within the secure care centre. <p>Lead – Regional Care and Justice Programme Team Timeframe for delivery – 2-3 years.</p>	<p>Action 3.2 in relation to the new Care and Justice Campus is being taken forward in the context of a subsequent joint Ministerial decision to harmonise a number of services provided by both Woodlands JJC and Lakewood Secure Care Centre, while continuing to operate both facilities independently. Progress continues to be made in relation to the harmonisation agenda with the following key activities undertaken within this reporting period:</p> <ul style="list-style-type: none"> • A sub-group was set up to look at reducing unnecessary PACE and remand admissions. Following discussions with stakeholders and analysis of PACE 27 information, a draft report, which includes potential actions, has been completed for consideration by the Regional Care and Justice Programme Working Group. • There has been positive engagement with delivery partners and progress made on actions to support harmonisation of services across both sites to support identified needs of young people, including joint working on NIFITC implementation. <ul style="list-style-type: none"> - The multi-disciplinary health and therapeutic care model (the ACORN Service) is in place across both sites, and new procedures are being developed to support service delivery. - A Project Board has been established to consider the feasibility of the development of a Shared Vocational Services Pilot across both sites and will work towards addressing a number of operational issues,

		<p>through the development of a protocol, to facilitate the introduction of the first stage of the pilot in the summer term.</p> <ul style="list-style-type: none"> - Framework for Integrated Therapeutic Care implementation teams and residential working groups are functional in all Trusts and are now being progressed across the two secure care settings to individually plan implementation reflecting local needs and circumstances. Consideration is being given to evaluation of implementation within residential care. - Standards to promote integrated and trauma informed care that is consistent across the secure care settings are being developed.
--	--	--

Outcome 4

Working in partnership to deliver wider, systemic change to improve the lives of children.

Priority activities under this outcome are:

- To explore the potential reform of wider systemic issues, in the best interests of children.
- To deliver agreed recommendations from the Independent Reviewer of Criminal Records.
- To deliver a streamlined youth justice legislative framework which is simpler and more easily understood.
- To improve transitions for young people.

Context

We know from available research⁴ that the further a child enters the formal criminal justice system, the worse the long-term outcomes for that child will be. In Northern Ireland, the youngest age at which a child can be held criminally responsible for their actions is 10 years old. This is one of the youngest ages of criminal responsibility in Europe and also in the world. In practice, this means that primary school children living in Northern Ireland can be arrested and held within a custodial facility. Legally, there is also nothing preventing that child from being held in a facility designed for holding adult offenders, although the Department did put in place an administrative fix in 2012 to prevent this from happening in practice and work is ongoing to address this in legislation.

Once involved in the system, a number of other systemic issues can contribute to poorer long-term outcomes for children. Delays in processing cases from initial

⁴ See, for example, McAra, L. and McVie, S. (2007) "Youth Justice? The impact of system contact on patterns of desistance from off ending" – European Journal of Criminology

investigation to sentencing mean that children will often find themselves being punished for an offence which happened several months ago. The stress involved in waiting for proceedings to conclude can make it difficult for children to participate fully in regular activities, including education, which in turn is a risk factor for further offending.

Furthermore, any formal contact with the criminal justice system can result in a child ending up with a criminal record. This can leave them facing considerable barriers in the future in terms of accessing education, training, employment and travel. The creation of the Independent Reviewer role in 2016, with responsibility for reviewing criminal record information disclosed by AccessNI on Standard or Enhanced checks, has had a positive impact on future outcomes for a number of young people. However, there is still more which can be done to limit the long-term impact of criminal records, including for those whose offences fall within the list of specified offences which cannot currently be filtered out.

Actions and Progress update

	Action	Progress
4.1	Consult on increasing the Minimum Age of Criminal Responsibility (MACR) to 14 years in Northern Ireland. Lead – DoJ Timeframe for delivery – within year 1	In relation to MACR, the Department launched a public consultation which lasted 12 weeks from 3 October to 23 December 2022. The consultation was made available via Citizen Space (to allow for online responses) and for downloading from the DoJ website. As well as asking whether respondents agreed that MACR should be raised to 14 years, the consultation also sought to ascertain whether respondents who were opposed to an increase beyond 10 years, would support one if exceptions were allowed for serious offences. A copy of the consultation summary of responses document is available on the DoJ website - Minimum age of criminal responsibility summary of responses Department of Justice (justice-ni.gov.uk) . This action is now complete but a new action has been included in the revised action plan in order to address the outcome of the consultation exercise.
4.2	Conduct research to determine the key obstacles to delays in progressing youth justice cases in courts, with a view to developing solutions to address the causal factors identified. Lead – DoJ	The Department is presently working with the Criminal Justice Board and justice partners on the development of a Speeding up Justice Programme of Work. As part of this programme, the Department is seeking to identify and tackle systemic issues which cause delay in the criminal justice system, including matters relating to delay in the Youth Court.

	Timeframe for delivery – within 2-3 years	
4.3	Carry out a review of specified offences which may be disclosed as part of criminal records checks. Lead – DoJ Timeframe for delivery – within 2-3 years	In relation to actions 4.3 and 4.4 which concern lessening the impact of criminal records on a child's future chances, initial work in the form of a scoping study has been carried out into the review of specified offences which can be disclosed as part of criminal records checks. The scoping exercise is concerned with examining the extent of the review, resource implications and options on deliverability. The introduction of primary legislation to underpin current filtering arrangements for youth diversionary disposals will be dependent on the priorities of the incoming Justice Minister.
4.4	Introduce primary legislation to underpin current filtering arrangements for youth diversionary disposals. Lead – DoJ Timeframe for delivery – within 2-3 years	
4.5	Develop a new Children's Justice Bill which will consolidate and simplify criminal justice legislation relating to children and modernise the delivery of youth justice in Northern Ireland. Lead – DoJ Timeframe for delivery – within 2-3 years	The introduction of any legislation in the new mandate will be dependent on the priorities of the incoming Justice Minister. If agreed, it is anticipated that a new Children's Justice Bill would include provisions relating to the new single community order for children to replace the existing 7 orders, in addition to any other relevant child-related justice requirements. Other possible provisions could relate to new custodial arrangements for children, if these are not progressed through an earlier Bill.
4.6	Develop further understanding of the factors contributing to over-representation of certain groups in the youth justice system and work with partners to develop actions to address the issues identified. Lead – YJA	The YJA commissioned QUB to conduct research on potential over-representation in the youth justice system and the QUB report was published in October 2022. The Justice Minister also made a written statement to the Northern Ireland Assembly on the findings. The report identified a number of challenges for the youth justice system and in response, the YJA developed an action plan to address the actions within its scope. The plan focuses on: improving the range of equality data collected; ensuring that young

	Timeframe for delivery – within 2-3 years	people are more fully involved in how data is collected; and providing additional training for staff. The report also included findings relevant to the responsibilities of other statutory organisations and the Justice Minister wrote to the leaders of those organisations to raise the issues identified in the report and encourage appropriate action to be taken.
4.7	Further develop partnerships with DfC and Trusts to find additional ways to prevent homelessness amongst young people (16-18 years) who offend. Lead – DoJ Timeframe for delivery – ongoing	Action 4.7 is an ongoing action around developing partnerships with DfC and Health and Social Care in order to prevent homelessness among young people who offend. This action is being led by YJA which has met with NIHE and the HSC sector to identify how they can influence the provision of services for the young people they work with. The focus at present is on developing relationships and a shared understanding of the issues faced. The Agency has also developed an ongoing relationship with MACS, a leading charity working in this area, to further improve the Agency’s understanding of housing needs and key issues related to homelessness for young people. YJA also contributed to the NICCY research report, A Place to Call Home, published on 23 February 2023.

CONCLUSION

In the 12 months since the first Strategic Framework for Youth Justice in Northern Ireland was published, considerable progress has been made across a number of areas. This has been achieved despite the absence of a sitting Executive and can be attributed to the commitment of key and partner organisations, all striving to improve outcomes for young people in contact with the justice system.

The coming months will bring their own difficulties, particularly when taking account of the very challenging financial climate faced by all sectors and sections of the community. In the face of this, progress in terms of delivering on all of the actions in the revised 2023/24 action plan (**Annex C**) will continue. A particular focus for this year will be on engaging with children and young people, including those with lived experience, in order to ensure that we continue to move in the right direction and the actions we deliver will have a positive impact on young people, their families, their communities and victims.

SFYJ Implementation Group

Terms of Reference

Purpose

This document sets out the terms of reference for the group established to take forward the implementation of the actions set out in the Strategic Framework for Youth Justice 2022-2027.

Background

In March 2022, the Department of Justice published a new Strategic Framework for Youth Justice (SFYJ), alongside a number of accompanying documents including a five-year Action Plan. The Framework was developed in partnership with the Youth Justice Agency (YJA) and was informed by the views of a range of key stakeholders, including statutory justice organisations; voluntary, community and third sector organisations; and children and families with lived experience of the care and justice systems.

The SFYJ aims to deliver against four high-level outcomes in order to realise the Department's vision of *"a progressive youth justice system – delivering better outcomes for children and communities."* These outcomes are attached at **Appendix A** for reference.

Key to this work will be the continued delivery of, and investment in, initiatives aimed at diverting young people from the youth justice system at the earliest possible stage, and the development of further measures aimed at ensuring custody for children is a last resort. The published Action Plan contains a total of 16 actions which, when implemented, will contribute towards the achievement of the high-level outcomes. The Action Plan is a living document and may be added to, or amended, during the five-year lifespan of the Strategic Framework.

Roles and responsibilities

The Implementation Group will establish a coherent and co-ordinated approach to the work required to deliver on the actions and outcomes in the SFYJ.

In doing so, members will have a role in:

- delivering agreed priorities within realistic timescales, taking resources and other issues into account;
- leading on, or assisting with, the implementation of identified actions through, for example, Task and Finish groups;
- ensuring that the principles set out in the SFYJ, particularly around incorporating the views and experiences of children and young people in the work, are adhered to in the delivery of the actions and their outcomes;
- sharing information and best practice from Northern Ireland and other jurisdictions to inform the work as it develops;
- providing relevant data and evidence to measure the success, or otherwise, of the SFYJ implementation, including the creation of datasets where none currently exist; and
- providing an ongoing review and reporting mechanism for the actions contained in the SFYJ Action Plan.

In addition, members representing the children's sector organisations will be responsible for providing assistance and advice to the Implementation Group, particularly in respect of the Group's engagement with children and young people in relation to implementation of the Action Plan. They will also provide linkages between the work of the Group and the wider children's sector.

Frequency of Meetings

The first meeting will take place in July 2022. Thereafter, it is anticipated that the Group will meet three times per year, or more frequently if required, to be kept under review.

Task and Finish groups or workstream subgroups will be established as required and will report directly to the main Implementation Group.

Reporting

Reducing Offending Directorate (ROD) will provide the Secretariat function for the Group, including the drafting of minutes and circulation of relevant papers. Members

are responsible for reporting progress to their own organisation's senior management teams, as required.

It is acknowledged that the members of the group from children's sector organisations are representing the wider children's sector. As such, it is expected that there will be a two-way exchange of information in relation to the work of the Implementation Group in order to ensure the views of the wider children's sector are taken into account.

All members will contribute to the production of an annual report on progress made against the Action Plan. This report will be coordinated by ROD, and will be published on the Departmental website in the interests of communication and transparency.

Membership

The Group will be chaired by Steven McCourt, Head of Reducing Offending Division.

The membership of the group is comprised of:

Chief Executive, Youth Justice Agency

Director, Youth Justice Services YJA

Assistant Director, Custodial Services YJA

Justice Performance Division, DoJ

AccessNI, DoJ

Regional Care and Justice Campus Programme Team

Include Youth

Children's Law Centre

VOYPIC

Secretariat provided by Reducing Offending Directorate, DoJ

Other representatives, including those from other statutory justice bodies, will be invited to attend Task and Finish / subgroup meetings and the main Implementation Group, as required.

Agreed July 2022

Strategic Framework for Youth Justice: Outcomes

Outcome 1: Children are exited from the criminal justice system at the earliest point, with appropriate support.

Outcome 2: Positive outcomes for children, families, victims and communities affected by offending.

Outcome 3: Children will only ever be placed in custody as a last resort.

Outcome 4: Working in partnership to deliver wider, systemic change to improve the lives of children.

Children's participation on the SFYJ Action Plan Position Paper

Background

1. In March 2022, Northern Ireland's first Strategic Framework for Youth Justice was launched by the Justice Minister, accompanied by a 5-year Action Plan. The new Framework aims to deliver on a number of high level outcomes in order to realise the Department's vision of "*a progressive youth justice system – delivering better outcomes for children and communities.*" Key to this work will be the continued delivery of, and investment in, initiatives aimed at diverting young people from the youth justice system at the earliest possible stage and the development of further measures aimed at ensuring custody for children is a last resort.

Participation with children

2. One of the 7 key principles which underpin our vision and the outcomes we are seeking to achieve through delivery of our Framework, states that *the views of children will be heard, respected and taken account of.* This will be achieved through the ongoing participation of young people who have lived experience of the youth justice system as we implement the Framework and the actions which collectively will contribute to the achievement of our four outcomes. These are:
 - Outcome 1 – children are exited from the criminal justice system at the earliest point, with appropriate support.
 - Outcome 2 – positive outcomes for children, families, victims and communities affected by offending.
 - Outcome 3 – children will only ever be placed in custody as a last resort.
 - Outcome 4 – working in partnership to deliver wider, systemic change to improve the lives of children.
3. To help us to ensure that our participation is effective, the Department will continue to engage with representatives from the children's sector in Northern Ireland, given their experience and expertise in this area. This work will also benefit from the recent appointment of a Participation Officer within the Youth Justice Agency, whose primary role is to involve children and young people in the design and

delivery of YJA services. Consequently, YJA's participation with children in relation to those actions for which it is the lead will be taken forward by its Participation Officer, with input from other organisations as and when required.

Lundy Model of Participation

4. The Lundy Model of Participation was developed in 2007 and has since become an established tool, employed by many organisations both nationally and internationally, to help them meaningfully engage with children and young people on matters relating to policy and service delivery.
5. The model was developed to ensure that due consideration and weight was given to the application of Article 12 of the UNCRC – the right for children's views to be heard and respected. It advocates the employment of the following four components:
 - Space: Children should be provided with a safe and inclusive space, within which they can provide their views.
 - Voice: Children must be facilitated to express their views, with appropriate information provided.
 - Audience: Children's views must be listened to and given due weight.
 - Influence: Their views must be acted upon, as appropriate, and feedback provided.
6. All engagement with young people will be carried out with due consideration to the concepts upon which the Lundy Model is based.

Key considerations

7. In addition to adopting Lundy Model, we will take the following considerations into account:
 - i. **The relatively limited participation pool** – young people with lived experience of the justice system represent a very small proportion of their age group. Only 5 in every 1,000 children in Northern Ireland will engage with YJA services and only 1 in every 1,000 will spend time in the Juvenile Justice Centre. In practice, this means that only a very limited cohort of children will be available *and willing* to engage with policy makers. This puts

the onus on us to make sure that every interaction we have with them is meaningful. We will do this by having clear objectives and providing comprehensive information which allows children to fully engage. We will also ensure that we make use of existing forums where possible and avoid duplication of effort.

- ii. **Barriers to engagement** – children’s participation is not just valuable for organisations but can also be beneficial for those who take part by increasing levels of confidence and well-being. We will encourage as many children to participate as we can by: removing any barriers to participation, such as the expense of travelling to a venue; offering incentives where possible, such as accreditation or training opportunities; and ensuring that feedback, in relation to the outcomes which have directly resulted from their participation, is provided in a timely manner.
- iii. **Full transparency throughout** – in engaging with children, there must be openness and honesty from the beginning of the process as to what is realistically achievable, taking into consideration the wider implications for all stakeholders. The focus will be on managing expectations rather than on curtailing innovative thinking.

Participation continuum

8. There are various levels of engagement which can be applied depending on the characteristics of the particular action being taken forward. For the purposes of ensuring effective participation in the delivery of the Action Plan, the Department will concentrate on the following 3 stages of the participation continuum, while understanding that a number of actions will involve a combination of some or all of these:

- Information
- Consultation
- Co-production

Information

9. The sharing of information sits at the lowest end of the participation continuum and will be applied to proposed services or policies which have already undergone a

considerable degree of development where decisions have already been taken and/or the work is in the final delivery stages.

10. In order to ensure that those who will be most affected by the new or amended service or policy are kept abreast of the latest developments and, more importantly, how planned changes will impact them, accessible and appropriate information will be provided by the Department or the lead organisation. This could take the form of factsheets, information awareness raising sessions, content released via social media or website updates.

Consultation

11. The next stage on the continuum is consultation, which involves a more interactive process, the aim being to obtain through discussion and/or the sharing of factual information, the recipient's views and opinions on a course of action which has already been developed to a certain stage. These views can then be taken into consideration when finalising the policy or service.

12. When undertaking a consultative process with young people, face-to-face engagement is the preferred option as this will provide opportunities for clarifying understanding and reduce the possibility of miscommunication. This stage will be more resource intensive but will offer insights into the impact which a policy or service will have on those people who will be most affected by it.

Co-production

13. Co-production is based on the premise that those people who will be the end users of a service or those who will be most impacted by a policy, have valuable knowledge based on their experience to date or their individual situation.

14. In order to ensure that true co-production/co-design is achieved, it is vital that young people are engaged at the very beginning of the process, before any firm decisions have been made. This is the very top-end of the participation continuum and represents the "gold standard". Services for children, which are co-designed with children, will lead to a better experience for the service user and should also encourage participation and buy-in.

15. For co-production to be meaningful, the Department accepts that there has to be an element of power-sharing, with young people having a role in decision-making including in relation to process and outcomes.

Applying the participation continuum

16. At publication in March 2022, there were a total of 16 actions proposed within the Action Plan which accompanied the new Strategic Framework for Youth Justice. These actions are at varying stages of development and this will therefore have a bearing on which stage of the participation continuum should be applied.

17. In order to provide a steer, an additional column has been added to the Action Plan attached at **Appendix A**, outlining at what stage of the participation continuum the Department would envisage the interaction with children and young people to be. The Action Plan will be a living document throughout the lifespan of the Strategic Framework and consequently will be subject to change. These changes will not only apply to the number and possibly, wording, of the actions but may also apply to how the Department or lead organisation proposes to engage with children in relation to individual actions.

Engagement with the children's sector

18. An Implementation Group will be established in order to facilitate the delivery of the actions in the Action Plan within the allocated time frames. In addition to comprising members from the Department of Justice, the Youth Justice Agency, and the joint Health and Justice Regional Facilities Programme Team, representatives from children's sector organisations have also been invited to nominate 3 members to represent the interests of children.

19. This group, for which separate Terms of Reference are being developed, will meet at least 3 times each year and members will contribute towards the Annual Report - a published document updating stakeholders on progress made on the delivery of the Strategic Framework.

20. In addition, the Department proposes to hold an annual meeting/workshop to which all children's sector representatives will be invited. This will provide the opportunity for stakeholders to discuss progress made in the previous year and priorities for the coming year, in terms of how children are being engaged in the implementation of the Strategic Framework. It is intended that these annual meetings will be held during the five year lifespan of the Framework.

Appendix A

Summary of Actions from Strategic Framework for Youth Justice

Information
 Consultation
 Co-production

Short Term (under 1 year)
 Medium Term (2-3 years)
 Long Term (4-5 years)

	Action	Time-frame	Lead	Level of Participation
1.1	Develop and deliver ESD, in partnership with stat and vol orgs, in order to exit children from the CJS at the earliest possible stage with appropriate support	Ongoing	YJA	YJA will consult and engage with children in the development and delivery of its ESD services. Potential for children's sector organisations to assist with this engagement.
1.2	Evaluate the rollout of the Children's Diversion Forums to ensure children throughout Northern Ireland have equitable access to multi-agency support aimed at preventing them from moving further into the formal justice system.	MT	YJA	Young people will be engaged, through the YJA Participation Officer, in order to seek their views on CDFs.
1.3	Explore proposals for the development of a diversionary disposal which does not attract a criminal record.	MT	YJA	This work is already underway but there may be opportunities to consult with young people on the proposals through the YJA Participation Officer.
2.1	Introduce a new flexible order to replace the existing 7 community orders based on current evidence and best practice	LT	DoJ	This could be a suitable action for engaging young people from an early stage. Initial scoping would need to be carried out by the Department and YJA in advance to understand the parametres.
2.2	Develop a pilot for child-friendly youth court hearings, informed by problem solving approaches, here and in other jurisdictions.	MT	DoJ	Potential for involving young people from the beginning of the process.
2.3	Develop and deliver an Enhanced Case Management framework for children who pose a high risk of significant harm and/or who have complex needs.	ST	YJA	This work is already well underway and could be shared with children for information once it is complete.
2.4	Develop a rolling programme of service developments that improve supports for children	ST	YJA	Much of this work is already underway and there is potential for consulting with

	<p>who have offended and help reduce reoffending. In the short-term, this will focus on:</p> <ul style="list-style-type: none"> • Rolling out the YJA-HSC joint CAMHS service across NI to provide effective access to mental health support services for children in the justice system (subject to budget availability); • Improving employability among 16 and 17 year olds in the justice system by developing a wider set of partnerships and improving connections to existing services; and • Improving support for the families of children in the justice system both through direct delivery by YJA and improving referral pathways to services already funded by Health, Education and others. 			<p>young people on certain elements through the YJA Participation Officer.</p>
3.1	<p>Improve arrangements for bail and remand for children through amendment to primary legislation.</p>	MT	DoJ	<p>This work is in the final stages and is just waiting for the right legislative vehicle for the provisions to be introduced. Suitable for sharing for information with children in advance of the provisions being commenced.</p>
3.2	<p>Work in partnership with Health to implement a new Regional Care and Justice Campus. As part of this joint work, we will:</p> <ul style="list-style-type: none"> • consider alternative arrangements for “place of safety” admissions to the new secure care centre; • implement the NI Framework for Integrated Therapeutic Care for all care 	MT	Regional Facilities Programme Team	<p>The RFPT is developing its own participation processes for engaging with children in relation to the Regional Facilities work. We will look to link in with them where possible to reduce the burden as we will be consulting largely with the same cohort of young people.</p>

	<p>experienced children; and</p> <ul style="list-style-type: none"> develop and implement a new model of education, training, health and therapeutic care for children within the secure care centre 			
4.1	Consult on increasing the Minimum Age of Criminal Responsibility to 14 years in Northern Ireland.	ST	DoJ	While young people have been consulted extensively on this issue in the past, there may be scope to engage and encourage the voices of young people during the consultation period.
4.2	Conduct research to determine the key obstacles to delays in progressing youth justice cases in courts, with a view to developing solutions to address the causal factors identified.	MT	DoJ	Unlikely to be engaged during the research piece but may be opportunities for consultation (or even co-production) during the solution phase.
4.3	Carry out a review of specified offences which may be disclosed as part of criminal records checks.	MT	DoJ	There may be scope for consultation with young people in order to assess the impact on their lives if certain offences remain available for disclosure.
4.4	Introduce primary legislation to underpin current filtering arrangements for youth diversionary disposals	MT	DoJ	Information will be shared with young people to ensure they are aware of any changes to the legislation
4.5	Develop a new Children's Justice Bill which will consolidate and simplify criminal justice legislation relating to children and modernise the delivery of youth justice in Northern Ireland.	LT	DoJ	There will be opportunities for engaging with young people and the children's sector during the development of the children's bill.
4.6	Develop further understanding of the factors contributing to over-representation of certain groups in the youth justice system and work with partners to develop actions to address the issues identified.	MT	YJA	Once it is clear what the issues are which are contributing to over-representation, there may be scope in terms of working with young people/the sector to develop actions.
4.7	Further develop partnerships with DfC and Trusts to find additional ways to prevent homelessness amongst young people (16-18 years) who offend.	Ongoing	YJA	Young people will be kept informed as to the options which are available to them in terms of accommodation.

Attached Separately