

ALL WALES YOUTH OFFENDING STRATEGY



Llywodraeth Cynulliad Cymru
Welsh Assembly Government

FOREWORD

When a young person gets into trouble then everyone suffers – their family, their community and the young person themselves.

Whenever we can prevent offending there is a benefit for us all, too.

This Strategy sets out the way to make this happen in Wales.

It starts from the basic principle that the best way to stop young people offending is to prevent it from happening in the first place. The more we can stop young people entering the criminal justice system, the more we reduce the risk of them getting into even worse trouble in the future.

When a child or young person does offend, there need to be effective ways of dealing with them in the community. Sometimes custody will be a necessity. But it really does need to be a last resort. Locking up children and young people almost always stores up worse trouble for the future – creating new victims and more serious harm. We have to break that cycle and this strategy shows what can be done, and needs to be done in Wales, to help make that happen. I hope its messages will be embraced wholeheartedly by all agencies in Wales.



EDWINA HART AM

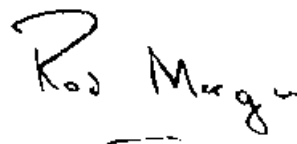
Minister for Social Justice and Regeneration

The framework for youth justice services in Wales is significantly different from that in England. As in England there are local, multi-disciplinary Youth Offending Teams. But the funding arrangements are different as is the configuration of adjacent services vital to the prevention of youth offending.

I am delighted, therefore, that together with the Welsh Assembly Government, the Youth Justice Board for England and Wales has agreed this Strategy document. It incorporates the aims of both the Youth Justice Board and Welsh Assembly Government policies. It lays a shared foundation which should ensure that Youth Offending Teams and other agencies are able to work more effectively to prevent offending by young people in Wales.

Everything done by children's services should enable young people to realise their potential in adulthood as fulfilled citizens. Everything we do in the criminal justice system should help to prevent crime and re-offending. But we know that the best way of preventing crime is to identify young people at risk of becoming offenders as early as possible, and to build their capacity to become responsible, law-abiding, young adults. To achieve this, services such as education, health and housing must work closely together.

This Strategy, in drawing together the different strands of government, gives us a unique opportunity to make a difference to youth offending in Wales.



ROD MORGAN

Chairman

Youth Justice Board for England and Wales

ALL WALES YOUTH OFFENDING STRATEGY

SECTION 1 – EXECUTIVE SUMMARY

The social and economic costs of youth offending are high, for society, for public services, for communities, for victims and for those children and young people who offend. We know that offending behaviour amongst young people is often related to experiences of poor social welfare, lack of family support, low levels of educational attainment, disengagement and disaffection, health issues and insufficient community provision. *The All Wales Youth Offending Strategy* is the result of the Welsh Assembly Government, the Youth Justice Board and local agencies working together to develop a strategy that provides a national framework for preventing offending and re-offending among children and young people in Wales. All this work is underpinned by the UN Convention on the Rights of the Child and its requirement for consideration of the rights of the young person. In the long-term, its aim is to make a real and significant reduction in the rates of youth offending in Wales.

Key Points

Action must be taken forward to identify children and young people at risk of offending and to provide appropriate programmes to re-engage and divert these children and young people away from offending behaviour. This calls for:

- Reducing the number of young people who are not in education, training or employment.
- The development of a range of effective community programmes.
- Effective joint working between partnerships at the local level to identify children and young people at risk of offending and to develop appropriate responses.
- Effective joint working between partnerships at a local level to identify and target young people who offend to facilitate appropriate intervention.
- Education and training arrangements for young people within the criminal justice system which meets their needs.

- Developing appropriate provision for each young person in the criminal justice system to ensure they can access their universal basic entitlement to support and services.

There should be effective community based sentencing alternatives to custody for children and young people who do offend where this is in the best interests of the child. This calls for:

- Adequate funding for Youth Offending Teams in Wales to support their work with children and young people serving community sentences.
- Further strengthening of robust and credible community sentences.
- Effective attention to the mental health needs of young people to avoid being inappropriately dealt with by the youth justice system.
- The development and extension of appropriate accommodation.
- Equitable treatment of young people wherever they live.

Welsh children and young people entering custodial facilities in England must be afforded the same rights as their English counterparts and as other children and young people in Wales. This calls for:

- The provision of appropriate local custodial facilities in Wales as soon as is possible.
- The development of processes to ensure that Extending Entitlement is made available to Welsh children and young people held in custodial facilities in England.
- The development of processes to ensure that full account is taken of identity and cultural issues, including use of the Welsh language, in respect of children and young people held in custodial facilities in England.
- A recognition that the most effective way of avoiding young people being committed to custody is to retain as many as possible at earlier levels of intervention.

PRINCIPLES:

Prevention is better than cure

The most effective way to prevent youth offending and to secure the welfare of children and young people in Wales is to stop them entering the youth justice system. The Welsh Assembly Government has identified five potential levels of prevention that are set out in the next Section.

Young people should be treated as children first and offenders second

The strategy supports the view that there is no contradiction between protecting the welfare of young people in trouble and the prevention of offending and re-offending. Consideration of the rights of the young person is required by the UN Convention on the Rights of the Child to which the UK is a signatory. A balance between the interests of the child or young person and the interests of the wider community and potential victims can be maintained through early intervention, restorative justice measures, appropriate punishment and supported rehabilitation. Promoting the welfare of children and young people reduces the risk of offending and re-offending and in doing so protects the public. The strategy therefore promotes the principle that young people should be treated as children first and offenders second.

Ensuring the universal entitlement is extended to all children and young people

The Welsh Assembly Government is committed to the development of a safer and more inclusive society where everyone has the chance to fulfil his or her potential. *Extending Entitlement: supporting young people in Wales* recommends that support for young people in Wales should be structured around an entitlement for **all** young people to a range of services in the language of their choice, designed to promote their attainment and development as individuals. The universal entitlement is set out in 10 basic entitlements for all 11-25 year olds in Wales that are contained in Annex 1. The strategy therefore supports the principle of the universal entitlement for all children and young people including those children and young people at risk of offending and those who do offend.

A holistic approach

A holistic approach that considers the delivery of the universal entitlement and beyond this the particular needs of those young people who enter the youth justice system. The strategy outlines the role of a wide range of policy areas (a number of which the Welsh Assembly

Government has responsibility for) in delivering the universal entitlement. These areas of policy have an important role to play in identifying and tackling the risk factors that propel some children and young people into offending behaviour and increase the risk of re-offending among those already in the youth justice system.

Effective co-operation between all relevant agencies, initiatives and partnerships at the local and national level

This includes the role and work of the Home Office, Youth Justice Board for England and Wales, the police, probation service, Community Safety Partnerships, the Prison Services, Crown Prosecution Service and Courts. Children and Young People's Partnerships have a key role in promoting the prevention of risk factors, negative outcomes, the escalation of negative outcomes for children and young people and in promoting the universal entitlement. In addition the work of Youth Services, Social Services, Local Education Authorities, ELWa, Careers Wales, Local Health Boards, Local Authority Housing Departments, the voluntary sector and the private sector have a significant contribution to make in this area. The Children's Commissioner has an important role as an advocate for children and young people in Wales. The strategy represents an integrated approach to prevention and youth offending that calls for close co-operation.

Effective linking of the All Wales Youth Offending Strategy to the Children's Framework Partnerships

Children's Framework Partnerships and Youth Offending Teams should co-operate together in the development of strategies by other relevant partnerships, to ensure that the needs of youth offenders and those at risk of offending are properly considered.

Sustainability

This is not a 'quick fix' approach. The promotion and delivery of the universal entitlement for those at risk of entering and those already in the youth justice system in order to reduce offending and re-offending calls for a durable long-term approach.

Equal Opportunities

All strategic planning work concerned with youth offenders and those at risk of offending needs to take full account of diversity, disability, culture and language issues.

Welsh Language

The provision of bi-lingual services, information and advice at all stages of a young person's involvement with the criminal justice system is critical.

Participation

Young people should have the opportunity to participate in decision making on all matters that affect them.

Children as Victims of Crime

It is recognised that many children are victims of crime and should therefore be provided with appropriate protection and support. Youth Offending Teams need to be closely involved in the work of Area Child Protection Committees.

Justice

All work with young people who are at risk of, or who have committed offences, is underpinned by the following three principles.

Responsibility is the need to hold young people to account for their misbehaviour and to encourage more responsible behaviour in the future.

Restoration explores the possibilities of making amends to victims or community (reparation).

Re-integration seeks to provide the necessary support, assistance and guidance to help young people.

SECTION 2 – STRUCTURES FOR DELIVERY

Welsh Assembly Government

The Welsh Assembly Government has a strong role in managing the provision of children and young people's services in Wales. The Assembly's responsibilities include education, health, housing, social services, community safety, youth justice matters, youth policy and Extending Entitlement.

Youth Justice Board for England and Wales

The principal aim of the youth justice system is to prevent offending by children and young people. The Youth Justice Board for England and Wales have responsibility for providing advice, guidance and monitoring performance relating to youth offending and the youth justice system. The Youth Justice Board sets the standards within the youth justice system for young people who offend.

The Children's Commissioner for Wales

The strength of the role of the Children's Commissioner lies in his ability to oversee national policy developments, to make comment and represent the views of children and young people, uphold their rights and to review existing services for children and young people. The Children's Commissioner does not however, have any specific remit in respect of young people held in secure accommodation in England.

All Wales Youth Offending Strategy Group

The group is a working partnership between the Welsh Assembly Government, the Youth Justice Board for England and Wales and various bodies with an interest in youth justice in Wales.

Regional Chief Officers Groups/Community Safety Partnerships/Youth Offending Team Steering Groups

There are four Regional Chief Officers Groups in Wales; Dyfed Powys, Gwent COG, North Wales Youth Justice Forum and South Wales Overarching Leadership Group (OLG). Regional Chief Officer Groups provide leadership and ensure consistency of approach across their areas. The Regional Groups facilitate cross-border working between YOTs wherever possible. Policy

decisions made at the Regional Group level inform the work of YOT Management or Steering Boards/Groups and other local mechanisms for the delivery of services for children and young people. Community Safety Partnerships (CSPs) have a responsibility for the formulation and implementation of crime and disorder strategies for each local authority area. YOTs should have representation on all the 22 CSPs in Wales.

Local Criminal Justice Boards

Criminal Justice Boards were created to ensure a unified approach to improve our criminal justice service at a local level. Core membership consists of chief officers from the police, crown prosecution service, probation service, prison service, magistrates and crown courts and youth offending team managers.

Youth Offending Teams

There are seventeen Youth Offending Teams in Wales. These have primary responsibility for the provision of youth justice services locally. Youth Offending Teams bring together the staff and wider resources of a range of local agencies - social services, education, the police, probation service and health. The work of YOTs is guided by the Youth Justice Board and monitored against Youth Justice Board performance targets, with specific targets over a three-year period. These are set out in Section 3.

Initiatives, Strategies and Local Partnerships

The main thrust of Welsh Assembly Government policy is to ensure that every child and young person can access the basic universal entitlement, and receive the appropriate support.

Five potential levels of Intervention

There are 5 potential levels of intervention which define the provision being developed by local partnerships:

1. **Preventative** – Children and young people at risk of offending. Action on whole populations within a universal service before problems can be seen plus targeted action focused upon specific individuals and areas considered to be at risk of offending or engaging in anti-social and criminal behaviour.
- 2 **Early Intervention** – Children and young people subject to Reprimands, Final Warnings, and Referral Orders. Targeted action focused upon children and young people at the early stages of their involvement with the criminal justice system.

- 3 **Community Sentence** – Children and young people sentenced to one of a variety of community penalties requiring supervision by a YOT. Customised approach for the individual to address multiple and complex risk factors that place children and young people at risk of poor outcomes.
- 4 **Custody** – Children and young people sentenced to a custodial sentence. This to include work with the young person within the custodial institution.
- 5 **Resettlement** - Effective resettlement of young people back into the community following a period within the secure estate is essential for the prevention of re-offending and the promotion of social inclusion. A co-ordinated and timely multi-agency response which addresses in particular factors of accommodation, education, training and employment is required to achieve an effective transition.

Resources

The All Wales Youth Offending Strategy Group will continue to examine the funding of youth justice services in Wales. It is recognised that the development and delivery of the strategy will be dependent on the identification and provision of sufficient funding.

Monitoring

By September 2004, the Welsh Assembly Government and the Youth Justice Board will have agreed arrangements for the delivery and development of the strategy.

SECTION 3 – EXTENT OF PRESENT PROVISION AND ACTION NECESSARY TO ENSURE ENTITLEMENT

Preventing youth offending and re-offending requires a multi-agency approach that considers the needs and entitlements of children and young people at all levels of prevention and intervention. The risk factors associated with offending behaviour need to be addressed across a number of key policy areas and the Strategy sets out objectives for action (with associated time scales and targets) in respect of each of these:

Education, Training and Employment

- All young people in Wales must have Individual Education Plans – young offenders are no exception. [YOTs to monitor]
- All young people entering secure facilities to be tested for literacy and numeracy, with 80% of young people on Detention and Training Orders (DTOs) of six months or more improving by one skill level or more in literacy and/or numeracy by 2004 in custody.
- Run a pilot 'Safer Schools Initiative' project in 2004.
- YOTs to ensure that each young person up to the age of 18 on release from custody should be given the opportunity of a Youth Gateway interview by Careers Wales to ascertain whether the programme would be suitable.
- Evaluate the delivery of core schools programme in 2004.

Health/Substance Misuse

- New Forensic Adolescent Consultation Teams (FACTs) to be established in Wales in 2004.
- Local Health Boards to develop costed plans, based on best practice that set out a way forward for delivering sustainable Child and Adolescent Mental Health Services (CAMHS) by October 2004. These are needed in preparation for a maximum waiting time target which will be introduced in 2005-06.

- Substance Misuse Action Teams will address the needs of young people who misuse substances in their areas.

Housing

- The Welsh Assembly Government to evaluate the extent to which the needs of young offenders have been addressed within the local homelessness strategies (March 2005).
- The Welsh Assembly Government to assess the extent to which the needs of young offenders are addressed within the Supporting People Operational Plans (March 2005).
- The Welsh Assembly Government to advise the Youth Justice Board and YOTs on the setting of appropriate targets for all young offenders released from custody into arranged and suitable accommodation (March 2005).
- Ensure through the Youth Justice Board and local authorities that all YOTs are working to identify the housing needs of young offenders in their areas and to ensure that this informs their contribution and involvement with local homelessness and Supporting People planning processes. (March 2005).

Communities

- Community Safety Partnerships to work in close collaboration with Children and Young People's Partnerships and YOTs on interventions to tackle youth offending funded by the Assembly's Safer Communities Fund.

Probation

- Probation Boards, Chief Officers and the National Probation Service Regional Manager to ensure that youth offending issues are an integral feature of the consultation process resulting in the publication of the 4 Probation Area Business Plans 2004/05 and the National Probation Service Strategy for Wales.
- All current and future Welsh Assembly Government policies and strategies which impact on National Probation Service aims and objectives such as substance misuse, housing and homelessness, mental health, basic skills, victims and dangerous

offenders will be reviewed with local YOTs to ensure they address youth offender needs.

- In order to assess the potential seamless transition to the young adult probation/correctional services context, each probation area will identify opportunities for increased collaboration at Levels 3 [heavy-end prevention] and 4 [restorative justice, rehabilitation and resettlement] in relation to health, education, housing, communities, social welfare and employment.
- Chief Officers will delegate a lead Assistant Chief Officer to work in partnership with local YOTs to deliver relevant elements of this strategy.

Workforce Development

- The Welsh Assembly Government to work with the Justice Skills Sector Council (JSSC) Wales Group so that the JSSC Business Plan reflects a skills and training work programme that is specific to the developmental needs of practitioners working with children and young people in Wales.
- The Welsh Assembly Government to work with the Care Council Wales to ensure that Youth Justice Board qualifications are integrated into the qualifications framework for practitioners working in social care in Wales.

Youth Justice Board Performance Measures in 2004-05

Recidivism: Achieve a reduction in re-offending rates by 5% in 2005 with respect to each of the following four populations:

- Pre-court;
- First Tier penalties;
- Community penalties;
- Custodial penalties.

Prevention: Submit a satisfactory youth justice plan including a strategy for helping to prevent crime by identifying young people at risk of offending and acting to reduce risk through youth inclusion and support panels or other effective arrangements.

Final Warnings: Ensure that 80% of final warnings are supported by interventions.

Use of secure facilities: Reduce the use of the secure estate for:

- Remands to 30% of total number of remand episodes involving bail supervision, remand to local authority accommodation, court ordered secure remand and remand in custody;
- Custodial sentences to be no more than 6% of the sentences imposed.

Use of restorative processes and victim satisfaction: By 2005 75% of victims of all youth crime referred to YOTs will be offered the opportunity to participate in a restorative process and 75% of victims participating should be satisfied.

Parental satisfaction: 10% of young people with a community disposal should receive a parenting intervention and 75% of parents participating in parenting interventions should be satisfied.

Asset: Ensure that Asset is completed for all young people subject to both:

- Community disposals – during the assessment, at the review stage and at the closure point; and
- Custodial sentences – at the assessment, transfer to the community and closure stages.

Pre-sentence report: Ensure that 90% of pre-sentence reports prepared for courts are submitted within the timescales set in the National Standards for Youth Justice.

Detention and training orders: Ensure that all initial training plans for young people subject to detention and training orders are drawn up within the timescales set in the National Standards for Youth Justice.

Education, training and employment: Ensure that 90% of young offenders supervised by YOTs are in suitable full-time education, training or employment.

Accommodation: Ensure that all YOTs have a named accommodation officer and all young people subject to community interventions or on release from the secure estate have suitable accommodation to go to.

Mental Health: All young people who are assessed by Asset or the mental health assessment framework as manifesting:

- Acute mental health difficulties should be referred by the YOT to the Child and Adolescent Mental Health Service (CAMHS) for a formal assessment commencing within 5 working days of the receipt of the referral with a view to their accessing either a tier 3 or other appropriate CAMHS tier service based on this assessment;
- Non-acute mental health concerns should be referred by the YOT for an assessment and engagement by the appropriate CAMHS tier (1-3) commenced within 15 working days of the receipt of the referral.

Substance Use: Ensure that all young people are screened for substance misuse, that those with identified needs receive appropriate assessment within 5 working days and following the assessment access early intervention and treatment services they require within 10 working days.

The Universal Entitlement

Welsh Assembly Government

Every young person in Wales aged 11-25 has a basic entitlement to:

- Education, training and work experience- tailored to their needs
- Basic skills which open doors to a full life and promote social inclusion
- a wide and varied range of opportunities to participate in volunteering and active citizenship
- high quality, responsive, and accessible services and facilities
- independent, specialist careers advice and guidance and student support and counselling services
- personal support and advice-where and when needed and in appropriate formats – with clear ground rules on confidentiality
- advice on health, housing benefits and other issues provided in accessible and welcoming settings
- recreational and social opportunities in a safe and accessible environment
- sporting, artistic, musical and outdoor experiences to develop talent, broaden horizons and promote rounded perspective including both national and international contexts
- the right to be consulted, to participate in decision-making and to be heard, on all matters which concern them or have an impact on their lives

In an environment where there is :

- a positive focus on achievement overall and what young people have to contribute;
- a focus on building young people's capacity to become independent, make choices, and participate in the democratic process; and
- celebration of young people's successes.