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YOUTH JUSTICE INQUIRY

Thank you for your letter of 23 March inviting me to submit a paper ahead of giving evidence to your committee on 26 March.

I am very pleased to have the opportunity to contribute to the committee's inquiry into this important area of policy. The UK Government has made significant progress in addressing youth offending across England and Wales and in improving the effectiveness of – and confidence in – the youth justice system. The semi-devolved nature of youth justice means that it is crucial that the UK Government and the Welsh Assembly Government work closely together and, through your inquiry, I am keen to explore the steps that we can take to strengthen youth justice in Wales.

At annex A, I have outlined how the youth justice system operates in Wales, the role of the Youth Justice Board for England and Wales and how the UK Government is delivering its priorities for England and Wales through the Youth Crime Action Plan.

I look forward to discussing these and other issues in greater detail on Thursday.

**DAVID HANSON MP
MINISTER OF STATE**

Welsh devolution and youth justice

Although criminal justice, including youth justice, is non-devolved, the Welsh Assembly Government has responsibilities for devolved policy areas such as education and training, health and health services, social welfare, housing and local government. These areas relate strongly to youth justice and, therefore, the policy landscape is complex: interweaving devolved and non-devolved areas.

The Youth Justice Board for England and Wales (YJB) is an executive non-departmental public body which oversees the youth justice system in England and Wales. The YJB works to prevent offending and re-offending by young people,

The YJB advises the Secretaries of State for Justice and Children, Schools and Families on the operation of the youth justice system, monitors the system's performance, purchases custodial places for young people, makes grants to local authorities and commissions research.

The YJB monitors the performance of Youth Offending Teams (YOTs) who have key roles to play in terms of co-ordinating the work of youth justice services and in supervising young offenders. There is a YOT in every local authority in England and Wales, comprising representatives from police, probation, social services, health, education, drugs and alcohol misuse, and housing services. This enables YOTs to tailor provision for individual young offenders in order to address their needs and in turn their offending behaviour.

The All Wales Youth Offending Strategy

The All Wales Youth Offending Strategy (AWYOS) is a joint plan by the YJB and Welsh Assembly Government to prevent youth offending and to secure the welfare of children and young people in Wales by stopping them entering the youth justice system. It was published in 2004. It is currently being refreshed and an AWYOS Delivery Plan is due to be published in April.

The AWYOS is based on four strands. Level One, development and diversion, involves providing universal services to reduce the number of children and young people who become at risk of offending. Level Two, early prevention/support, provides targeted action focused on children and young people at risk of offending because of disadvantage and disaffection. Level Three, heavy-end prevention, involves the YJB promoting alternatives to custody such as Referral Orders and the Intensive Supervision and Surveillance Programme (ISSP). Finally, Level Four, restorative justice, rehabilitation and resettlement, sets out a strategy for better provision for Welsh children and young people in custody and seeks to address a range of needs of those being prepared for release from custody including housing, substance misuse, mental health and education, and employment. AWYOS is underpinned by the UN Convention on the Rights of the Child and *Extending Entitlement* (the Welsh equivalent of *Youth Matters*).

During the last year, the way in which the Welsh Assembly Government, the YJB and their partners work together has been reconfigured in order to achieve the objectives set out in the AWYOS. Six priority areas have been identified, which match the six Wales Youth Justice Indicators described below.

The Youth Justice Committee for Wales is a cross-governmental group that advises the YJB and the Welsh Assembly Government on the implementation of the AWYOS.

From April 2009, its role will be enhanced to give direction and scrutiny to a range of sub-committees, each of which will focus on performance and good practice under one of our priority areas. We believe that this will provide an essential link between service delivery, performance improvement and the development of evidence-based policy.

Through the AWYOS, the YJB works jointly with the Welsh Assembly Government to ensure that the operation of the youth justice system is relevant to the devolved policy context. Despite the differences between England and Wales with regard to areas such as education, health and social care, which are essential to improving the life chances of children who have offended, the need to reduce offending and re-offending among children and young people is shared. Current arrangements offer the advantages of scale that come with an England and Wales resource, the opportunity to learn from each other and share effective practice, while retaining the ability to tailor the delivery of youth justice to Wales.

Court and out-of court systems and sentencing frameworks

The court and out-of-court systems and sentencing frameworks are the same in England and Wales.

Crime prevention

Under the auspices of the AWYOS, the Welsh Assembly Government and the YJB have their own crime prevention strategy. Since 2006-07, the Safer Communities Fund – through which the Welsh Assembly Government funds Wales's 22 Community Safety Partnerships – has been targeted at youth crime related projects. The YJB and the Welsh Assembly Government have developed joint strategic guidance to encourage the wider use of targeted youth crime prevention schemes such as Youth Inclusion Programmes (YIPs) and Youth Inclusion and Support Panels (YISPs).

The UK Government has continued its prevention funding in Wales and the 14.1% reduction in first time entrants to the youth justice system over the last two years demonstrates the successful integration of targeted YOT prevention programmes into the work of Community Safety Partnerships and the Children and Young People's Partnerships. This has been reinforced by the publication of joint YJB / Welsh Assembly Government strategic guidance for prevention.

Youth Justice Performance Indicators for Wales

The YJB has worked with the Welsh Assembly Government to embed a set of youth justice performance indicators as part of its refresh of the AWYOS. The Welsh Assembly Government has accepted the First Time Entrants, re-offending and reduction in the use of custody indicators as part of the AWYOS indicator set. Three bespoke performance indicators to measure engagement in education, access to accommodation and substance misuse treatment have been developed in partnership with the three responsible Welsh Assembly Government departments. These indicators are included in the Welsh Local Government Performance Framework.

Youth Crime Action Plan (YCAP), including funding arrangements for Wales

YCAP commits the UK Government to working with the Welsh Assembly Government to implement the measures in the Action Plan that apply in both England and Wales and to discuss equitable funding arrangements. The measures that apply in both countries are those that are non-devolved, such as, those involving YOTs, courts, the police and support for victims. On devolved measures involving, for example, schools, local authorities' children's services, positive activities and the provision of education in

custody, the UK Government will keep in touch with the Welsh Assembly Government on policy development and implementation, sharing emerging findings and practice so similar approaches can be adopted in Wales if thought beneficial.

The UK Government committed £100 million to YCAP implementation and over half of that funding is for local authorities to implement the package of intensive measures in target local authorities. Two local authorities in Wales have been selected as target areas and will each receive £350,000 over 2009/10 and 2010/11.

Custodial Provision in Wales

Custodial provision in Wales is commissioned by the YJB and is not a devolved responsibility.

There are two secure establishments in South Wales: Parc Young Offender Institution in Bridgend, and Hillside Secure Children's Home in Neath. In 2007, the YJB funded an expansion of Parc YOI by 28 places to give a total of 64 beds. Together, they provide a total of 79 custodial places in Wales at present.

The Welsh Assembly Government has been in discussion with the YJB about the possibility of developing under-18 secure accommodation in North Wales. The YJB has made it clear that any such development would be contingent on them receiving the necessary funding which is not available at present.

There was previously a proposal to build a secure training centre in the Vale of Neath, but it was decided not to proceed with this and to look for alternative ways of improving custodial provision for young people in Wales. This resulted in the significant increase in the capacity of Parc YOI in 2007.

Welsh young people in custody are also held in some secure establishments in England, primarily Ashfield, Stoke Heath and Eastwood Park YOIs.

The YJB has recently reviewed provision of Welsh language services in the English secure estate and is developing an action plan to address those areas where there may be a shortfall in provision. A draft of the plan has been produced and progress will be reviewed through the Custody and Resettlement sub-committee of the Youth Justice Committee for Wales.