NICCY ADVICE PAPER ON DOJ/DOH ESTABLISHMENT OF A REGIONAL CARE AND JUSTICE CAMPUS

January 2021

1. Introduction

The Commissioner for Children and Young People (NICCY) was created in accordance with ‘The Commissioner for Children and Young People (Northern Ireland) Order’ (2003) to safeguard and promote the rights and best interests of children and young people in Northern Ireland. Under Articles 7(2) and (3) of this legislation, NICCY has a mandate to keep under review the adequacy and effectiveness of law, practice and services relating to the rights and best interests of children and young people by relevant authorities. Under Article 7(4), the Commissioner has a statutory duty to advise any relevant authority on matters concerning the rights or best interests of children and young persons.

The Commissioner’s remit includes children and young people up to 18 years old, or 21 years old, if the young person is disabled or is care experienced. In carrying out her functions, the Commissioner’s paramount consideration is the rights of the child or young person, having particular regard to their wishes and feelings. In exercising her functions, the Commissioner has regard to all relevant provisions of the United Nations Convention on the Rights of the Child (UNCRC).

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2. General Comments

Following the devolution of Justice to the NI Assembly the independent “Review of the Youth Justice System in NI (YJR)” was established[[1]](#footnote-1). Reporting in 2011 it made 31 recommendations the majority of which were accepted and in 2015 the Criminal

Justice Inspectorate NI found that 59% of the recommendations had been achieved. Notwithstanding this ‘optimistic assessment’, some of the most significant recommendations remain outstanding;

* Raising the age of criminal responsibility
* Reducing the number of non-sentenced young people in custody
* Ensuring equity between looked after and non-looked after children when entering custody
* Reducing delay and introducing statutory time limits for disposal of cases[[2]](#footnote-2)

In March 2016 the then Minister of Justice reported the proposals made in the Scoping Study to the Assembly which fell across three themes: putting welfare at the heart of the justice system; maximising community involvement and increasing exit points from the justice system; and developing the disposal options available to the judiciary whilst also reducing the use of custody to make it truly a measure of last resort. Although the Department Of Justice (DOJ) ‘Scoping Study’ (2016) attempted to fulfil some of the outstanding recommendations of the YJR and the Department Of Health (DOH) Review of Regional Facilities for Children and Young People in Northern Ireland (2017) reemphasised it’s proposal to establish a regional Care and Justice Campus, the lack of an NI Assembly hindered the progress of critical policy and legislative developments.

In early 2019 the DOJ and the Youth Justice Agency (YJA) agreed a new strategic plan to implement the changes envisaged in the Scoping Study – Transitioning Youth Justice. Although NICCY has not had sight of this strategy it is referenced in NIAO (2020) as presenting a vision of how youth justice should work[[3]](#footnote-3). Within its scope it included two major objectives in changing how custody was used in the youth justice system: Repurposing of Woodlands JJC away from being a solely justice-based facility and ensuring that custody was only used as a last resort.

 *The fundamental question asked to policy makers, practitioners, the children, their families, victims’ representatives and the voluntary and community sector was: “What do we want to happen to children who have committed offences?” The response was clear: children and young people should be held accountable for their actions, but within a system which provides them with the interventions and support they need to change their behaviour and return to normal life*.

NIAO(2020)[[4]](#footnote-4)

Within NICCY’s published Statement on Children’s Rights in NI (2020) the Commissioner calls for an increased impetus to ensure that the youth justice system is child rights compliant.[[5]](#footnote-5) Likewise the Youth Justice System must address the substantial outstanding issues concerning the implementation of the best interest’s principle. This must include:

1. Custody as a last resort and for the least possible time;

2. Outcomes data on the impacts on / changes in the lives of young people who have
 received services from the YJA;

3. Diversion from the formal system;

4. Statutory time limits for the processing of youth court cases of 120 days;

5. Participation of children and young people in design and delivery of services.

A child rights approach requires the State to see the whole child, taking a tailored approach to children and young people in a manner that protects their dignity and best interests. The work undertaken across many agencies in NI raise awareness of the impact of childhood trauma should influence how the rights of children involved in offending are protected. The impact of Adverse Childhood Experiences (ACES) should inform how strategic decisions are made with regards to all children and young people in the justice system which has to date viewed them through the prism of victim and offender. Such an approach is more likely to reduce offending and re-offending by children.[[6]](#footnote-6) NICCY believes that successful implementation of the care and justice campus and the subsequent working with statutory partners can successfully fulfil some of these calls to government.

In 2018/19, 160 individual young people were held in Woodlands Juvenile Justice Centre, and there were 1,712 referrals (comprising 977 individual young people) to the community based youth justice services. 78% of all young people involved with the Youth Justice Community services and 91% in custody were males[[7]](#footnote-7). Article 37 (b) of UNCRC states that imprisonment and detention of children shall be as ‘a measure of last resort’, however it is deeply frustrating that evidence indicates considerable work needs done in this area. In 2019-20 only 7% young people in the JJC were sentenced, with the remaining 93% either there on PACE or remand. It is also of concern that the proportion of children who are cared for remains unacceptably high at 39%[[8]](#footnote-8).

NICCY is broadly supportive of the joint work being progressed by the Department of Justice and the Department of Health to reform facilities for Children and Young People and the proposal to bring secure care and justice into a shared facility. Whilst there is still a lot of detail to clarify, this is a promising approach that will ensure there is no return to previous systems and that the government works collectively to ensure that the NI government meets its responsibility that detention should be a last resort. .

Within this Advice Paper NICCY will outline its position and recommendations on the proposals set out within the consultation paper on the Regional Care and Justice Campus, based on a child’s rights perspective. We will begin by introducing our position alongside a small summary on policy recommendations drawing out the need for a joint health and justice campus. To frame our position, we look outside Northern Ireland and reflect on Barschmann et al (2020) international study on ‘The health of adolescents in detention’ with a particular focus on recurring issues regarding young people’s health in secure care[[9]](#footnote-9). Returning to the consultation document we review the current and proposed admissions into the secure care centre and the Multi-Agency Panel. NICCY will also outline the Commissioner’s recommendation on the campus no longer being used as a designated place of safety.

NICCY will continue to outline recommendations regarding proposed services within the campus including our advice on discharge exit planning and reflections regarding satellite provision and the proposed step down unit. The consultation provides options regarding the future of the governance and accountability arrangement for the regional facilities, NICCY will outline its preferred pathway for the facilities future accountability structures and will provide a rationale as to why, similarly we will respond to the outlined legislative questions posed within the consultation.

Drawing onto the final section of the paper, NICCY will provide commentary on the consultation and outline the equality, human rights and rural impacts the proposed facility has and finally, will draw down any specific areas of concern and recommendations before providing a conclusion to the paper. NICCY has included an appendix aimed at outlining relevant international rights within a local policy and legislative context

3. Minimum Age of Criminal Responsibility

Article 40 (3) (a) of the UNCRC (CRC) outlines the establishment of a minimum age below which children shall be presumed not to have the capacity to infringe the penal law. The CRC Concluding observations in 2016 stated Northern Ireland should. ‘Raise the minimum age of criminal responsibility in accordance with acceptable international standards.’[[10]](#footnote-10)

Documented evidence in the fields of child development and neuroscience indicates that maturity and the capacity for abstract reasoning is still evolving in children aged 12 to 13 years due to the fact that their frontal cortex is still developing. Therefore, they are unlikely to understand the impact of their actions or to comprehend criminal proceedings. General Comment 24 (2019) states parties are encouraged to take note of recent scientific findings, and to increase their minimum age accordingly, to at least 14 years of age and commends States parties that have a higher minimum age, for instance 15 or 16 years of age[[11]](#footnote-11).

This does not mean that young people under the age of 14 who commit offences are viewed by these jurisdictions as being unaccountable for their acts. Young people would still be held accountable, but instead are dealt with via processes based on their welfare and education with a focus on reducing re-offending rather than the punishment and labelling of that young person as criminal.[[12]](#footnote-12) **NICCY recommends children under the age of 14 are not admitted into the proposed secure care campus and are instead held to account in processes based on welfare and educational principles.**

**4. Causation: Criminality and Health Outcomes for adolescents in secure care**

The proposals from the 2016 DOJ Ministerial scoping study focused on putting welfare at the heart of the juvenile system and in 2019, DOJ/DOH published a joint Strategy and action plan to ensure individuals within the criminal justice system are healthier, safer, and less likely to be involved in offending behaviour. The Strategy includes commitments to provide everyone in contact with the criminal justice system improved continuity of care, access to social services, options to divert them away from the criminal justice system where possible, and access to a range of accommodation options.[[13]](#footnote-13)

In order to truly turn the curve on youth justice, both DOJ and DOH must acknowledge the causation between adverse health outcomes and criminality. NICCY has provided a summary of a global study that synthesised evidence from broad and diverse global literature, examining the health of detained adolescents[[14]](#footnote-14). The study outlines the life trajectories of many adolescents detained within the criminal justice system are characterised by entrenched disadvantage, instability, abuse, neglect, poor education, and poverty resulting in growing evidence that adolescents who have been in detention die at a rate that is 5 to 41 times higher than that of their peers[[15]](#footnote-15). However, detention often provides vulnerable adolescents with unique (yet regrettable) opportunities for diagnosis, disease management, education, medical treatment, and counselling that they might otherwise not have accessed in the community.

Findings highlight a higher prevalence of neurodevelopmental disabilities among detained adolescents when compared with their non-detained peers outlining considerations in how cognitive, communicative, or socio-emotional difficulties associated with learning disabilities and difficulties increase the risk of persistent offending and eventual detention The review recommended staff training alongside bespoke, accessible and evidenced based interventions supporting individuals developmental needs to improve their outcomes and chances of rehabilitation.

The study concluded by re-emphasising the causal factors on health and criminal justice recommending diversionary tactics of health and social care treatments as key to prevent adolescents from requiring secure care in the first instance and addressing the health needs of those already detained in order to protect adolescents and their families from further adverse health and social outcomes. In order to provide timely health care to this marginalised population, early targeted and evidence-based preventive efforts are urgently required to address these health and social determinants of adolescent detention. Recommendations outlined a need to resource efforts to increase adolescent’s access to community services such as drug and alcohol treatment and mental health services to improve health outcomes and reduce young people’s interaction with the criminal justice system.[[16]](#footnote-16)

The evidence in this scoping study did not unearth any different issues akin to young people within the secure care system in Northern Ireland, however it re-emphasised the need to look beyond the criminal activity and see the individual. **NICCY urges the DOJ/DOH to continue investing in evidence based, sustainable and accessible, child friendly early intervention, prevention and community services that can address adverse childhood experiences.**

**5. Admissions into Secure Care and Multi Agency Panel**

As highlighted within Section 1 of this consultation document, children will be placed in the Secure Care Centre in one of two ways: “care” reasons (children admitted to secure accommodation under the provisions of Article 44 of the Children (Northern Ireland) Order 1995) or “justice” reasons (children who have been remanded or sentenced to custody, or are placed in the Juvenile Justice Centre as a place of safety, while awaiting a court appearance following arrest by the police). NICCY broadly agrees with the admissions criteria for the Secure Care Centre being based on the outlined existing criteria, with one major exception - the continuous use of the Secure Care Centre as a place of safety under the Police and Criminal Evidence (Northern Ireland) Order.1989 (PACE).

It is extremely important that NICCY emphasise our position of removing the Secure Care Centre as a place of safety. Once a child has been placed in secure centre under PACE, there is concern they are more likely to return on remand, therefore their admission is putting that child on a flight course to return to custody on a more permanent basis which is contradictory to the vision of the shared campus of reducing readmissions.

Through discussion with children and young people with experience of secure care, it is our understanding they feel safe and secure in Woodlands and their needs are met in the interim. What is questionable is not the levels of care but the appropriateness of this placement. Arguably there has been an over reliance on the secure care facilities due to systematic pressures and the lack of suitable services in the community to meet the needs of these young people whose behaviours or risk would not warrant secure care or custody.

Using the secure facilities as a safety net until alternative measures are put in place will only perpetuate the circumstances for the children and young people we are working so hard to keep out of the justice system. Custody should only be used when a child’s offending poses significant risk to themselves and the public, not as a place for care. There should be sufficient community based resources to provide a place of safety for a child custody can no longer be used for this purpose.

 **NICCY recommends the shared care and justice campus ceases to be classified as a designated place of safety and instead is appropriately placed within community provision under the duties of HSCT**.

**Admissions**

Whilst subject to regular fluctuation, the overall trend since 2014-15 is a decrease in the average daily population of Woodlands JJC[[17]](#footnote-17). The fall in daily population in Woodlands has been driven primarily by decreases in the number of young people moving into custody on remand and under sentence. However, reoffending rates have remained generally stable year on year, particularly for those in custodial sentences. The young people who do reoffend tend to do so relatively quickly after exiting the justice system and a small proportion of prolific offenders go on to commit a significant number of further offences.

Often it is only through contact with the Youth Justice Agency (YJA) that young people and their families are directed to appropriate statutory and voluntary services that can help them deal with the issues they face, but not before. In such cases, early intervention should be about the ability to identify the young person’s needs at an earlier stage prior to their offending behaviour and delivering or directing them towards support and interventions to help address issues to mitigate their risk of offending/ repeat offending. It is therefore imperative the young person is supported appropriately and they exit the justice system as quickly as possible.

**Needs Based Approach**

NICCY welcomes the consultation’s reference to the UN ‘Havana Rules for the protection of juveniles deprived of their liberty limited to exceptional cases’[[18]](#footnote-18), and the inclusion of the UN Rules for the Protection of Juveniles Deprived of their Liberty:

 *The principal criterion for the separation of different categories of juveniles deprived of their liberty should be the provision of the type of care best suited to the particular needs of the individuals concerned and the protection of their physical, mental and moral integrity and wellbeing[[19]](#footnote-19).*

The Commissioner and NICCY staff had the privilege of listening to the views of children and young people with care experience (some with personal accounts of secure care) as part of the VOYPIC consultation process[[20]](#footnote-20). Their views aligned with Dr Walsh’s study and young people’s views when it comes to the route of admission - initially they were extremely opposed to the ‘mixing’ of children from care and justice settings[[21]](#footnote-21). However, when this was distilled down it was due to concern about the safeguarding of individuals.

An individual explained best, there can be a misplaced hierarchy of crime and reputation, the bigger the crime the more ‘respect and admiration’ you may get in secure care. This may lead to more vulnerable individuals being susceptible to peer pressure. Furthermore, when young people first arrive in secure care they present a façade of confidence and indifference – it is only when they begin to trust staff do they ‘let down their guard’.

**NICCY recommends further work must by undertaken by DOH/DOJ to ensure the views of young people (with experience of secure care) are considered, particularly when developing the admissions policy and addressing the concerns they may have.

NICCY recommends more consideration is given to the mental, physical, learning, and social/emotional state of a young person when going through the admissions process and appropriate time must be given for children/young people to build up relationships with staff before final arrangements of their placement are agreed.**

NICCY notes the consultation document proposes that NI Human Rights Commission will develop a human rights framework which will underpin the operation of all elements of the Care and Justice Campus and looks forward to seeing that framework.

**Multi Agency Panel**

NICCY agrees with the consultation document that the most appropriate way to facilitate a needs–based approach is the establishment of a regional, independently chaired multi-agency panel for the new campus. The young person’s right to participate within this process is critical and should be given the support of an independent advocate of their choosing to maximise their contributions. Therefore every child should have the role of an independent advocate explained to them and are given the opportunity to meet with their advocate in a timely manner prior to the panel. Interestingly, when discussing this question with young people, they highlighted the imbalance of adults/panel members and that the process feels more like an interrogation than an exercise to meet the young person’s best interests.

**NICCY believes the Department of Health and Justice needs to give further consideration to the accessibility and facilitation of meetings between children and the panel to ensure they are person-centred and child friendly. The multi agency panel and process must take into account an individual’s additional needs or reasonable adjustments including if they have a learning or communication difficulty/disability. Individuals must have the opportunity to timely access of an independent advocate of their choosing.** This will ensure the young person gets the most out of their discussions, decisions and outcomes of the panel meeting.

**NICCY has considered the outlined proposals within the admissions panel and would like to make the following recommendations:**

* The Head of Operations should not be a part of decision making process of the multi agency panel and there should be clear distinction between the discussions regarding a child’s admission to secure care and the admissions process itself;
* If a child is to enter the regional campus via legal proceedings the admissions panel should not be used. Instead it should be based on the evidence presented and due process with an appointed judge taking responsibility regarding the child or young person’s sentencing;
* The consultation document states that the multi agency panel meets less frequently than the equivalent panel under the previous system, without any explanation for why this would be the case. The agencies should provide a rationale for this, and give an undertaking that the panel will meet frequently enough to ensure there is no delay in processing cases;
* The panel should formally record the reasons for admission and the outcomes sought for that child as a result of the admission. Similarly it should also record why a decision is made not to admit a child and what alternatives may be deemed suitable;
* The Admissions Panel should be established through regulations in the first instance and reviewed during the transitional phase of the new campus. Once properly established it should be covered in primary legislation;
* Instead of escalating issues to the Head of Operations, NICCY believes that it is important an independent monitoring board is established. Such a process will identify systemic issues as well as individual issues which should of course be escalated to the Head of Operations as appropriate.

**6. Services in the Campus**

Research highlights up to 60% of young people involved with offending have low language skills, with 46-47% of these being in the poor or very poor range and significant numbers of individuals require support with their communication within the justice system. [[22]](#footnote-22)[[23]](#footnote-23) Learning and communication difficulties/ disabilities have a great impact upon every process within the legal and judicial system and can affect a person’s ability to fully participate. For example, accessing programmes, information and support is more difficult resulting in an increased likelihood of the young person reoffending.

NICCY welcomes the acceptance within the consultation document that the large majority of individuals involved with youth justice system as well in secure care have suffered adverse childhood experiences (ACEs) often resulting in poor mental health. NIAO (2020) carried out an assessment on 147 young people admitted to Woodlands during 2016 and found that almost half were involved with mental health services and had a mental health diagnosis. The assessment also highlighted major educational deficits, including moderate to severe learning difficulties, lack of engagement with mainstream education and a significant number with Special Educational Needs assessments. More than 75 per cent were not in any form of education or training.[[24]](#footnote-24) It is essential that all appropriate professional bodies involved with an individual, consider the Children’s Services Co-operation Act (Northern Ireland) 2015 (CSCA) to ensure collaborative joint working that delivers a person centred rights based approach.

NICCY agrees with the adoption of a single therapeutic model (including behaviour management techniques) and that it is appropriate to adopt the Department of Health’s new Northern Ireland Framework for Integrated Therapeutic Care (NIFITC) for Looked After Children within the new shared campus structures. NICCY welcomes this framework including its aim to ensure future interventions will align with and complement the approaches already in place or under development.

NICCY agrees with the proposal that a holistic child centred approach is created based on needs that should build capacity with parents/carers and continue an individual’s support beyond their secure care stay. However, NICCY’s endorsement of the proposed NIFTC is caveated with the fact it is still in draft form. Without sight of the final framework and accompanying operational, resourcing structures and implementation timelines, this proposal has the potential to become an aspirational document rather than an implemented framework.

For many children and young people a positive aspect of secure care is they are afforded access to support and health services they aren’t always able to access in the community including; dental treatment, inclusive education and holistic therapeutic interventions. It is vital there is a continuation of service provision when the child or young person re-enters their community.

However, despite the recognition that Woodlands and Lakeview provide consistently high standards of care, there are still issues in monitoring their impact with young people in secure care. Given the individual level of need and often the relatively short duration of children’s residence – the progress staff can make when working with young people can be limited and is currently not measured. This is an issue that needs addressed as many who enter custody become trapped in a “revolving door”, moving between health and social care facilities. A significant proportion of young people committed to custody come from, and return to, the social care system. It has been difficult to sustain the level of support offered to children in Woodlands once they move into other care settings.

It is worth noting that the vast majority, (if not all) of individuals in secure care have experienced or are currently experiencing poor mental health and would be deemed to fit within the ACEs category. It is extremely important all staff are skilled in working with children who experience poor mental health as this profile is more likely to increase.

Education within the campus is crucial. NICCY understands through its engagement with young people that often the education services provided in secure care are often the only formal education the children and young people positively engage in and that in the community they do not attend school. Regrettably, once released education often ceases in community settings.

**NICCY recommends every effort is made for the individual to be supported in the continuation of education post release and must be addressed within the step down process and community satellite provision.**

**Mental Capacity and Deprivation of Liberty**

The Mental Capacity Act (Northern Ireland) 2016 (MCA) provides a number of important safeguards and protections for people who lack decision-making capacity. The MCA will, when fully commenced, fuse together mental capacity and mental health law and was partially commenced on 2 December 2019. The parts of the MCA that are currently in force provide a statutory framework to deprive anyone of the age of 16 and above of their liberty in Northern Ireland if certain conditions apply.

To ensure human rights are protected, the MCA 2016 defines a deprivation of liberty (DOL) as having the same meaning as under Article 5(1) of the European Convention on Human Rights (ECHR). The Mental Health Order (Northern Ireland) 1986 (MHO) is focused on compulsory admission to hospital either for assessment or treatment and is not based on mental capacity. In order to manage the commencement of the MCA, a dual system is currently in place whereby both the MCA 2016/MHO 1986 provide a statutory framework for the deprivation of liberty. When the MCA is fully commenced the MHO 1986 will be repealed for all those who are 16 years of age and over.

The issue has been raised regarding the admissions process into Beechcroft (based on the MHO 1986 where treatment is not assessed on capacity but safeguarding and risk to the individual and others) once the MCA 2016 commences and their admissions process and criteria changes in line with legislation. This may result in a displacement of patients who are deemed to have capacity but are a risk to themselves or others most likely being inappropriately referred to the new campus as a place of safety. NICCY does not believe the proposed secure campus is the most appropriate place for these young people and would ask the DOH/DOJ if this has been considered and what measures have been put in place to ensure the best interests of the child. **NICCY recommends the DOJ/DOH strongly consider the future implications of the issues for young people with capacity in Beechcroft when the Mental Health Order (Northern Ireland) 1986 is repealed.**

The 2017 Review recommended analysis of the need for secure mental health beds for children and young people in Northern Ireland which resulted in an identified need for secure mental health provision. The recommendation stated the proposed provision should not form part of the regional Care and Justice Campus, instead, within existing inpatient mental health services.[[25]](#footnote-25) Arguably, this is not currently the case, NICCY is aware of notable cases where due to lack of alternative options children with extreme mental health issues are essentially displaced into secure care as last resort measures. NICCY has growing concerns that DOJ/DOH have not actively engaged with this issue and the lack of co-ordinated thinking between agencies has resulted in the continued issue of no alternative measures in ensuring that a child or young person is receiving the most appropriate form of care in the most suitable accommodation.

**Emotional and Mental Wellbeing of Children and Young People in Secure Care**

We acknowledge that secure mental health provision must align with existing inpatient mental health services, however, it must also be clearly integrated with any new care / justice campus. Therefore, it would be useful for the consultation to have set out how this care pathway would work.

We are pleased that a review of secure mental health provision in Northern Ireland has confirmed that a need for such provision exists. We must stress that the physical building at Beechcroft was never built with the intention of it acting as a secure facility, therefore it should not necessarily be seen as the solution to the need for secure provision. The planning / implementation of such provision should be prioritized and taken forward by the DoH without delay. [[26]](#footnote-26)

We also note from the consultation the intention for all children admitted to the Secure Care Centre will have access to mental health, and drugs and alcohol services appropriate to meet their assessed needs. This will be provided in a coordinated way by the multi-disciplinary team based in the Secure Care Centre working collaboratively with community-based services. Northern Ireland does not currently have a comprehensive suite of services and support for young people with alcohol and drug and / or mental health services, and this was highlighted in NICCYs Still Waiting Review published in 2018.[[27]](#footnote-27) The Review found some of the most significant gaps in provision were for those young people with the most complex/ acute needs.

**NICCY recommends the planning around the campus includes close working with community based services for mental health, drugs and alcohol services that will provide critical in-reach services, and which will also be vital for the successful re-integration of young people when discharged.**

We note that no reference is made to the DoH Substance Misuse Strategy or the DoH Mental Health Strategy in the Shared Care and Justice Campus Consultation. The fact that strategic planning is happening concurrently across these inter-related areas overs a significant opportunity to join up policy and practice in keeping with the legal commitments set out in the CSCA, best practice and is a child rights compliant way of working.

**7. Leaving the Secure Care Centre: Discharge/ Exit Planning**

For this new campus to become a success there has to be investment in the individual’s reintegration in the community and therefore the DOH/DOJ must adequately resource both the Community Based provision and the Step Up, Step Down services.

NICCY recognises the concern of young people and families/carers regarding the importance in the preparations for individuals to leave secure accommodation and its integral part of the prevention of readmission and re-integration back into the community[[28]](#footnote-28). NICCY agrees that an aligned meaningful discharge planning process combines a holistic multi-agency approach to the preparation for discharge and reintegration back into the community is important and we believe the proposals outlined have a comprehensive exit plan that continues with co-ordinated service provision within the community. An important component to the exit planning is ensuring that it doesn’t contribute to the feeling of displacement within the individual if the exit plan is discussed during the admission process. It was described by young people to NICCY that when someone who has just arrived within secure care (to get help) they (the staff) are already talking about getting rid of them.

As discussed above there must be clear outcomes and indicative timeframes identified for children who enter the centre through the panel process and these should be the focus of the work undertaken. NICCY agrees with the outlined recommendation from the 2017 Review that a step-down unit is used as an effective measure to gradually prepare children and young people, for whom it is necessary in facilitating a continued period of engagement and support before returning to their communities[[29]](#footnote-29) .

After consideration and listening to young people’s opinions, **NICCY recommends the Department of Health and Justice establish two smaller step down facilities. This not only supports individuals closer to their communities but provides clarity between secure placements (with loss of liberty) and a safe stable placement following discharge.**

Furthermore, these step-down units should not be part of the secure provisions but have intensive support. There should be absolute clarity where young people go when they lose their liberty and this should be governed by appropriate processes and should only be the campus. NICCY would offer the consideration that specific step-down units are better placed being included within the satellite provisions.

**Community Based Satellite Provision**

NICCY agrees that the Secure Care Centre should be supported by a network of locally-based connected satellite services across each of the five HSC Trust areas and with the outlined purpose to prevent children and young people from entering the Secure Care Centre and to provide support to facilitate the transition of these children and young people back in to the community.

NICCY must reiterate, custody should never be used as a place of safety, it is a justice response to a young person’s offending behaviour. If a child requires to be held securely because of a risk to them from themselves or others this should be achieved through the secure care provisions of the new centre rather than justice. If a child needs accommodation, a suitable address should be found within the community, similarly if a child is at risk of absconding this is also a social care issue and should also be resolved within community provision, if at all possible with secure care as a last resort. If and when an individual presents as a threat to others or there is clear assessment that there is a risk that they will not attend court in the morning this becomes a legitimate reason to keep them in custody under PACE.

A crucial point to mention is that the consultation identifies: “The satellite provision could potentially incorporate existing suitably resourced children’s homes as an alternative to the Secure Care Centre, for example for some children who require a place of safety following arrest”. As previously recommended, **NICCY strongly believes in the removal of the regional campus being used as a designated place of safety and in its place community satellite provision is used as a preferred alternative. Community based provision should also provide a place of safety for children/young people who are seen as not having suitable alternative accommodation rather than an initial night spent in custody as is the current situation**.

NICCY understands the complexities of this recommendation, particularly ensuring the individuals safety. Further considerations include questions regarding how will community based provision includes statutorily supported/resourced and regulated provision, and how should be given to how young people could be supported at home or in foster care when requiring bail as justice provision should not be the default position for a vulnerable child.

NICCY agrees in order for the satellite provision to be most effective it must adopt a multi-agency approach using CSCA to ensure meaningful co-operation in functions and resource. It is imperative that this new system will be more agile than it has be proved to be to date and adapt quickly to the changing profile and needs of young people. This will require good data disaggregation and communications across the system including early intervention, prevention and family support services.

**8. Governance and Accountability Arrangements**

For the Regional Care and Justice Centre to operate successfully, it must have clear and robust governance and accountability arrangements. NICCY agrees with the proposal to appoint a Head of Operations responsible for the operation of the regional facilities. However, it is important that the Head of Operations has clear boundaries of responsibility in regulations rather than primary law.

NICCY reviewed the four options within this consultation and appear and believe Option 3 is the best of the options presented. Currently, there are no childcare facilities run by department and the hybrid suggestions of partnership agreements on record have not been successful due to needless bureaucracy which may affect operations and service delivery.

**NICCY therefore strongly recommends the DOJ/DOH should pursue consultation option 3 – a HSCT should run the centre, (presumably the SEHSCT as it is located in Bangor) and the Youth Justice Agency should be transferred to the HSC system in its entirety.**

**9. Campus Legislation and the Legal Status of Children**

As referenced within the consultation document, Lakewood Secure Care Centre is currently categorised as a children’s home - Article 9 of the Health and Personal Social Services (Quality, Improvement and Regulation) (NI) Order 2003. Woodlands JJC is classified as a juvenile justice centre - Article 51 of the Criminal Justice (children) (NI) Order 1998.

NICCY is concerned that the consultation proposal of new legislation to support and formalise multi-agency working as part of the new care and justice campus as it has the potential to become an overly complicated process that may delay its progress. Instead, the Children’s Service Co-operation Act has strong provisions for partnership working and should be used as an alternative solution.

**NICCY recommends the classification of the new secure care and justice centre as a children’s home. The Justice (NI) Act, 2002 section 56 allows for custody care orders for >13 years of age, NICCY would recommend similar to be considered but remove the lower age tier and extend to >18 years of age. This would remove the need for further work on classification of the campus. Equally, it is NICCY’s recommendation that any campus satellite provision classification is also a children’s home under the same auspices**[[30]](#footnote-30).

**Legislation of parental responsibility**

Understandably, the consultation raises questions regarding the merger of two operating procedures, regimes and legislative framework requiring a number of considerations to ensure the seamless transition from the old processes to the new campus. NICCY agrees that only children who were looked after prior to admission to the Secure Care Centre should be looked after while in the Centre.

**NICCY believes that the parental responsibility for looked after children should be shared between the placing HSC Trust and the Head of Operations’ (Option III). NICCY believes there is no requirement for the Department of Health to make further regulations, instead prescribe children subject to the provisions of Article 39(6) of Police and Criminal Evidence (NI) Order 1989, as after 24 hours and within the care of HSCT they should become looked after for the duration of their stay within the campus.**

**NICCY disagrees that the Head of Operations within the secure care centre having parental responsibility for children admitted to the Secure Care Centre by way of a juvenile justice disposal. Instead, these individuals should be categorised as ‘Looked after’ and therefore have the same outlined shared responsibility.**

**10. Equality, Human Rights and Rural Settings**

Throughout the document UNCRC and other international rights are considered and implemented. NICCY welcomes the in-depth Equality Screening the consultation went under, however, we are disappointed that it screened out the need for an Equality Impact Assessment given the highlighted cohort of vulnerable children and young adults many with recognised additional needs including issues with mental health and disabilities including learning disabilities. Additionally, a disproportionate number of males and a disproportionate number of individuals identifying as Catholic were only categorised as minor issues, the screening lacked monitoring information on individuals who may have dependents themselves, or identified as LGBT+.

Considering the nature of some individuals within both the JJC and secure care being susceptible to paramilitary control and coercion, we were concerned that the screening exercise highlighted ‘no expected issues’ on equality of opportunity/good relations on religious and political beliefs. Finally, given the aforementioned cohort of individuals who will be affected, consideration should also be given to non-S75 categories such as poverty and looked after status.

**NICCY recommends a Child Rights Impact Assessment be carried as part of the decision making process, once completed a further Equality Impact Assessment should be conducted, with both results published at the earliest opportunity.[[31]](#footnote-31)**

**Rural Settings Impact Assessment**

Within the consultations Rural Impact Assessment document, it was documented there were no detrimental impacts identified for those in living rural areas compared to those individuals within urban areas – NICCY would strongly disagree with this analysis for the following reasons:

• If an individual has to travel to the joint campus from rural areas following arrest as a ‘place of safety’, it could take over 2 hours travel time resulting in potential increase of the young person’s distress which may escalate the reasons the individual had to go to the centre in the first place;

• Those in rural settings with limited access to transport will be disadvantaged when it comes to accessing the proposed services and satellite provisions within the discharge planning process;

• Individuals in the joint campus from rural settings may not have access to face to face visits due to the distance and access to transport issues. This may further isolate the young people, putting them at risk of loneliness and poor mental health.

 **NICCY recommends the listed consideration on excessive travel, limited public transport and lack of visits are given thought in regard to the Rural Impact Assessment process.**

**11. Areas of Concern and NICCY’s Recommendations**

The YJA’s funding has been steadily decreasing since 2010-11 to the extent that it fell by a third in real terms by 2018-19 i.e. from £22.6million to £15.3million total expenditure[[32]](#footnote-32). Nevertheless, despite sustained reduction in the number of young people entering and being held in custody, the Custodial Services Directorate has been subject to the lowest level of expenditure reductions over the decade, from £8.4 million to £7.2 million. This is due to a large proportion of costs of this facility being fixed in nature, and not driven by the volume of young people entering or held in the centre. The recognition of the increased under-utilisation of this significant resource has been one of the considerations contributing to ongoing work intended to repurpose the facility.

Inadequate financial data also poses a risk to the planning and management of reform. In relation to Shared Campus budget, currently there is no available robust financial analysis of the cost of the proposed model. We were told that the Programme Board had intended from the outset that the new facility would be, as far as practicable, cost–neutral relative to the cost of current service provision. NIAO (2020) highlighted some preliminary analysis, however there is no detailed analysis of the current cost of all the activities that will be subsumed in the new arrangements, nor the estimated cost of the future model.

**NICCY recommends the Project Board publishes detailed financial information including the impact of plans and financial analyses of costings of the campus and future financial data that explains value for money as an essential component of the ‘how did we do measure’.**

**12. Concluding Comments and Summary of Recommendations**

NICCY welcomes the opportunity to provide advice on the joint consultation by DOJ/DOH on the Establishment of a Shared Care and Justice Campus. NICCY applauds the efforts of officials from both departments to meet over the last number of years and discuss issues relating to the Establishment of a Shared Care and Justice Campus.

Whilst NICCY broadly welcomes the direction of travel in regard to secure provision, concern remains that opportunities may be lost to properly reform the system and ensure that children are only detained as a last resort. Therefore the Commissioner urges both the Department of Health and Department of Justice to take into account the recommendations made in this submission, which is provided within her statutory role under Article 7(4) of ‘The Commissioner for Children and Young People (Northern Ireland) Order’ (2003)’. NICCY looks forward to continuing to engage in these developments to ensure effective implementation within a robust child rights framework.

**Summary of Recommendations**

1. NICCY recommends children under the age of 14 are not admitted into the proposed secure care campus and are instead held to account in processes based on welfare and educational principles..
2. NICCY urges the DOJ/DOH to continue investing in evidence based, sustainable and accessible, child friendly early intervention, prevention and community services that can address adverse childhood experiences.
3. NICCY recommends the shared care and justice campus ceases to be classified as a designated place of safety and instead is appropriately placed within community provision under the duties of HSCT. .
4. NICCY recommends further work must by undertaken by DOH/DOJ to ensure the views of young people (with experience of secure care) are considered, particularly when developing the admissions policy and addressing the concerns they may have.
5. NICCY recommends more consideration is given to the mental, physical, learning, and social/emotional state of a young person when going through the admissions process and appropriate time must be given for children/young people to build up relationships with staff before final arrangements of their placement are agreed.
6. NICCY believes the Department of Health and Justice needs to give further consideration to the accessibility and facilitation of meetings between children and the panel to ensure they are person-centred and child friendly. The multi agency panel and process must take into account an individual’s additional needs or reasonable adjustments including if they have a learning or communication difficulty/disability. Individuals must have the opportunity to timely access of an independent advocate of their choosing.
7. NICCY has considered the outlined proposals within the admissions panel and would like to make the following recommendations:
* The Head of Operations should not be a part of decision making process of the multi agency panel and there should be clear distinction between the discussions on if a child should be admitted into secure care and the admissions process itself.
* If a child is to enter the regional campus via legal proceedings the admissions panel should not be used. Instead it should be based on the evidence presented and due process with an appointed judge taking responsibility regarding the child or young person’s sentencing.
* The consultation document states that the multi agency panel meets less frequently than the equivalent panel under the previous system, without any explanation for why this would be the case. The agencies should provide a rationale for this, and give an undertaking that the panel will meet frequently enough to ensure there is no delay in processing cases.
* The panel should formally record the reasons for admission and the outcomes sought for that child as a result of the admission. Similarly it should also record why a decision is made not to admit a child and what alternatives may be deemed suitable.
* The Admissions Panel should be established through regulations in the first instance and reviewed during the transitional phase of the new campus. Once properly established it should be covered in primary legislation.
* Instead of escalating issues to the Head of Operations, NICCY believes that it is important that an independent monitoring board is established. Such a process will identify systemic issues as well as individual issues which should of course be escalated to the Head of Operations as appropriate.
1. NICCY recommends every effort is made for the individual to be supported in the continuation of education post release and must be addressed within the step down process and community satellite provision.
2. NICCY recommends the DOJ/DOH strongly consider the future implications of the issues for young people with capacity in Beechcroft when the Mental Health Order (Northern Ireland) 1986 is repealed.
3. NICCY recommends the planning around the campus includes close working with community based services for mental health, drugs and alcohol services that will provide critical in-reach services, and which will also be vital for the successful re-integration of young people when discharged.
4. NICCY recommends the Department of Health and Justice establish two smaller step down facilities. This not only supports individuals closer to their communities but provides clarity between secure placements (with loss of liberty) and a safe stable placement following discharge.
5. NICCY strongly believes in the removal of the regional campus being used as a designated place of safety and in its place community satellite provision is used as a preferred alternative. Community based provision should also provide a place of safety for children/young people who are seen as not having suitable alternative accommodation rather than an initial night spent in custody as is the current situation
6. NICCY therefore strongly recommends the DOJ/DOH should pursue consultation option 3 – a HSCT should run the centre, (presumably the SEHSCT as it is located in Bangor) and the Youth Justice Agency should be transferred to the HSC system in its entirety.
7. NICCY recommends the classification of the new secure care and justice centre as a children’s home. The Justice (NI) Act, 2002 section 56 allows for custody care orders for >13 years of age, NICCY would recommend similar to be considered but remove the lower age tier and extend to >18 years of age. This would remove the need for further work on classification of the campus. Equally, it is NICCY’s recommendation that any campus satellite provision classification is also a children’s home under the same auspices.
8. NICCY believes that the parental responsibility for looked after children should be shared between the placing HSC Trust and the Head of Operations’ (Option III) and there is no requirement for the Department of Health to make further regulations. Instead children and young people should be covered by provisions in Article 39(6) of Police and Criminal Evidence (NI) Order 1989. After 24 hours and within the care of HSCT they will become ‘looked after’ for the duration of their stay within the campus.
9. NICCY disagrees with the Head of Operations within the secure care centre having parental responsibility for children admitted to the Secure Care Centre by way of a juvenile justice disposal. Instead, these individuals should be categorised as ‘Looked after’ and therefore have the same outlined shared responsibility.
10. NICCY recommends a Child Rights Impact Assessment be carried as part of the decision making process, once completed a further Equality Impact Assessment should be conducted, with both results published at the earliest opportunity.
11. NICCY recommends the listed consideration on excessive travel, limited public transport and lack of visits are given thought in regard to the Rural Impact Assessment process.
12. NICCY recommends the Project Board publishes detailed financial information including the impact of plans and financial analyses of costings of the campus and future financial data that explains value for money as an essential component of the ‘how did we do measure’

**Appendix 1**

**International Rights Framework & Local Legislative / Policy Context**

 **United Nations Convention on the Rights of the Child (UNCRC)**

The UNCRC provides the overarching framework which guides the work of NICCY. The UK Government, including Northern Ireland, is a signatory to the Convention and has agreed to uphold the rights of children and young people based on the Convention. NICCY appreciates that there are often complexities when reconciling the rights of children and young people with their welfare and best interests. NICCY would strongly suggest that the recommendations are reviewed against all relevant Articles within the UNCRC and that these are incorporated within policy as underlying principles, to ensure that the rights and best interests of children and young people are upheld and protected.

**Relevant International Children’s Right Standards**

**Article 3** highlights best interests of the child must be a top priority in all decisions and actions whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration. With reference to General comment No 14 (2013) on the right of the child to have his or her best interests taken as a primary consideration, the Committee on the Rights of the Child (CRC) recommends that the State party:

 *“Ensure this right is appropriately integrated and consistently interpreted and applied in all legislative, administrative and judicial proceedings and decisions as well as in all policies, programmes and projects that are relevant to and have an impact on children.”*

**Article 12** discourages State Parties from introducing barriers either in law or in practice which would restrict the child’s right to be heard. General Comment No.12 is clear that State Parties are under an obligation to ensure the implementation of the right to be heard for children experiencing difficulties in making their views heard and emphasises the importance of the right to be heard and outlines the obligations on government to explicitly include child views on government consultation plans.

**Article 24** outlines every child has the right to the best possible health. Governments must provide good quality health care, clean water, nutritious food, and a clean environment and education on health and well-being. CRC General Comments (2016), highlights the following recommendations issues with children and their mental health:

“*Rigorously invest in child and adolescent mental health services and develop strategies at national and devolved levels, with clear time frames, targets, measureable indicators, effective monitoring mechanisms and sufficient human, technical and financial resources. Such strategy should include measures to ensure availability, accessibility, acceptability, quality and stability of such services, with particular attention to children at greater risk, including children living in poverty, children in care and children in contact with the criminal justice system*;”[[33]](#footnote-33)

**Article 37** outlines that: (b) No child shall be deprived of his or her liberty unlawfully or arbitrarily. The arrest, detention or imprisonment of a child shall be in conformity with the law and shall be used only as a measure of last resort and for the shortest appropriate period of time.

**Article 40 outlies** (b) Every child alleged as or accused of having infringed the penal law has at least the following guarantees: (i) To be presumed innocent until proven guilty according to law; (iii) To have the matter determined without delay by a competent, independent and impartial authority or judicial body in a fair hearing according to law, in the presence of legal or other appropriate assistance. CRC General Comment No.24 (2019) documents the committee’s recommendations on Children’s rights in juvenile justice, particularly the requirement for state parties to develop and implement a comprehensive juvenile justice policy that should include but not limit itself to articles 37 and 40. Its main objectives include:

* To provide a contemporary consideration of the relevant articles and principles in the Convention on the Rights of the Child, and to guide States towards a holistic implementation of child justice systems that promote and protect children’s rights;
* To provide States parties with guidance and recommendations for the prevention of juvenile delinquency, the introduction of alternative measures allowing for responses to juvenile delinquency without resorting to judicial procedures.
* To promote the integration, in a national and comprehensive juvenile justice policy, of other international standards, in particular, the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the “Beijing Rules”), the United Nations Rules for the Protection of Juveniles Deprived of their Liberty (the “Havana Rules”), and the United Nations Guidelines for the Prevention of Juvenile Delinquency (the “Riyadh Guidelines”).[[34]](#footnote-34)

These CRC articles and general comments taken together provide the basis for a youth justice system that considers the best interests of the child, through the; prevention of offending through early intervention to meet children’s needs; diversion and alternatives to prosecution; fair trial and respect for children’s privacy; restorative measures; minimal use of detention with provision of appropriate alternatives; rehabilitation and resettlement of the child into the community on release

**Relevant local Legislation and Policy in context of the rights of the child**

**The Children (Northern Ireland) Order 1995** is the overarching legislation setting out the requirements for professional practice in relation to children and young people. It identifies the welfare of the child as being of paramount importance and sets Prevention and Protection as two of the five key principles. It defines “secure accommodation” as “accommodation provided for the purpose of restricting liberty.” **Article 44** of the order defines secure accommodation” as “accommodation provided for the purpose of restricting liberty.” Under the provisions of the order, a child who is being looked after (LAC) by Health and Social Care Trust (HSCT) can only be placed in secure accommodation under strict reasons including a history of and continued likelihood of absconding to continue to abscond), if the child or young person does abscond there is a credible risk they may suffer significant harm to themselves or if they continue to stay in any other description of accommodation. The provisions of Article 44 of the Children Order are supplemented by the Children (Secure Accommodation) Regulations (Northern Ireland) 1996.

The statutory aims of the youth justice system, set out in section 53 of the **Justice (Northern Ireland) Act 2002**, were amended in 2015 specifically to incorporate the best interests principle. Alongside this, guidance for all criminal justice organisations was produced by the Department, setting out their responsibilities with regard to this principle, and the importance they should give to it in their dealings with children who offend.

**The Police and Criminal Evidence (Northern Ireland) Order 1989 (PACE)** is the legislative framework setting out the authority and duties of police when stopping, searching, arresting, and detaining people. It also includes issues in regard to when people are being held by police, how some evidence can (or cannot) be gathered, acceptable behaviour by police, and things which might be complained against.

This has implications for when and how a child or young person can be arrested and what can happen after that.

In some cases at the time of and following an arrest children and young people are placed in the Juvenile Justice Centre as a place of safety, while awaiting a court appearance following arrest by the police. Similarly a child on remand can also be sent to the Juvenile Justice Centre whilst awaiting a court appearance. PACE is relevant for and applicable in these instances.

**The Criminal Justice (Children) (Northern Ireland) Order 1998 and the Juvenile Justice Centre Rules (Northern Ireland) 2008** provide the legislative basis for the operation of the Centre. Guidance for the Youth Justice Agency Conditions of Detention 2014 issued by the Attorney General for Northern Ireland under Section 8 of the Justice (Northern Ireland) Act 2004 . This guidance is designed to present a framework for professionals to use to ensure that their work is compliant with international human rights standards.

The Department of Health, in conjunction with the Department of Education, is finalising a draft Strategy specific to looked after children and care-experienced young people: **‘A Life Deserved: “Caring” for Children and Young People in Northern Ireland’.** The Strategy will set out a range of measures aimed at improving outcomes for children and young people who may be on the edge of care, are in care, or have left care. Actions identified within the draft Strategy include a commitment for the Departments of Health and Justice to work together to establish the new Regional Joint Care and Justice Campus; this will be supported by wider reform in children’s residential care, foster care, community juvenile justice and enhanced family support.

Work is being progressed to implement a new **Integrated Therapeutic Care Framework for Looked After Children and Young People in Northern Ireland (NIFITC) 2020**. The work will lead to consistent approaches and processes for providing trauma and attachment informed therapeutic care across the region, including children in secure care.

**The Health and Social Care (Reform) Act (NI) 2009** requires the Department of Health and its Arm’s Length Bodies (ALB) to each have published a consultation scheme which describes how all stakeholders are engaged during the policy development process. Under these schemes, all stakeholders (including children and young people) should be involved in matters relating to all aspects of the care which they provide.

The **Children’s Services Co-operation Act (Northern Ireland) 2015 (CSCA)** places a statutory duty to co-operate on Government Departments in the provision of children’s services in order to promote children’s well-being. The CSCA makes a commitment to children’s rights in line with the relevant provisions of the UNCRC in the delivery of children’s services to improve the well-being of children and young people in Northern Ireland, this obligation is particularly important within the context of this proposed framework. The Children’s Services Co-operation Act (Northern Ireland) 2015 requires the Northern Ireland Executive to adopt a Children and Young People’s Strategy. This cross-departmental Strategy has been published to provide a strategic framework for improving the well-being of children and young people.

The **Children and Young People’s Strategy (2020-2030)** provides a cross-departmental strategic framework for improving the well-being of children and young people. It identifies eight outcomes to be achieved for all children and young people in Northern Ireland which includes: equality of opportunity and good relations are promoted; a focus on physical and mental good health; Access to play and leisure; ability to learn and achieve; to live in safety and stability; experience economic and environmental wellbeing; create opportunities to make a positive contribution to society; and live in a society which respects their rights. The Strategy identifies care-experienced children and young people, and children and young people in contact with the youth justice system, as requiring particular focus to help them learn and achieve, and to live in safety and stability

The **Mental Capacity Act (Northern Ireland) 2016** (MCA) emerged from that review and it provides a number of important safeguards and protections for people who lack decision-making capacity. The MCA 2016 will, when fully commenced, fuse together mental capacity and mental health law for those aged 16 years and over and was partially commenced on 2 December 2019.

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2. <http://www.cjini.org/TheInspections/Inspection-Reports/2015/October---December/Youth-Justice-Review-test> [↑](#footnote-ref-2)
3. NIAO (2020) Managing Children Who Offend – follow up Report [↑](#footnote-ref-3)
4. *Ibid.* [↑](#footnote-ref-4)
5. <https://www.niccy.org/about-us/our-current-work/statement-on-childrens-rights-in-ni-2/> [↑](#footnote-ref-5)
6. Key Messages from the Centre for Youth and Criminal Justice, CYCJ, April 2018 [↑](#footnote-ref-6)
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8. YJA Annual Workload Statistics 2019/20, YJA Statistical bulletin 2020, DOJ, Oct 2020 [↑](#footnote-ref-8)
9. Barschmann, R. et al (2020) The health of adolescents in detention: a global scoping review: Justice Health Unit, Centre for Health Equity, Melbourne School of Population and Global Health [↑](#footnote-ref-9)
10. CRC/GC/20 (2016) [↑](#footnote-ref-10)
11. CRC/GC/24 (2019= [↑](#footnote-ref-11)
12. Royal College of Psychiatrists (2020) Additional Submission to Justice Select Committee- Inquiry into children and young People in Custody July 2020 [↑](#footnote-ref-12)
13. DOJ/DOH (2020) Establishment of a regional care and justice campus p.14. [↑](#footnote-ref-13)
14. Barschmann, R. et al (2020) The health of adolescents in detention: a global scoping review: Justice Health Unit, Centre for Health Equity, Melbourne School of Population and Global Health [↑](#footnote-ref-14)
15. Coffey C, Veit F, Wolfe R, Cini E, Patton GC. Mortality in young offenders: retrospective cohort study. BMJ 2003; 326: 1064. [↑](#footnote-ref-15)
16. Barschmann, R. et al (2020) The health of adolescents in detention: a global scoping review: Justice Health Unit, Centre for Health Equity, Melbourne School of Population and Global Health [↑](#footnote-ref-16)
17. NIAO (2020) Managing young people who offend [↑](#footnote-ref-17)
18. United Nations Rules for the Protection of Juveniles Deprived of their Liberty Available at https://www.ohchr.org/EN/ProfessionalInterest/Pages/JuvenilesDeprivedOfLiberty.aspx [↑](#footnote-ref-18)
19. UN Rules for the Protection of Juveniles Deprived of their Liberty, Rule 28. [↑](#footnote-ref-19)
20. VOYPIC December 2020 [↑](#footnote-ref-20)
21. Review of Regional Facilities- Youth Consultation Report January 2020, Dr Colm Walsh, Queens University Belfast [↑](#footnote-ref-21)
22. Bryan, K., Freer, J. and Furlong, C. (2007), Language and Communication Difficulties in Juvenile Offenders. International Journal of Language and Communication Disorders, 42 (5), 505-520). [↑](#footnote-ref-22)
23. Department of Justice, Northern Ireland Registered Intermediaries Schemes Pilot Project, Post-Project Review, January 2015, Pg 4. http://www.dojni.gov.uk/index/publications/publication-categories/pubs-criminal-justice/ri-post-project-reviewfeb15.pdf [↑](#footnote-ref-23)
24. NIAO (2020) Managing young people who offend – follow up review [↑](#footnote-ref-24)
25. DOJ/DOH (2020) Establishment of a regional care and justice campus. Pg.31 [↑](#footnote-ref-25)
26. [A Review of Beechcroft and the Acute Child and Adolescent Mental Health Care Pathway.pdf (hscni.net)](http://www.hscboard.hscni.net/download/PUBLICATIONS/MENTAL%20HEALTH%20AND%20LEARNING%20DISABILITY/reports/A%20Review%20of%20Beechcroft%20and%20the%20Acute%20Child%20and%20Adolescent%20Mental%20Health%20Care%20Pathway.pdf) [↑](#footnote-ref-26)
27. [Mental Health Review - Still Waiting (niccy.org)](https://www.niccy.org/StillWaiting) [↑](#footnote-ref-27)
28. Review of Regional Facilities- Youth Consultation Report January 2020, Dr Colm Walsh, Queens University Belfast (p.14) [↑](#footnote-ref-28)
29. Review of Regional Facilities for Children and Young People, (2017) p.100. [↑](#footnote-ref-29)
30. <https://www.legislation.gov.uk/ukpga/2002/26/section/56> [↑](#footnote-ref-30)
31. [enoc-common-framework-of-reference-fv.pdf (niccy.org)](https://www.niccy.org/media/3763/enoc-common-framework-of-reference-fv.pdf) [↑](#footnote-ref-31)
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33. **CRC/C/GC/20 (2016)** [↑](#footnote-ref-33)
34. **CRC/C/GC/24 (2019)** [↑](#footnote-ref-34)