

NICCY SEMINAR – 17 SEPTEMBER 2015

THE SEXUAL EXPLOITATION OF CHILDREN AND YOUNG PEOPLE

SPEECH

“ACHIEVING TOGETHER”

INTRODUCTION

- I would like to take this opportunity to thank the Commissioner for bringing us all together this morning to focus upon our ongoing efforts in preventing what are despicable acts committed against the most vulnerable within our community.
- Perpetrators of this type of crime establish exploitative relationships that should be recognised and firmly placed in its wider context of sexual abuse.
- It has devastating and far reaching consequences for victims, families, and the wider community. While the extent of this crime is still not fully known, I am confident that as awareness of this form of abuse increases, more cases will be identified.
- In March, when the Department was invited to participate in this seminar, we were in the latter stages of a process that

would identify the actions we would take in response to Professor Marshall's recommendations.

- Her work, ably supported by the three inspectorates, shone a light upon what is the darkest side of criminal behaviour.
- Moreover, when published, SBNI's Thematic Review will represent a significant step in developing our overall response to keeping children and young people safe.
- We have heard a great deal this morning about how the sexual exploitation of children and young people is happening across Northern Ireland.
- It is clear that we all have a collective responsibility to do what we can to protect those who are most at risk.
- My departmental colleagues have talked about what they are doing to respond effectively to the challenges presented by this form of abuse and it is vitally important to re-inforce the message that they are not operating in isolation.

- Together, we are working collectively, in an environment that continues to nurture closer and stronger partnerships across the health, education and criminal justice sectors.
- We have published what we hope to deliver together and my Department's action plan outlines the role we will play - and the steps we will take - to ensure that together we achieve the best possible outcomes for children and young people.
- It has been six months since publication and our progress will be monitored and reported on an ongoing basis, through the Senior Officials Group to Ministers and Committees alike.
- Even in these first few months since publication, the wider Criminal Justice System has continued to evolve. In particular, the PSNI has made positive changes to Public Protection arrangements across Northern Ireland whilst our Agencies have continued to develop their operational assessment and delivery to identify and enhance their response.
- The DOJ's actions are focussed across a number of themes.

RAISING AWARENESS

- The Department and its Agencies will continue to play its part in raising awareness at a regional and local level.
- When engaging with local communities, we will continue to promote the work of the Safeguarding Board as it delivers a range of campaigns across Northern Ireland. With such a sensitive subject, the message must be that it is always “safer to know”.
- By delivering a consistent and meaningful message at a local level, it will help children and young people, parents and others within the community to understand:
 - the underlying vulnerabilities;
 - to identify the associated risks and indicators;
 - empower them to take positive steps; and
 - build confidence in reporting incidents.
- Policing and Community Safety Partnerships have and will continue to be an important part of this process.

- As they begin the process of setting their strategic priorities for the next three years, the Department has encouraged local PCSPs to develop innovative mechanisms, informed by SBNI's approach, in order to reflect those issues affecting children and young people.
- To help inform their understanding, the Department will also deliver awareness training on human trafficking to PCSPs that will include trafficking for the purposes of Child Sexual Exploitation.
- This work will be undertaken in the Autumn and is a valuable opportunity to reach out further and actively listen to those least heard within the community.

ENGAGING WITH VICTIMS AND COMMUNITIES

- It is important to recognise that our actions could and should be continuously improved. Professor Marshall recognised, as we do, that whilst there have been improvements in recent years, that victims are often reluctant to engage, fearing that the system will not treat them fairly.

- Whilst Criminal Justice Agencies will ensure their response to those reporting Child Sexual Exploitation is in line with relevant frameworks such as UNOCINI, at the heart of all our work must be our continued efforts to improve the experience of those unfortunate enough to become a victim of crime.
- Improving services for, and the treatment of, victims and witnesses of crime has, and will continue to be, a key priority for the Department and there have been a number of positive developments in recent years.
- Most significantly, Registered Intermediaries, as communication specialists, provide a valuable link between vulnerable individuals and those involved in the criminal justice process during the police investigation and at trial.
- Over the last two and a half years they have assisted over 500 children and adults, with significant communication difficulties, to give evidence.
- Of particular importance in today's context is that around 60% of these cases involve children.

- A similar proportion of cases involve sexual abuse or violence.
- Without Registered Intermediaries those most in need would continue to be denied access to justice.
- Furthermore, in many of these cases disclosure would simply not have been possible.
- There have also been a number of other improvements.
- A Victim Charter sets out victims' entitlements, in terms of how they are to be treated and the services to be provided.
- It will be put on a statutory footing in November.
- A Victim and Witness Care Unit, jointly run by the police and Public Prosecution Service, provides a single point of contact for as much of the criminal justice process as possible.
- The Department will also be taking forward work to gather the views of victims of sexual abuse or violence, as well as young victims of crime.

- This will be vital in getting a first hand account of what works well in the current system.
- It will also demonstrate those areas in which even the smallest of changes could potentially make a material difference to victims' experience of the criminal justice system.
- Only by hearing the voices of those who have been through the criminal justice system can we truly understand its impact and how best to improve.

PROSECUTING PERPETRATORS

- Professor Marshall highlighted how the current level of prosecutions and convictions impacts upon levels of reporting and engagement.
- It is important for the Justice System to concentrate its efforts in successfully bringing perpetrators before the courts.

- The Department of Justice, the Youth Justice Agency and the Probation Board, alongside colleagues in the Public Prosecution Service and the PSNI have contributed to initial discussions on how best to do so.
- As I have said, we cannot do this in isolation and that is why, we will bring their representatives together, in the months ahead, with those in the community and voluntary sector to examine what we can achieve together.
- Any delay in criminal proceedings can have a profoundly negative effect on all of those involved. Not only does it increase the burden on victims and witnesses who can feel like their lives have been put on hold, but it is not in the interests of the defendant. Both of whom rightly want their case to be decided as quickly as is reasonably possible. Delay in dealing with cases also lowers public confidence in the system.
- The Marshall Report rightly noted that the impact of delay in criminal cases has a particularly direct impact on young people, especially as it can have a detrimental effect on a young person's willingness and ability to participate in any subsequent trial.

- In order to reduce delay, the Report recommended that the Department take steps to ensure robust case management in criminal cases. To that end, and to support the judiciary's case existing case management powers, the Minister made provision in the Justice legislation recently passed by the Assembly to introduce a system of statutory case management in Northern Ireland.
- The Justice Act (NI) 2015, which received Royal Assent on 24 July, will place a duty upon the court, prosecution and defence, in relation to the conduct of criminal proceedings, to reach a just outcome as swiftly as possible. In addition, the Act enables the Department to make case management regulations.
- These regulations will impose further duties on the court, prosecution and defence and, in particular, confer functions on the court to assist in its active case management of criminal cases.
- The Regulations will be subject to public consultation and implementation is planned for Autumn 2016.

- The Minister remains focused on measures to speed up the time taken in youth cases. The Lord Chief Justice is also very keen to see a reduction in processing times in this area, given the obvious impact on young persons in the criminal justice system.
- The Department and criminal justice organisations continue to work together closely to ensure that both the measures to improve processing times in Youth Court, and the targets to be set for the completion of cases, are as challenging as they can be.
- Work to address delay in youth cases is a priority and officials will be briefing the Justice Committee on developments on 8 October.

EXPLORING LEGISLATIVE CHANGE

- The Justice Act also provided the opportunity for further legislative change and was used to create a new offence of communicating with a child for sexual purposes. This will assist in responding to the challenges presented by the increasing use of technology, particularly in relation to the practice of “sexting”.

- The new provisions also amend the previous evidence threshold in instances where perpetrators arranged to meet a child following grooming. This change enables police to take action against those individuals after only a single communication.
- The Department is strongly committed to exploring legislative change and to that end, we are in the process of examining the legislative issues, highlighted in Professor Marshall's report aimed at strengthening the current provision.
- By December, the Department will have completed our assessment and will then be in a clearer position regarding the need to bring forward her suggested changes.

WORKING TOGETHER & SHARING INFORMATION

- The Department and its Agencies have and will continue to be involved in resolving any existing uncertainty around how and when key partners can share information about those who might pose a risk to children.

- Defensible rather than defensive decisions are needed, and is vitally important that there is greater clarity in this area in order to achieve better outcomes for all.
- Responding to the challenges presented by the sexual exploitation of children and young people clearly requires a co-ordinated, Northern Ireland wide response.
- The Department has and will continue to be involved in the development of a regional strategy and we will continue to support the Department of Health as they lead on this work.
- It is important that, in doing so, there are also clear links with existing strategies that focus on known vulnerabilities such as substance misuse, human trafficking, sexual health with any future strategy reflecting the strength of existing partnerships in many of these areas, particularly those already aligned with current strategic commitments.

PROGRESS REPORTING AND CLOSING REMARKS

- In closing, we will shortly be reporting progress to both the Minister and the Justice Committee on delivery against our

Departmental plan and as outlined by my colleagues, this will then be brought together in a composite report.

- Accountability in delivery is key - and we are very aware that the existence of individual departmental plans has the potential to present the view that we are continuing to operate within silos.
- I hope that the future actions and progress to date outlined today, not just from myself in the Department of Justice, but from my colleagues in Health and Education, has gone some way to assuring you that this is not the case.
- There is a strong case for improving existing arrangements to monitor delivery and we will explore how best we can provide greater assurance and better illustrate what we achieve and how we achieve it.
- Let there be no doubt about our collective and continuing commitment to working together, to changing together and to achieving together.

CONCLUDING REMARKS

- Everyone in this room is here today because we want to achieve better outcomes for children and young people.
- We in the Department of Justice remain focussed on achieving those outcomes together.
- Thank you.