



Northern Ireland
Assembly

Committee for Justice

OFFICIAL REPORT (Hansard)

CJINI Report on the Monitoring of the
Implementation of the Youth Justice Review:
DOJ, Youth Justice Agency

28 January 2016

NORTHERN IRELAND ASSEMBLY

Committee for Justice

CJINI Report on the Monitoring of the Implementation of the Youth Justice Review:
DOJ, Youth Justice Agency

28 January 2016

Members present for all or part of the proceedings:

Mr Alastair Ross (Chairperson)
Mr Raymond McCartney (Deputy Chairperson)
Mr Stewart Dickson
Mr Sammy Douglas
Mr Paul Frew
Mr Seán Lynch
Mr Alban Maginness
Mr Edwin Poots

Witnesses:

Ms Kiera Lloyd	Department of Justice
Ms Mary Aughey	Youth Justice Agency
Mr Declan McGeown	Youth Justice Agency
Mr Paul McStravick	Youth Justice Agency

The Chairperson (Mr Ross): I welcome Declan McGeown, the chief executive of the Youth Justice Agency; Mary Aughey, the director of justice services; Paul McStravick; and Kiera Lloyd. If there are any introductory remarks, we will take those, and we will open it up to members afterwards. Declan, I think that you are opening. When you are ready.

Mr Declan McGeown (Youth Justice Agency): Thank you, Chair, for the opportunity to discuss with the Committee the latest Criminal Justice Inspection Northern Ireland (CJINI) report on the implementation of the youth justice review recommendations. As the Committee has already been briefed by CJINI staff, I will not rehearse the background to the report, which, as you know, is the second and final progress report on implementation. Rather, I will jump straight to the report's headline figure, which stated that 59% of agreed recommendations had been implemented, against a Programme for Government target of 90%.

I want to acknowledge up front that that figure is a source of great disappointment for us. I think that it is worth saying at this point that, in making our previous internal assessments of progress and reporting against the Programme for Government target, we had taken a slightly different view on how progress in some areas was measured. In effect, we assessed the progress made on the procedural, legislative and structural changes that were required for an improved youth justice system as envisaged by the review team. In its assessment, however, CJINI was much more focused on achieving and evidencing positive outcomes from those changes. Taking that view of progress, we therefore accept CJINI's independent assessment and concede that, whilst significant progress was made in implementing many of the recommendations, particularly those within our Minister's gift to

deliver, we did not achieve the target we set for ourselves and that there is still much work to be done. In that respect, we are in full agreement with the inspectors on the ultimate importance of achieving the right outcomes for children who come into contact with the youth justice system.

As outlined in our briefing paper for the Committee, there are a number of reasons why we believe that full implementation of some of the recommendations was not completed. The biggest challenge we faced was the fact that the breadth and the scope of the review meant that many of the recommendations were outwith the direct remit of the Minister of Justice. I understand that, throughout the process, the Committee had expressed concern about our ability to deliver on those, given our lack of direct responsibility, but we were content that, at that time, there existed sufficient good will and cooperation to succeed. Unfortunately, what we did not envisage were the financial and structural constraints that have been a feature in recent years and which have led to shifting priorities, meaning that it has sometimes been difficult to maintain focus and momentum on delivering the recommendations, particularly where we had no direct influence.

The report does indeed acknowledge that challenging operational environment within which implementation was being delivered and recognises the important successes that have been achieved. It also understands that for particular recommendations, namely those relating to an increase in the minimum age for criminal responsibility, implementation was entirely out of our hands, given the lack of political support. Whilst disappointment amongst Committee members regarding CJINI's assessment is completely understandable, there is, nevertheless, a positive tale to tell in relation to the progress made in improving our youth justice system. The report cites a number of achievements across a range of responsibilities and at every stage of the criminal justice process, and we would be happy to discuss that progress this afternoon, should members want more detail. We are, however, very aware that more work is needed in other areas where progress has been slow or has not delivered the outcomes we had wished for.

We would like to place on record that this work does not end simply because the final CJINI report has been published. Indeed, on 21 May 2015, you may recall that officials attended a meeting of the Justice Committee to brief members on the comprehensive scoping study on children in the justice system that had just been announced by the Minister. That scoping study is a continuation of the work begun by the youth justice review and builds on some of the procedural and structural changes made through the implementation of the review's recommendations. The entire exercise is being undertaken with a view to improving outcomes for children by, in particular, keeping as many as possible out of the criminal justice system and providing effective, targeted support and intervention. The work links directly to a number of the recommendations and, crucially, the underpinning principles in the youth justice review. For example, the review made a number of recommendations around early stage intervention and prevention. Therefore, one of the scoping study subgroups is examining options for maximising non-criminal sanctions and providing support and services to children and their families at an early stage to prevent them entering the formal justice system, thereby avoiding the negative life outcomes that often follow as a result. Part of that work will also consider how we can deal with that type of low-level offending without the consequence of a criminal record while still ensuring that children are held accountable for their actions.

The review team also proposed a range of improvements aimed at reducing the number of children admitted to custody, either under the Police and Criminal Evidence (Northern Ireland) Order 1989 (PACE) or on remand, and the provision of alternative accommodation to assist with that. That was an area of work where, unfortunately, we failed to make a substantive impact due to the complex and interrelated nature of the underlying issues and the lack of alternatives available to us at that time.

We are acutely aware of these problems, and we therefore have a subgroup focused on these issues and are developing proposals for a range of alternative approaches, some of which may require legislative change, with a view to custody for children truly becoming a last resort. The scoping study will also deliver on the Minister's commitment to underpin in legislation the removal of children from Hydebank Wood, as that, again, was a key recommendation of the review team.

The current work that we are doing will be particularly important in delivering some of the more complex recommendations in the review, which require a step change in thinking, along with significant support across a number of Executive Departments before implementation could be possible. Throughout the exercise so far, the engagement that we have received from representatives of key Departments and their agencies at steering-group and subgroup level demonstrates a joint commitment to the work that makes significant change possible. We are therefore confident that any proposals that are made as a result of the scoping study will have the backing of those involved in implementing the changes. Overall, this work is progressing well, and we hope to provide the Minister

with options for consideration, which he can present to the Assembly prior to the new mandate. The Committee will, of course, be kept apprised of progress.

In closing, I hope that this gives members an overview of the progress that has been achieved to date and the work that is ongoing in our continued efforts to develop the youth justice system and improve outcomes for the children in it. We are happy to answer any questions that you may have.

The Chairperson (Mr Ross): Declan, thanks very much. I want to pick up on a few issues that were outlined in the report. First, the report outlined that, by April 2015, the youth justice review was no longer a standing item at board meetings. Why was that?

Mr McGeown: The sense that we as a Department had was that it had very much progressed against many of the targets. It no longer was seen as a key priority piece of work to report on daily, because we felt that we had achieved many of the targets. As I said in my opening remarks, we have since realised that that is not the case. The scoping study has been central to the work of the Criminal Justice Board and Justice 2020 when developing our objectives for the years ahead into the next mandate. I think that we have kept children and the needs of children at the front and centre of what we are doing as a Department, albeit that it is now more tagged under the heading of the scoping study.

The Chairperson (Mr Ross): The DOJ youth policy team is no longer in existence. Again, why is that?

Mr McGeown: I guess that some of that is in a name, because what we have is the reducing offending policy unit, which is headed up by Kiera. Very early on in taking over my role, I augmented that team with our business improvement directorate because I felt that Kiera and her team were providing us with reducing offending policy advice and youth policy advice and that we had experts in our team. The sense for me was that we would build greater synergies by putting them together. While it is true to say that the youth policy team per se does not exist, the reducing offending policy unit has been augmented to take on board all of the youth issues, and we have a bigger, stronger team for that.

The Chairperson (Mr Ross): The role of criminal justice officer in the Department of Health was ended. Again, why was that?

Mr McGeown: I think that there were many issues to look at, and one of those will have been the financial perspective that we had at that time. As you will know, at that time, we faced a 12% cut to our budget. We had to look at how we made sure that we maintained a monitoring role down the centre while making sure that we cut our cloth accordingly. Yes, it is true that that role was no longer there, but we replaced it with an independent board member, who carried out that function on the agency's behalf. He still provides those detailed reports, and, as I am sure Paul will agree, those reports set the agenda for the work of this JJC. We still have that monitoring function, and it is still carried independently and is still very thorough. A report is produced each month, and that is considered at the agency board.

The Chairperson (Mr Ross): Tell me a bit more about that role. What exactly are they doing? Are they co-ordinating between the two Departments? What exactly does that look like?

Mr McGeown: I will pass to Paul. It is very much the same role that was being carried out in the past. Maybe Paul wants to elaborate.

Mr Paul McStravick (Youth Justice Agency): We have monthly inspection reports handed to us, and we have action plans from those as well. The independent board member comes in and talks to the young people and to all of the staff on duty. The staff raise various issues with the independent board member, and that is reflected back through the board meetings as well.

The Chairperson (Mr Ross): You referred to loss of momentum, and we heard about that previously. How do we get that momentum back, and who is charged with trying to get that back on track?

Mr McGeown: I think that the momentum is back on track now, and I think that the scoping study has given renewed momentum to it. All of what is in the youth justice review will be covered by what we are covering in the scoping study, and I think that the renewed vigour behind it, which may be driven

by the fact that there is a smaller budget around for all Departments, means that people are coming to the table from across the various agencies and Departments with a can-do approach. That has been borne out in the last eight months, when we have had the steering group and the subsequent subgroups. We have had Departments and agencies represented on those, and they have come to it with a fresh approach.

To answer your question of who is charged with making sure that it happens, that is probably me, as the head of the steering group. The momentum is starting to build, and the good ideas that are starting to take shape, coming out of both the subgroups and the steering group, will continue that momentum. A lot of the issues that were outlined by James and his team earlier this afternoon will be referenced, and there will be proposals to take them forward. That is where the momentum will come from.

Ms Kiera Lloyd (Department of Justice): It is also important to say that the scoping study is actually a continuation of the work of the youth justice review. CJINI showed us which recommendations were not as fully developed as we would want them to be. We had been looking at them from the point of view of putting in place procedures and processes. CJINI was, quite rightly, looking at whether the outcome that had been sought by the review team had been achieved. The scoping study is a way of scooping up all that focus on the outcomes, considering where we felt we had not gone back enough to the original outcome of the youth justice review and driving those forward by looking at outcomes. We were considering issues such as the use of PACE and whether Woodlands is indeed the most appropriate place of safety in Northern Ireland for children. Those are the kinds of issues that were raised by the youth justice review. We had started to put in place processes and procedures in our implementation plan. We accepted the fact that that did not necessarily go far enough. It was a very necessary step, but more needed to be done. The scoping study is very much a continuation of the work that was begun by the youth justice review.

The Chairperson (Mr Ross): Your written briefing mentions how the scoping study has "fully engaged" — I think that was the phrase used — with the key organisations and Departments. That is not what we heard from the Children's Law Centre and Include Youth. They said that engagement was very limited. Would you accept that, or do you take a different view?

Mr McGeown: Everyone will have their own opinion on it. It remains to be seen if this is the case, but my sense is that we have taken very much an outreach approach. We met the voluntary and community sector very early on to outline our thinking to date. That was around September, I think. I also chair the Children and Young People's Strategic Partnership subgroup on reducing offending, where all those groups sit around the table. At our last meeting, I gave them a presentation about what we were planning, the types of proposals that are starting to come forward etc. To answer your question, my sense is that we have engaged with them as well as we can, bearing in mind that it is an eight-month window. However, I take the point that some may feel that they are not engaged enough.

Ms Lloyd: We have seen a massive shift in our relationship with other Departments especially. For example, there has been a massive shift in our relationship with Education and the responsibility that it is taking for the education of children in Woodlands. There has also been a large development in the working relationship with the Department of Health and the trusts, including the trust in which Woodlands is based. There has been significant progress on areas of responsibility and a commitment from all Departments to work a lot closer together.

One of the issues that we have had, and which had been very clearly highlighted by the youth justice review team and others, is that the needs of the child are holistic. The child comes with many problems, but it is one child. The way that the Executive split Departments means that we each address a different part of the child. If a child has offended, we address the offending. However, that child is also very likely to come with mental health problems, which are addressed by somebody completely different; they are likely to have fallen out of school, and that is addressed by a completely different Department. So, you have five or six Departments all addressing the one child but all looking in segregated or siloed ways at a specific part of that child's needs. The only way that we will ever make that better is by coming closer together and looking at structures, procedures and processes, and at who takes responsibility at what point for the child. That is a lot of what we are exploring as part of the scoping study. Again, this has been raised many times over the years. What was in the youth justice review has been raised previously by the voluntary sector and others. We are considering it and working very closely with our colleagues in other Departments to see where we can bridge those gaps.

The Chairperson (Mr Ross): That is key, not just with young people but with adults. Alban and I were talking earlier about the whole problem-solving model of justice. The more you look into that, the more you see how many people in the criminal justice system have mental health issues, have addiction issues, had a difficult upbringing and had a lack of education. It is absolutely important that both Health and Education play their part in trying to avoid people coming into contact with the criminal justice system in the first place but also in helping to solve the problems of why people keep offending. In terms of where youth justice sits within the overarching thing, it said in previous months that if it wanted to be really radical, it could go to Education or sit somewhere else. The fact that it sits under the director general of the Prison Service does not fit particularly well perception-wise. I wondered whether you had any response to that and whether it was something that you would look at again.

Mr McGeown: Wherever the Youth Justice Agency is best placed will ultimately be a political decision, and I understand that. I can see the arguments for it being in Health or Education. From my personal view, having been in post for 18 months, being part of the reducing offending directorate and working under the reducing offending director — and I appreciate that the director general wears both hats — I found to be to the ultimate benefit of the agency. We were able to share resources and look at synergies, as I outlined, on how we have been able to work closer with Kiera's team. We were also able to look at the reducing offending strategic framework and the desistance strategy. The avenues to have those discussions at strategic level exist because we are part of the reducing offending directorate.

It may well be, down the line, that people decide it will be better placed in the Education or Health Department, and I do not mind that at all, but for the moment it is working effectively. I understand people's perceptions and comments that we are under prisons. We are not; we are aligned alongside prisons under reducing offending, and reducing offending is the brand that we work towards.

I know, at my level, that I have had the support of my colleagues for the 18 months that I have been in post. As the levels go down, we have had a sharing of resources and ideas. It works effectively for me, and that is borne out in the successes we have had in the scoping study to date.

Mr A Maginness: I think, Chair, you asked all the questions that need to be asked in relation to the report and the inspectors' report. What worries me is that loss of momentum. I understand you are saying that there may have been a loss of momentum but you are rebooting, as it were, the youth justice review. You put particular emphasis on the scoping study. You have faith in the study and that it will energise the programme again. Is that fair comment?

Mr McGeown: It is. I would go so far as to say not that it will but that it has already. We started this process with the Minister's announcement in November 2014, when he set down the parameters of this work and announced it formally in May. That wheel has been turning ever since, and that momentum building, which has made it easier in the eight months since to start bringing people together and drawing together ideas.

Mr A Maginness: The one thing that worries me, of course, is if there are further cuts. You had a 12% cut. If there are further cuts this year — and I do not know because I have not looked at the thing in detail — is the programme really sustainable in terms of achieving the success that you reasonably would regard as being attainable within the year?

Mr McGeown: I would say yes. Shortly after I took up the post, we were faced with a 12% cut to our budget for 2015-16. I brought together the senior team and talked to staff. I said that we would take a zero-based approach. We would look at what needed to be done and build the budget accordingly. I gave a commitment to all staff that they would not see any marked difference on 31 March last year and 1 April. That has been the case because we have kept the childcare ethos and the approach that we take to working with children at the centre of what we do. That remains. We looked cleverly at how we could manage our budget. We looked at ways to make savings, and that has been the driver for getting that 12%.

As we approach this year, we are still looking at the budgets and have still to get our final budget allocation, but my sense — as are the indications, as you are probably aware — is that it will be much smaller. That gives us a bit more of a budget to start planning, along with the ideas in the scoping study.

We managed well with a huge cut last year. We planned and cut our cloth accordingly. We have done a lot of workforce planning and prioritising for this incoming year in anticipation that our cut will be much higher. Therefore, as we move into 1 April and onwards, we will be in a good position.

Mr McCartney: Thank you very much for your presentation. I want to return to the scoping study and implementation plan. I think, from your presentation, that you would accept that the youth justice review dropping off the criminal justice board agenda was premature.

Mr McGeown: I think that it was, because it was probably based on a misunderstanding in so far as we, as a Department, would have thought that we had progressed further than we had. So, yes.

Mr McCartney: Would there have been a clear feeling when that decision was made that, "We have progressed this enough. It is no longer necessary for us to trouble the board with the youth justice review. We have taken it as far as is necessary or as far as we can"?

Mr McGeown: I think that colleagues in CJINI have outlined that it was probably in the spring of 2014, and that would align very much with the understanding at the time internally that we had progressed well and also with a change in structures in the Department. While there would probably have been a decision around then that the focus would change slightly, it might also have been exacerbated by the fact that there was a change in the structures. Maybe there was a hiatus for a couple of months into the summer period, but I can certainly say that, from October onwards of that year, the momentum coming towards the scoping study brought renewed vigour to it all and we started moving forward on that basis. In short, it is probably fair to say that it happened around springtime and was probably on an understanding that we had progressed far enough. It was probably exacerbated by the fact there was a restructuring in the Department.

Ms Lloyd: It is also to do with having an implementation plan and actions against it and your view being that, in the main, the implementation actions have been put in place, in the processes and in the way that people were working in getting providers, from the PSNI's perspective, for some of the training that it was doing. There was then a time to allow it to bed in. There comes a time when you are moving from implementation — putting something in place and monitoring whether something has been put in place — and it then becoming part of day-to-day operation and bedding into the system. At that stage, you are not necessarily doing what you would call an implementation action plan any more. You have the recommendations and processes implemented, and you are checking whether they are having the impact that they should have had. That is where we come back to looking again at outcomes and considering them. So, whilst we were not necessarily monitoring continuing implementation, we were looking at outcomes, and that leads you into where the scoping study kicks in.

Mr McCartney: I get the impression — I might be wrong, and I am sure that you will correct me — that this dropped off the agenda rather than it being a case of someone taking a strategic decision to say, "This is no longer necessary".

Mr McGeown: I do not think that "dropped off" is a fair comment, but I understand what you are saying. There was an understanding, as I said, that we had progressed as far as we could at that time. It is borne out in our letter to the Justice Committee last November, when we said that we felt that we had progressed far enough vis-à-vis the youth justice review, but we recognised that there are still pillars of work to be taken forward and that we will make sure that we do not lose sight of those. Those pieces of work have moved into and under the banner of the scoping study.

Mr McCartney: Who decided that there was a need for a scoping study and why?

Mr McGeown: It was the Minister's decision. It came —

Mr McCartney: I do not think that he decided, "I will have a scoping study". Somebody must have told him that there was a need for it.

Mr McGeown: Members may recall that there was a lot of talk at the time about looking at how we develop legislation to keep children out of Hydebank. The more we returned to that legislation to see how we could do it, the more complex it became, and the conscious decision from us and the Minister was that we could spend all our time and all our resources trying to fix the legislation to keep children out of Hydebank or we could devote that energy to taking a renewed look at the work that needs to be

done for children from an end-to-end perspective. That is why, in autumn that year, we diverted our focus in that way.

Mr McCartney: Is there now a very clear implementation plan on how to resolve the rest of the recommendations?

Mr McGeown: We have kept at the forefront of our mind all the issues that are still left to take forward through the youth justice review, and they have been central to the subgroups that have been set up to look at how we move forward. We hope that, in the latter part of the spring and probably around late February or early March, we will come to the Minister with a set of worked-up proposals on how we think we can move forward on the various issues. That will include the broad suite of issues that were contained in the youth justice review and more.

Ms Lloyd: There are some things that we cannot do. For example, one of the recommendations that were not achieved was the establishment of an early intervention unit in OFMDFM. That has been taken over by the early intervention transformation programme, which is having great success. It does not make sense for us to continue implementation of that recommendation, which was made in 2010 and no longer stands because we have absolutely no sway over that. The minimum age of criminal responsibility is another one — we would be taking it forward to implement it in the absence of political consensus. There are things that we can do to encourage younger children out of the system, but without political consensus, we cannot actually implement that legislatively. There are certain recommendations in the youth justice review that we will not be able to meet.

Mr McCartney: The scoping study has now concluded. There are clear recommendations.

Mr McGeown: It is still being concluded. We gave the commitment that we would bring the set of proposals to the Minister in February 2016. We have the steering group that meets on 8 February, and we hope that it will follow that. We will come to the Justice Committee with our proposals.

Mr McCartney: The Chair referred to the youth justice policy team and other posts. Are you very much of the mind now that there are clear oversight and monitoring mechanisms in place to take this forward?

Mr McGeown: Yes. I say that because, as I have said, we are developing within the Department what is called Justice 2020, which is looking towards the next mandate. We are part of that Justice 2020 document. We have set out the key metrics that we will measure ourselves against over the next five years. Tied to that, we are also developing indicators to measure our progress. The short answer is yes.

Mr McCartney: You have already touched on the idea of the director general being the chair of the reducing offending directorate. Are you satisfied that the focus will remain child-centred?

Mr McGeown: As I said, I have been in post nearly 18 months. The role carried out by the director is to provide strategic oversight. It also gives me great autonomy to look at ideas. I think that I get the best of both worlds from it.

Mr McCartney: If you believed that there was a moving away from the child-centred aspect of your work, would you be confident enough to say, "Look, this is not working and we need to be somewhere else"?

Mr McGeown: I would, and I know that I would be listened to.

Mr McCartney: OK. That is good. I know that it was one of the three items that you would accept in relation to a consensus, but would you accept that, at present, there is a gap with regard to the Bail Act, particularly in relation to children in care, which needs to be addressed urgently in both PACE and bail procedures?

Mr McGeown: I do. As I say, it forms part of the scoping study.

Ms Lloyd: We are conscious that the Law Commission made an awful lot of recommendations regarding bail for children. We absolutely agree with it on a lot of the issues that we have around

children and that some of the bail conditions that are set for them are unsuitable. A lot of the work of the scoping study has been on how we can invigorate the area of bail in terms of police bail, oversight and putting in place gatekeepers, and how we can work with the judiciary on judicial bail conditions. Those all form part of the scoping study. They are a key part of it and will be a key part of any legislative agenda in the next mandate.

Mr McCartney: I am not saying that you would conclude everything by the next meeting, but would you have a clear indication within the next short while of where you are taking that in the next mandate?

Ms Lloyd: Yes.

Mr McGeown: And by the time that we come back to the Justice Committee — I think that it will be on 3 March — we should have an outline of the type of proposals that will be coming forward.

Mr McCartney: There was less consensus on the age of criminal responsibility. In fairness to the Committee, there might have been a divergence of views on statutory time limits (STL) at the beginning, but the more we heard and presentations we got, there was, at least, an understanding of not just what it was about but the impact that it could have, particularly on reducing offending. I am just wondering what the timeline is for that going forward.

Mr McGeown: There is an ongoing consultation exercise on statutory time limits. I am sure that Committee members will know about that. I am not sure when it is to report. It is not our direct area of responsibility. It went out in December 2015, so I suspect that it will be towards the spring and into the summer of this year.

Ms Lloyd: In December 2013, they issued a consultation on time limits in youth courts. The issue of statutory time limits is one of the areas that are not actually being addressed in the scoping study because a whole other area of the Department is looking at it. That is going out to consultation at the moment. There are currently opportunities for members of the public to comment on how they view statutory time limits being taken forward. That is reopening the conversation around amending the legislation in order to introduce a new starting point.

Mr McCartney: OK. Thank you. My last question — maybe it is a comment rather than a question — is about the idea of it being on the board's agenda. Do you think that it is something that should now be a priority? Should this remain a feature on the board's agenda, so that it is seen as a priority?

Mr McGeown: I think that the scoping study is the umbrella that captures all this work. We are now figuring in Justice 2020. Kiera and I were asked, in the summer of last year, to do a presentation to the board. I think that we are there already with that. There is an interest each month on it.

Mr McCartney: I want to ask about the gap created by the youth policy team and the justice coordinator in the Health Department no longer being there. Do you feel that that gap has now been closed, or is there still a need to address it?

Mr McGeown: Since we put in place the new arrangement with the independent monitoring officer, I think that it has worked very effectively. Certainly, the reports that I get each month have really set the tone for the work. Paul knows — and Brian, if he were here today, would say — that, on receipt of those reports, once I consider them, I usually send them straight to the director and to Paul and say, "We need to take action on these particular points". So, I think that they have been very effective.

Mr McCartney: Is it the case that, some 12 months from now, the Committee — whoever sits on it — will be in a better place in relation to the youth justice review's recommendations?

Mr McGeown: I think so. We are already starting to see that. I am sure that some members will have comments to make on the PACE figures. In the last 12 months, we have already seen a 9% decrease in the number of people being PACEd. We are seeing fewer people going through Woodlands. In fact, on remand and sentences it is up around 20%-plus. I think that we are already starting to see that education that we spoke about earlier. We have made huge strides in that over the last few months. So, yes.

Mr McCartney: OK. Thank you very much.

The Chairperson (Mr Ross): I want to echo Raymond's comments about the STL. Before my time, there were concerns around the idea that, if a statutory time limit was not met, the case of the person who would potentially be in front of a court would fall apart. Once there were reassurances that that would not happen, the Committee's view was, in the first instance, to ask whether those time limits were challenging enough and, secondly, to make sure that extensions to STLs would not become routine. I think that that was what the Committee's concern was, rather than it being opposed to them. You are maybe being a little bit economical with the realities of these things. The Department keeps changing its mind on it, rather than anything else.

You are right that there is not political consensus on the age of criminal responsibility. I think that the Jamie Bulger case has made it very difficult for any politician to want to move away from the current age. We need to have the capability to bring prosecutions, but there are many other things, because, in the vast majority of cases, you will not want to bring a prosecution against a 10- or 11-year-old. I think that there are ways of diverting young people away from the criminal justice sector altogether, beyond filtering. You can achieve that without changing the age of criminal responsibility. Again, I do not think that it should be that much of an impediment to some of this stuff.

Mr Douglas: Thank you for your presentation so far. Declan, would you be able to provide us today with a snapshot of current staffing levels at the juvenile justice centre?

Mr McGeown: I probably would not have the figures today. I can give you overall figures for the Youth Justice Agency. We are staffed for 318 bodies. That is published in various documents. Currently, through the voluntary exit scheme (VES), we have lost 60 staff and then, through death in service, medical retirement etc, we have lost a further 10 to 15 staff.

Mr Douglas: Is sickness an issue?

Mr McGeown: Sickness is an issue. It is much-publicised, I have to say, as well, in so far as the Youth Justice Agency and the Department as a whole currently finishes bottom of that league each year with its high sickness rate. From the perspective of the Youth Justice Agency, we are seized of that, and we agreed with our board that we would put in place an action plan. The plan has been in place from 1 April 2015; and, since then, we have gone from 22 days sick, at April, to the most recent figure of 15. So, we are starting to have a sizeable impact, because we have put in place measures to address what has been an issue for the agency.

Mr Douglas: Earlier, you mentioned the importance of the childcare ethos. You have problems with low staffing levels, but you say:

"the childcare ethos ... is predicated on appropriate staffing level and suitably qualified and experienced staff."

Is that ethos being undermined because of the issues that you face at the moment?

Mr McGeown: No, and I say that with confidence because the sheer volume of children coming through the justice system has reduced markedly. Take, for example, the numbers for any one day in Woodlands: last year, it would have been 34; this year, it is 25. Take the number of people going through the youth justice service at Mary's end. It has probably fallen by almost 50% — maybe not by that much, but certainly by a sizeable percentage. I believe that we have been able to cut our cloth, by recognising that the numbers coming through the system have fallen and reacting accordingly. I am sure that Paul will elaborate. Take Woodlands, for example. The number of young people coming into Woodlands has fallen so considerably that we have been able to get staff more involved in an end-to-end way, from 9.00 am to bedtime. Basically, staff are getting more involved instead of manning the houses, so to speak.

Mr McStravick: We are staffed for six residential houses, but we have only four house units operating. We have been able to manage the staffing levels and the children and young people within the four houses. We have had only five houses open since last May. Today, we have 23 young people in custody, including two females. There are three male houses and a girls' unit.

Ms Mary Aughey (Youth Justice Agency): It is the same on the community side of the house. Historically, we have worked with about 1,500 young people at a time. Over the whole of last year, we worked with 900, so that is down significantly. My caseload is sitting at 642. If there was ever an opportune time for VES, this was it; we have been very fortunate in the timing. That has to do with a number of reasons. First of all, the demographics: we have fewer 10- to 18-year-olds than we have had for years. Secondly, the system has got much better at diverting young people. The young people we are working with are the critical few, if you like. Only 5% — just to get back to a previous point — are aged between 10 and 13. Two thirds of those young people are 16 and above. The system is shifting towards the higher-risk young person, whilst other young people are being diverted away, which is nothing but positive. We were fortunate in that, in losing 22 staff, only 11 were front-line staff. I would say with a lot of confidence that children, victims and communities have not noticed any reduction in service delivery or quality since VES.

Mr Douglas: Finally, I raised with the previous panel the whole issue of the education learning centre. Could you comment on the reduced hours of education provision that the children face?

Mr McGeown: I will start and then pass to Paul. We recognise, as CJINI reported when it looked at Woodlands in May 2015, that our education needed to be improved. We accepted that. It is also true that the number of hours that the children had was lower than it had been in the previous year. What we have set about doing is forging very strong links with the Department of Education, from ministerial level down, where they have been hugely supportive, from basically the springtime of last year, saying, "What do we collectively want to do about that?". That culminated, as you will know, in the announcement last December by the two Ministers on rebranding the education learning centre as education other than at school (EOTAS), and we work towards that in May of this year. So, I think that we are making huge progress, but Paul will be able to talk more about the progressive routine.

Mr McStravick: I will give you a quick update on the progress since the ministerial announcement on 17 December that the education provision for young people in custody in Woodlands would transfer to the Education Authority. Officials from the Department of Justice, the Youth Justice Agency and the Education Authority have been meeting to give effect to the transfer and to work through the various procedural issues. From that work, it was agreed that Woodlands should become an EOTAS centre as provided for under existing legislation. Education Authority officials have also extended access to the Classroom 2000 network, or C2k as it is better known, to Woodlands. The transfer to the Education Authority will ensure that children and young people at Woodlands have access to mainstream curricular and extracurricular subjects that will assist in raising their knowledge and skills and their ability to function in the same way as any other young person when they return to the community.

By way of background, since 2013, the education department at Woodlands has reduced in size due to the NICS voluntary exit scheme, ill-health retirement, inefficiency proceedings, a death in service and redeployment. That has resulted in a reduction of teaching and development hours; however, they have been supplemented by programmes and activities delivered by youth services, our horticultural project and programmes delivered by a range of community and voluntary organisations and residential staff.

Woodlands has ring-fenced the budget for all existing teaching and vocational instructor posts, educational resources and teaching materials. All vacant posts are intended to be filled following agreement of the curriculum with the Education Authority officials. Woodlands will have a role in the selection and training of teachers to work effectively with children and young people to ensure that the education provision is effectively integrated within our care planning assessments and other complementary social and behavioural arrangements. Overall responsibility for the teaching, the curriculum assessment methodology, the educational corporate governance arrangements and the effectiveness and quality of teaching standards will rest with the Education Authority.

Since the removal of all under-18s from Hydebank Wood in November 2012, the profile of young people at Woodlands has changed. This has led to a significant increase in the admission of young people who are post school-leaving age. Therefore, in conjunction with providing education for those of statutory school age in the essential skills of literacy, numeracy and ICT, we must also develop skills for life for those 17-year-olds and support and encourage them to prepare for the world of work, further education, vocational instruction and work experience opportunities.

Youth Justice Agency officials and Education Authority officials have been consulting with mainstream educationalists and community practitioners on the development of a core curriculum and on the

methodology for effective delivery. Once designed, the curriculum, the methodology for delivery, resources and the monitoring required for service provision will be compiled into a service level agreement between Departments. Work streams have been established to focus on the key areas of finance, legislative constraints, staffing and curriculum, and are on course to enable Woodlands to achieve EOTAS status by May 2016. It may take a bit longer to have fully recruited or resourced all the teaching and vocational staff required. However, as an interim measure, temporary teachers can, if found suitable for Woodlands, be drawn from the Northern Ireland substitute teacher register, or the NISTR list as it is more commonly known.

With the attainment of EOTAS status, and with support from the Education Authority, we are hoping to implement a central learning hub of approved and scheduled activity in our learning centre. Through this partnership and the outworking of the core curriculum, it will be ensured that the children and young people have access to mainstream education programmes and accredited training for future employment, and, at the same time, have access to behavioural modification and mental health interventions to support holistic development and higher level functioning. To conclude, our core educational day will provide learning and development opportunities, and vocational and work experience, but also challenge criminogenic behaviours, as well as provide recreational activities. We hope to do this up to six days a week and up to 48 weeks a year.

Mr Douglas: Great, thanks very much.

The Chairperson (Mr Ross): No one else has questions to ask, so thank you very much; I appreciate that.