

# **NSPCC response to the Youth Justice Review**

**February 2011**

The NSPCC welcomes the opportunity to respond to the Youth Justice Review. The NSPCC is the lead voluntary child protection agency in Northern Ireland and is unique among charities in having statutory powers by virtue of its Royal Charter and the Children (NI) Order 1995. The NSPCC's authorised status is recognised in the Criminal Justice (NI) Order 2008 in relation to public protection arrangements. The NSPCC aims to end cruelty to children by seeking to influence legislation, policy, practice, attitudes and behaviours for the benefit of children and young people. This is achieved through a combination of service provision, public affairs, campaigning and education. The NSPCC employs approximately 150 staff in Northern Ireland providing a range of services. These include therapeutic work, family support, assessment, support for young people with sexually harmful behaviour, Young Witness Support (funded by a core grant from the Department of Justice), counselling services in schools, Independent Visiting Services for young people in the care system, Child Protection in Sport and ChildLine, the free confidential helpline for children. In addition, the NSPCC operates a 24 hour national Child Protection Helpline for adults concerned about the welfare of children.

#### Key Issue: Sexually Harmful Behaviour

We have been concerned for some time about the justice pathways for children who sexually abuse others. Under Co-operating to Safeguard Children (DHSSPS, 2003) and amended regional ACPC guidance they should be treated as children in need of protection and subject to multi-agency assessment. However, the actual way children enter treatment, are diverted through young justice or end up getting prosecuted is far from clear. It is a very complicated policy area cross-cutting a number of NI government departments and reserved matters and in this regard we have had a number of roundtable discussions in the past with other agencies and the Public Prosecution Service (PPS). While there has been some recognition by the agencies of the challenges involved progress has been very slow.

This complex issue is also bounded by a range of policy documents, sexual offences legislation, sex offender registration and notification arrangements and new vetting

and barring arrangements and has an interface with Public Protection Arrangements Northern Ireland and Youth Conferencing.

Key issues include:

- The need for agreed policy context in dealing with these young people across organisations particularly around youth justice;
- Uniform training and awareness-raising for professional groups on SHB;
- Improved interagency information-sharing and protocols. The development of a PPS prosecution protocol setting out the principles of court interventions with these young people;
- Agreed models of assessment and treatment and recognition of approaches and outcomes by the judiciary; and
- Improved statistical information on this cohort including information on outcomes.

**There needs to be a common understanding between agencies about treatment of young people who sexually offend and a common pathway for treatment and prosecution.**

**The Public Prosecution Service should develop a prosecution protocol which clearly lays out how these issues should be dealt with in the Criminal Justice System.**

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