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OpenLearn course: Youth justice in the UK: children, young people and crime
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Commission on Justice in Wales: Written Evidence submitted by the Welsh Government

Welsh Government

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Justice delivery in the Welsh context

Opportunities for innovation and reform

The Welsh Government is taking action through legislation and delivery programmes on a wide range of issues impacting the justice system. These are summarised at Annex 2, but the ongoing collaborative work with the Youth Justice Board and Her Majesty's Prison and Probation Service (HMPPS) to develop distinct justice delivery blueprints for youth justice and women offenders perhaps merit further consideration by the Commission.

The Welsh public services model creates opportunities for continuous improvement and reform to promote more integrated working. Examples include:

Our transformation of youth justice in Wales using a model based on treating young people within the system as children first and offenders second – recognising their rights and entitlements throughout. Initiatives such as the 'bureau/ triage' approach to early intervention – funded by Welsh Government – has resulted in significant and sustained reductions in the number of First Time Entrants by diverting children away from criminality, while our ACEs informed Enhanced Case Management (ECM) approach to managing young people who repeatedly offend has demonstrated success in reducing reoffending rates among this cohort. These approaches will form the foundations of the new 'blueprints' development for both youth justice and women offenders.

Better outcomes for children and young people

The Welsh Government works closely with the Youth Justice Board Cymru (YJB Cymru) and jointly developed the Children and Young People First strategy in 2014 to improve services for young people from Wales in, or at risk of, becoming involved in the youth justice system. It is based on the principle that children and young people within the youth justice system should be treated as children first and offenders second. We work closely with YJB Cymru and youth justice services across Wales to monitor performance and offer improvement support where required.

In addition, we co-chair youth justice strategy and practice meetings with YJB Cymru – such as the Wales Youth Justice Advisory Panel and Strategic Implementation Board – in a partnership approach which seeks to mitigate the issues and challenges of implementing non-devolved youth justice policy within an increasingly devolved context. This includes supporting the YJB to develop and evaluate uniquely Welsh approaches to youth justice such as Enhanced Case Management, a trauma-informed model based on our growing understanding of Adverse Childhood Experiences (ACEs), particularly with regard to how such experiences can significantly increase a young person's likelihood of entering into the criminal justice system. We are also aware of the impact of the cyclical inter-generational nature of ACEs, in that where parents have experienced ACEs, their children are more likely to experience ACEs too.

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There are also clearly evidenced links between the youth justice and the Looked After Children (LAC) systems, with a higher proportion of LACs becoming young offenders. Reducing the incidence and impact of ACEs is a key priority for Welsh Government, and we seek to take an ‘ACE-informed’ approach across policy areas. However, our inability to control aspects of the criminal justice system can hamper this work, for example in relation to children in secure accommodation, and the impact of the incarceration of parents.

Prior to his appointment as the Chair of the Youth Justice Board for England and Wales, Charlie Taylor conducted a review of the youth justice system which was published in December 2016. The review made 36 recommendations for the UK and Welsh Governments, relevant inspectorates, local authorities and other bodies. However, many of the recommendations will require a different approach for Wales, not least due to the already effective joint working which exists between YJB Cymru and Welsh Government. Furthermore, legislation such as the Well-being of Future Generations (Wales) Act requires a different approach to ensure the delivery of a youth justice system that is fit for purpose and provides the required focus and support to young people in Wales.

The Welsh Government and UK Government have therefore agreed to develop a distinctive approach to youth justice in Wales. To achieve this, Welsh Government has commissioned YJB Cymru to carry out a review of youth justice service provision, building on the approach taken by the review conducted by Charlie Taylor. It is anticipated that work will commence at pace to review the entire youth justice approach in Wales, from prevention and early intervention mechanisms, community based restorative justice, the existing youth secure estate within Wales, and resettlement provision and services. For example, the current Young Offenders Institution located within an adult prison environment at HMP Parc is not deemed as an appropriate environment to address children’s needs.