

STATES OF JERSEY



STRATEGY FOR DEALING WITH YOUNG OFFENDERS: ESTABLISHMENT OF WORKING GROUP (P.201/2009) – COMMENTS

**Presented to the States on 19th January 2010
by the Minister for Home Affairs**

STATES GREFFE

COMMENTS

As the proposer acknowledges, he has felt bound to lodge Report and Proposition P.201/2009 partly out of a sense of frustration firstly, through having been unable to add the establishment of a working group to proposition P.148/2009 on the naming of youth offenders, and secondly, because of a perceived lack of progress by the previous Corporate Parent in addressing youth justice issues. Whilst these frustrations are understood, the Minister is of the view that, firstly, irrespective of the arguments advanced in support of the proposition, it is inappropriate procedurally. Secondly, and more importantly, the Minister considers that, together with the Ministers for Health and Social Services and Education, Sport and Culture, renewed efforts are being made through the newly-formed Children's Policy Group to address the issues raised by the proposition.

The proposition recommends the setting up of a working group comprising the Ministers (or Assistant Ministers) for Education, Sport and Culture, Home Affairs and Health and Social Services, and 3 non-executive members drawn from the Education and Home Affairs and the Health, Social Security and Housing Scrutiny Panels, to research and draw up a targeted, joint strategy for dealing with young offenders and youth crime. The Minister is of the view that this proposal may be contrary to the preferred practice of the Scrutiny Chairmen's Committee. The issue was discussed at the Chairmen's Committee meeting on 12th November 2009 and the Part A public minute records as follows:

“5. Requests by Ministers for Scrutiny Panel representatives to serve on Executive Panels/Boards

A number of Ministers had suggested to respective Scrutiny Panels that Panels should have representatives working on Executive working groups. In view of the fact that this would place Members and Panels in difficult positions if they disagreed with the working group and subsequently wished to review the outcomes of the group it was agreed that it was inappropriate for scrutiny to be working on Executive initiatives and all Panels should decline such offers. This did not preclude Members serving in a private capacity.”

The Minister's concern, therefore, is that this might inhibit Scrutiny Panel Members' ability to scrutinise and criticise initiatives formulated by the Executive and recommended policy at a later date.

Although the Minister cannot support the composition of the proposed working group, partly for the above reason, the desired output from such a group, i.e. a targeted, joint strategy for dealing with young offenders and youth crime, has widespread support. In its comments on P.148/2009, the Education and Home Affairs Scrutiny Panel supported the adoption of a more holistic approach that should address, inter alia, the inability of the Courts to sentence under-15s; the strengthening of diversionary approaches; and parental responsibility.

The need for a Children's Plan for Jersey, reflecting the range of services provided to children and young people and the level of investment applied, has become increasingly apparent. Historical and more recent events, and the proliferation of reviews and analysis which has ensued, has illustrated the degree to which awareness of the needs of children requires political commitment and strategic direction. As leaders of the renamed Children's Policy Group (CPG) the 3 Ministers are in

agreement that their single most important task will be the development of the first Children's Plan for Jersey. This will ensure that all services share the same goals, and work co-operatively to provide seamless services. It will form the 'blueprint' for children's services into the future, and will provide the means to judge how effective they are.

The plan will cover all areas of children's lives, and will impact upon a broad range of services provided by the States, private and voluntary sectors. Although the primary focus will be the welfare of all Island children, the CPG has made a commitment that the Plan will specifically encompass youth offending and youth justice issues which have recently been the subject of discussion in the States Assembly.

The Minister for Home Affairs has already proposed a new policy in relation to persistent and serious offenders who are under 15, which involves a review of sentencing options and the criteria for seeking secure accommodation orders. These views will be taken into account during the preparation of the Children's Plan which, it is recognised, will need to weigh all considerations carefully in order that Plan objectives can be agreed, services can maximise their effectiveness and finite resources can be used most efficiently.

The CPG has commissioned the production of a Children's Plan to be overseen by Andrew Williamson, with support from Mike Taylor, Independent Chair of the Jersey Child Protection Committee. An ambitious timescale has been set for this task. The first draft, comprising a framework indicating the scope and content of the report will be presented to the CPG by the end of February. The detail of the Plan will then be developed, the intention being that it will be presented to the States in the third quarter of 2010. Once approved, the Plan will provide the backdrop to all forward planning in relation to children's services, and will inform budget decisions in 2011 and beyond. The Children's Policy Group will then establish a programme of revision and publication.

Were the States to endorse P.201/2009, the CPG's view is that it would seriously hamper progress towards the preparation of the Children's Plan. Moreover, at a time when the efficient running of States business should be our touchstone, the CPG's view is that the proposition, if adopted, would serve to duplicate work when it is already making a determined effort to meet a similar objective.

The proposition sets a timeframe to report back to the States within 12 months. The Children's Plan will be available well within that timeframe and will include a significant period of time available for scrutiny by the appropriate panels. It is likely, therefore, that the opportunity for inspection and input by non-executive members will occur earlier than if the proposition happened to be supported by the States.

For the above reasons, the Minister for Home Affairs, on behalf of the Children's Policy Group, considers that the proposition should be rejected by the States.

Financial and manpower implications

The proposition states that there are no financial and manpower implications; that this work should already be a high priority for each of the departments; and that a report can be achieved within existing departmental budgets and staffing.

As will be clear from the above comments, this work is indeed a high priority for the departments involved, so much so that a Children's Plan is already being developed within existing resources. Further work to cost the proposition would therefore be nugatory, especially as the Minister will not be supporting it.