Positive Youth Justice
Children First, Offenders Second

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What we’ll cover

- The CFOS principles
- CFOS as practised in the Swansea Bureau
- Surrey’s PYJ
- Implications for YJ practice
Positive youth justice: 
*Children First, Offenders Second*

- *Children First, Offenders Second (CFOS)* evolves contemporary youth justice beyond its contemporary risk focus

- Promotes a principled, progressive and practical approach to the treatment of children in the Youth Justice System.
CFOS as anti-risk

- The measurement, assessment and amelioration of **risk** drives contemporary youth justice
- However, the utility & appropriateness of the risk paradigm has been over-stated
- Partial evidence-base
- Limited methodologies
- Negative-facing & retrospective
- No consensus about what approach should or can replace risk as the driver of policy and practice.
Positive youth justice:  
*Children First, Offenders Second*

4 principles promoting:
- Children’s rights & adults’ responsibilities
- Promotion, inclusion & desistance
- Diversion & systems management
- Relationship-based partnerships – inc. participation, engagement, legitimacy
The Bureau Model

• Diversionary
• Child-first
• Partnership – children/family, agencies, pracs
• Evidenced based & effective
  – reductions in FTEs & reconviction
  – higher % of NCDs
  – inclusion, participation, engagement, legitimacy
“Children grow to fill the space we create for them, and if it’s big, they grow tall....I’ve not yet met a child not capable of greatness if given the opportunity and encouragement....The best present we can give our children is the chance to do something great. It’s a gift that will last a lifetime and transform their lives.”

Jonathan Sacks quoted in the Medway Improvement Board report
Medway Improvement Board report May 2016

“They treat you like an animal and it’s when you need real help.” Young person at Medway STC

“over-controlling and degrading”

“dehumanising”

“control and containment”

“the voice of the children is not being effectively heard”
The Board noted that the use of the term ‘risk assessment’ appears very frequently in all documentation...The Board is concerned that this practice appears more about control and containment than safeguarding vulnerable children

Medway Improvement Board Report May 2016
The Positive Turn?

• Austerity – we can’t afford negative YJ
• Build on success of diversion, restoration
• Devolution / public service reform – local areas can drive new agenda
• YJ Review – children-first and education-centred agenda
• Taylor new chair of YJB
• Children-first policing – a positive driver for YJ
Surrey’s Positive Youth Justice – the story so far

- Diversion (lowest FTE in the country)
- Integrated – non-siloed (no YOT) within ‘one stop shop’ for a range of vulnerable YP’s
- Restorative – for young person and victim
- Relationship-based service, built on ‘what works’ for adolescents
- Participative – engaging, accessible, inclusive
- Whole family approach & 0-19 Early Help offer
- Future focused – emphasis on education, skills and employability
Appendix 2

Young person/people
Unacceptable behaviour/offending

Prevention
Resolved without call to police

Point of Offence
Police call centre notified of cases

Pre-Charge Decision Making
Pre-court decision making/out of court disposals

Courts and Rehabilitation
Cases only suitable for prosecution

* = key decision making point
✓ = case concluded

Resolved/restored without call to police
- Early Help
- Schools (restorative)
- Community development
- Anti-social behaviour responses
- Police engagement with young people
- Restorative care (children in care)
- Safeguarding Services
- Support for parents

Respond
Reported to police as a crime

Redirect
Police officer involved in the case responds/investigates

Resolved by way of community resolution

Case not suitable for community resolution. Referred to Joint Decision Making Panel (JDMP)

Cases resolved by way of out of court disposal
- NFA
- Youth Restorative Intervention (YRI)
- Youth Caution
- Youth Conditional Caution

Case suitable for charge.

Pre-court community panel

Court
Orders referred by positive youth justice principles
Alternative accommodation in cases of custodial sentence and positive resettlement

Case considered for alternative to conventional prosecution

Case suitable for charge.
Surrey’s Positive Youth Justice – what next?

- Positive policing
- Early help and whole family approaches
- Prioritising safeguarding and well-being
- Services designed around CYP – meeting their needs not system’s needs
- Evidence based, rights compliant, CYP first
- Stop doing the things we know cause harm and don’t work
- Whole-system PYJ
Implications for national practice?

- Stop doing offender assessments (Asset+) and siloed YJ interventions - Stop being a mini probation service
- Integration of YJ into children’s services (with health)
- One child - one plan LAC/CP/CiN/YJ/CAMHS/EHCP
- Persistent & serious offending as safeguarding issue: right help at the right time outside of the YJS
- Children-first policing
- No child prisons
- Inspection / regulation: by Ofsted / DfE incorporating HMIP / MoJ expertise and requirements
- Raise the age of criminal responsibility
Positive youth justice: 
*Children First, Offenders Second*

- *CFOS* is a blueprint for a distinctive, principled, progressive approach to working with children.
- Can be adopted and adapted by local authority areas throughout the UK, Europe and beyond.
- The evolution, trajectory and practical realisation of a *CFOS* in Wales is discussed and animated with evidence from a twenty-year programme of associated reflective research in the book:
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