

**WRITTEN REPRESENTATION FOR THE COMMUNITIES AND CULTURE  
COMMITTEE, WELSH ASSEMBLY GOVERNMENT**

**Enquiry into Youth Justice in Wales: Welsh Children in the secure estate**

**FROM:** YVONNE THOMAS – DIRECTOR OF OFFENDER MANAGEMENT  
FOR WALES

**Introduction**

I am delighted to have been asked to give oral representation to the Committee on 21 October and I have outlined below the information I would like to raise with the Committee.

**Background**

I am the Director of Offender Management in Wales and head of NOMS Cymru, which sits within the National Offender Management Service Agency and is part of the Ministry of Justice. Part of my team in NOMS Cymru and my personal office are located in the Welsh Assembly Government Building in Cathays Park.

I have responsibility for commissioning adult offender management services (custody and community) that will deliver the sentence requirements of the courts, protect the public and reduce re-offending in Wales. I am delighted to have been asked to provide information to the Communities and Culture Committee.

An essential part of my current role is to ensure the effective and efficient delivery of the services from the four probation areas in Wales, which are:-

- Gwent Probation Area
- South Wales Probation Trust
- Dyfed-Powys Probation Trust
- North Wales Probation Area

I also have direct responsibility for the delivery in the public sector prisons in Wales, which are:

- HMP Usk and Prescoed
- HMP Cardiff
- HMP Swansea

For HMP/YOI Parc I have commissioning and contract management responsibility for the delivery of adult offender management services and the contract management of the young persons' unit there, on behalf of the Youth Justice Board.

This year I have taken responsibility for the management and performance of Junior and Senior Attendance Centres, which are delivered as part of a court requirement as a 2 or 3 hour structured community intervention. There are currently six in Wales. Five Junior Attendance Centres covering ages 10-17 based in Cardiff, Swansea, Gwynedd, Flintshire and Wrexham. The only Senior Attendance Centre predominantly covering 18 to 24 year olds, however they are able to take offenders aged 16 onwards. This is based in Cardiff. Referrals to all Attendance Centres may be made for individuals able to travel to them from within a radius measured on 90 minutes travel time each way.

### **Offender Population in Wales**

During 2008 courts in Wales dealt with 38,000<sup>1</sup> offenders. Of these 9,600 had a community penalty<sup>2</sup> supervised by probation and 7,000 were sentenced to immediate custody. The custodial capacity in Wales is approximately 2,800 with offenders serving sentences ranging from a week in length to life. This results in a constant flow of offenders entering prison and then resettling into the local communities. This emphasises the importance of ensuring a joined-up approach between the community and justice services. As such there are very close working relationships with the Welsh Assembly Government in relation to devolved responsibilities and offenders' needs for suitable accommodation, learning and skills to employment, health and social services. In addition there is collaborative working with local government, the third and private sectors and with our partners in youth and criminal justice agencies.

We are looking to engage further in working with partners and providers. Particularly widening our involvement in prevention and youth justice measures to make Wales a world-class exemplar for integrating services, to prevent victims and help change offenders' behaviours. We already deliver good quality services in Wales, and this experience provides us with a good ability to understand how to better deliver offender management in a more integrated way with our partners across public, private and third sectors. Our focus this year is to accelerate that delivery, and to be more responsive to local needs at the community level.

This year we are considering a series of reviews to ensure that the best service provision is delivered and maintained which would provide links with the Committee's enquiry. These reviews will focus on:

- The prisoner population in Wales - this review will include maximising the use of existing custodial facilities in Wales and their roles in the future.
- Sex offender treatment programmes in prison and probation – particularly in relation to how best to address the behavioural issues of sex offenders between the ages of 16 and 21. There appears to be an increasing number of offenders in this age range for which specific support needs to be identified, developed and provided.

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<sup>1</sup> PNC Sentencing Data 2008; cited in NOMS Cymru Commissioning & Business Plan 2009/10

<sup>2</sup> Community order or a Suspended Sentence Order

- Male offenders in custody aged between 18 and 21 years, who are categorised as Young Offenders. All Young Offenders in Wales are currently held in HMP/YOI Parc<sup>3</sup>
- Offenders sentenced to less than 12 months who are not eligible for probation supervision on release from custody.
- Strategic review of Attendance Centres and role their in Wales

We recognise that people in Wales expect and deserve efficient public services and to be kept safe from those offenders who become our responsibility either in prison or in the community. As part of the wider justice service we aim to give the public in Wales confidence in our ability to protect them and to reduce re-offending in their communities. These reviews will assist us in the development and delivery of the most effective and efficient offender management services.

In the delivery of our offender management services we aim to link to the Welsh Assembly Government's *Extending Entitlement* agenda that focuses on supporting young people up to the age of 25. For the purpose of my representation within the Committee's terms of reference I will cover that offender age range.

During August 2009, there were 1,635 offenders from Wales aged 25 and under in custody; 70% were held in HMP Parc in South Wales<sup>4</sup>.

The table below provides an overview of the number of offenders in custody in Wales by age:

	Age Groups			No. Of offenders aged 25 and under	Total prison population	Offenders aged 25 and under as a % of the total prison population
	17 and under	18 - 21	22 -25			
HMP Parc	51	542	193	786	1190	66.05%
HMP Usk/Prescoed	0	4	65	69	419	16.47%
HMP Cardiff	0	12	194	206	793	25.98%
HMP Swansea	0	6	89	95	395	24.05%
<b>Total</b>	<b>51</b>	<b>564</b>	<b>541</b>	<b>1156</b>	<b>2797</b>	<b>41.33%</b>

<sup>3</sup> An offender is eligible to be recategorised as an adult offender from their 21<sup>st</sup> birthday. There is flexibility in this process so recategorisation can occur up to nine months after their 21<sup>st</sup> birthday. Therefore offenders aged 21 and held in establishments other than HMP Parc, have been recategorised to adult status.

<sup>4</sup> The data has been supplied by the Performance Management Group (PMG) and is not official statistics and therefore should be used to provide an indication of numbers and not an absolute.

Of the 30% of offenders in custody in England, just over 50% were aged 22 and under.

	Age Groups			Total
	17 and under	18 - 21	22 - 25	
No. of offenders	39	216	224	479

Of the offenders in custody in England, the highest proportions are supervised by, and most likely to be resettling back to, North Wales and South Wales.

	Age Group			Total
	17 and under	18 - 21	22 - 25	
North Wales	11	30	105	146
Dyfed Powys	2	15	15	32
Gwent	3	20	22	45
South Wales	23	53	83	159
<b>All Wales</b>	<b>39</b>	<b>118</b>	<b>225</b>	<b>382</b>

## KEY ISSUES

### YOI Provision in Wales

YOI provision which specifically caters for 18 to 21 year olds is in HMP/YOI Parc. There is no UK Government initiative to merge young offenders (18-21 year olds) with the general adult prison population. The NOMS Cymru population review will include a review of young offenders' placement, regime and quality of interventions. We will also look at providing sufficient capacity within the YOI estate in Wales to accommodate the young offender population from Wales. There may be advantages in specific cases for merging a portion of the YOI population within certain establishments to take advantage of the positive mentoring support that develops within a mixed age range and the benefits and issues would be considered as part of the overall population review. It is intended that the outcome of the review will be known later in 2009.

The offending profile, population interaction and interventions for the young offender population requires a different and more comprehensive regime to be provided to address both offending behaviour and social inclusion issues. By its nature this is resource intensive, particularly when in custody. Working together on a prevention agenda and community offender management linking with community services will have significant benefits both in terms of most effective use of resources but also in general terms to sustained outcomes.

## **Children and Young People Policy in Wales**

As indicated we fully recognise the importance of the Welsh Assembly Government's approach to children and young people up to the age of 25 years in line with its Extending Entitlement agenda. We work closely with the Welsh Assembly Government through the Children and Families of offenders pathway to promote this. For example the Welsh Assembly Government funded Children in Wales (represents all children's charities) to develop a training package for prison staff in Young Person's units which outlines the Extending Entitlement, Children Act and UN Children's Rights. The training package was delivered to prison staff at HMP/YOI Parc who now deliver it to the YP there. The plans are to extend this provision to those in adult units in Wales up to age 25.

Also we have worked with the Welsh Assembly Government to develop the information leaflet '*Jonny D and the Pram Man – a guide to your rights as a young person in prison*'. The information outlines and promotes the Extending Entitlement rights in Wales. These leaflets have recently been sent to all Welsh prisons and English prisons that hold Welsh prisoners and can be downloaded from the website [www.cfopathway.org.uk](http://www.cfopathway.org.uk).

## **Young Offenders sentenced to less than 12 months**

We are looking at ways in which we can provide a wider range of intensive community programmes through probation services to enable courts to consider alternatives to short custodial sentences for appropriate offenders. We are working closely with probation colleagues in piloting this approach in some courts in South Wales and Dyfed-Powys. The evaluation of the pilots will help inform further development of the sentence planning options and community intervention provision that could be made available to sentencers. This is not only confined to young offenders.

## **Young Offenders' Offences**

There has been an increasing awareness in a rise in offending behaviour of those sentenced to custody particularly in relation to alcohol and violence and sex offending and we need to respond. We are looking at how best we can help change offender behaviour and will continue to seek to work more closely with local community services as part of a through the prison gate support and offending prevention.

## **Offender Learning and Skills**

Since April 2009 the Welsh Assembly Government has policy responsibility for the provision of learning and skills in prisons in Wales. NOMS Cymru delivers the learning and skills provision in all the public prisons and contract manages the delivery in HMP/YOI Parc. As part of the prison population review we will be reviewing our learning and skills provision to ensure it supports the role of the prison and its offender population to help move toward employability

outcomes in the communities they will be returning to. Through probation we also deliver basic skills provision to offenders in the community, funded by the Welsh Assembly Government. We will be working with partners to identify employment opportunities and employers to help direct our learning and skills delivery in both custody and the community

As part of this approach we have a successful ESF convergence bid approved to provide additionality to our mainstream provision in custody and for offenders in the community to support moving them into employment which will help reduce re-offending behaviour. The services for the project *Newday* are currently going through a procurement exercise and delivery is expected in the New Year. It will be delivered across all prisons in Wales and the convergence areas.

## Annex A

### Offender Assessment System (OASys) for assessments completed by probation areas in 2007/08

Probation Area	Age	OASys section										Total number of criminogenic needs (sections 3 to 12)
		Accommodation	ETE	Financial Management	Relationships	Lifestyle / Associates	Drug Misuse	Alcohol Misuse	Emotional Wellbeing	Thinking & Behaviour	Attitudes	
		% with a need identified in each section										
All Wales	All	38.9%	57.6%	26.0%	45.8%	44.0%	28.3%	51.8%	47.0%	61.9%	35.1%	4
All Wales	18-20	37.8%	70.1%	26.8%	38.6%	54.4%	27.7%	58.3%	34.6%	67.3%	40.4%	5
	21-24	38.3%	61.3%	27.3%	43.5%	46.3%	28.8%	53.8%	40.1%	63.8%	36.0%	4
Dyfed-Powys	18-20	30.6%	67.7%	27.8%	41.6%	54.5%	24.4%	57.3%	35.1%	61.8%	38.5%	4
	21-24	36.8%	58.2%	27.4%	44.4%	45.5%	26.5%	54.7%	39.2%	54.7%	31.1%	4
Gwent	18-20	37.8%	70.7%	25.7%	37.1%	53.4%	25.4%	57.0%	34.0%	67.3%	45.1%	5
	21-24	35.4%	58.8%	20.2%	43.0%	40.2%	22.7%	50.3%	38.7%	60.7%	35.5%	4
North Wales	18-20	39.0%	64.3%	17.8%	36.3%	52.7%	19.3%	69.1%	33.6%	65.8%	40.0%	4
	21-24	42.1%	58.3%	20.7%	48.3%	47.2%	19.0%	63.3%	42.1%	66.9%	41.6%	4
South Wales	18-20	39.7%	73.3%	31.4%	39.5%	55.8%	34.4%	54.2%	35.4%	70.0%	38.4%	5
	21-24	39.0%	64.9%	33.9%	41.6%	49.6%	37.1%	51.5%	40.2%	67.2%	35.5%	5

- On average across Wales offenders aged 18-20 have 5 needs identified and those aged 21-24 have an average of 4 needs identified
- **Accommodation:** The proportion of offenders under 25 with an accommodation need is in line with the All Wales average (38.9%).
- **ETE:** The proportion of offenders under 25 with an ETE need is above the All Wales average, especially these between 18 and 20.
- **Financial Management:** The proportion of offenders under 25 with a financial management need is generally in line with the All Wales average.
- **Relationships:** The proportion of offenders with a relationships need is lower for those aged 18-20 than 21-25 year olds.

- **Lifestyle & Associates:** The proportion of offenders with a lifestyle & associates need is higher for 18-20 year olds compared with 21-25years.
- **Drug Misuse:** The proportion of offenders under 25 with a drug misuse is generally in line with the All Wales proportions.
- **Alcohol Misuse:** The proportion of offenders under 25 with an alcohol misuse need is generally higher than the All Wales average.
- **Thinking & Behaviour:** The proportion of offenders with a thinking & behaviour need is higher for those aged 18-20 compared with 21-25 years.
- **Attitudes:** The proportion of offenders with an attitudes need is again generally higher for those aged 18-20 compared with 21-25 years.

**Likelihood of Reconviction and Risk of Harm in the Community (OASys assessments 2007/08)**

Probation Area	Age	Likelihood of reconviction (three bands)			Highest risk of harm in the community (all categories)			
		Low	Medium	High	Low	Medium	High	Very high
All Wales	All	28.3%	50.3%	21.4%	35.6%	54.7%	9.4%	.4%
All Wales	18-20	25.2%	53.8%	21.0%	35.2%	59.2%	5.5%	.1%
	21-24	29.1%	49.1%	21.8%	36.3%	54.4%	9.2%	.1%
Dyfed-Powys	18-20	28.9%	51.4%	19.7%	45.2%	51.1%	3.4%	.3%
	21-24	34.4%	42.5%	23.2%	44.6%	46.4%	8.8%	.2%
Gwent	18-20	24.8%	55.9%	19.4%	45.1%	52.1%	2.8%	.0%
	21-24	31.0%	53.3%	15.7%	45.3%	49.8%	4.9%	.0%
North Wales	18-20	26.6%	54.6%	18.9%	18.9%	74.5%	6.4%	.2%
	21-24	30.2%	49.1%	20.7%	21.2%	67.4%	11.2%	.2%
South Wales	18-20	23.6%	53.0%	23.4%	33.4%	59.0%	7.6%	.1%
	21-24	25.9%	49.0%	25.1%	34.8%	54.3%	10.9%	.1%

- Generally, offenders aged 18-24 have a similar likelihood of reconviction profile compared with offenders of all ages. There is variation within each probation area with a greater proportion of offenders aged under 25 in South Wales posing a high likelihood of reconviction.

Offenders aged 21-24 pose a higher risk of harm in the community than those aged 18-20