



Niacro Response to the 'DoJ Consultation on Court-ordered Community Sentences for Children (2025)

Submitted: 2nd July 2025

Introduction:

Niacro welcomes the opportunity to respond to the Department of Justice's (DoJ) 2025 consultation on Court-ordered Community Sentences for Children. As a voluntary organisation working for over 50 years to reduce crime and its impact on people and communities, we bring a unique perspective grounded in direct service delivery, systemic advocacy, and cross-sector collaboration. Our recommendations align with the Strategic Framework for Youth Justice and the UNCRC, ensuring holistic support, early diversion, and trauma-informed practice at every stage of community sentencing.

General Comments

We support the consultation's aim with the introduction of a new single order intended to:

- address the issues identified with the current system.
- provide a more flexible option to the judiciary.
- simplify the sentencing framework.
- reduce the incidence of multiple orders.
- enable the Youth Justice Agency (YJA) to become the single delivery agency.
- to enable a restorative intervention to be considered and delivered later in the order if or when both parties are ready to engage whilst also improving outcomes for victims.
- improve outcomes for children, families and communities.

Cross-cutting Principles

Outlined below are key cross-cutting principles Niacro believe are essential to DoJ's approach to Court-Ordered Community sentences for children:

- **Trauma-informed approach:** shift from punitive sanctions toward understanding complex needs and fostering resilience.
- **Child's best interests:** every decision must prioritise the welfare, development, and voice of the child.
- **Evidence-based practice:** require data-driven justification for any restrictive measure and regular reviews to enable early completion.
- **Diversion and early intervention:** maximise opportunities for restorative youth conferences before and after prosecution decisions.
- **Independent advocacy:** ensure children under statutory supervision have access to an impartial advocate to represent their views.

Key Recommendations

1. Order Duration and Early Discharge

- No statutory minimum duration; leverage 20+ years of Youth Conference Order success.
- Set a 12-month maximum, with a mandatory review at month 12 for any extension up to two years.
- If extended beyond 12 months, conduct reviews every three months to support early completion.
- Introduce a formal right for children to request early discharge upon fulfilling requirements, with victim input where appropriate.

2. Court Information and Child's Context

- Mandate collection of family circumstances, education compatibility, religious observance, and the child's own perspective.
- Require a Youth Justice practitioner's report and guarantee legal advice for the child to inform sentencing decisions.

3. Core Requirements

Include only those that support rehabilitation without unnecessary restriction – including the following:

- Activity requirement focused on strengths-based, mainstream-delivered support.
- Supervision requirement emphasising trauma-informed, relational engagement.
- Restorative justice and reparation as optional elements within the activity requirement.

Exclude measures lacking clear evidence or posing undue burdens – measures such as:

- Mandatory educational attendance
- Curfews, exclusion orders, electronic monitoring, unpaid work
- Prohibited activity, mental health or drug treatment, drug testing, ISS, residence/fostering requirements, financial payments

4. Diversion and Youth Conferences

- Embed consistent practice to reconsider diversionary youth conferences at any stage before or after prosecution.
- Reinforce the value of restorative youth conferences in providing comprehensive information to courts and maximising diversion.

5. Cross-departmental Reform and Investment

- Advocate for coordinated investment in health, education, mental health, and community services to underpin sentencing reforms.
- Encourage a cross-departmental strategy to deliver timely, appropriate interventions and prevent escalation into the justice system.

6. Raising the Minimum Age of Criminal Responsibility

- Urge raising the MACR from 10 to at least 14, in line with UNCRC recommendations and international best practice.

7. Juvenile Justice Centre Orders

- Request consideration of transferring post-release supervision of JJCOs solely to the Youth Justice Agency to consolidate expertise and streamline delivery.

Measures of Success

- Improved YJA efficiency and reduced duplication by consolidating delivery with PBNi capacity freed.
- Criminal Justice Inspectorate review post-implementation to assess impact on reoffending, compliance, and child welfare.
- Monitoring of order durations, early discharge rates, and access to independent advocacy.
- Evaluation of diversionary conference uptake and outcomes in reducing formal prosecutions.

Q - We propose that there is no need to specify a minimum duration in legislation for the new order. Do you agree with this proposal? If you disagree, please provide your reasons.

Niacro's view: Yes.

We agree with the proposal that there is no need to specify a minimum duration in legislation. In terms of rationale, the key reasons for our position are:

- **The existing system functions effectively** - Youth Conference Orders have operated without a defined minimum duration for over 20 years without any significant issues. Moreover, feedback from practitioners indicates that the current approach is working well.
- **It allows sentencers the autonomy and flexibility** - to tailor the duration to best suit the individual needs of the child and the specific circumstances of their life.
- **The child's best interests must remain a central focus** – all individuals and agencies involved in youth justice have a duty to prioritise the child's best interests in every decision that affects them. Orders should be completed in the shortest time necessary to meet the child's needs while still fulfilling the requirements set out.
- **Earlier rehabilitation benefits the child** – under the proposed changes to the Rehabilitation of Offenders Order 1978 in the Justice Bill, a conviction for a New Single Community Order would become 'spent' upon the order's expiry. This makes it crucial for children to complete their orders as early as possible to avoid unnecessary delays in the filtering of criminal records, especially for roles involving regulated work. A criminal record acquired in youth can have long-term consequences; while a young person may change quickly, their record may continue to impact their opportunities well into adulthood, particularly during key stages of their working life.

Q – Have you any views on what the maximum duration should be for the new order?

Niacro's view: Yes.

We believe the maximum duration of a community order should reflect the best interests of the child and be kept as short as possible. We advocate for a 12-month maximum. However, we recognise that with the removal of the Probation Order (which allowed for durations longer than 12 months), there is a risk that sentencers may resort to custody in cases where they previously would have opted for that alternative.

We would welcome further evidence from Probation and Youth Justice practitioners to justify the need for any community order exceeding 12 months. If longer durations are deemed necessary to provide support, then children should continue to have access to intensive services beyond the order's conclusion. Alongside statutory services, the Voluntary and Community Sector is well placed to deliver long-term support, including mentoring, employment programmes, and other specialist interventions.

If an extension beyond 12 months is intended to manage risk rather than meet support needs, we propose the following:

If it is deemed absolutely necessary to impose a community sentence longer than 12 months - and up to a maximum of 2 years - for a child, there should be a **formal review of the order at the 12-month mark**. This review should assess whether it is in the child's best interests to end the order at that point. If the supervising youth justice practitioner recommends an extension of a further 6 to 12 months, the order should then be subject to review every 3 months, with a clear focus on completing it within the shortest possible timeframe. This approach would allow for early completion where appropriate, enabling the conviction to become spent sooner and supporting the child's rehabilitation.

In terms of rationale, the key reasons for our position are:

- **The current system is effective** – the Youth Conference Order, the most commonly used sentence in Northern Ireland, has a maximum duration of one year and has operated successfully for over 20 years. In contrast, children sentenced to a Probation Order may be subject to a maximum duration of up to three years. There is no known precedent of a child in Northern Ireland receiving a Probation Order lasting up to three years. Niacro supports the view that this reinforces the argument that such lengthy orders are unnecessary in the Northern Ireland context.
- **Criminalising children has lasting consequences** – young people who come into contact with the criminal justice system often face long-term barriers to employment, education, housing, and travel. A criminal record can follow them into adulthood, limiting their opportunities and increasing the risk of reoffending. It is therefore essential that the duration of any order is not extended beyond what is necessary, particularly in light of its impact on the rehabilitation period under the Rehabilitation of Offenders Order 1978.
- **The child's best interests must be prioritised** – all organisations and individuals involved in youth justice have a duty to place the child's best interests at the forefront of every decision impacting them. Children should be able to complete their orders in the shortest time necessary to address their needs while fulfilling the order's requirements.
- **Custody should be used as a last resort** - custody should be a measure of last resort – and only occur when absolutely necessary, with alternative community-based responses prioritised wherever possible.
- **Support services must be accessible to address children's needs** – effective intervention strategies that prioritise the welfare and wellbeing of children and consider all aspects of their lives - including family, education, social needs, and health - should be available to every child, regardless of whether they are involved with the justice system.

Q - The court must obtain and consider information about the child's family circumstances and the likely effect of such an order on those circumstances. They must ensure any requirements are compatible with each other and do not conflict with the child's religious beliefs or interfere with their education. Do you agree with this approach? If you disagree, please provide your reasons.

Niacro's view: Yes we agree with this approach.

In terms of rationale, the key reasons for our position are:

- **Strategic Framework for Youth Justice** – outlines that community sentencing should incorporate the perspectives of children subject to such orders after a court decision. It also emphasises the importance of prioritising support for children, rather than focusing exclusively on risk management.
- **UNCRC – establishes minimum standards for children’s rights**, including key principles such as the right to non-discrimination, the right to survival and the highest possible development, prioritising their best interests, and ensuring their voices are heard in all decisions that affect them.

We would appreciate further clarification on how the court will gather and take this information into account. Will the child’s perspective be central to this process? Will it include a report from a Youth Justice practitioner? It is essential that children receive proper legal advice and support to help the court make informed decisions.

Q – Do you agree that educational attendance should not be included as a requirement in the new order? If you disagree, please provide your reasons.

Niacro’s view: Yes.

- Niacro believes it is important to learn from the experience in England and Wales, where including school attendance as a court requirement often results in breaches of the order. Based on our service delivery supporting children, we know that school avoidance, attendance, and attainment are significant challenges for many. Making school attendance a mandatory court condition would not be in the child’s best interests and could set them up to fail. Instead, educational challenges should be addressed through alternative, strengths-based support approaches rather than punitive court-mandated requirements.

Q – We propose that an activity requirement should be included in the new order – do you agree? If you disagree, please provide your reasons.

Niacro’s view: Yes.

- Niacro believes that an activity requirement should be included, focusing on the support a child needs to address their identified needs - not solely their criminogenic factors. Through engagement with children and adults who have experience with the youth justice system, we learned that one-to-one support and family assistance are especially important. The child’s voice must be clearly reflected in decisions about the requirements, along with feedback from other support services known to the child and family, for example earlier stage intervention services.
- It is essential that the support and activities provided under an activity requirement do not stigmatise children as part of the justice system. Wherever possible, these services should be delivered by mainstream providers, including community and voluntary sector and best suited to meet the child’s needs, rather than through justice-focused organisations.
- Effective cross-departmental collaboration will be vital to ensuring that agencies work together to improve outcomes for children, free from stigma, and in alignment with the goals of the Children’s Services Co-operation Act 2015.

Q – We propose that there is no need for a separate programme requirement as this is already provided for – do you agree? If you disagree, please provide your reasons.

Niacro’s view: Yes.

Niacro believes there is not the need for a separate programme requirement as programme engagement can be included within the activity requirement provision.

Q – Do you agree with the proposal to include a supervision requirement? If you disagree, please provide your reasons. If you disagree, please provide your reasons.

Niacro's view: Yes.

Niacro supports the inclusion of a supervision requirement, prioritising the provision of support rather than a purely regulatory function. This role should also serve as a connection to other services and supports outside the youth justice system. It is essential that the details of the supervision requirement are agreed upon collaboratively by the child, the youth justice practitioner, and a person with parental responsibility, to minimise compliance issues and prevent unnecessary breaches. From our experience, the supervision component of current community orders for children is effective, with very low breach rates. This success is largely due to experienced youth justice practitioners applying a trauma-informed, strengths-based approach tailored to each individual under supervision.

Q – Do you agree that a separate attendance centre requirement is not necessary? If you disagree, please provide your reasons.

Niacro's view: Yes.

We believe that with the repeal of the existing attendance centre order and its replacement by a new Single Community Order, a separate attendance centre order is **unnecessary**. This is because the attendance centre order has not been used in practice for decades, and any requirement for a child to attend a specific location can be effectively managed through the activity or supervision requirements within the new Single Community Order. This will be legislating for custom and practice.

Q – Do you agree with the inclusion of a curfew requirement in the new order? If you disagree, please provide your reasons.

Niacro's view: No.

Niacro holds the view that curfew requirements should not be imposed solely for risk management purposes. Placing a child under a restrictive curfew can be contrary to their best interests, especially when unrealistic or unnecessary conditions increase the likelihood of breaches. To our knowledge, curfew requirements have not been commonly used in recent years within community orders issued by the courts, although they are sometimes applied in bail conditions.

Q – Have you any views on the daily maximum length of time a child should be held under a curfew? If you wish to see a change to the current maximum period of 12 hours, please explain your reasoning.

Niacro's view: Yes.

Niacro believes that the current daily maximum of 12 hours warrants further review. We would appreciate evidence-based information demonstrating how this limit has effectively contributed to reducing reoffending and preventing further victimisation.

Q – Do you agree with the inclusion of an exclusion requirement in the new order? If you disagree, please provide your reasons.

Niacro's view: No

Based on our experience exclusion requirements are often perceived as restrictive and are frequently breached. Greater clarity is needed regarding what is encompassed by restrictions on 'conduct or whereabouts,' along with an analysis of current data, including breach rates, to evaluate the effectiveness of exclusion requirements in reducing offending. When an exclusion is requested by a victim, we believe the child should be supported through alternative requirements that balance the child's rights with the victim's needs. Rather than imposing an exclusion requirement, children supervised under a Single Community Order could receive sufficient support to address both the child's and the victim's needs, effectively managing risk while promoting rehabilitation.

Q. –If you agree with the inclusion of an exclusion requirement, do you think it should be a stand-alone requirement or continue to be covered by the general provision around 'conduct and whereabouts?'

Niacro's view: N/A We do not agree with the inclusion of an exclusion requirement.

Q. – Have you any views on the maximum length of time an exclusion requirement should be applied in the new order?

Niacro's view: N/A We do not agree with the inclusion of an exclusion requirement.

Q. – Do you agree with the proposal to include an electronic monitoring option? If you disagree, please provide your reasons.

Niacro's view: No

We believe that electronic monitoring of children does not address the underlying causes of youth offending. Providing appropriate support and interventions is essential, and any measures implemented should be proportionate, evidence-based, and uphold the best interests of the child.

- Children who offend often have complex needs, which should be met through preventative approaches, community-based support, and specialist services tailored to each individual.
- We caution against relying primarily on punitive measures such as electronic monitoring, as there is insufficient evidence to demonstrate their effectiveness in reducing offending.
- Electronic monitoring does not foster true accountability; instead, children need support to make informed decisions and engage in their own rehabilitation.
- We are concerned that electronic monitoring could increase the risk of breaches, potentially leading to unnecessary custodial sentences for children.
- To our knowledge, electronic monitoring is currently not used in community sentences for children and is only rarely applied to manage bail. Given its limited use to date, we question the appropriateness of introducing electronic monitoring as an option in the new community order.

Q. - Do you agree that there is no need for a separate prohibited activity requirement? If you disagree and believe there is a need, please provide your reasons.

Niacro's view: Niacro agrees that a prohibited activity requirement is not necessary.

We would welcome additional information in relation to the general requirement of restrictions on “conduct and whereabouts” and to understand how this is utilised currently within Youth Conference Orders.

Q – We therefore propose that there is no need for a mental health treatment requirement in the new order – do you agree? If you disagree, please provide your reasons.

Niacro's view: Yes, we agree there is **NO** need for a mental health treatment requirement.

Q – We therefore propose that there is no need for a specific drug treatment requirement in the new order – do you agree? If you disagree, please provide your reasons.

Niacro's view: Yes, we agree there is **NO** need for a specific drug treatment requirement.

Q – Do you agree with the proposal not to introduce drug testing? If you disagree, please provide your reasons.

Niacro's view: Yes, we agree with the proposal **NOT** to include drug testing.

Q – Do you agree the new order should have a limit of 100 hours of unpaid work, to be extended up to 240 hours if given as the sole requirement of an order? Do you agree with these proposals? If you disagree, please set out your reasons/alternative proposals?

Niacro's view: No, Niacro do not agree that unpaid work should be a requirement of the new single order.

Our rationale for this is as follows:

Unpaid work was included in less than 20% of community orders issued in Northern Ireland over the past two years, with durations ranging from 1 to 120 hours and an average of just under 24 hours. We welcome further evidence demonstrating its effectiveness in reducing reoffending and promoting rehabilitation.

In our view, instead of imposing unpaid work as a punitive requirement, children could be connected - through the activity requirement - to appropriate support services tailored to their individual needs. This approach would focus on addressing the root causes of offending behaviour rather than merely its symptoms.

Q – Do you agree that there is no need for a specific ISS requirement? If you disagree, please provide your reasons.

Niacro's view: Yes, Niacro agree there is no need for a specific ISS requirement.

Q – Do you agree that these are not relevant or suitable for Northern Ireland? If you disagree, please provide your reasons.

Niacro's view: Yes, Niacro agree that a residence requirement and fostering requirement are not suitable.

Q– Do you agree that this should remain as an option for those aged 16 or over? If you disagree, please provide your reasons.

Niacro's view: No, Niacro do not agree that a financial payment or restitution by way of symbolic donation to charity should be a requirement of the new order.

Our rationale for this is as follows:

Research indicates that families with members involved in the criminal justice system often experience multiple forms of deprivation, including financial hardship. Therefore, we are cautious about imposing additional financial burdens on these families.

Over the past two years, only 8% of court-ordered youth conferences included a payment requirement, with amounts ranging from £1 to £1,000.

We believe that restitution is better offered on a voluntary basis rather than being mandated as a formal requirement within an order.

Q– Do you agree with this approach, i.e. that apology and reparation requirements should continue to be delivered as part of the new order, but will be covered by the "general activity" requirement and can happen at any stage of the order? Do you agree with this approach? If you disagree, please provide your reasons.

Niacro's view: Yes

We believe that the new order should allow for requirements to make an apology or to provide reparation to the victim, any relevant person, or the wider community under the activity requirement. However, it is important that these are viewed as prompts or examples of work that could be included in rules or guidance, rather than mandatory requirements. Making them compulsory would conflict with the core principles of restorative practice.

We also agree that there should be flexibility for these actions to take place at any stage of the order, depending on the timing of the restorative conference.

Q - Do you agree that the consideration of restorative justice/victim engagement should be a specific requirement in the new order? If you disagree, please provide your reasons.

Niacro's view: Yes

Yes, Niacro agree that restorative justice and victim engagement should be a **specific consideration - not a blanket requirement** - in any new Single Community Order. The law should require that restorative options be considered and offered where appropriate, with participation remaining voluntary and safeguards in place. Our reasoning is as follows:

- **Child-Centred Approach:** Restorative justice aligns with the idea that children in conflict with the law should be treated differently from adults, with a focus on rehabilitation, not punishment. It can also support with emotional development, accountability, and empathy in children.
- **Supports Victim Rights and Healing:** Victims can sometimes feel excluded from traditional justice processes. Restorative practices can give victims a voice, promote closure, and reduce trauma.
- **Proven Effectiveness:** Studies show restorative justice can reduce reoffending, particularly among young people. It often results in greater satisfaction for both victims and those who have offended, than more conventional court processes.
- **International Legal Standards:** UN Convention on the Rights of the Child encourages the use of restorative measures. The Council of Europe and other bodies promote its use in juvenile justice. A restorative approach has been integrated into the NI youth justice system through incorporation of the 'youth conference' model since the *Justice (NI) Act 2002* and is well regarded internationally.
- **Better Community Outcomes:** Engaging all parties can lead to stronger reintegration of the child and a more cohesive community response to crime.

Q - If you agree, do you think this should be a compulsory requirement for each order?

Niacro's view: No, Niacro do not think restorative justice/victim engagement should be a compulsory requirement for each order.

Our reasoning is as follows:

- **Voluntary Participation is Key:** Making restorative justice *mandatory* will undermine its voluntary nature. It must respect the rights of both the child and the victim to opt out.
- **Not Appropriate for All Cases:** Some cases (e.g., serious violent crimes) may not be suitable for restorative practices. It requires careful risk assessment and safeguarding.

From our experience, there are situations where participation in restorative justice is not in the best interests of either the child or the victim, making it inappropriate to proceed. In practice, youth justice practitioners often take a flexible and creative approach to address these situations, ensuring that children are not subjected to unnecessary or inappropriate breaches. Therefore, it is essential that restorative justice is not made a mandatory requirement for every order.

Q- Are there any other things that need to be considered in relation to the structure or content of the new order?

Niacro's view: It is important that the implications on how a new Single Community Order will affect the disclosure of a child's criminal record is provided in order for Niacro to advise on our position.

Q - Do you agree with the proposed approach to ensure a child is only subject to one community order at a time?

Niacro's view: Yes we agree that there should only ever be one community order in force at any time.

Q- Do you agree with the options for breach of the new order as set out above?

Niacro's view: Yes we agree with the options proposed for breach.

Q - Do you have any other suggestions in relation to how a breach should be addressed?

Niacro's view: Yes, we believe that when addressing breaches, the primary focus should be on the underlying cause of the breach and whether the new requirements in an amended order are likely to be fulfilled. It is crucial that responses to breaches avoid resorting to custody whenever possible.

Q - Your views would be welcome on potential benefits and measures of success.

Niacro's view: Regarding measures of success, we note the reference to "increased clarity and improved efficiency for YJA staff as a result of supporting young people to comply with a single order, rather than multiple orders." We propose adding recognition of the enhanced capacity for PBNI that will result from designating YJA as the sole organisation responsible for delivering and supervising community orders for children. This consolidation will further simplify the system, eliminate duplication, and create capacity within PBNI.

We also suggest that the role of the Criminal Justice Inspectorate is crucial, with a focus on reviewing the impact following the implementation of the new legislation.

Additionally, Niacro provides an independent advocacy service for Lakewood Secure Care Centre, which ensures that the views, opinions, and concerns of young people there are heard, taken seriously, and addressed thoughtfully. Niacro's Independent Representative meets regularly with young people to listen and support them in raising issues. This scheme reflects the Centre's commitment to valuing young people's voices. While we acknowledge the strong emphasis the YJA places on participation internally, we believe it is essential that children supervised by statutory agencies have access to independent advocacy. Introducing such a role alongside the new Single Community Order could offer an independent perspective and support in evaluating the order's effectiveness and measuring its success.

Q- Do you have any final comments to make which have not already been covered?

Niacro's view: Yes, we ask that consideration be given to the following:

Recognising children's rehabilitation efforts: The introduction of a new single community order presents an opportunity to ensure that children who have fulfilled their requirements are not kept subject to the order longer than necessary. We recommend including a provision that allows children, upon completing their requirements, to request a review for early discharge from the order. This process could involve the victim where appropriate and be initiated on the recommendation of the supervising youth justice practitioner.

Ensuring children exit the criminal justice system at the earliest point, with appropriate support: To support this key objective outlined in the Strategic Framework for Youth Justice, Niacro urges the establishment of consistent court practices allowing for a final consideration of diversionary youth conferences before imposing a court-ordered single community order. Our experience shows that, in some cases, once a Youth Conference Order is directed and a report compiled, it provides more comprehensive, holistic information that was previously unavailable to the Court or PPS. This has sometimes led to recommendations for diversionary youth conferences, effectively maximising diversion opportunities even after a decision to prosecute has been made. It is crucial that all reasonable avenues for diversion are thoroughly explored, especially for children.

Supporting a trauma-informed approach in the new single community order for children: Rather than punitive measures, early intervention should focus on addressing complex needs, reducing risk, and empowering young people with the support necessary to change their life path. Accountability must be reframed - not as ignoring challenging behaviour but as rethinking responses by moving away from criminalisation and punitive sanctions toward holistic solutions that promote accountability alongside support.

Advocating cross-departmental reform: Community sentencing reform should be paired with increased investment in health and social care, the community and voluntary sectors, education, and mental health services. A cross-departmental strategy would help ensure timely, appropriate interventions for children and prevent unnecessary progression into the criminal justice system.

Increasing funding for restorative justice: We take this opportunity, as in our recent submission to the Justice Bill, to call for increased funding for restorative justice programmes and interventions to ensure their long-term sustainability, accessibility, and choice for individuals and communities.

Regarding the Juvenile Justice Centre Order (JJCO): As the JJCO remains in place and includes a post-release supervision element statutorily supervised by PBNi—albeit in close collaboration with YJA—we would like to enquire whether there has been any consideration of transferring the community supervision component of JJCOs solely to YJA in the future.

Conclusion

Niacro welcomes the proposal to simplify and consolidate the current community order provisions into a single new community order, seeing this as a positive step towards better outcomes for children, families, victims, and communities impacted by offending.

We are committed to collaborating in partnership to drive broader systemic change that improves the lives of children. We believe that reforming court-ordered community sentences for children will support the development of a streamlined youth justice legislative framework - one that is simpler and more accessible for all stakeholders.

Niacro joins many third sector and statutory organisations within Youth Justice and Social Services, united by a common goal: to divert children away from the criminal justice system and ensure timely, effective interventions that foster positive outcomes.

A criminal record acquired during youth can feel like a lifelong burden. While people can change rapidly, their criminal record remains, often holding young adults back during crucial stages of their careers and well into adulthood. Raising the minimum age of criminal responsibility (MACR) is vital because Northern Ireland

currently has one of the lowest MACRs in Europe. At just 10 years old, Northern Ireland's MACR is well below international standards. The UNCRC recommends no country set the MACR below 14, yet Northern Ireland continues to lag behind global best practices. We want to use this consultation to once again highlight the unacceptable low minimum age of criminal responsibility in Northern Ireland and urge that any reforms to court-ordered sentences for children fully consider this issue.

Raising the MACR goes beyond legal reform - it represents a crucial step towards a justice system that is fairer, more compassionate, and more effective. Such a change protects children, supports victims, and strengthens society as a whole. This reform is urgent and necessary to break the cycle of criminalisation and to give young people the opportunity to thrive rather than be defined by early mistakes.

While Niacro supports reforms aimed at reducing unnecessary imprisonment and promoting community-based responses to crime, these must always prioritise the best interests of the child and be grounded in evidence. What is needed is clear political leadership to champion and advance community solutions to offending. We advocate building on the success of diversionary measures and youth community sentences by retaining the elements that have proven effective - such as supervision, restorative justice, and, most importantly, addressing the child's support needs, including family support, health, housing, and education.

We strongly oppose any move to make children's community sentences more punitive, as this risks undermining their effectiveness in reducing reoffending and could erode public and judicial confidence in community options. Increasing punitive conditions within community orders often leads to higher rates of breach, especially among children with additional support needs, such as those with mental health challenges, neurodiversity, or learning difficulties.

The balance of punishment, reparation, and rehabilitation within a child's community order should remain a matter for the court's discretion, guided by statutory frameworks and based on the individual circumstances, needs, and vulnerabilities of each child. Sentencing decisions must take into account the child's abilities, support needs, and family situation to avoid imposing unrealistic or unreasonable demands and should be accompanied by appropriate support and reasonable adjustments.

Any new sentencing option should be based on clear evidence of what works to address offending with children and encourage positive change. It should holistically meet a child's assessed needs and risks - not only their criminogenic factors. Furthermore, support services delivered as part of the order should avoid labelling children within a justice framework and instead be provided by mainstream agencies, including those in the community and voluntary sectors.

To summarise, these supplementary points strengthen Niacro's child-centred, strategic vision for the Single Community Order. By embedding trauma-informed practice, maximising diversion, ensuring independent advocacy, and aligning with evidence-based frameworks, Northern Ireland can create a more compassionate, effective youth justice system.

For more information about this submission, please contact Pact@niacro.co.uk