



Youth Justice Board
Bwrdd Cyfiawnder Ieuencid

Community practice advice - managing extremism for under 18s

FINAL DRAFT

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Contents

1. Introduction	4
2. The CONTEST Strategy	6
3. Factors that make children vulnerable to radicalisation	7
4. Developing and improving local service provision with key stakeholders	9
Strategic oversight	9
Practice oversight	9
Training	9
Assessment and identification of risks of radicalisation	10
Specialist YOT Counter Terrorism Lead	10
Staff supervision and appraisals frameworks	10
Quality assurance and auditing	10
Effective practice	10
5. Managing children arrested, charged or convicted within terrorist investigations	11
Children and Terrorism Act offences	11
Strategic and practice considerations	14
Strategic consideration	14
Communication	14
Media	15
Allocation of case work	15
Risk management and managerial oversight	15
Extremism Risk Guidance (ERG +22)	15
ERG assessments for children	17
Specialist interventions	17
Education, training and employment	17
Practice considerations	17
Appropriate adults	17
Court Appearances	18
First court appearance	18
Ongoing court appearances	20
Crown Court	20
Pre-sentence reports	21
Post court	21
Referral Orders	21
Pre-panel meetings	21
Panel meetings	21
Youth Rehabilitation Orders	21
Custodial sentences	22
Notification Orders	22
6. Working in partnership with the secure estate	23
Youth detention accommodation	23
Reception	23
Sentence planning, interventions, resettlement and release	23
Early release	23

Transfer to the adult estate	24
Intelligence systems	24
Youth Pathfinder	24
7. Multi-agency public protection arrangements	25
Identifying terrorist offenders	25
Domestic extremism	25
Assessment	25
MAPPAs risk management plan (RMP)	26

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1. Introduction

This practice advice has been developed to support youth justice services in the identification and management of children's (people under 18 years old) involvement in extremism. This includes risks of radicalisation and dealing with those arrested and convicted of Terrorist Act (TACT) offences.

We would like to thank youth offending services, the police, CPS and other individuals who have contributed to the delivery of this practice advice.

We aim to present an overview of some of the challenges being faced in managing extremism and some of the factors that make children vulnerable to radicalisation.

It's fair to say that this area of work, particularly when it involves children, is politically charged and high-impact. The Youth Justice Board (YJB) and youth offending services whilst recognising the risks, see these cases as children offending whereas the police may view them as terrorists who can reoffend and potentially cause serious harm. There is a need to support both approaches to achieve a balance. Counter-terrorism units (CTUs) are generally not used to dealing with children and learning has shown that working together with YOTs has proved successful in safeguarding children's needs. Equally YOTs are not used to working with children who have committed terrorist offences, so this work is the start of a complex journey together.

The document provides definitions of extremism and radicalisation, suggests useful sources of information and support and offers advice in relation to service improvements / considerations.

The contents have been developed by the YJB in collaboration with heads of youth justice services along with other significant stakeholders and organisations who have direct practice experience of:

- children being arrested, charged and remanded with TACT offences, having received both custodial and community sentences
- experience of dealing with extremism more generally.

As you progress through the document the following definitions and information will be helpful to note.

Definition of extremism

Extremism is defined in the 2011 Prevent Strategy as vocal or active opposition to fundamental British values, including democracy and the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs. We also include in our definition of extremism calls for the death of our armed forces whether in this country or overseas. Read the [prevent-strategy-review](#) – Annex A, page 107

Definition of radicalisation

Radicalisation refers to the process by which a person comes to support terrorism and forms of extremism leading to terrorism. Read the [prevent-strategy-review](#) – Annex A, page 108

Terrorist related offences

A terrorist related offence covers those who have been convicted of:

- any offence under terrorist legislation
- an offence of conspiring, attempting, aiding, abetting, counselling, procuring or inciting an offence under terrorist legislation.

FINAL DRAFT

2. The CONTEST Strategy

The CONTEST Strategy is the UK government approach for managing the threat of terrorism to the UK. It was first published by the government in 2011 and has four strands, *Prevent, Protect, Prepare & Pursue*. (A review of the CONTEST Strategy was conducted by [David Anderson, QC](#) to which the Home Office responded. This review provides background on how terrorist incidents are investigated and may be of interest as background reading.)

The aim of Prevent is to reduce the threat to the UK from terrorism by challenging the extremist ideas that are conducive to terrorism and form a part of the terrorist narrative. The update to Prevent (March 2015) required local authorities to have due regard to the need to prevent people from being drawn into terrorism. YOTs are required to train all staff adequately and regularly enough to spot the risks.

The 2011 Prevent strategy has three specific strategic objectives

1. Respond to the ideological challenge of terrorism and the threat we face from those who promote it.
2. Prevent people from being drawn into terrorism and ensure that they are given appropriate advice and support.
3. Work with sectors and institutions where there are risks of radicalisation that we need to address.

Read the [Revised Prevent Duty Guidance](#), section B, page 2.

3. Factors that make children vulnerable to radicalisation

The risks of radicalisation are a **safeguarding issue** and need to be addressed by all professionals working with children.

We now have more information about the factors which encourage people to support terrorism and then to engage in terrorism-related activity. It is important to understand these factors if we are to prevent radicalisation and minimise the risks it poses to our national security. Read the [prevent-strategy-review](#) – section 3.4, page 5.

All terrorist groups who pose a threat seek to radicalise and recruit people to their cause. The percentage of people who are prepared to support violent extremism is very small but it is proportionately greater among children. Read the [prevent-strategy-review](#) – section 3.3, page 5.

Children in the criminal justice system or on the edge of it, are likely to be socially excluded, disadvantaged and can be vulnerable to many influences including radicalisation. Read the [prevent-strategy-review](#) – section 10.176, page 90.

The risk factors of those who become involved in terrorism or extremist acts are heightened by their natural curiosity and vulnerability to risky influences during adolescence, which is making some teenagers vulnerable to exploitation.

- Radicalisation can occur when normal needs, heightened during adolescence, are met through extremist causes, ideologies and groups.
- An extremist group or cause can provide a sense of identity, belonging or purpose where some individuals feel validated and valued. They may be treated as a grown up or a hero and feel that they are part of something big and significant. The cause or group can make sense of a confusing world full of unfairness and unpredictability.
- A 'grievance narrative' refers to a cause for complaint or sense of resentment over something that is deemed unfair or threatening. Grievance narratives can take many forms, although they frequently involve feelings of injustice, humiliation, powerlessness and victimisation, and often acute moral outrage.
- Extremist causes and groups can seem exciting to some children who lack sources of stimulation in their lives. Becoming involved with such activities could lead to a sense of excitement, achievement and fulfilment.
- The internet and social media are significant factors in children's lives, and can be uncensored. Children's virtual life can be more exciting at a time when they may face tedium in their actual lives.
- Adolescence is a time of transition and change physically, emotionally, socially and cognitively. During this period of re-evaluation, adolescents are developing their identities and are open to new thinking and ideas.

- Adolescence is often a time of new freedoms and less parental supervision with peer groups often having more influence. Often there are new friends and contacts who can be both real life and virtual friends, and may place pressure on an individual to behave in a certain way.

People who work in youth justice will already recognise that adolescence is a complex time and one of the most rapid periods of human development. It is therefore crucial, despite this high-profile area of risk to remain mindful of 'normal' expressions during adolescence.

FINAL DRAFT

4. Developing and improving local service provision with key stakeholders

It is important that services work together to provide a range of support and interventions for to children at risk of radicalisation and those arrested and convicted of a TACT offence.

Youth justice services may wish to consider assessing their current service provision against the checklist below.

Strategic oversight

- You should consider including relevant activity to address extremism and counter-terrorism in your youth justice plan. This should detail the local strategies to address any risks identified.
- Inclusion on appropriate agendas such as management / partnership boards as necessary and ensure a briefing is received on your local Counter Terrorist Local Profile (CTLP), which sets out your local risks and vulnerabilities.
- Make sure effective strategic and operational links to:
 - local prevent boards and channel panels
 - counter-terrorism police such as police prevent leads (PPLs) and counter-terrorism units (CTUs)
 - specialist colleagues in the secure estate
 - local services for children, for example, schools, colleges, children's services and third sector organisations
 - community safety partnerships
 - multi-agency public protection arrangements (MAPPA) leads
 - probation colleagues specialising in CT work.
- Make sure meaningful strategies and policies are in place and are cascaded and understood by partners and staff.
 - This should include referral processes for channel and signposts of where to seek assistance, support and guidance.
 - In preparation of potential arrests for a TACT offence consider communicating with relevant stakeholders to develop policies / protocols. This will ensure greater understanding and provide direction should the need arise, refer to section 5.

Practice oversight

Training

- Review your training strategy to provide all staff with relevant continuous professional development. See the [YJ Resource Hub](#)

- Include mandatory prevent training as well as seeking opportunities for additional extremism and counter-terrorism training in staff induction.
- Ensure training is reviewed and refreshed annually.

Assessment and identification of risks of radicalisation

- Develop team understanding to include radicalisation risks as part of AssetPlus assessments. All staff should know how and when to alert concerns and seek assistance for the provision of specialist support. You could make a channel/prevent referral or contact your counter-terrorism unit or Prevent lead for advice.
- Make sure that staff have relevant contact details to be able to contact others for advice when they have concerns.

Specialist YOT Counter-terrorism Lead

- Consider appointing a single point of contact in relation to counter-terrorism and extremism, providing relevant upskilling to support this individual.

Staff supervision and appraisals frameworks

- Make sure counter-terrorism and risks of radicalisation are built into supervision and appraisal frameworks. This should sit within risk, safeguarding and crime prevention work alongside other safeguarding and risk work strands such as sexual exploitation, high risk children and gang activity.
- Make sure that staff supervision and appraisals inform the services training and development plan.
- Make sure supervision offers case managers a safe space for reflection discussion, challenge and support.

Quality assurance and auditing

- Make sure quality assurance and auditing practices include consideration of counter-terrorism and extremism.

Effective practice

- Make sure any local effective practice is shared with the YJB for the benefit of the Youth Justice Community and placed on the [YJ Resource Hub](#).

5. Managing children arrested, charged or convicted within terrorist investigations

Children and Terrorism Act offences

The number of under 18-year olds arrested for terrorism-related offences has increased in recent years. Though still a small proportion of all arrests of children, recent numbers are showing an increase with the highest number of terrorism-related arrests for this age group in a calendar year since the data collection began.

A terrorist related offence covers those who have been convicted of:

- any offence under terrorist legislation
- an offence of conspiring, attempting, aiding, abetting, counselling, procuring or inciting an offence under terrorist legislation

A person could be involved in terrorism even where not charged with a specific terrorist related offence. It could be that alternative charges are given due a lack of evidence for a specific TACT offence but the individual is still of concern and therefore a terrorist related package of support is still appropriate.

Terrorism is commonly defined as violent acts (or the threat of violent acts) intended to create fear (terror), perpetrated for an economic, religious, racist, political, or ideological goal and which deliberately targets or disregards the safety of non-combatants (e.g. neutral military personnel or civilians).

Terrorism is defined in the [Terrorism Act 2000](#) (TACT 2000) and means the use or threat of action where:

1. The action:
 - a) involves serious violence against a person
 - b) involves serious damage to property
 - c) endangers a person's life, other than that of the person committing the action
 - d) creates a serious risk to the health or safety of the public or a section of the public, or
 - e) is designed to seriously interfere with or to seriously disrupt an electronic system; **and**
2. The use or threat is designed to influence the government or to intimidate the public or a section of the public, **and**
3. The use or threat is made for the purpose of advancing a political, religious, racial or ideological cause.

4. Where the use or threat of action as defined above involves the use of firearms or explosives it is always terrorism, whether or not the condition in (2) above is satisfied.¹

It should be noted that other legislation exists that include other terror related offences, which include:

- The [Counter Terrorism and Security Act 2015](#), which added a number of offences including joining a proscribed terror group and fighting aboard.
- The [Terrorism Act 2006](#) including offences such as inciting others to engage in terrorist activity.

Some relevant differences between TACT and PACE arrests

	TACT (Schedule 8 TACT 2000)	PACE 1984
Detention Time	The “detention clock” starts at time of arrest; unless arrested under Sec 41 whilst detained under Schedule 7 of TACT (generally occurs at a port / airport); then the time would begin at the beginning of the examination (point the person is selected for questioning) rather than at the point of the arrest.	Detention time / clock starts when Custody Sgt authorises a person’s detention.
Reviews while in detention	These occur immediately and then every 12 hours (The first review is carried out as soon as is reasonably practicable following arrest. Subsequent reviews every 12 hours. (They can be postponed / delayed in certain circumstances i.e. it would mean interrupting an interview and to interrupt may prejudice the investigation but must be carried out as soon as reasonably practicable)	Custody reviewed periodically, first at 6hrs then +9 and +9 hrs
Who conducts the reviews?	0 - 24hrs Inspector rank, 24 - 48hrs Superintendent rank; all must be conducted in person.	Reviewed by inspector for the initial 24hr period (at 6hrs then every 9hrs) and can be by phone.

¹ <http://www.cps.gov.uk/publications/prosecution/ctd.html>

Force Medical Examiner	FME seen on arrival and again every 24 hours.	FME / nurse seen as & when required / requested.
Can the detention "clock" stop for medical treatment?	Detention clock does not stop for medical treatment	Detention clock stops for medical treatment where detainee leaves custody (i.e. to attend hospital)
Can a person be bailed?	During investigation/post charge no bail provision available	Bail provision is available
Maximum detention	14 days Initial period of detention is 48 hrs. Additional periods of detention, in seven-day increments starting, may then be granted by magistrates, up to a total of fourteen days. Detention from fourteen to twenty-eight days may then be granted by a High Court judge. Applications for the extensions of detention are made by the Crown Prosecution Services' Counter Terrorism Division (external link) , rather than the police.	4 days; 24 hours authorised by Inspector reviews; 24-36 hours on application to a Superintendent; 36-96 is via applications to a magistrate's court)
Delaying rights and entitlements	Authority for rights to be delayed authorised by Superintendent or above only	Authority for rights to be delayed Insp/Supt
Fingerprints / samples	Fingerprints/Samples/photographs taken under Terrorism Act	Fingerprints/Samples taken under PACE
Warrant of further detention	Video link available for Warrants of further detention	No video link available Warrants of further detention
Court appearances post charge	Westminster magistrates	Local magistrates
Custody records	Paper custody records	Electronic custody records

Strategic and practice considerations

There are many implications and sensitivities in relation to terrorist investigations and offences. This next section will highlight these by including learning as well as strategic and practice ideas for consideration by YOT partnership boards and youth justice services.

Strategic consideration

As previously suggested (see section 4), consideration should be given to management boards reviewing or if required, developing a policy or protocol for handling extremism cases. Having agreed plans with partner agencies they will provide clarity and direction for service delivery for cases which can be difficult to manage.

Communication

Counter-terrorism cases are generally sensitive and that makes communication across organisations and partnerships more challenging throughout the case.

Learning from practice has shown multi-agency working supports safeguarding. It highlights the advantages of counter-terrorism units (CTU) working with prevent colleagues and senior representatives from the local authority (i.e. children's services or YOT head of service) to conduct a planning meeting prior to an arrest. This meeting allows background checks to take place to inform their discussion on arrest plans. This proved useful in relation to:

- Providing a “wrap around” package for the child(ren) involved and their family including consequence management in addition to ensuring safeguarding strategies are in place **before** any executive action is taken.
- Allowing for appropriate adult provision to have been considered and arrangements being made in terms of suitably trained and security cleared staff being identified where parent guardian are not appropriate
- Ensuring the identification of a family liaison officer to deal with community tensions, risk, harm as well as evidence gathering post the arrest phase. (This may include a Community Impact Assessment being compiled by the local police).
- Ensuring management of the potential press intrusion.

Every case will differ and YOTs should make sure that they understand what information can be shared by having discussions with the police as there may be ongoing or wider investigations and complexities. Developing awareness of the issues will assist understanding and support professionals working together. Establishing a strategy meeting can serve as a valuable forum to clarify roles, responsibilities and expectations and provides an opportunity to discuss, challenge and agree:

- what information could or should be shared and, what are the benefits and the risks
- what information cannot be shared
- who information should be shared with

- when and how information is shared
- why information could or should be shared. Clarity is needed in terms of information held by agencies. It is important to ascertain what information is considered high priority with explicit timescales for sharing information

Careful consideration should be given to the involvement of partners and again this can be discussed with the investigation team. For example, there may be requirements for additional assessment under the Children Act 1989 legislation, for example section 47 investigations, (where a child is deemed to be at risk of significant harm) or; a section 17 enquiry, (a child in need assessment).

Media

It is likely that there will be media interest. It is therefore important that media engagement is discussed and agreed at the initial strategy meeting so explicit arrangements are in place. In most cases, media engagement will be managed by the police.

Allocation of case work

YOT management should remain alive to and recognise the potential complexities and impact on individual's case managing counter-terrorism offences. Ideally cases should be allocated to experienced and skilled case workers. It is beneficial for both the children and police teams involved that the same case worker is assigned for the duration of the case but the welfare of that individual, during what could be a complex and difficult case, must be carefully managed.

Access to electronic information should be limited to only essential staff early on to ensure confidentiality. This is crucial in enabling police teams to share sensitive information as part of the case.

Risk management and managerial oversight

Additional consideration should be given to case planning and managerial oversight of cases. Whilst cases will link to local risk strategies and in some cases, be subject to multi-agency public protection arrangements (MAPPA) the YOT may wish to consider setting up additional case planning meetings. These should be scheduled in advance to maximise attendance and include relevant partners who should be held to account for the delivery of agreed work. Allocated case workers should have access to additional levels of support as required.

Extremism Risk Guidance (ERG +22)

- Her Majesty's Prison and Probation Service's (HMPPS) development of extremism specific assessments and interventions began in 2008 in response to the population of offenders sentenced under what was newly introduced terrorism legislation. Since 2015 this product has been adapted

for the under 18 population. The products developed are based on casework with extremist offenders in custody to learn about their pathways into extremist offending accompanied by a review of the literature regarding the rehabilitation and reintegration of extremist offenders.

- The Extremism Risk Guidance (ERG) is a structured risk assessment to assess extremist offending. **An ERG is desirable for all offenders convicted under terrorism legislation**, and under some circumstances, where identified through the Youth Pathfinder (see Youth Pathfinder page 24) such as:
 - those convicted under other legislation with clear links to extremism
 - those for whom there are significant/serious concerns of them being drawn into terrorism
- The ERG 22+ aids assessment of significant factors or circumstances which may contribute to an individual's offending. 22 factors are identified within the guidelines for consideration with the +suffix accommodating any other factor that emerges from individual assessment. The ERG recognises that it is important to understand not only what factors or circumstances may be relevant to the risk of offending but also how these may contribute to offending. All factors therefore are associated with three key dimensions which bear on risk. Engagement factors typically engage individuals with a group, cause or ideology and motivate offending. Intent factors typically describe a mental state of readiness to commit an extremist offence in which inhibitions against using violence have been overcome. Finally, capability factors enable individuals to commit offences that could cause serious or significant harm.
- Based on the literature and experience the guidelines adopt a case formulation approach in which the individual factors (e.g. social, psychological, political) which may have contributed (or could contribute) to offending are analysed and assessed. In addition, factors or circumstances which may prevent or protect an individual from offending are also identified. This process builds a picture of the risks, needs and vulnerabilities which may need to be managed to prevent offending as well as how individuals may be protected. The ERG is also based on the Structured Professional Judgment approach to risk assessment. This approach is consistent with most contemporary risk assessments of this nature, which is used to assess other offence types.
- ERG plays a significant role in key decision making about the sentence management of extremist offenders e.g. security re-classification, release on parole, intervention approaches taken. Work is continuous to actively review the effectiveness and utility of this assessment.
- Within HMPPS experienced probation officers and chartered psychologists are provided with two days of specialist training to be able to use the assessment tool.
- The ERG for adults in the community is completed by an experienced probation officer with extensive consultation with psychologists and other extremism professionals.

ERG assessments for children

Specialist training is being developed and will be made available for YOT staff who are experienced in risk management. The training delivery will not provide every YOT with a trained individual and may require flexibility. This will be discussed locally as required.

Until such time that a YOT specialist resource is developed and available, support will be commissioned from existing trained resources which may be in the form of probation staff or suitably qualified psychologists.

It is highly recommended that YOT management contact their local probation teams to discuss and understand what support could be offered.

Specialist interventions

The probation counter-terrorism team's commission recognised intervention providers and provide theological and ideological support for adults and provide psychological programmes such as Developing Dialogues and Healthy Identify Interventions. These programmes are robust evidence based programmes and are currently being developed and adapted for children. While these are not available at this stage the interventions can be adapted as required so approaches should be made to probation colleagues for support as and when required.

The YJB is working with relevant stakeholders researching areas of promising practice examples, which will be added to the [YJ Resource Hub](#) as they become available.

Education, training and employment

Following a conviction and during the delivery of a community sentence for a TACT offence, YOTs should consider issues in relation to the child's engagement with education, training and employment (ETE). Dependant on the sentence, access to the internet may be restricted and work with schools and colleges may be required in relation to safeguarding guidance.

Practice considerations

Appropriate adults

- In line with usual practice a family member may undertake the appropriate adult's duties. The Police Counter Terrorism Units (CTUs) will decide on the appropriateness of the adult.
- When an alternative provision is required an appropriate adult request will be made, by the police counter-terrorism team, through their normal process. The investigation team or senior investigating officer will provide the rationale for excluding family if appropriate.
- Where the appropriate adult is not a family member they should be experienced and skilled in actively working in the best interests of the child. YOTs may wish to consider having specially trained appropriate adults to

deal with those arrested for TACT offences. This could be on a YOT area or consortium arrangement.

- The YJB has been working with national CT custody managers and the National Appropriate Adult Network to develop a training package specifically for CT appropriate adults.

CTUs will carefully consider children's needs and recognise the distinction in relation to adult TACT offenders. Their aim should be to complete the investigation and hold the child for as short a period as necessary. However, where required, police can apply for a longer term of detention for up to 14 days through the CPS. Warrants of Further Detention (WFD) and the process of application are set out within a manual of guidance and details the legal framework and practicalities for such applications. Children are not specifically mentioned in this but the age of the individual must be considered when seeking a WFD and the courts are more likely to probe further into what has been done and what is intended to be achieved within the time frames sought. In cases involving children the courts generally are granting shorter, or incremental, extensions taking age into account. The appropriate adult or YOT will be involved and required to attend WFD hearings, which may be via video link.

Court Appearances

First court appearance

- Protecting the child's anonymity in cases where serious offences that attract elevated levels of media attention is crucial. For further information refer to the *Youth Justice Legal Centre* [protecting anonymity](#).
- In line with usual practice it is important that the court is closed to protect the interests of the child and maintain anonymity.
- Court officers will be informed of the complexities of the case and the judge/magistrates will be informed of any safeguarding issues, including any issues stemming from the family.
- Court Officers as per usual practice, will liaise with the Crown Prosecution Service. The CPS Counter Terrorism Division (CTD) will be heavily involved and will be the lead department where TACT offences are charged. In cases where TACT offences were considered but lesser offences charged the case may revert to the CPS area for prosecution. Read more on the [CPS Youth Offenders](#) guidance.
- First court appearances will usually be held at Westminster Magistrates Court (specialist court for first time appearances for adult and youth

alleged TACT offenders). Where possible the home YOT should attend this hearing.

- In cases where this is not possible, Westminster YOT have agreed to act as a single point of contact offering support to the home YOT, including attendance at the first court hearing. The home YOT is required to start an assessment using AssetPlus and liaise with Westminster YOT. (The resourcing implications for Westminster YOT are continually being reviewed.)
- The court will consider the range of outcomes from bail, with or without conditions, to non-secure and secure remands, in either local authority accommodation, or youth detention accommodation.
- Bail and remand decisions should be determined by the threat the child poses to public protection and flight risk. YOTs should therefore contact the Youth Custody Service (YCS) as soon as is practical to alert them to the case so that consideration of relevant factors informs the placement location decision. Where the court is considering bail the YOT should consider the merits of recommending a bail support package which aims to safeguard the child in between the initial court appearance and future appearances.
- If a remand to the care of the local authority is being considered the YOT should contact the local authority so careful consideration is given to the placement type and any issues in terms of potential risks of radicalisation to children currently in placement. Police CTU assistance should be considered to fully understand the risks.
- The assessment should be conducted using AssetPlus, factors to consider include:
 - Any risks the child presents to the public and any safeguarding needs.
 - If bail is being considered, the suitability of a proposed bail address should be assessed. This assessment should be presented to the court, giving relevant details about the suitability or any risks this may pose. The police may intervene and help check the suitability of an address based on information they may hold.
 - An assessment in relation to attending education or work may be required and should include liaising with appropriate agencies. This will be presented to the court outlining considerations or risks, the police may have a view about access to IT for educational services dependant on the offence details.
- In cases where the child remains in the community it is important that:
 - Any conditions are clearly explained to the child and their families or carers so they have a clear understanding of conditions. These must be monitored robustly and recorded on case management systems.

- Resources are available to make sure high levels of support can be provided, which may include children's services, ETE, health and housing services.
- There are clear and explicit contingency plans in place to address issues that may arise.
- YOT staff schedule and facilitate regular reviews to inform strategy meetings.
- If the court is considering a remand to youth detention accommodation, the YOT would complete the necessary AssetPlus stage and liaise with the YCS placement team– see section 6, working with the secure estate.

Transportation between the court and secure accommodation is subject to standard operation procedures for the court and nominated transport contractors. In some cases, the police may support or indeed deliver the transport service themselves where they feel the gravity and or risks warrant a police escort.

Ongoing court appearances

- Second and subsequent court hearings are determined by the court, this may include the case being referred to the home YOT area.
- The YOT would, as per usual practice, undertake necessary monitoring of further court appearances so they are prepared for subsequent court hearings.
 - In cases where the child has been subject to YOT bail support or remanded to the care of the local authority, the YOT should present an update to the court on compliance.
 - In cases where a child has been remanded into youth detention accommodation, the YOT should be prepared for further bail requests and after consultation with other agencies be able to offer information to assist the court in their decision making. For example, if bail is being considered, the risks surrounding appropriate accommodation, flight risks, intimidation of witnesses, and what services the YOT could offer if bail was granted.

Crown Court

Given the potential seriousness of the offence, or in cases where the offence is committed with an adult, the case may be transferred to the Crown Court and for TACT cases this will always commence with a preliminary hearing before the Presiding Judge for Terrorism at the Central Criminal Court; thereafter the case may be released to the home YOT area but oversight from the Presiding Judge will remain.

Pre-sentence reports

In line with usual practice, a pre-sentence report may be requested. This should be informed by an AssetPlus assessment.

With the agreement of the child and their parents / carers an ERG assessment will be undertaken post sentence (see pages 16 and 17). The court may request further specialist reports, for example a psychologist or psychiatrist report.

Post court

Referral Orders

Previous cases indicate that a considerable number of the children arrested for TACT related offences are not previously known to youth justice services. This has clear implications in respect of available sentencing options. For first time convictions, available sentences in court will be limited to referral orders or custody. However, there are cases where out of court disposals have been deemed appropriate. It should be noted that all counter-terrorism outcomes, charge or use of out of court disposals are authorised by the Attorney General.

Pre-panel meetings

Due to the serious nature of many TACT offences YOTs may wish to consider intensive referral orders which will provide the opportunity for the appropriate level of intervention. A pre – panel meeting prior to sentencing can be convened with the purpose of drafting an exemplar contract that the court might expect to be followed. This will offer the court an opportunity to make a more informed judgment regarding the most suitable sentence for the child. The [Referral Order Guidance](#) has more detail regarding this process (due to be updated in 2018).

Panel meetings

The panel will need to consider the inclusion of the ERG to be completed in respect of the child and compliance with this process should be encouraged. This assessment should be discussed with the child and their parent or carer to gain their support with the ERG process.

The YOT should provide the panel with information about available specialist services that are available to address the child's offending behaviour. This information can then be considered by both the panel and the child and their parent/carer when agreeing the contract. Probation may be helpful in signposting the YOT to such services.

Youth Rehabilitation Orders

In cases where a Youth Rehabilitation Order is imposed, the YOT would be expected, as per usual practice to supervise the order and return to court if there are issues of non-compliance.

YOTs should contact colleagues in the probation services who may assist with the commissioning of suitable interventions through their approved intervention providers.

Custodial sentences

YOTs should contact the YCS placements team prior to the day of sentence to alert them to the case and any complexities which may impact on placement decisions. Read the [Young People and Sentencing](#) guidance.

Case managers must complete the AssetPlus assessment and send it to the YCS Placements Service via Connectivity on the day of the sentence. Please refer to section 6 of this guidance which provides further information on working with the secure estate.

Notification Orders

Part 4 of the Counter Terrorism Act 2008 imposes notification requirements on persons dealt with in respect of certain terrorist offences aged 16 and over; for 16 & 17 years, the length of Order would be 10 years. Failure to comply with the requirements is an offence punishable with a maximum of five years imprisonment on indictment

FINAL DRAFT

6. Working in partnership with the secure estate

Youth detention accommodation

YOTs would follow standard processes for children entering the secure estate. In cases where the home YOT is not present at the court hearing, Westminster YOT will visit the child in the court secure area and share any relevant information with the home YOT. The home YOT is responsible for contacting the YCS and sending relevant documentation via Connectivity.

Reception

On arriving in reception children will be processed as per standard operating procedures and will have any telecommunication devices removed, such as mobile phones. A strong and effective multi-agency approach is required in relation to requests for telephone calls and visitors for children remanded or sentenced for TACT related offences.

A three-way discussion between the secure establishment, the relevant CTU and the YOT supports safeguarding of the child sentenced or remanded to custody. The CTU involvement allows for additional checks to be made on systems that YOTs do not have access to, which provides another robust level of support to safeguard the child.

Sentence planning, interventions, resettlement and release

Particular attention should be given to sharing information so any risks or safeguarding concerns can be shared and services co-ordinated. Read 'custody and resettlement: section 7 [case management guidance](#)' for more information.

It may be necessary to pay attention to:

- education provision and access to the internet
- suitability of visitors, including family members
- mental health and emotional wellbeing factors
- liaison and transfer on release for over 17s to the National Probation Service, and any ongoing MAPPA involvement

Early release

Children serving four years or more for any offence are statutorily excluded from early release. In addition, anyone serving a sentence for terrorism is presumed unsuitable for the scheme in the absence of exceptional circumstances. Read section 7 of the [case management guidance](#).

Transfer to the adult estate

This should be per normal processes of transfer from the youth secure estate to the adult estate. Contact should be made with the regional higher security counter-terrorism co-ordinator before the location is agreed and the transfer takes place (This should be managed by the YCS).

Intelligence systems

HMPPS and the YCS are currently looking at systems to manage extremism related information and intelligence so that it is flagged to the appropriate places to ensure there is a consistent response and appropriate support is offered. This process may change as more work is undertaken.

Youth Pathfinder

The Youth Pathfinder process seeks to standardise and coordinate a multi-agency approach to manage those remanded, convicted or suspected to be involved in TACT related activity as well as those who may be vulnerable to extremist messages. Currently the process is used within YOIs and STCs with SCHs adopting this over the next few months using a “lighter touch” model.

The process seeks to:

- identify associates and behaviours of concern
- assess an individual’s risk and vulnerability
- understand if/why an individual might have extremist views
- manage and support the individual
- put into place safeguards.

YOT case workers should be contacted and invited to attend meetings.

7. Multi-agency public protection arrangements

Standard processes apply in relation to offences subject to multi-agency public protection arrangements (MAPPA) and YOTs should use local arrangements for notification via the relevant MAPPA co-ordinator.

Identifying terrorist offenders

For those convicted of terrorist related offence(s) the MAPPA guidance 2012 (updated 2016) states terrorist offenders are ones who:

- Have been convicted of any terrorist legislation offence i.e. an offence under the Terrorism Act 2000, the Anti-Terrorism Crime and Security Act 2001, the Prevention of Terrorism Act 2005, the Terrorism Act 2006 or the Counter Terrorism Act 2008, or
- Have been convicted of an offence of conspiring, aiding, abetting, counselling, procuring or inciting a terrorist legislation offence or any other offence that is considered related to terrorism either committed as part of an act of terrorism or in support of a terrorist group or cause.

Domestic extremism

The MAPPA guidance contains five themes for identifying domestic extremism:

- animal rights extremism
- environmentalist extremism
- far right political extremism
- far left political extremism
- emerging trends – or any activities that unduly and illegally influence or threaten the economic and community cohesion of the country

Many domestic extremists will not automatically be included in MAPPA under either category 1 or 2 due to the nature of the offences they committed and of which they were convicted. However, involvement as a MAPPA category 3 offender needs to be considered seriously in each case where there are extremism motives.

As many domestic extremism cases are likely to be Public Order Act offences, criminal damage, threats and intimidation or fraud type offences, which will have acquired some notoriety because of their association with domestic extremism, a referral to MAPPA will have to be under category 3. The referrer must be clear that the case requires active multi-agency management at MAPPA level 2 or 3.

Assessment

AssetPlus is the only approved standard assessment tool and should be used for assessing the risk of harm posed for this type of offence(s). There are prompts within the AssetPlus manual (especially relating to the Information Gathering section) to encourage the case manager to consider the child's

individual motivators. These prompts assist in refining the identification of intent. It will help the case manager consider whether a child's involvement with people who hold what could be identified as extreme religious or political views could lead them to offending, reoffending or causing serious harm to others.

Case managers need to be aware that, as with other high risk or very high risk of serious harm offenders with few previous convictions, the Offender Group Reconviction Scale within AssetPlus is likely to be low. Professional judgement should be used to take a considered view of the risk.

MAPPA risk management plan (RMP)

Where a terrorist or domestic extremism offender is subject to statutory supervision, the local YOT will be the lead agency and is responsible for convening the meeting. To enable the case manager to provide a comprehensive report it is essential that the police share all relevant information. It is crucial that there is effective communication between the different police teams including counter-terrorism units, Counter Terrorism Policing, basic command units and public protection units.

Where additional licence conditions are being considered it must be demonstrated that all conditions are necessary, proportionate and reasonable to manage the level of risks identified. Advice on licence conditions can be found in section 7 of the [case management guidance](#).

Any risk management plan needs to reflect the impact that any offending would have on the community, and how this will be effectively addressed. Early consultation must take place with the local police to ensure that all known factors have been considered. In these cases, there is likely to be a strong emphasis upon restrictive conditions and monitoring the behaviour of the child.

Given the level of public interest in terrorism and domestic extremism, there is potential media interest in all cases. Contingency plans should include a reactive media plan in the event of such interest becoming active. Where there is significant media interest in the case, the meeting must ensure there is a robust media handling plan in place.