

Managing extremism for under 18s

Community practice advice

August 2018

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Introduction

This practice advice has been developed to support youth offending teams (YOTs) in the identification and management of children's (people under 18-years-old) involvement in extremism. This includes the risks of radicalisation and dealing with those arrested and convicted of Terrorist Act 2000 (TACT) offences.

We would like to thank YOTs, the police, the Crown Prosecution Service (CPS) and other individuals who have contributed to the delivery of this practice advice.

This advice summarises 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, high-impact, sensitive and complex. While the Youth Justice Board (YJB) and YOTs recognise the risks, their approach is focused on the child first and offender second. There can be a different perception among the police, who may view these children as terrorists who can reoffend and potentially cause serious harm. There is a need to support both approaches to achieve a balance. Counter-Terrorism Policing (CTP), formally known as Counter-Terrorism Units (CTUs) is 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.

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

The content was developed by the YJB in collaboration with heads of youth justice services and 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
- 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 strategy¹ as vocal or active opposition to fundamental British values. This includes democracy and the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs as well as 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.

¹ Read the Prevent-strategy-review – Annex A, page 107.
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/97976/prevent-strategy-review.pdf

The CONTEST strategy

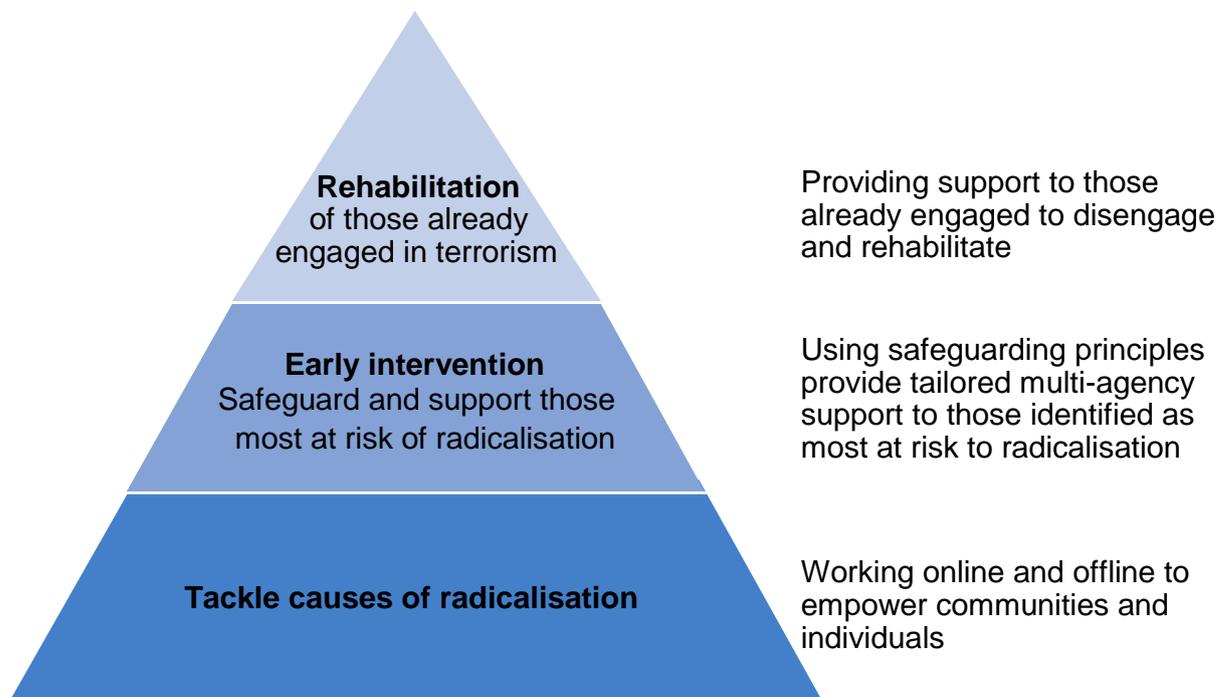
The CONTEST strategy is the UK government's approach for managing the threat of terrorism. It was first published in 2011 and was updated in [June 2018](#). The strategy has four strands, *Prevent, Protect, Prepare & Pursue*. A report by [David Anderson, QC](#) of MI5 and police reviews following the attacks in London and Manchester between March and June 2017 provides background on how terrorist incidents are investigated and may be of interest as background reading.

The purpose of Prevent is to safeguard and support vulnerable people and to stop them from becoming terrorists or supporting terrorism. Prevent work also extends to supporting the rehabilitation and disengagement of those already involved in terrorism. (Prevent strategy 2018).

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

Prevent delivery model

The Prevent delivery model sets out how we tackle the causes and risk factors that can lead an individual to become radicalised, support those who are at risk of radicalisation through early intervention and rehabilitate those who have already engaged with terrorism.



Source: Home Office

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 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 security².

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 children³.

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 radicalisation⁴.

Certain aspects of normal adolescent processes or developmental stages can make children particularly vulnerable to extremist narratives, groups, causes or charismatic individuals.

- 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.

² Read the [Prevent-strategy-review](#) – section 3.4, page 5.

³ Read the [Prevent-strategy-review](#) – section 3.3, page 5.

⁴ Read the [Prevent-strategy-review](#) – section 10.176, page 90.

- 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 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.

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 children at risk of radicalisation and those arrested and convicted of a Terrorism Act 2000 (TACT) offence.

Youth offending teams (YOTs) 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-Terrorism Local Profile (CTLP), which sets out your local risks and vulnerabilities. It is important that YOTs contribute to this as a key partner.
- Make sure of effective strategic and operational links to:
 - local Prevent boards and Channel panels, ensuring you are regular contributors
 - counter-terrorism police such as Police Prevent Leads (PPLs) and Counter-Terrorism Policing (CTP) teams
 - 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 arrangement (MAPPA) leads
 - probation colleagues specialising in counter-terrorism 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 for potential arrests for a TACT offence, consider communicating with relevant stakeholders to develop policies/protocols. This ensures greater understanding and provides direction should the need arise, refer to pages 11-22.

Practice oversight

Training

- Review your training strategy to provide all staff with relevant continuous professional development. Visit the [Youth Justice Resource Hub](#) for more information.
- 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. Consider keeping a log of who has received what and when.

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 Prevent referral or contact your Counter-Terrorism Policing team or Prevent lead for advice.
- Make sure that staff have the 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. (There may be Prevent champions within your respective partnership – consider their introduction within the YOT.)
- 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 service's 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 [Youth Justice Resource Hub](#).

Managing children arrested, charged or convicted within terrorist investigations

Children and Terrorism Act (TACT) 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 to a lack of evidence for a specific [Terrorism Act 2000](#) (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 (as amended) as 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
1. The use or threat is designed to influence the government or to intimidate the public or a section of the public, and
2. The use or threat is made for the purpose of advancing a political, religious, racial or ideological cause.

3. 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.⁵

It should be noted that other legislation exists that includes other terror-related offences, these 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 Police and Criminal Evidence Act (PACE) arrests

	TACT (Schedule 8 TACT 2000)	PACE 1984
Detention Time	The “detention clock” starts at the time of arrest; unless arrested under Sec 41 whilst detained under Schedule 7 of TACT (generally occurs at a port/airport) in which case the time starts 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 the custody sergeant 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. if it means 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.

⁵ <http://www.cps.gov.uk/publications/prosecution/ctd.html>

Force Medical Examiner (FME)	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. <i>(Note - The Counter-Terrorism and Border Security Bill is currently going through Parliament. If passed it will alter this element and will stop the detention clock during hospital visits bringing it into line with PACE)</i>	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	The maximum detention is 14 days. Initial period of detention is 48 hrs. Additional periods of detention, up to a total of 14 days may then be granted by magistrates. Applications to extend detention beyond 7 days (up to the 14-day maximum) are made by the Crown Prosecution Services' Counter-Terrorism Division , rather than the police.	Max detention 4 days; 24 hours authorised by inspector reviews; 24-36 hours on application to a superintendent; 36-96 hours are via applications to a magistrates' court)
Delaying rights and entitlements	Authority for rights to be delayed authorised by the superintendent or above only.	Authority for rights to be delayed by 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 for 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 highlights these by including learning as well as strategic and practice ideas for consideration by youth offending teams (YOT) management boards and youth justice services.

Strategic consideration

As previously suggested (see pages 9-10), consideration should be given to YOT 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 Policing (CTP) working with Prevent colleagues and senior representatives from the local authority (i.e. children's services or the YOT head of service) to conduct a planning/strategy meeting prior to an arrest. This meeting is likely to be called by the police but can be called by any party. The meeting allows background checks to take place to inform discussion on arrest plans. This has proved useful in relation to:

- providing a “wrap around” package for the child(ren) involved and their family, including consequence management and ensuring safeguarding strategies are in place **before** any executive action is taken (i.e. an arrest)
- allowing for appropriate adult provision to be considered and arrangements to be made in terms of suitably trained and security cleared staff being identified where parent/guardian attendance is 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 (CIA) 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.

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, e.g. 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). In Wales the requirements may come within the Social Services and Well Being (Wales) Act 2014.

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 stay alert and recognise the potential complexities and impact on individuals managing cases relating to 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 if 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 to enable 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 the managerial oversight of cases. Whilst cases will link to local risk strategies and in some cases, be subject to multi-agency public protection arrangements (MAPPAs), 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+)

- The ERG is a structured professional judgement (SPJ) tool; a formulation-guided assessment of risk and need. It was developed with the purpose of informing proportionate risk management, increasing understanding and confidence amongst front-line staff and decision-makers working with extremist offenders and to facilitate effective and targeted intervention.
- Up until 2015, the ERG assessment was used only with adults. In response to the conviction of under 18s in 2015 for TACT offences, further guidance was written to assist staff in undertaking ERG assessments with the under 18 population. There is ongoing evaluation and development of the

knowledge base around children's involvement in extremism which will be regularly incorporated into updated guidance.

- The completion of an ERG assessment is desirable for all children convicted under terrorism legislation. For adult offenders, the ERG is completed as a matter of course within the first 12 months of sentence.
- In some circumstances, ERGs are completed as a result of a recommendation from the youth pathfinder (see page 24) such as:
 - those children convicted under other legislation with clear links to extremism
 - those children for whom there are significant/serious concerns about them being drawn into extremism.
- The ERG 22+ assesses the significant factors and circumstances which contribute to an individual's involvement in extremism and extremist offending. 22 factors are identified within the guidelines for consideration with a + suffix accommodating any other factor that emerges during assessment that may be significant to that individual's involvement in extremism and offending. The factors are grouped within three key dimensions which influence risk and need: engagement, intent and capability.
- The **engagement** dimension seeks to describe the process by which an individual becomes interested in, involved in, committed to an extremist group, cause or ideology. This process is often referred to elsewhere in the literature as radicalisation. The factors within the engagement dimension include amongst others: the need to redress injustice; need for identity, meaning and belonging; need for status; susceptibility to indoctrination; need for excitement, comradeship or adventure; political/moral motivation; and transitional periods.
- The **intent** dimension refers to a mind-set associated with a readiness to act illegally and/or violently on behalf of a group, cause or ideology. The intent dimension is also best described as a process and includes, amongst other factors: over-identification (as an end state of engagement and identification) with a group, cause or ideology; us and them thinking; and harmful thinking; all of which represent a state of mind where inhibitions against offending and causing harm are overcome.
- The third dimension, **capability**, seeks to measure an offender's abilities to perform an act of terrorism and/or cause serious harm. The capability dimension includes factors such as skills, competencies, networks, resources and criminal history, all of which are enabling factors.
- Assessors are also asked to consider political or social context and whether any of the 22+ factors may be protective and support an individual's desistance and disengagement from extremism.
- An ERG report is produced as an output of the assessment; the assessors are asked to consider the 22+ factors, and record and evidence those significant to an individual's journey into extremism (engagement), how they overcame inhibitions against offending and/or harming others (intent) and their ability to contribute to, or commit a further extremist offence

(capability). They are then asked based on their formulation, to comment on the individual's risk and need, and importantly make recommendations that serve to prevent reoffending (facilitate desistance) and support an individual moving away from extremism (disengagement).

- Adolescence is a time when some of the needs assessed in the ERG are naturally heightened due to normal developmental milestones. Therefore, assessment of such factors should take into account the normative developmental context for such needs and not pathologise them whilst acknowledging that they could heighten vulnerability for an individual and form the context through which risk factors unfold. Adolescent developmental milestones should also be considered as a context through which protective factors can unfold.
- The ERG was not designed to determine guilt, it was also not designed to predict whether an individual will reoffend. The ERG was designed to be used as part of a multidisciplinary, decision-making process to inform proportionate risk management, increase understanding and confidence amongst front-line staff and decision-makers working with extremist offenders and to facilitate effective and targeted intervention.

ERG assessments for children

Currently no YOT staff are trained to complete ERGs and this situation is under constant review.

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 suitably qualified probation officers or psychologists.

YOT management should contact their local probation counter-terrorism teams to discuss and understand what support can be offered.

Specialist interventions

Probation Counter-Terrorism (PCT) teams commission via the Home Office recognised intervention providers who provide theological and ideological support for individuals convicted under terrorism legislation. For relevant cases YOTs can access these providers through local Prevent arrangements and/or seek advice from PCT teams. Her Majesty's Prison and Probation Service (HMPPS) has developed a psychosocial programme, the Healthy Identity Intervention (HII), aimed at helping individuals explore their reasons for committing an extremist offence, and how they can meet their needs without offending in future. Suitability is considered as part of the ERG and will be proposed if proportionate and relevant. HMPPS and the National Probation Service (NPS) have also designed a toolkit, Developing Dialogues (DD), which is based on the HII and an NPS diversity awareness programme. DD is a toolkit aimed at preventing individuals from being drawn into extremism, by engaging them in discussion around their growing interest and involvement in an extremist group, cause or ideology. It is a 'light-touch' intervention and may suit those for whom HII is not proportionate or is too intensive. HII and DD are robust, evidence-informed programmes and DD is currently being developed and adapted specifically for use with children.

At present HII is delivered by psychologists within a custodial setting or trained probation officers in the community and YOTs should consult their local probation counter-terrorism team regarding delivery for appropriate cases.

The YJB is working with relevant stakeholders researching areas of promising practice examples which will be added to the [Youth Justice 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). Dependent 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. Counter-Terrorism Policing (CTP) 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 its 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 (NAAN) to deliver a training package to members specifically for CT appropriate adults.

CTP 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 guidance manual detailing 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. 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 grant shorter, or incremental, extensions taking age into account. The appropriate adult or YOT are 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 attract elevated levels of media attention is crucial. For further information refer to the *Youth Justice Legal Centre* [protecting anonymity](#) guidance.
- 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 (CPS). 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 are considered but lesser offences charged the case may revert to the CPS area for prosecution. Read the [CPS Youth Offenders](#) guidance for more information.
- First court appearances will usually be held at Westminster Magistrates' Court (specialist court for first 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 has 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 can inform the placement location decision. Where the court is considering bail the YOT should consider recommending a bail support package which aims to safeguard the child in between the initial court appearance and future appearances.
- If a remand to local authority accommodation is being considered the YOT should contact the local authority so that careful consideration is given to the placement type and any issues in terms of potential risks of radicalisation to children currently in placement. CTP 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 family or carer(s) 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 will complete the necessary AssetPlus stage and liaise with the YCS placement team– see pages 23-24.

Transportation between the court and secure accommodation is subject to the 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 will, 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 its 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 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 charges, use of out of court disposals, or other outcomes must be authorised by the Attorney General.

Referral order - pre-panel meetings

Due to the serious nature of many TACT offences YOTs may wish to consider referral orders with an intensive contract 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. Read the [Referral Order Guidance](#) for more detail regarding this process (due to be updated in 2018).

Referral order 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 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 (see page 18).

Youth Rehabilitation Orders (YRO)

In cases where a Youth Rehabilitation Order is imposed, the YOT is 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 Prevent and/or the probation counter-terrorism teams who may assist with the commissioning of suitable interventions through their approved intervention providers (see page 18).

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 for more information.

Case managers must complete the AssetPlus assessment and send it to the YCS placements team via Connectivity on the day of the sentence. Please refer to pages 23-24 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 who are aged 16 and over; for 16 & 17 years, the length of order is 10 years. Failure to comply with the requirements is an offence punishable with a maximum of five years imprisonment on indictment.

Working in partnership with the secure estate

Youth detention accommodation

Youth offending teams (YOTs) follow standard processes for children entering the secure estate. In cases where the home YOT is not present at the court hearing, Westminster YOT visits the child in the court secure area and share any relevant information with the home YOT. The home YOT is responsible for contacting the Youth Custody Service (YCS) and sending relevant documentation via Connectivity.

Reception

On arriving in reception children are processed as per standard operating procedures and 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 offences relating to the Terrorism Act 2000 (TACT).

A three-way discussion between the secure establishment, the relevant Counter-Terrorism Policing (CTP) contact and the YOT supports the safeguarding of the child sentenced or remanded to custody. The CTP 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](#) for more information.

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 is managed by the YCS).

Intelligence systems

Her Majesty's Prison and Probation Service (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 for or convicted of TACT or TACT related offences, or those suspected to be involved in extremism-related activity, as well as those who may be vulnerable to being drawn into extremism. Currently the process is used within under-18 young offender institutions (YOIs) and secure training centres (STCs) with secure children's homes (SCHs) adopting this over the next few months using a "lighter touch" model.

The process seeks to:

- identify those children being drawn into extremism, and those at risk, or vulnerable to being drawn in
- understand an individual's vulnerability to being drawn into extremism and potential associated risks'
- manage and support the individual to prevent them being drawn into extremism, or offending on behalf of a group, cause or ideology
- put into place safeguards to protect them in the future.

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

Multi-agency public protection arrangements (MAPPA)

Standard processes apply in relation to offences subject to [multi-agency public protection arrangements \(MAPPA\)](#). Youth offending teams (YOTs) should use local arrangements for notification via the relevant MAPPA co-ordinator.

Identifying terrorist offenders

For those convicted of a terrorist-related offence or terrorist-related offences, the [MAPPA guidance](#) 2012 (updated 2017) 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 Youth 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 is the lead agency but it may be that the police convene the meeting as the responsible authority. 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 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 may 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.