



IMPLEMENTATION PLAN – Youth Justice Projects (YJPs)

Operational Programme	Employment, Inclusion, Skills and Training (EIST) 2021-2027
Priority	P3 Social Inclusion
Policy Objective	4. A more social and inclusive Europe implementing the European Pillar of Social Rights.
Specific Objective	ESO4.12: Promoting social integration of people at risk of poverty or social exclusion, including the most deprived persons and Children (ESF+).
Action ¹	Youth Justice Projects
Intervention Code	163. Promoting social integration of people at risk of poverty or social exclusion, including the most deprived and children
Gender dimension	02. Gender mainstreaming
Form of finance	01. Grant
ESF+ Accounting Body	DFHERIS
Managing Authority	DFHERIS
Intermediate Body	Department of Justice - Financial Management Unit
Beneficiaries	Department of Justice – Funds Administration Unit AND Community Safety Policy Unit
Allocation	€120.87m Gross €52.09m ESF+; (€68.78m National Co-financing) €18.70m Transition (Northern & Western – NW) ² €102.17m More Developed (Southern, Eastern and Midlands – SEM)
EU Co-financing Rate(s)	40% (SEM) & 60% (BW)
Version Number	1
Version Date	07/12/2023

1. Objective of the Intervention

The objective of this action is to engage with young people at risk of/or involved in criminal and/or anti-social behaviour and provide them with targeted supports designed to enable these young people to stop their offending behaviour and become positive contributors to society.

2. Description of Intervention

The Department of Justice manages the nationwide delivery of over 100 Youth Diversion Projects (YDPs) in the community through Community Based Organisations (CBOs).

¹ Article 22(3)(d)(i) Regulation (EU) 2021/1060 and Article 6 Regulation (EU) 2021/1057

² [NUTS Regions - CSO](#)



These projects provide targeted youth crime interventions to young people who come to the attention of the criminal justice system because of their behaviour. Young people are in the main referred to projects through the local Gardaí (Police).

The purpose of youth crime intervention work is to engage young people in a process of learning and development that enables them to make positive lifestyle choices. These targeted supports seek to provide participants with the life skills that help them to make positive choices and desist from criminal and/or anti-social behaviour which, in turn, will enable them to be positive contributors to society.

Many projects are located in areas of social disadvantage and marginalisation, where there are high volumes of youth crime and where there is a history of early school leaving and generational unemployment. The negative impact of growing up in an area of social disadvantage, including cycles of early school leaving and intergenerational poverty, exposure to cultures of drug and alcohol misuse, criminal activity or anti-social behaviour is well documented. Approximately 60% of these projects are located in the so called RAPID (Revitalising Areas by Planning, Investment and Development) areas i.e., the most disadvantaged areas in the country.

The measures proposed by the Department of Justice will contribute to a number of national strategies including:

- Youth Justice Strategy 2021-2027

The measures will also contribute to:

- Tackling Youth Crime 2014 – 2018
- The National Children and Young People’s Policy Framework 2014-2018 (and its successor which the DCEDIY are currently developing).

These strategies support a whole of Government effort to improve outcomes for children and young people and recognise the shared responsibility across Government to achieving these results. The focus of the National Children and Young People’s Policy Framework is on investing in young people to reach their potential towards reducing inequality within society and to break cycles of intergenerational disadvantage.

The measures will also contribute to other key Government strategies and policies including:

- National Reform Programme for Ireland under the Europe 2020 Strategy

“Targeted social inclusion programmes” and in particular to “programmes for minority groups such as Travellers and migrants”.

- Pathways to work - Government Policy Statement on Labour Market Medium Term Economic Strategy 2014-2020.

3. Intermediate Body

While overall responsibility for managing the EIST Programme rests with the Managing Authority (MA), Article 71(3) of Regulation (EU) 2021/1060³ allows that the MA may identify one or more intermediate

³ REGULATION (EU) 2021/1060 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 24 June 2021 laying down common provisions on the European Regional Development Fund, the European Social Fund Plus, the Cohesion Fund, the Just Transition Fund and the European Maritime, Fisheries and Aquaculture Fund and financial rules for



bodies to carry out certain tasks under its responsibility. The MA has identified the Department of Justice, Financial Management Unit, as the Intermediate Body (IB) for the delivery of the Youth Diversion Projects. Tasks to be carried out by the IB, under the supervision of the MA in respect of the Programme include:

- Selection of operations in accordance with Article 73 of Regulation (EU) 2021/1060;
- Provision of a document to the beneficiary setting out all the conditions for support for each operation in accordance with Article 73 of Regulation (EU) 2021/1060;
- Monitoring and evaluation of the progress of operations in fulfilling the conditions for support and in meeting the objectives of the Regional Programme;
- Ensuring that the obligatory elements of audit trail set out in ANNEX XIII of Regulation (EU) 2021/1060 are maintained in accordance with the requirements set out in Article 82; and
- Carrying out management verifications in accordance with Article 74 of Regulation (EU) 2021/1060.

A written Administrative Agreement will be entered into between the MA and the IB setting out the respective roles and responsibilities in detail.

The IB will manage this initiative and will work closely with the MA to ensure that this action is delivered in full compliance with Regulation (EU) 2021/1060, Regulation 2021/1057⁴, and all relevant national and EU regulations and guidance, with a particular focus on state aid where appropriate, public procurement, data protection, fraud prevention, eligibility and grant administration.

4. Beneficiaries

The Department of Justice's Funds Administration Unit AND the Community Safety Policy Unit, are the joint Beneficiaries for the Youth Diversion Projects.

5. Integration of the Horizontal Principles

Article 9 of the CPR 2021/1060 provides for a horizontal equality and human rights principle to be taken into account by the Member States in the preparation, implementation, monitoring, reporting and evaluation of programmes. These requirements include that Member States:

- ensure respect for fundamental rights and compliance with the Charter of Fundamental Rights of the European Union in implementation of the Funds;
- ensure equality between men and women, gender mainstreaming and the integration of gender perspectives are addressed in the preparation, implementation, monitoring, reporting and evaluation of programmes; and take any appropriate steps to prevent any discrimination based on gender, racial or ethnic origin, religion or belief, disability, age, and sexual orientation in the preparation, implementation, monitoring, reporting and evaluation of programmes, with particular attention to accessibility for persons with disabilities.

those and for the Asylum, Migration and Integration Fund, the Internal Security Fund and the Instrument for Financial Support for Border Management and Visa Policy

⁴ Regulation (EU) 2021/1057 - formally adopted by the European Union on 24 June 2021 - establishing the European Social Fund Plus (ESF+) programme for the period 2021-2027.



Public bodies are required, under the Irish Human Rights and Equality Commission Act 2014, to have regard, in performing all of their various functions, to the elimination of discrimination, promotion of equality of opportunity and treatment, and protection of human rights of staff and service users.⁸

This Public Sector Equality and Human Rights Duty and its full and effective implementation by public bodies creates the foundation from which public bodies involved in the preparation, implementation, monitoring, reporting and evaluating of EU Funded programmes can respond to these enabling conditions and the horizontal equality and human rights principle in the EU regulations.

In implementing the Public Sector Equality and Human Rights Duty, Intermediate bodies and beneficiaries are required to follow three steps, in a manner accessible to the public:

- **Assess:** an assessment is required to be undertaken to establish the equality and human rights issues, which are relevant to a public body's purpose and function that are facing the groups covered by the grounds identified as a focus for the Duty.
- **Address:** the public body is required to identify actions to address the issues identified, and include these actions in policies, plans, programmes and procedures, such that the issues are adequately and appropriately addressed.
- **Report:** progress on addressing the equality and human rights issues is tracked and reported on annually in their annual reports.

The Public Sector Equality and Human Rights Duty underpins a planned and systematic approach to equality and human rights by public bodies that is integral to their strategic planning cycles. It is comprehensive in its focus on: people covered by the nine grounds under equality legislation: gender (including transgender people or a person who is transitioning to another gender), civil status, family status (including lone parent and carers), age, sexual orientation, disability, race, religion, and membership of the Traveller community; and people at risk of poverty and social exclusion.

The range of youth justice interventions delivered by Youth Diversion Projects are intended to divert young people from prosecution and from further offending. By definition therefore, the participants are disadvantaged and marginalized and come disproportionately from communities experiencing concentrated levels of disadvantage, including the Traveller Community and specific migrant groups experiencing difficulties in integration into Irish society. Socio-economic data is presented in our ESF returns - Non-Financial Indicator data based on participants still engaged.

The participants include young people who have difficult family circumstances, poor educational prospects and suffer from a range of other disadvantages, including negative peer pressure and absent of positive role models. The interventions recognise the socio-economic context of much youth offending, and the programmes are designed to promote personal development, second chance education opportunities and to open up positive opportunities for the participants, including training and employment experience opportunities. The YDPs and the other community-based interventions are a positive example of the Department meeting our section 42 obligations in a proactive and inclusive way, including by putting in place measures (in partnership with Hub na nÓg⁵) to ensure that the voice of

⁵ Hub na nÓg is a national centre of excellence and coordination on giving children and young people a voice in decision-making <https://hubnanog.ie/>



participants is heard in the design of the Youth Justice Strategy and the ongoing YDP reform and development programme.

The beneficiaries will monitor and report on the projects in the Youth Diversion Project programme. The beneficiary must complete an EU Funds Annual Reporting Horizontal Principles Template in respect of this action which will cover all projects. This will be submitted to IHREC for review and included in their report to the Monitoring Committee.

6. Selection Methodology and Criteria

The Regulations governing the ESF+ allow it to be used for a range of purposes within the overall objectives of the Cohesion Policy. The authorities in Member States therefore had considerable latitude when designing their Programme to ensure that it was optimally responsive to the particular needs of that Member State. The Programme had also to be designed in a way that was consistent with, and serves, the broader strategy of the EU as a whole.

The regulations do however require Member States to spend a certain minimum amount of their ESF+ allocation on social inclusion measures (25%), on tackling child poverty (5%) and on addressing material deprivation (3%). Member States are also required to spend an appropriate amount on implementation of the reinforced Youth Guarantee. Finally, there is a requirement to fund activities in social innovation and experimentation with a higher rate of co-financing of 95% available for up to 5% of the total allocation.

External Consultants were engaged to undertake a detailed Needs Analysis for the 2021-2027 programming period. The completed report provides an evidence base to underpin the planning for the use of ERDF and ESF+ funds. The report identified ten key needs or challenges (headings) that should be addressed through the 2021 – 2027 funding programme, five of which are particularly relevant to the ESF+ namely:

1. Labour market and sectoral initiatives to respond to the impact of COVID-19;
2. Initiatives to address access to employment for underrepresented groups;
3. Programmes to improve skill enhancement and lifelong learning;
4. Supports to improve the quality, supply and affordability of childcare; and
5. **Supports to assist individuals at risk of poverty, including children.**

Note: The Youth Justice Projects ESF+ Action falls under heading 5 above.

The development of the EIST Programme also involved a comprehensive public consultation process which took place from July 2020 to September 2020 which invited relevant organisations to contribute to the decision making process on how the funds available to Ireland for the period 2021-2027 should be allocated. Organisations were requested to put forward proposals for programmes or interventions to be co-funded by the ESF+ in the new Programme. This process involved a wide range of stakeholders and organisations connected with ESF 2014-20 PEIL Operational Programme and labour market issues in Ireland.

In February 2021, as part of the next phase of developing the Programme, the ESF+ MA requested more detailed proposals from relevant Departments (and bodies under their aegis) on potential actions for inclusion. A template for the “**Submission of Proposals for ESF+ 2021-27**” which included 6 sections to be



completed by the relevant Departments (and bodies) was provided – see annex 1. The 6 sections to be completed were:

- Need/Policy Context;
- Objective of the Activity;
- Evaluation Findings;
- Estimated Expenditure;
- Operational Details; and
- Initial Assessment of Equality and Human Rights Issues

The Departments (and bodies) were advised that:

Proposals can be activities included under previous ESF programmes, or new activities not previously funded. The future ESF+ Operational Programme will need to address challenges identified by the European Commission for Ireland through the European Semester Process, in particular those identified in the Commission’s Annex D Investment Guidance on Cohesion Policy included in the 2019 Country Report. Proposals will need to demonstrate alignment with relevant national and EU-level strategies and build on lessons learnt from past experience.

Specific proposals for the use of ESF+ funding which were received from the various Government Departments and / or bodies under their aegis were assessed by the ESF+ MA and found to be eligible and suitable for ESF+ co-financing in relation to their objectives and strategies and being closely aligned to the aims and objectives of ESF+ policy for the period 2021-2027.

The assessment of the proposals received from the interested parties (Government Departments and / or Aegis bodies) was completed in conjunction with the continued drafting of the EIST Programme to ensure compliance with the regulatory requirements for the 2021-27 period were adhered to (Regulation (EU) 2021/1060 and Regulation (EU) 2021/1057). In total, initial proposals amounting to €1.766bn were received and reviewed by the ESF+ MA (exceeding the €1.1bn available to be programme). Following consultation and negotiation with various stakeholders on the proposals, assessments on the suitability of the proposals were finalised based on various criteria such as:

- meeting the specific objectives;
- ongoing informal negotiations and consultation with the European Commission;
- clarifications sought from the proposed actions;
- balancing of the category of region split;
- commencement;
- availability of exchequer funding to deliver the proposed action;
- meeting the priority allocations requirements (especially for Priorities 4 and 5); and
- balance of new actions and continuation of existing actions.

At the inaugural Monitoring Committee (MC) meeting held in Dublin in March 2023 it was agreed that Implementation Plans for those actions selected for inclusion in the Programme would be approved by written procedure.



7. Appeals

Feedback will be provided, on request, to unsuccessful respondents to calls for proposals.

8. Performance Indicators

Output Indicators

Specific objective	ID	Indicator	Measurement unit	Milestone (2024)	Target (2029)
L (ESO4.12)	EECO01	Total number of participants	Persons	Transition: 744 More Dev.: 5,499 Total: 6,243	Transition: 1,701 More Dev.: 12,568 Total: 14,269
	EECO06	Number of children below 18 years of age	Persons	Transition: 705 More Dev.: 5,208 Total: 5,913	Transition: 1,611 More Dev.: 11,902 Total: 13,513

Results Indicators

Specific objective	ID	Indicator	Measurement unit	Target (2029)
L (ESO4.12)	PSR1	Participants successfully completing the programme	Persons	Transition: 1,027 More Dev.: 7,301 Total: 8,328

9. Financial Management

Member States are required to have in place management and control systems for their programmes and ensure their functioning in accordance with the principle of sound financial management and the key requirements listed in Annex XI of Regulation (EU) 2021/1060.

The IB, under the responsibility of the Managing Authority for the EIST Programme, will put in place a management and control system that meets these key requirements. This system will be agreed with the Managing Authority and fully documented.

The gross public expenditure in respect of projects funded under this intervention will be provided annually in the estimates of the Department of Justice from Subheads A.11 Youth Justice Interventions and A.24 Social Disadvantaged Measures - Dormant Account Funded of the Department's Vote. The Department of Justice has a dedicated business area - the Funds Administration Unit – that manages the administration of the funding to CBOs. Grants will include the ESF+ contribution, which will be reclaimed by the Member State's Accounting Function for the benefit of the Exchequer. Claims, once approved and certified, in respect of ESF+ assistance will be submitted to the Commission by the Member State's Accounting Function. It is intended to submit payment applications on a simplified cost option (unit cost) basis (via Article 51 and



Article 94 Regulation (EU) 2021/1060). However, please note that as engagement with the European Commission is ongoing currently regarding the payment application types for ESF+ EIST Actions, the MA and AF reserve the right to avail of an alternative SCO (unit cost, flat rate, lump sum etc) for this Action from commencement should additional clarification be forthcoming. In the event that an appropriate SCO option cannot be utilised, payment applications may revert to a real cost basis.

The Department of Justice will carry out management verifications in accordance with the requirements of Article 74 of Regulation 2021/1060. These verifications will verify that the co-financed actions have been delivered, that the operation complies with applicable law, the programme and the conditions for support of the operation.

The management verifications shall be risk-based and proportionate to the risks identified ex ante and in writing. Management verifications shall include administrative verifications in respect of payment claims made the beneficiary and on-the-spot verifications of actions. Sampling methodology to be agreed with the MA in advance.

As a general principle, management verifications are to be carried out by the IB, under the responsibility of the MA. Sufficient staff resources shall be allocated to these verifications to ensure that they are carried out properly and in a timely way.

10. Document Retention

In accordance with Article 82 of EU Regulation (EU) 2021/1060, without prejudice to the rules governing State aid, the IB shall ensure that all supporting documents related to an operation supported by the Funds are kept at the appropriate level for a 5-year period from 31 December of the year in which the last payment by the MA to the beneficiary is made.

The Managing Authority will verify compliance with the document retention requirements during the Management verifications required by Article 74 of EU Regulation (EU) 2021/1060.

The MA will inform the IB and the joint beneficiaries of the start date of the period referred to above.

11. Monitoring and reporting arrangements

The necessary reports will be provided in the required formats that are to be agreed with the MA. The Department of Justice will put procedures in place for the compilation and reporting of data. These actions will be facilitated by a dedicated IT system.

12. Communication and Visibility

The contribution of the Irish exchequer and the European Union will be acknowledged in all brochures, promotional material, press releases, publicity activity, advertisements, signage, applications forms, annual reports, letters of offer, etc., by use of appropriate logo and text references. The Department of Justice, as Intermediate body, will carry out checks to support compliance of the visibility, transparency and communication regulations outlined in Articles 46-50 and Annex IX of the Common Provisions Regulation (CPR) 2021/1060.