

Meeting:	Cabinet
Meeting date:	1 December 2016
Title of report:	Youth justice plan 2016/17
Report by:	Cabinet member young people and children's wellbeing

Classification

Open

Key decision

This is a key decision because it is likely to be significant in terms of its effect on communities living or working in an area comprising one or more wards in the county.

Notice has been served in accordance with Part 3, Section 9 (Publicity in Connection with Key Decisions) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

Wards affected

Countywide

Purpose

To recommend the Youth Justice Plan 2016/17 for approval by Council

Recommendation(s)

THAT:

(a) the Youth Justice Plan (at appendix A) be recommended to Council for approval.

Alternative options

- 1 There are no alternative options as a Youth Justice Plan is required to be produced on an annual basis.

Reasons for recommendations

- 2 The Youth Justice Plan (the plan) forms part of the council's budget and policy framework and is therefore reserved to council to approve.

Further information on the subject of this report is available from
Keith Barham (YOS) (01905) 732200 or Jo Davidson (Director for Children's Wellbeing) on (01432)

260039

- 3 The plan is prepared on an annual basis on behalf of Herefordshire, Shropshire, Telford and Wrekin and Worcestershire County councils. The basic plan preparation is undertaken by the West Mercia Youth Offending Service according to the deadlines and from the Youth Justice Board for England and Wales (YJB).
- 4 The plan sets out how youth justice services across West Mercia are structured and resourced and identifies key actions to address identified risks to service delivery and improvement.
- 5 Under section 40 of the Crime and Disorder Act 1998 each council has a duty to produce a plan setting out how youth justice services in their area are provided and funded and how the youth offending service for the area is funded and composed, the plan is submitted to the YJB.
- 6 The plan for 2016/17 was prepared in July 2016 in line with the guidance issued by the YJB.

Key considerations

- 7 The youth offending service is subject to three national indicators. Performance against the indicators is outlined in the plan and actions identified to address risks to performance improvement. The Herefordshire specific information is set out on pages 28-32 of the plan.
- 8 The first time entrant (FTE) indicator which is expressed as the number of first time entrants to the youth justice system per 100,000 youth population was 566 for Herefordshire in 2015, representing a reduction of 2% from 2014 where the FTE rate was 578. Herefordshire was the only area in West Mercia to experience a reduction in first time entrants between 2014 and 2015. The general trend has been downward since 2009 when the Herefordshire rate was 1119 per 100,000 youth population. The Herefordshire rate is higher than the average rate for West Mercia, 506 and the average rate for England, 369. This is in part due to better detection rates than in other areas.
- 9 The second indicator is the use of custody indicator, which is measured as the number of custodial sentences per 1,000 youth population. The use of custody performance for the year 2015/16 was 0.12. This is an improvement in performance from 2014/15 when the rate was 0.25, this compares favourable against the national rate of 0.37.
- 10 The third indicator is re-offending. There are two measures both measuring re-offending in the same cohort of offenders over a 12 month period following the youth justice sanction that placed the young person in the cohort. The first, the frequency rate, is the average number of re-offences per offender who re-offends in the cohort. The second is the percentage of the young people in the cohort who have re-offended. Due to the way that the Ministry of Justice measure this indicator there is a time delay in publishing the results. The most recent data that could be included in the plan was for the cohort identified in the period July 2013 to June 2014, whose reoffending was tracked for a twelve month period until June 2015.
- 11 The frequency measure for Herefordshire for the cohort identified for the period July 2013 to June 2014 is 3.19 and this shows improved performance from the previous year when the rate was 3.43. The rate is better than for West Mercia, 3.24 and slightly worse than for England, 3.14.

- 12 The percentage of young people who have re-offended in Herefordshire for cohort identified in the period July 2013 to June 2014 is 44%. This is significantly higher than for the previous year at 29%. When the two measures are taken together it can be seen that although there is a higher proportion of the cohort re-offending they are re-offending less frequently. The performance is worse than for West Mercia, 33.4% and for England 37.7%.
- 13 The service implemented a tool during 15/16, which tracks re-offending of current cases in real time, allowing for the review of interventions at the earliest point where re-offending occurs. The management board intends to have a focus on re-offending during 16/17 and has commissioned a report to form the basis of a themed meeting to identify further actions.
- 14 The plan outlines key actions to improve service provision in 2016/17 under four main priorities:-
- (i) Improving performance and developing practice
- Implementation of a new case management system
 - Implementation of the new national assessment framework, AssetPlus
 - Reviewing and revising the quality assurance framework
 - Developing the curriculum of the junior attendance centres
 - Revising the management of risk processes
 - Evaluating a youth bureau approach for out of court disposal decision making
- (ii) Understanding our young people
- Analysis to determine the reasons behind the rising rate of first time entrants to the youth justice system
 - Build on the work undertaken in 15/16 to capture the voice of the service user and to ensure service users views are better represented at the service's management board
 - To further build on and develop the needs assessment and evidence base
- (iii) Improved joint working and Integration
- Re-establish the looked after children reference group
 - Agree a multi-agency protocol to reduce offending by and the criminalisation of looked after children
 - Developing a new protocol with providers of probation services to ensure that the approach to the transition from youth to adult criminal justice services is informed by best practice and takes account of the recommendations of a thematic inspection by HMI Probation
 - Supporting West Mercia Police in their roll out of decision making forums for looked after children
- (iv) Governance and Communication
- Transfer the hosting arrangement for the service to the Office of the West Mercia Police and Crime Commissioner
 - Agree and implement a revised service structure

Community impact

- 15 The principal aim of the youth justice system is the prevention of offending and re-offending by children and young people. The plan sets out an action plan to address the significant risks identified to future service delivery and improvement.
- 16 The plan supports the Children and Young Peoples Plan 2015 - 2018, by planning actions to improve the outcomes for children and young people who are in the youth justice system and working to minimise the risks associated with any harm they may pose to others and any harm posed to them.
- 17 The plan directly contributes to the reducing re-offending priority in the Herefordshire Community Safety Strategic Plan 2014/17.
- 18 The plan supports priority 2 of the Health and Wellbeing Strategy, in working to reduce offending, anti-social behaviour and re-offending by young people.

Equality duty

- 19 The plan will support the Council in its overall duty to promote equality. In particular the plan makes proposals to improve the outcomes of children and young people who are conflict with the law, by ensuring that their diversity factors are assessed and assisting them in accessing services that meet their needs.

Financial implications

- 20 The 2016/17 financial contribution to the YOS by the council is £197k. This contribution represents a 15% saving from the 15/16 contribution.

Legal implications

- 21 This is a Key Decision to be taken by Cabinet in line with the Part 3, Section 3 of the council's constitution.
- 22 All Local Authorities have a statutory duty, as set out under Section 40 of the Crime and Disorder Act 1998, to formalise and implement for each year a Youth Justice Plan following consultation with the relevant persons (Police, Probation and Health) as set out in Section 38(2) of the Act. The plan must set out how youth justice services in the local authority area are to be provided and funded; and how the youth offending team established by the local authority are composed, funded, how they are to operate and what functions they are to carry out. Plans must be submitted to the Youth Justice Board for England and Wales in a form and by a date set by the Secretary of State.
- 23 The plan appended to this report, when submitted to the Youth Justice Board, will meet this statutory duty.

Risk management

- 24 The risks are identified in the plan, together with the actions to mitigate them.
- 25 The hosting of West Mercia YOS was transferred to the Office of the West Mercia Police and Crime Commissioner on 1 April 2016. A new service structure will be implemented in the second half of 2016/17.

Consultees

- 26 Through their management board representatives Herefordshire Council, Shropshire Council, Telford and Wrekin Council, Worcestershire County Council, West Mercia Police, the National Probation Service and the Office of the West Mercia PCC have been consulted and their representative's agreed the plan in August 2016.

Appendices

Appendix A - West Mercia Youth Justice Plan 2016/17

Background papers

- None identified.