

MEETING:	Council
MEETING DATE:	26 September 2014
TITLE OF REPORT:	Youth Justice Plan
REPORT BY:	Director for Children's Wellbeing

Classification

Open

Key Decision

This is not an executive decision

Wards Affected

County-wide

Purpose

To approve the Youth Justice Plan.

Recommendation(s)

THAT: the Youth Justice Plan attached at Appendix A to the report be approved.

Alternative Options

1. There are no alternative options as a Youth Justice Plan is required to be produced on an annual basis. Council could suggest alternatives for inclusion in the plan. However, this has been through a process of development across all four authority areas and in the main continues to embed the significant changes introduced in last year's plan.

Reasons for Recommendations

2. The Youth Justice Plan is prepared on an annual basis on behalf of Herefordshire Council, Shropshire Council, Telford and Wrekin Council and Worcestershire County Council. The basic plan preparation is undertaken by the West Mercia Youth Offending Service (YOS) according to the deadlines and guidance from the Youth Justice Board for England and Wales (YJB).
 3. The Youth Justice 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.
 4. Under section 40 of the Crime and Disorder Act 1998 each Local Authority has a duty to produce a Youth Justice 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 Youth Justice Board for England and Wales.
 5. The plan was considered by the Herefordshire Community Safety Partnership at its meeting on 20 June and was supported as an important
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element in addressing the community safety priorities in the county. Cabinet on 31 July agreed to recommend the Plan to Council.

6. The Youth Justice Plan for 2014/15 was prepared in April 2014 in line with the guidance issued by the YJB and agreed at the West Mercia Youth Offending Management Board on 23 May 2014. It is officially due to be submitted to the YJB by the end of September 2014. A provisional copy was forwarded to the YJB in June.

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 24-28 of the plan. The indicators are published quarterly, for a 12 month period ending on the last day of the quarter. The data is published by the Ministry of Justice and the reporting periods differ between each of the indicators. Since the plan was prepared, there has been a further quarterly update on the performance. The updated performance for Herefordshire is outlined below:
 8. The First Time Entrant (FTE) indicator, which is expressed as the number of first time entrants to the youth justice per 100,000 youth population, was 547 for Herefordshire in the year ending December 2013, representing a reduction of 7% from the year ending September 2013 where the FTE rate was 589. The Herefordshire rate of 547 for the year ending December 2013 is higher than for West Mercia at 442, but lower than for England at 556. The actual number of FTE in Herefordshire in 2013 was 92.
 9. At 547, Herefordshire has the highest rate of FTEs across West Mercia and some analysis into the reasons for the higher rate was undertaken in 2013/14, which found that in part it is due to a higher detection rate and lower proportional use of informal disposals. Further analysis is planned for 2014/15, including consideration of a wider range of issues which impact on the likelihood of a young person offending (e.g. non-school attendance). This will enable more targeted and integrated activity to take place to address the higher numbers.
 10. 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 ending March 2014 was 0.30, which is the same as for the year ending December 2013 and in line with the West Mercia performance of 0.29. The Herefordshire rate is significantly lower than the national rate of 0.44. The actual number of custodial sentences on Herefordshire young people in the year ending March 2014 was five.
 11. 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 young person in the cohort. The second is the percentage of the young people in the cohort who have re-offended.
 12. The frequency measure for Herefordshire for the year ending June 2012 is 1.19 and this shows improved performance from the year ending March 2012 when the rate was 1.35. The Herefordshire rate of 1.19 is slightly higher than the West Mercia rate of 0.96.
 13. The percentage of young people who have reoffended in Herefordshire for the year ending June 2012 is 40.5%, which has slightly reduced from the year ending March 2012, when it was 40.8%. However, the Herefordshire
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- rate of 40.5% is higher than for West Mercia which is 34.4%.
14. The most recent published data is showing improvements for both the first time entrant and the re-offending indicators in Herefordshire. The FTE rate at March 2014 is 493, a 9.9% reduction from period ending December 2013. The percentage young people re-offending for the period ending September 2012 was 33.5%, a seven percentage point decrease from the previous period.
 15. There has been a trend of increasing re-offending rates nationally and there is currently little evidence as to why this is happening. It is thought, in part, it is due to decreasing numbers in cohorts due to the successful diversion of first time offenders from the formal justice system, leaving a cohort of more serious and complex offenders who are more likely to offend. Local analysis undertaken during 2013/14 supports this hypothesis.
 16. The YJB is working with youth offending services during 2014/15 in order to understand more of what is driving the trend in performance and has launched, in the first quarter of the year, a re-offending tool kit to assist services to better understand the characteristics of their cohorts. This analysis will be used to target activity on a system wide basis to tackle the issue.
 17. In addition to the national indicator information, the plan provides information on the education status of young offenders and the proportion of young people on YOS caseloads that are looked after children including those temporarily based in Herefordshire by other local authorities.
 18. In 2013/14, the YOS Management Board has concentrated on increasing the proportion of school age offenders who receive a minimum of 25 hours education a week on the basis that this leads to better outcomes for the young person. In Herefordshire, this has seen a rise in the proportion receiving at least 25 hours from 79% in 2013/14 to 92% in the calendar year 2013.
 19. In common with Shropshire, Herefordshire has a large number of children's residential units used by other local authorities. This creates pressures for the Youth Offending Service, as no additional funding is made available to meet the increased offending issues caused by some of these placements. The Youth Justice Plan identifies that at the end of December 2013, 17% of the cases open in the Herefordshire YOS team were related to other authorities looked after children.
 20. The recent Ofsted inspection has stipulated that Herefordshire Council should ensure effective joint working with the police and youth offending services to routinely record and analyse information about looked after children engaged in offending behaviour.
 21. Inspectors also identified an increased number of looked after children held in custody overnight and insufficient emergency placements to meet the need of this group of vulnerable young people, when they are required to attend court or be interviewed the following morning. This will be a priority area for Herefordshire Council in 2014/15.

Community Impact

22. The principal aim of the Youth Justice System is the prevention of offending and re-offending by children and young people. The Youth Justice Plan sets out an action plan to address the significant risks identified to future service delivery and improvement in the quality of service.
 23. The Youth Justice Plan supports both the Herefordshire Council Corporate Plan and the Children and Young Peoples Plan ("Yes We Can" Plan), by
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planning actions to improve the outcomes for children and young people who are in the youth justice system and working to minimise that risks associated with any harm they may pose to others and any harm posed to them.

24. The Youth Justice Plan directly contributes to the reducing re-offending priority in the Herefordshire Community Safety Strategic Plan 2014/17, in particular in relation to identified joint work with the YOS Management Board to reduce the rate of first time entrants to the youth justice system.

Equality and Human Rights

25. The Youth Justice Plan does pay due regard to equality and human rights.

Financial Implications

26. The 2014/15 financial contribution to the Herefordshire YOS team by the council is £246,604 which includes a cash contribution and two full time equivalent staff. This contribution represents a 16% reduction from 2013/14 and a 25% saving from the 2011/12 contribution, as part of a planned reduction created by the successful decrease in the number of offenders and efficiencies created by the establishment of the West Mercia YOS.

Legal Implications

27. The requirement for a Youth Justice Plan is a statutory annual plan required under Section 40 of the Crime and Disorder Act 1998. The plan reviews the Youth Offending Team performance and outcomes for the past year and sets out our key priorities and objectives for the following year with regard to how the youth justice services in Herefordshire are to be provided and funded, how it will be composed, how it will operate and what functions it will carry out.

Risk Management

28. The risks are identified in the plan, together with the actions to mitigate them.
29. As a result of the closure of West Mercia Probation Trust on 31 May 2014, due to national changes regarding the delivery of probation services, West Mercia Youth Offending Service (WMYOS) is being hosted, on an interim basis, by Worcestershire County Council. During 2014/15 work will be undertaken by the four local authorities and the other statutory partners to evaluate and agree the longer term hosting and delivery arrangements for WMYOS.
30. Whilst it is the statutory responsibility of the Council to secure the delivery of a Youth Offending Service, the risks are shared with the three other local authorities within West Mercia, the police, the National Probation Service, the Community Rehabilitation Company and NHS England.

Consultees

31. As detailed in the Youth Justice Plan
32. The Council's General Overview and Scrutiny Committee and the Community Safety Partnership.

Appendices

Youth Justice Plan.

Background Papers

None identified.
