

Meeting:	Council
Meeting date:	Friday 13 October 2017
Title of report:	Youth Justice Plan 2017-2018
Report by:	Cabinet member young people and children's wellbeing

Classification

Open

Decision type

Budget and policy framework

This is a key decision because it is likely to be significant in terms of its effect on communities living or working in an areas comprising of 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

(All Wards);

Purpose and summary

To approve the Youth Justice Plan 2017/18 (appendix a).

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

The plan is prepared on an annual basis on behalf of Herefordshire, Shropshire, Telford and Wrekin and Worcestershire councils. The basic plan preparation is undertaken by the West Mercia Youth Justice Service according to the deadlines and content requirements set by the Youth Justice Board for England and Wales (YJB).

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.

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.

The plan for 2017/18 was prepared in May 2017 in line with the guidance issued by the YJB. A copy is appended.

Recommendation(s)

That:

- (a) the Youth Justice Plan (at appendix A) is approved.**

Alternative options

1. The Youth Justice Plan is required to be produced on an annual basis and has been approved by the West Mercia Youth Justice Service management board; one alternative option would be to amend the contents of the plan prior to approval being sought by full council. However, this is not recommended as any amendments would also require approval from the WMYJS management board and the councils of the other West Mercia local authorities.
2. In addition the council could choose not to endorse the adoption of the youth justice plan 2017/18; however, this is not recommended as it is a statutory requirement for the plan to be approved by full council; therefore there are no practical alternative options.

Key considerations

3. The effectiveness of the youth offending service is measured by 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 25 to 38 of the plan.
4. 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 486 for Herefordshire for the period October 2015 to September 2016 This represents a reduction of 18% from the previous year, when the FTE rate was 596. There has been a general downward trend since 2009, when the Herefordshire rate was 1,119 per 100,000 youth population. However, the Herefordshire rate is higher than the average rate for West Mercia (422) and England (344).
5. 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 2016 was 0.19. This is an improvement in performance from 2015/16 when the rate was 0.25. The current rate compares favourably against the West Mercia (0.22) and national (0.37) rates.
6. The third indicator is re-offending. There are two measures both of which measure 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 in the cohort. The second is the percentage of young people in the cohort who have re-offended. Due to the way 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 April 2014 to March 2015, whose re-offending was tracked for a 12 month period until March 2016.

7. The frequency measure for this cohort in Herefordshire for 2014/15 is 3.47. The rate is slightly better than for West Mercia (3.49) and worse than England (3.27).
8. The percentage of young people who have re-offended in Herefordshire for 2014/15 is 40.8%. This is an improvement on the previous year when the rate was 42.1%. However, the performance is worse than for West Mercia (34.8%) and nationally (37.7%).
9. The service implemented a tool during 2015/16, 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 YJS management board intends to focus on re-offending during 2017/18 and has commissioned a report to form the basis of a themed meeting to identify further actions.
10. The plan outlines key actions to further improve service provision in 2017/18 under seven main priorities:
 - (i) Reducing first time entrants to the youth justice system:
 - Undertake a comprehensive analysis of first time entrants
 - Review and revise the out of court disposal joint decision making arrangements
 - Review the assessment arrangements for out of court disposals
 - (ii) Reduce custody and young people entering the adult criminal justice system:
 - Review and revise the service's management of risk arrangements
 - Develop a remand management strategy
 - Review the transition to adult services protocol
 - (iii) WMYJS interventions are of a consistently good quality:
 - Develop a revised performance reporting framework
 - Review the reparation, mentoring and attendance centre offers
 - Work with the University of Worcester to develop learning mentoring
 - (iv) We have systems in place to understand young people's journey through our services:
 - Re-establish the looked after children reference group
 - Develop an approach to case auditing which involves the YJS management board
 - Re-establish arrangements to contribute to NDTMS (national drug service database)
 - (v) The voice of service users directly impacts on service delivery:
 - Further develop current processes of feedback to ensure it informs service development
 - Develop the process of receiving feedback from victims
 - Develop a strategy for use of the survey tool ViewPoint

- (vi) Team morale is good, staff feel enabled and have the tools required to do their job effectively:
 - The review and revision of identified working practices, policies and protocols
 - Development of a staff learning and development framework
 - Review and clarify the role of identified staffing groups in the service
- (vii) The YJS management board and operational staff are working together with clear collective responsibility for improving outcomes for young people:
 - Arrange for YJS management board members to visit the teams

Community impact

11. 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.
12. The plan supports the council's Children and Young People's 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.
13. The plan supports priority two of the council's Health and Wellbeing Strategy, in working to reduce offending, anti-social behaviour and re-offending by young people. A multi-agency protocol to reduce the offending by and the criminalisation of looked after children was agreed at the beginning of 2017. The youth justice board has agreed that further focus on looked after children who are in the youth justice system is required and the looked after children reference group will be re-established in 2017/2018.

Equality duty

14. Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to:

 - (a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act
 - (b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
 - (c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it
15. The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services. Our providers will be made aware of their contractual requirements in regards to equality legislation.
16. 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 in

conflict with the law, by ensuring their diversity factors are assessed and assisting them in accessing services that meet their needs.

Resource implications

17. The council's 2017/18 financial contribution to the Youth Offending Service is £197.4k. This is budgeted for in the Medium Term Financial Strategy.

Legal implications

18. This is a budget and policy framework item, which requires Cabinet to make a recommendation to full Council in line with the Part 4, Section 3 of the council's constitution and requires the scrutiny committees to include such items in their work programmes. Part 3.4.5 of the constitution provides that all budget and policy framework items are included within the remit of the general scrutiny committee.
19. The council has 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 services) as set out in Section 38(2) of the Act. The plan must set out how youth justice services in the local council area are to be provided and funded; and how the youth offending team established by the local council 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.
20. The plan appended to this report, has been submitted to the Youth Justice Board, and meet this statutory duty.

Risk management

21. The risks are identified in the plan, together with the actions to mitigate them.

Consultees

22. 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 Police and Crime Commissioner have been consulted through their YJS management board representatives and agreed the plan in May 2017.
23. The Youth Justice Management board received positive feedback from service users who were surveyed through Viewpoint, with 86% of young people saying that the work with the service had made them less likely to offend. Further work is planned in 2017/18 to ensure that the voice of the service user is used to inform service development and planning.
24. General scrutiny committee have reviewed the report and the Youth Justice Plan 2017/18 (appendix a) and provided their endorsement at their meeting on 11 September 2017 and made the following resolutions for the cabinet member young people and children's wellbeing to consider as the plan is developed for 2018/19 by:-
 - asking the West Mercia Youth Justice Service Management Board to review the process for preparing the Youth Justice Plan in order to permit the scrutiny committee to comment on next year's plan at an earlier stage so that its comments can be taken into account in the plan's preparation;

- requesting that an evaluation of informal disposals be included in next year's plan;
- requesting that next year's plan be drafted so as to enable performance year on year to be compared;
- requesting that the information presented within the plan is shown in a way that enables the circumstances of the Herefordshire cohort of offenders and performance of the service in addressing their needs to be assessed and compared year on year.

Appendices

Appendix A - West Mercia Youth Justice Plan 2017/18

Background papers

- None identified