

Title of report: Youth Justice Plan 2021 - 2022

Meeting: Children and young people scrutiny committee

Meeting date: Thursday 5 August 2021

Report by: Interim Director for Children and Families

Classification

Open

Decision type

Budget and Policy Framework

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

To review the draft Youth Justice Plan 2021/22 at appendix a, and agree for the plan to be considered by full council.

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

Recommendation(s)

That:

(a) The committee determines any recommendations it wishes to make to the executive in relation to the draft Youth Justice Plan 2021/22 (appendix a).

Alternative options

1. There are no alternative recommendations because it is a function of the committee to make reports or recommendations on matters within the budget and policy framework of the council.
2. The Youth Justice Plan is required to be produced on an annual basis and the draft has been approved by 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 the practical implications of this would be that any amendments would need to be approved by the management board, as required by the Youth Justice Plan Guidance issued on behalf of the secretary of State by the Youth justice Board for England and Wales, and by each of the Councils of the three other Local Authorities in West Mercia.
3. The Youth Justice Plan be recommended to full council for approval but with recommendations for the management board to consider in preparing the Youth Justice Plan for 2022/23.
4. In addition the council could choose not to endorse the adoption of the youth justice plan 2021/2022; 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

5. 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).
6. 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.
7. 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 justice service for the area is funded and composed, the plan is submitted to the YJB.
8. The plan for 2021/22 was prepared in May 2021 in line with guidance issued by the YJB. The draft plan was agreed by the West Mercia Youth Justice Service Management Board on 12 May 2021.
9. West Mercia Youth Justice Service is a multi-agency, multi-disciplinary service which delivers statutory youth justice services across West Mercia. Youth justice services are defined in the Crime and Disorder Act 1998, but in summary carry out joint decision making with Police for informal Out of Court Disposal, Youth Cautions and Conditional Youth Cautions, provide reports and information to the Courts to aid remand and sentencing decisions, provide bail information and supervision, carry out case

management of community sentences and manage and provide through care of young people receiving custodial sentences. The services are delivered from community based teams aligned to each of the four Local Authority areas. The Herefordshire team is based in Hereford.

10. The service is accountable to a management board comprising senior officers from each of the statutory youth justice partnership agencies. Herefordshire Council's management board representative is the Director for Children and Families.
11. The annual Youth Justice Plan sets out how the service is structured and resourced and outlines the 2021/22 improvement action plan for the service addressing the priorities agreed by the management board. A short review of 2020/21 and commentary on the service's performance against the national youth justice indicators is also provided along with some specific data on Herefordshire at appendix 3. The key priorities for the period 2021/22 are:-

OUR PEOPLE

- 1.1 Rebuilding Teams and Increasing Staff Morale following Covid-19 working arrangements
- 1.2 Promoting staff engagement in service development and improvement

OUR PARTNERSHIPS

- 2.1 Strengthening opportunities for emotional and mental health support for our service users
- 2.2 Improving joint and integrated work with partner agencies

OUR PRACTICE AND PERFORMANCE

- 3.1 Strengthening our Pathways, Intervention and Risk Planning
- 3.2 Strengthening and increasing restorative approaches
- 3.3 Promoting and understanding the child first approach in our practice
- 3.4 Improving our resettlement offer

OUR GOVERNANCE

- 4.1 How we hear and respond to the voice of the child, our stakeholders and staff
- 4.2 Understanding and Communicating Our Vision, principles and priorities
- 4.3 Responding to national and local standards, guidance and learning

COVID-19 SERVICE RECOVERY AND TRANSFORMATION

Actions addressing each of the priorities are also included in the delivery plan in section 4.10 of the plan.

12. The Youth Justice Service is subject to three national indicators. Performance against the indicators is outlined in the plan. The Herefordshire specific information is set out on pages 20 to 22 of the plan.
13. First time entrants (FTE). There were 26 FTEs in the year 2019, which is a decrease of 28 from previous year when there were 54 first time entrants. The general trend in Herefordshire has been downward since 2015.
14. For the purposes of the youth justice service and for comparison the indicator is expressed as the number of first time entrants to the youth justice per 100,000 youth population. This rate was 162 for Herefordshire in 2019. The Herefordshire rate in 2019 is lower than both the rates for West Mercia, 187 and for England 211.
15. The Police and Youth Justice Service implemented a revised joint decision making process for out of court disposals in June 2019, which brought more young people into scope to benefit from receiving informal interventions to address their risks and needs. This will have contributed, partly, to the reduction of first time entrants to the youth justice system in 2019.
16. The second indicator is about the use of custody, which is measured as the number of custodial sentences per 1,000 youth population. The use of custody performance for 2020 was 0.00, as there were no custodial sentences made on Herefordshire children during the year.
17. The third indicator is re-offending. There are two measures which both measure re-offending in the same cohort of offenders over a 12 month period following the youth justice sanction that placed that young person in the cohort. The first, the frequency rate, is the average number of re-offences per offender who re-offends. The second measure is the proportion (%) of the cohort who re-offended. Due to the way the Ministry of Justice measure this indicator there is a delay in the results being published. The most recent data available for the preparation of the plan was for the cohort identified in 2018, whose re-offending was tracked for 12 month period until December 2019.
18. The frequency measure for Herefordshire for this period was 2.39 offences per re-offender which compares favourably to the West Mercia rate of 2.91 and is significantly less than the England rate of 3.93. The proportion of the cohort re-offending was 23.2%, which was similar to West Mercia's 23.7% but significantly better than the England performance of 38.9%. The performance range nationally for the frequency measure is 2.00 to 8.97 and the binary measure 14.6% to 59.3% placing Herefordshire in top quartile of the national performance range for both measures.

Community impact

19. 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.

20. The work of the youth justice service supports the achievement of the measure, in the Herefordshire County Plan, to improve the life chances of disadvantaged children in Herefordshire.
21. Children in care are over represented in the criminal justice system, and where possible the youth justice service will seek to divert children in care from formal justice disposals through the joint decision making arrangements for out of court disposals.

Environmental Impact

22. Herefordshire Council provides and purchases a wide range of services for the people of Herefordshire. Together with partner organisations in the private, public and voluntary sectors we share a strong commitment to improving our environmental sustainability, achieving carbon neutrality and to protect and enhance Herefordshire's outstanding natural environment.
23. We will work with our partners in the West Mercia Youth Justice Service through the Youth Justice Service Management Board to minimise waste, reduce energy and carbon emissions and to consider opportunities to enhance biodiversity. This will be managed and reported through the governance arrangements set out in the plan.

Equality duty

24. 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) 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.

25. 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 individual needs are assessed and assisting them in accessing services that meet their needs.

Resource implications

26. The council's 2021/22 financial contribution to YOS is £189,576. This is budgeted for in the Medium Term Financial Strategy (MTFS) and is sufficient to deliver the youth justice plan.

Legal implications

24. The Council is under a number of statutory obligations to reduce crime and anti-social behaviour. The Crime and Disorder Act 1998 requires the Council to formulate and implement a strategy for the reduction of crime and disorder.

25. The Crime and Disorder Act 1998 requires the Council, after consultation with the relevant persons and bodies, to formulate and implement for each year, a plan (a "Youth Justice Plan") setting out how Youth Justice Services in their area are to be provided, funded and will deliver against their targets

Risk management

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

Consultees

28. There has been no public consultation on the Youth Justice Plan.

29. Herefordshire Council, Shropshire Council, Telford and Wrekin Council, Worcestershire County Council, West Mercia Police, the National Probation Service, CCGs and the Office of the West Mercia Police and Crime Commissioner have contributed to the plan through their YJS management board representatives who agreed the plan on 12 May 2021. The Herefordshire Council management board representative is the Director for Children and Families.

30. The content of the plan was informed by a workshop attended by the management board representatives or their delegates.

Appendices

Appendix A – West Mercia Youth Justice Plan 2021/22

Background papers

None identified.