

North Somerset Council

Report to the Full Council

Date of Meeting: 19/09/23

Subject of Report: Youth Justice Plan 23/24

Town or Parish:

Officer/Member Presenting: Councillor Catherine Gibbons, Executive Member, Children's Services, Families and Lifelong Learning

Key Decision: N/A

Reason: As this is decision of the Full Council

Recommendations

The Council approve and adopt the Youth Justice Partnership Plan 01/04/23 – 31/03/24 and submit the Plan to the Youth Justice Board

1. Summary of Report

1.1. The draft Youth Justice Plan has been prepared with a focus on the three national youth crime and justice outcomes of reducing re-offending, reducing first time offending and reducing the use of custody which are measured through the three national indicators: NI 19, NI 43 and NI 111. The Youth Offending and Prevention Service (YOS) focuses upon public protection – the risk of harm to others and preventing of offending; the welfare of children and families within a safeguarding context; and ensuring Court sentences and Out of Court programmes are delivered.

1.2. The Plan details use of resources, governance, organisational structures, workload statistics and local indicators.

2. Policy

2.1. The Crime and Disorder Act 1998 established the Youth Justice Board and placed a duty on local authorities with social services and education responsibilities to ensure the availability of appropriate youth justice services in their area; and required the Police Service, Probation Service and the Integrated Care Board cooperate in ensuring service provision. Hence the establishment of multi-agency Youth Offending Teams from April 2000. An additional requirement of the Act was the preparation of an annual Youth Justice Plan.

2.2. The Youth Justice Board's functions include monitoring service provision and identifying and promoting effective practice. The YOS works with young people aged 10 to 18 who are under a Court community or custodial order, a Youth Caution with programme

issued by the Police, or with those referred into a programme of intervention because of significant risk of offending or are committing anti-social behaviour.

2.3. The YOS contributes to the strategic and operational plans of the agencies represented on the YOS Management Board. This includes the North Somerset Council Corporate Plan 2020 - 2024. Hence contributing to the 'Priorities of: 'a commitment to protect the most vulnerable people in our communities'; and 'a collaborative way of working with partners and families to support children to achieve their full potential.' Similarly statutory partners contribute to promoting youth justice through their own plans and activities.

3. Details

3.1. In 22/23 the YOS delivered 982 programmes including 185 specialist health assessments, 8 pre-sentence reports and 5 breach reports. In relation to Youth Offender Panels 108 reports were provided, and 51 reports for the Out of Court Disposal Panel (re cautions and cautions with programmes). The YOS has delivered restorative justice interventions, for example, direct and indirect reparation sessions and letters of apology to victims.

3.2. In 22/23 44 young people residing in North Somerset were dealt with by the way of 23 Court and 26 Out of Court sanctions relating to 145 offences. As a comparator in 2017/18 there were 94 young people and 125 criminal justice sanctions. The 22/23 figure equates to an offending rate of 2.2 per 1,000. The 10 -17 years of age general population is 19,823.

3.3 The number of first-time entrants into the criminal justice system has continued a significant reducing trend over recent year – 292 (06/07) to 28 (22/23) – a 90% reduction. Reasons for this would seem to be:

- The overall reduction in detected youth crime;
- The development of alternative diversionary disposals which is where the YOS, Police and potentially other partners provide a brief intervention without escalating the matter to a formal criminal justice Out of Court disposal or Charge to Court; and
- The range of interventions provided by the YOS, and partners within North Somerset Council and other agencies, with children on the edge of entering the criminal justice system.

In 22/23 there were 180 (131 21/22) Youth Inclusion Support programmes with children at risk of entering and/or being diverted from the criminal justice system. A Drugs Diversion Scheme is also in operation whereby young people involved in drugs offending are offered a programme of intervention from the Substance Advice Service. 35 new ones were made and delivered in 22/23. On successful engagement they are dealt with by way of no further action rather than a caution. Prior to this scheme being introduced the majority would have received a caution and would have contributed to the first-time entrant entrance figure into the criminal justice system figure. Thus, these children are still effectively being engaged with, however, without receiving a criminal conviction.

3.4. In relation to re-offending there exists within North Somerset a significant core of children who commit a high number of offences. Reoffences per reoffender July 20 – June 21 cohort: nationally there has been a 2.50 pp reduction in the rate of re-offending when comparing July 20 – June 21 against the same period 19/20, locally there is a reduction of 9. 80pp. The YOS continues to deliver individualised, intensive tailored programmes in relation to these children within their family context. However, based on the local tracking tool which provides a more recent picture of re-offending in 22/23 there was an overall

binary reoffending rate of 20.5%, with a re-offence per reoffender rate of 8.56 and overall reoffences per offender rate 1.75 in relation to the 44 young people convicted during 22/23.

3.5. In 22/23, there was 1 custodial sentence imposed which compares with 1 (21/22), 2 (20/21) 3, (17/18), 9 in (15/16) and 15 in (14/15). Previously the Youth Justice Board had viewed North Somerset as statistical high outlier for the use of custody. Thus, a very significant trend reduction and maintenance, may be the cumulative impact of various initiatives over many years. The cost of custody in social, financial and re-offending terms means that this is low use of custody is a significant outturn. To this end the YOS, has been significantly assisted by the Youth Justice Grants which has focused efforts on maximising community supervision and resettlement from custody where there has been a custodial sentence. Similarly North Somerset remand episodes remain low: 1 (22/23) and 1 (21/22).

3.6. The returns in relation to children being in appropriate accommodation; assessed and offered support in relation to emotional/mental health, engagement with children with substance use concerns, and engagement in education, training and employment are all positive. The education outturn being significant as it comes after years of working across departments/schools to improve this.

3.7. Since July 2010, the YOS Manager has undertaken the project management role for the Avon and Somerset Resettlement and Practice Development Consortium (SWRC) focusing on the ex- Avon Local Authority areas to ensure effective service provision for resettlement. The reduction in numbers being sentenced to custody has enabled the four youth justice services involved to focus on managing high risk and highly vulnerable children in the community. Thus, the Youth Justice Board – after pioneering an Enhanced Case Management model - a trauma informed approach - in South Wales has trialled this approach in England through the Consortium. North Somerset YOS has taken a lead YOS role through whom one full time equivalent Senior Practitioner and a psychologist have been recruited to work across four youth offending services. These posts are currently funded by NHS England, local Integrated Care Board through the Framework of Integrated Care and the youth justice services. In September 2023 this initiative will have been running for 4 years. The external evaluation is positive on the effectiveness of this approach.

3.8. The YOS has sustained high levels of victim engagement and support with all identifiable victims of crime contacted. The two seconded Police staff are critical to the liaison function with the Police and interface with the victims.

3.9. Additionally, the Office of the Police and Crime Commissioner, and other funders, commission the North Somerset Youth Offending Service – by way of the Avon and Somerset Young Victims' Service - to provide coping and recovery support to the children who are the victims of crime, anti-social behaviour and/or affected adversely by domestic abuse.

4. Consultation

4.1 The draft Youth Justice Partnership Plan was considered and agreed by the Youth Offending Service Management Board on 21st June 2023.

4.2 This draft Youth Justice Partnership Plan is submitted to the full Council for adoption as a constitutional plan of the Council.

4.3 The draft Youth Justice Partnership Plan has been submitted to the Youth Justice Board in accordance with the requirements of the Crime and Disorder Act 1998.

5. Financial Implications

5.1 For 22/23 the Youth Offending Service budget - for criminal justice, diversionary and preventative services - amounts to £1,132,410 when all partner agencies financial in-kind contributions for seconded staff are included. It should be borne in mind that this YOS funding incorporates Junction 21 Mentoring and Advocacy Service, the Youth Inclusion Support Project and the Substance Advice Service which is a construct that does not exist in most youth justice services thus to compare consideration needs to be given as to which services constitute the youth justice service in any given local context. The Local Authority's budget contribution to the above is £398,083. The local authority makes some charges towards administration, Human Resources, finance, accommodation, business intelligence and information technology services provided.

5.2 In late 16/17 following upon a successful bid submission to NHS-England Health and Justice Collaborative Commissioning Work Stream, via the then Clinical Commissioning Group, North Somerset YOS was granted £40k per annum to March 2020 to deliver mental health assessment and interventions to vulnerable young people across children's services. This funding enabled the appointment of an additional worker who is based in the Youth Inclusion Support Project. This contribution is now substantive. Furthermore, since November 2021 the Integrated Care Board has funded a speech and language therapist for 2 days per week.

5.3 The Youth Offending Service is separately externally funded by a range of agencies to deliver services to children who are the victims of crime/anti-social behaviour and/or adversely affected by domestic abuse across Avon and Somerset through the Avon and Somerset Young Victims Service. This Service delivered, in 22/23, 1055 programmes of intervention.

5.4. The Youth Justice Board provides an annual grant – which for 22/23 (as advise on 20/07/23) amounts to £307,743. There are various grant conditions to meet including:

- Adhering to Youth Justice Board Case Management Guidance
- Adhering to national standards for children in the youth justice system
- Providing management information as per Youth Justice Board Data Recording Requirements
- Providing an annual youth justice plan; and
- Spend being against a range of specified activities.

Costs

The total Youth Offending Service budget, apart from the Avon and Somerset Young Victims' Service budget. Was set at £1,132,410 of which North Somerset Council contributes £398,083.

Funding

The Youth Justice Plan table on page 24 and the commentary on pages 24 and 24 details partners contributions; and the table on page 2 details the allocation of the Youth Justice Board Grant . The implications of this report can be contained within existing budgets.

6. Legal Powers and Implications

6.1. Crime and Disorder Act 1998: Youth Justice Plans, in England only, must be signed off by the full council in accordance with Regulation 4 of the 'Local Authorities (Functions and Responsibilities) (England) Regulations 2000.

7. Climate Change and Environmental Implications

7.1. No direct impact flowing from this report.

8. Risk Management

By following the Council's risk management process, there are no risks associated with this decision which are scored as high.

The identified risks would be judged as low / medium and relate to ensuring a workforce to meet demand and lower levels of external funding based on our demand - The delegated budget for 23/24 is £2,507 due to only one remand episode in 22/23 which then informs the funding calculation for the subsequent year.

9. Equality Implications

9.1. Nationally, young people from black and ethnic minority groups are more likely to receive intrusive penalties including custodial sentences, than their white peers, when being sentenced for similar offences.

9.2. Criminal justice sentences/cautions for children from minority ethnic groups are monitored by the YOS. Currently 9%, 4 children of the offending population are made up of young people from black and minority ethnic communities as against 7.6 % in the general population with another 0.7 not stating. In terms of interventions with young people and families an individualised approach is adopted thus ensuring ethnic and cultural aspects are recognised and inform activity. The Youth Offending Service takes a pro-active position. Thus, as example, all children from a black and minority background who are identified as meeting the Home Office Turnaround diversionary programme criteria will be included in the reporting returns thus promoting a focus on their needs.

9.3. In response to the Lammy report the Avon and Somerset Police commissioned an assessment with recommendations to identify and address issues of disproportionality in the criminal justice system. North Somerset Local Authority is a part of the governance and action planning in relation to this.

9.4. Young people and their families from lower income households and areas tend to be overrepresented as victims of crime. Thus, the robust range of interventions to prevent crime and reduce re-offending helps to reduce levels of victimisation.

10. Corporate Implications

10.1 The Youth Offending Service provides multi-agency packages of interventions to young people who have offended or at risk of offending and their families, addresses the needs of the victims of young people, and has significant community volunteer involvement through Youth Offender Panel members and mentors. The YOS is financed through Children's Support and Safeguarding, Public Health, Avon and Somerset Police, Probation

Service, local Integrated Care Board, Ministry of Justice/Youth Justice Board and the Office of the Police and Crime Commissioner. Staffing is appointed through Children's Support and Safeguarding, Probation, Police and the Integrated Care Board. The Youth Offending Service works with numerous partners both within North Somerset Local Authority area, and beyond, to address risk factors and promote resilience within the lives of young people and their families.

10.2 The Youth Offending Service makes extensive use of accredited volunteers, with 30 involved in a variety of tasks – mentoring, Youth Offender Panel work, and as adult supporters (known as appropriate adults) where a young person is being interviewed by the Police on suspicion of offending. Volunteers bring an invaluable contribution from the community in perspective and the nature of interventions delivered; and affirms that the Service is owned by the wider community.

10.3 The Youth Offending Service works with Police, Probation, and other agencies to ensure effective management and surveillance of high-risk offenders which includes the significant transitions phase from childhood into adulthood.

10.4. The Junction 21 Mentoring and Advocacy Service has mentoring kitemark accreditation – continuing to deliver interventions to children at risk of offending. The Service also provides advocacy for Children in Child Protection proceedings and interviews to Children in Care who have had missing episodes.

10.5 Areas of YOS focus on the forward plan of the Youth Justice Plan for 23/24 include:

- Implementation of Strengths and Difficulties Questionnaire and feedback questionnaire through electronic processes to enhance the capture of the voice of the child
- Delivery of mental health assessments and interventions to vulnerable young people
- Deliver a range of file audits to ensure a spotlight on the quality of services provided
- Meet the requirements of the Ministry of Justice Turnaround Programme
- Expand the numbers of interventions to schools to address children's or familial substance misuse
- Accessing through working with partner agencies, education, training and employment provision for young people who have offended.
- Continue to provide an offer in relation to knife crime
- Sustain specialist interventions in relation to harmful sexual behaviour
- Ensuring overall practice is focused and assessed in relation to the HM Probation Inspectorate standards for the normal schedule of inspections
- Undertaking a national self-assessment in relation to Court practice as per Youth Justice Board requirement.
- Sustain delivery of Enhanced Case Management model with 3 other Avon and Somerset youth justice services and the Forensic Child and Adolescent Mental Health Service.

11. Options Considered

11.1 None

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Appendices:

Draft Youth Justice Plan 01/04/23 – 31/03/24

Background Papers:

None