

CABINET

13 JULY 2021

YOUTH JUSTICE PLAN – REFRESH 2021-22

Portfolio Holder: Councillor Mrs Josie Iles, Portfolio Holder for Children’s Services (Lead Member)

Report from: Dr Lee-Anne Farach, Director of People – Children and Adult Services

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Summary

The Crime and Disorder Act 1998, requires Local Authorities to have a Youth Justice Plan, which is updated annually to set out how youth justice will be delivered locally within available resources.

This plan (attached at Appendix 1) has been refreshed from last year 2020 and co-produced with the Youth Justice Partnership (YJP) and influenced by national research and evidence of effective practice and has taken examples across National Partnerships.

A Diversity Impact Assessment was carried out last year and this has been reattached as appendix 2.

1. Budget and policy framework

1.1. A Youth Justice Plan is required under the provisions of the Crime and Disorder Act 1998.

1.2. The Youth Justice Plan is a strategic plan and forms part of the Policy Framework for Medway Council (Chapter 2, Article 4.1 of the Constitution). The approval or adoption of the Policy Framework is a function of Full Council. The Youth Justice Plan therefore needs to be approved by Full Council prior to formal submission to the Ministry Of Justice. The submitted Plan is then placed in the House of Lords Library.

- 1.3. The Medway Youth Justice Partnership Strategic Plan (attached at Appendix 1) is revised on an annual basis and forms part of the Council's policy framework.
- 1.4. The Youth Justice Partnership Board (YJPB) will retain a clear focus on the principal aim of reducing offending and re-offending and maintains strategic oversight of the delivery and performance of the local youth justice system and contribution from all partners. The membership of the board provides senior representation from key partners to ensure that young people involved in the youth justice system have access to a range of services to support the partnership's responsibilities under the Crime and Disorder Act 1998 to:
 - Co-ordinate the provision of youth justice services for all those in the authority's area who need them;
 - Carry out such functions assigned in the youth justice plan formulated by the local authority;
 - In addition, by providing the youth justice services outlined at Section 38 (4) of the Act, the local authority also addresses its duty, under the Children Act 1989, to take reasonable steps designed to encourage children and young people within the area not to commit offences.

2. Background

- 2.1. Medway received a HMIP inspection of the Youth Offending Team (YOT) between 24 and 28 February 2020. Rules and guidance on YOT inspections can be viewed using the following link:
<https://www.justiceinspectorates.gov.uk/hmiprobation/about-hmi-probation/about-our-work/documentation-area/youth-offending-services-inspection/>
- 2.2. The inspection outcome was published on the 4 of June 2020 and was reported to the Cabinet on 9 June 2020 (which can be viewed here: <https://democracy.medway.gov.uk/ieListDocuments.aspx?CId=115&MId=4743&Ver=4>).
- 2.3. Medway YOT received a judgement of 'requires improvement, which was anticipated by the YOT and Partnership Board. This is due to the fact all HMIP inspections where Children Services has been judged 'inadequate' have been graded no higher than requires improvement

3. Advice and analysis

- 3.1. The approach to undertaking this refresh has been as follows.
 - The Youth Justice Board Guidance in respect to undertaking the refresh (issued in April 2021) has far as has been possible been followed, including a consultation with the staff of the Youth Offending Team.
 - Updates from the Violence Reduction Unit, The Serious Youth Violence Project, Educational psychology, CAMHS / NELFT, and MCH have been used in informing this refresh.
 - Frequent contact between the YOT and these partners regarding developments.

- 3.2. The main focus in undertaking this review has been to go some way to addressing the concerns expressed by the inspectors on page 16 of the HMIP Inspection report June 2020. The inspectors observed of the strategy,

The 2019/2020 delivery plan does not help staff to understand their role in meeting the ambitions of the YOT. The objectives in this plan are broad, and so-called outcome measures, such as ‘children feel they have a voice and it makes a difference’, ‘learning improves practice’ and ‘improved education, training and employment’, are hard to measure.

- 3.3. The strategy has been refined and tightened in its language, solidifying the vision and statement of purpose for the Youth Offending Team. This is intended to I have sought to tighten its language and make it more specific, in terms of what it is we are actually seeking to do. I have looked at the plan in terms of seeking to make it more meaningful to those that are delivering it.

4. Risk management

Risk	Description	Action to avoid or mitigate risk	Risk rating
Negative media response	Media and social media has an impact on Medway the place Media has an impact on staff (both recruitment / retention and morale of exiting team).	Continue to drive the improvement maintaining high quality and effective practice. Regular staff meetings and briefings.	B2
The YOT and YJPB do not make the improvements needed	Medway fails to address any areas for improvement	Strategy for 3 years Improvement plan aligned to children’s improvement board Strong leadership and governance from the YJPB	D4
The rating distracts the YJPB from: 1. The strategy & action plan 2. Improvement plan	Reputational risk and improvement focus becomes priority actions rather than maintaining the overall strategy.	Strong leadership and governance from the Youth Justice Partnership Board	C3
The focus is on the YOT not the Youth Justice Partnership arrangements	Medway Council and the YOT become the focus of improvement rather than a service wide and system approach to tackle culture change and service improvement.	Strong leadership and governance from the YJPB We need to improve the system if we are to achieve outstanding. This is why Medway has moved to a 3 year strategy	C3

5. Consultation

- 5.1. The Medway Youth Justice Partnership Strategic Plan 2020-23 has been circulated to partner organisations represented at the Youth Justice Partnership Board (previously the YOT Management Board).
- 5.2. Medway Youth Council have also been involved in the consultation of this document as well as those accessing the service.

6. Children and Young People Overview and Scrutiny Committee

- 6.1. The Children and Young People Overview and Scrutiny Committee considered the report at its meeting on 9 June 2021 and its comments are set out as follows:
- 6.2. The Youth Offending Team (YOT) Manager introduced the report which refreshed the Youth Justice Partnership Strategic Plan 2020-2023. He explained that the priorities remained the same but that he had worked with the YOT staff to ensure the plan communicated better to staff what they should be doing in practice.
- 6.3. Members then raised a number of questions and comments which included:
 - 6.3.1. Increase in violent crime – in response to a concern raised about the increase in violent crime the YOT Manager confirmed this was not local to Medway but a national area of concern. He explained that the Violence Reduction Unit was a Central Government initiative and ran locally across Kent and Medway as a Police led initiative. In addition, there was a Serious Youth Violence Project, which again operated across Kent and Medway and provided the YOT with greater capacity to work more intensely with young people.
 - 6.3.2. Impact of COVID – when asked about the impact of the COVID-19 pandemic on youth offending, it was confirmed that it had caused delays in the youth court system which had resulted in an increase in out of court disposals.
 - 6.3.3. Number of young people in custody – it was explained that this had dropped in 2020/21, with one young person entering custody, who had since been released and was currently being supported by the YOT.
 - 6.3.4. Representation of children in care – it was explained that there was always an over-representation of children in care within the youth justice system, which was attributable to the disruptive and difficult lives children in care had often had. The YOT worked closely with the police so that when a child in care became known to the police, the YOT could work with that young person at the earliest opportunity possible, to prevent further progression into the justice system.
 - 6.3.5. Support for girls – following a concern raised about the support the YOT provided to girls, the YOT Manager confirmed that the Data and Analysis

officer, who was now in post, had found that reoffending of girls was not significant compared to boys, demonstrating that their interactions with the YOT were generally successful.

- 6.3.6. YOT Budget – in response to a query about the budget for the YOT, it was explained that the budget was made up of contributions from statutory partners who were accountable. It was added that an external review of the YOT, by Medway's Partner in Practice, Essex County Council, would be undertaken and would include a review of the YOT's resourcing.
 - 6.3.7. Quality of data – concern was raised about the lack of current data within the report. It was explained that national comparative data from the Youth Justice Board was provided two years out of date. In addition, the service now had a Data and Analysis officer for the first time since 2016 which would enable more current and rich local data going forward and it was requested that this be provided when available.
 - 6.3.8. Police and Crime Evidence (PACE) Beds – in response to a question regarding the commissioning of PACE beds, it was explained that these were needed around 12-16 times a year and that officers were currently liaising with a provider to deliver a dedicated resource in Medway.
 - 6.3.9. Out of court disposals – it was explained that the use of these had increased and these were now attributable to around 80% of the YOT workload. They provided flexibility to the system and enabled young people to be treated as such and they were welcomed by the YOT. In relation to disposals that resulted in no further action, concern was raised about the lack of information the YOT received regarding these thereby not enabling them to work with the relevant young person. It was confirmed that this was a concern raised by the YOT with Police to stop multiple 'no further actions' being made on a young person before they may then be referred to the YOT.
 - 6.3.10. Community engagement – in response to a question about community engagement by the YOT, it was acknowledged that this was an area in which the YOT could do more. It had some links with community organisations working in partnership to provide volunteering placements in the community for young people which had been very successful and the YOT currently had a bid in to expand this further. It was added that once COVID restrictions were lifted, engagement with Councillors should also be reintroduced.
- 6.4. The Committee recommended the Cabinet to recommend Full Council to approve the refresh Youth Justice Partnership Strategy Plan 2020-23, as set out at Appendix 1 to the report.

7. Implications for Children in Care

- 7.1. There are important implications for children in care as 25% of children in the YOT cohort are children in care. The YOT have a joint protocol with Kent Police to ensure that children in care, are not overrepresented in the criminal justice system.

8. Financial implications

- 8.1. The YOT responsibilities are funded through contributions from the statutory partner agencies in accordance with the Crime and Disorder Act 1998. The table below outlines the current funding from each of the partner agencies. Each partner's contributions are reviewed annually.
- 8.2. In addition, the YOT also receives a Youth Justice Grant from the Ministry of Justice, which is passported via Medway to the Youth Justice Board.

The 2021-22 Delegated Funds from Partner Agencies are:

OPCC (Office Police Crime Commissioner) / Police	£90,353
Probation	£2,500
Local Authority	£251,938
Youth Justice Board	£335,452
Total:	£680,243

Other:

Violence Reduction Unit	£20,700
Medway Child First pathfinder project	£170,000

2021-2023 (Not yet confirmed):

Violence Reduction Unit funding (roll over)	£79,300
Expecting a slight uplift in the grant funding 2021	5%

Please note the financial contributions contained within appendix 1 are the prior year funding allocations from partners.

- 8.3 The full resource implications are contained within the main Medway Youth Justice Partnership Strategy.

9. Legal implications

- 9.1. 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; the Anti-Social Behaviour 2003 requires the Council as a local authority to

have policies and procedures for dealing with anti-social behaviour and the Race Relations (Amendment) Act 2000 places.

- 9.2. The Council under a duty to have, when carrying out its functions, due regard to the need to eliminate unlawful discrimination and promote good relations between persons of different racial groups.
- 9.3. The Local Government Act 1999 places a duty on the local authorities to secure continuous improvement in the way its functions are exercised having regard to the combination of economy, efficiency and effectiveness.
- 9.4. Section 2 of the Local Government Act 2000 empowers the local authority to do anything which it considers likely to achieve the promotion or improvement of the economic, social or environmental well-being of all or any persons within the local authority's area
- 9.5. 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.

10. Recommendations

- 10.1. The Cabinet to asked to note the comments from the Children and Young People Overview and Scrutiny Committee, as set out at section 6 of the report.
- 10.2. The Cabinet is asked to recommend Full Council to approve the Medway Youth Justice Partnership Strategic Plan 2020 – 2023 attached at Appendix 1 to the report, including its accompanying delivery plan (attached at Appendix A to the Strategic Plan).

11. Suggested reasons for decisions

- 11.1. The Crime and Disorder Act 1998, requires Local Authorities to have a Youth Justice Plan, which is updated annually to set out how youth justice will be delivered locally within available resources.

Lead officer contact

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Appendices

Appendix 1 – Medway Youth Justice Partnership Strategic Plan 2020- 2023
Appendix 2 – Diversity impact Assessment

Background papers

Medway Council Cabinet Paper '7 July 2020'

<https://democracy.medway.gov.uk/mgconvert2pdf.aspx?id=53211>