

COUNCIL

21 APRIL 2022

MEDWAY YOUTH JUSTICE PLAN 2022-24

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

Report from: Dr Lee-Anne Farach – Director of People (Statutory DCAS)

James Williams – Director of Public Health (and Chair of the Youth Justice Partnership Board)

Author: Kenneth Dance, Youth Offending Team Manager

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) is a completely new plan (as opposed to the ‘Refreshed’ Plan submitted last year.) The format of the plan follows guidance and headings provided by the national Youth Justice Board in April 2021, detailing best practice in the Youth Justice Plans completion.

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

The report was considered by the Children and Young People Overview and Scrutiny Committee on 3 March 2022 and by the Cabinet on 5 April 2022. The comments of the Committee and the Cabinet decision are set out at sections 6 and 7 of the report respectively.

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. In April 2021, the National Youth Justice Board published guidance as to how local authorities should undertake the completion of their Youth Justice Plan. This was the first time that such guidance had been published.
- 2.2. In 2021, Medway submitted a 'light touch refresh' of our plan that had been drafted following our inspection. The intention with this plan was to review the plan in totality, align with new guidance whilst ensuring statutory guidelines were met.
- 2.3. Medway Youth Offending Team (YOT) was last inspected by HMIP between 24 and 28 February 2020. 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 on the Council's website [here](#)). 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. Local authorities have a legal duty under Section 40 of the Crime and Disorder Act 1998 to produce a Youth Justice Plan that shows how they will provide and fund youth justice services. The completed Youth Justice Plan

must be sent to the Youth Justice Board for England and Wales (YJB) and published in accordance with the directions of the Secretary of State for Justice. This is reinforced within the YJB's terms and conditions of grant. This requirement is set out in the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 and is included in the Council's constitution.

- 3.2. A draft Youth Justice Plan 2022-24 was discussed by the Medway Youth Justice Partnership Board (YJPB) on 25 January 2022, before its commencement on the following governance route:

Children and Young People Overview and Scrutiny Committee	3 March 2022
Cabinet	5 April 2022
Council	21 April 2022

- 3.3. Following adoption by full Council on 21 April, the plan will be submitted to the YJB in order to meet terms and conditions of the Youth Justice Grant 2022/23 which requires submission by June 2022.
- 3.4. Whilst statute requires the production of an annual plan, the YJB welcomes plans that cover more than one year. Plans covering more than one year require an annual refresh and updating of key information, particularly relating to finance, governance and key achievements from the previous year.
- 3.5. The Medway Youth Justice Plan requires approval by full Council under the current constitution.
- 3.6. The Youth Justice Plan is consistent with:
- Medway People Strategy 2021-2024
 - Medway Joint Health and Wellbeing Strategy
 - Medway Community Safety Plan
- 3.7. Medway Youth Justice Plan 2022-24 sets out our ambitions and priorities for the next two years, including arrangements to ensure that we continue to deliver our Youth Justice partnership across Medway. It provides the detail as to how Medway Youth Offending Team intends to deliver services to improve outcomes for children and young people, families and communities through delivery of four key priorities:
- Support young people to realise a positive identity. Strengthen and build bonds, bridges and links between young people and the community
 - Work with young people and partners to create a safer community for Medway
 - Keep young people safe and enable them to thrive
 - Prevent young people from entering the Youth Justice System

4. Risk management

Risk	Description	Action to avoid or mitigate risk	Risk rating
Negative media response	<p>Media and social media have an impact on Medway the place</p> <p>Media has an impact on staff (both recruitment / retention and morale of exiting team)</p>	<p>Continue to drive the improvement maintaining high quality and effective practice.</p> <p>Regular staff meetings and briefings.</p>	B2
The YOT and YJPB do not make the improvements needed	Medway fails to address any areas for improvement	<p>Strategy for 2 years</p> <p>Improvement plan aligned to children's improvement board</p> <p>Strong leadership and governance from the Youth Justice Partnership Board.</p>	D4
<p>The rating distracts the YJPB from:</p> <ol style="list-style-type: none"> 1. The strategy and action plan 2. The 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 Youth Offending Team become the focus of improvement rather than a service wide and system approach to tackle culture change and service improvement.	<p>Strong leadership and governance from the Youth Justice Partnership Board</p> <p>We need to improve the system if we are to achieve outstanding. Therefore, Medway has moved to a 3-year strategy</p>	C3

5. Consultation

- 5.1. Consultation has taken place primarily through the multi-agency Youth Justice Partnership Board, which is the main forum for governance and oversight of the Youth Offending Team in Medway. The Youth Justice Partnership Board has good representation from all statutory partners and a range of non-statutory partners to the YOT and includes the Lead Member for Children's Services.
- 5.2. Particular attention has been given in the plan to consultation and collaboration with children and young people in its development. This is aligned to the 'Child First' principles which since 2018 have been adopted by the Youth Justice Board as the official guiding principles for youth justice services. The second of these principles states that youth justice services should be developed in collaboration with children and young people. Appendix 2 of the plan details the collaboration that took place.
- 5.3. Following agreement by the Youth Justice Partnership Board, Cabinet support was sought on 5 April 2022, followed by this report to request Full Council approval on 21 April 2022.

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 3 March 2022 and its comments were as follows:
- 6.2. The Youth Offending Team Manager introduced the report which set out priorities and arrangements for the next two years to ensure continued delivery of the Youth Justice Partnership across Medway.
- 6.3. Members raised several questions and comments which included:
 - 6.3.1. A comment was made that following a visit to the service and learning more about the work that was being carried out, the priorities around issues with identity were striking. The work being done to support young people in understanding social context and forging their own identity amidst deep issues of social anxiety was commendable.
 - 6.3.2. **Budget** - it was commented that the budget for the service had increased significantly but the number of young people being supported remained relatively low. The officer stated that the cohort of young people supported was fluid. At present 70 young people were being supported. All of them had extremely complex and challenging needs hence the increase in the budget.
 - 6.3.3. **Data** - concern was raised at the data presented which was 12 months old and it was questioned how records and tracking could be maintained with data sets that were out of date. The officer stated that the re-offending data was produced by the Youth Justice Board which had a complex system of

gathering and tracking data from the National data set. The issue with data was a concern for all partners and was a regular topic of discussion at the local level.

- 6.3.4. **Female Offenders** – in response to questions regarding the lack of targeted support for female offenders despite a request for a Girls' Strategy at the time of inspection and a lack of intervention for girls in alternative pathways away from crime, the officer acknowledged that most of the intervention in place was targeted towards male offenders. Whilst instances of reoffending in the female population were low, it was agreed that more intervention and a responsive approach to tackle female offending or reoffending was needed.
- 6.3.5. **LGBT** – the lack of representation of intervention for LGBT offenders in the report was referenced and the officer acknowledged this and said that the National data tool did not capture data by LGBT offenders, this had been raised with the inspectorate.
- 6.3.6. **Referrals** – in response to a question on what the solution should be to address a lack of referrals when the police took no further action against a young person, the officer said that low referral rates were an issue that the partnership board closely monitored. The service was trying to identify why the police had a low referral rate and find ways to build relationships and encourage them to refer when they were not taking action against young people.
- 6.4. The Committee noted the report and recommended the Cabinet to recommend Full Council to approve the Medway Youth Justice Partnership Strategic Plan 2022 – 2024 attached at Appendix 1 to the report, including its priorities and themes and details of its consultation process (attached at Appendices 1 and 2 to the Strategic Plan).

7. Cabinet

- 7.1. The Cabinet considered the report on 5 April 2022 and agreed the following:
- 7.2. The Cabinet noted the comments from the Children and Young People Overview and Scrutiny Committee, as set out at section 6 of the report.
- 7.3. The Cabinet agreed to recommend Full Council to approve the Medway Youth Justice Partnership Strategic Plan 2022 – 2024, attached at Appendix 1 to the report, including its priorities and themes and details of its consultation process (attached at Appendices 1 and 2 to the Strategic Plan).

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 both the Ministry of Justice and the Department of Education, which is passported via Medway to the Youth Justice Board.

8.3. The below table shows delegated funds from Partner Agencies:

Contributing source:	Amount:
Youth Justice Board	£338,441
Local Authority	£332,628
OPCC (Office Police Crime Commissioner)	£90,353
Probation	£2,500
Total	£763,922

9. Legal implications

9.1. 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 Council is asked to note the comments from the Children and Young People Overview and Scrutiny Committee, as set out at section 6 of the report and the decision of the Cabinet, as set out at section 7 of the report.

10.2. The Council is recommended to approve the Medway Youth Justice Partnership Strategic Plan 2022 – 2024 attached at Appendix 1 to the report, including its priorities and themes and details of its consultation process (attached at Appendices 1 and 2 to the Strategic Plan).

Lead officer contact

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Appendices

Appendix 1 – Medway Youth Justice Partnership Strategic Plan 2022- 2024

Appendix 2 – Diversity Impact Assessment

Background papers

None