

## **COUNCIL**

**20 JULY 2023**

### **MEDWAY YOUTH JUSTICE PLAN 2023-24**

Portfolio Holder: Councillor Adam Price, Portfolio Holder for Children's Services (including statutory responsibility)

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 in line with guidance distributed to local authorities in March 2023. The format of the plan follows guidance and headings provided by the National Youth Justice Board.

This report was considered by the Children and Young People Overview and Scrutiny Committee and its comments are set out at section 6 of the report. The report was also previously considered by the Cabinet on 11 July 2023, the decisions of which are set out at section 7 of the report.

A Diversity Impact Assessment (DIA) has also been carried out and is attached at Appendix 3.

#### **1. Budget and policy framework**

- 1.1. Local authorities have a statutory duty to submit an annual youth justice plan relating to their provision of youth justice services. Section 40 of the Crime and Disorder Act 1998 sets out the youth justice partnership's responsibilities in producing a plan. It states that it is the duty of each local authority, after consultation with the partner agencies, to formulate and implement an annual youth justice plan, setting out how youth justice services in their area are to be

provided and funded, how they will operate, and what functions will be carried out.

- 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 Youth Justice Plan, attached at Appendix 1, is consistent with the Medway People Strategy, the Medway Joint Health and Wellbeing Strategy and the Medway Community Safety Plan.

## 2. Background

- 2.1. In March 2023, the National Youth Justice Board provided updated guidance as to how local authorities should complete their annual Youth Justice Plans, this is attached at Appendix 2.
- 2.2. The guidance states a requirement for submission of annual youth justice plans and the plan has to follow a structure by which a number of specified headings are used.
- 2.3. The YJB offer the following rationale for this approach –

*Youth justice plans for 2023/24 should be submitted using the headings set out in the 'Youth Justice Plan Structure' section below. The data and information contained within the plan is used by the YJB as an intelligence source to provide support to the sector through our oversight function. Analysis of the information identifies good performance and can provide focus on regional and national themes.*

- 2.4. The key headings that are outlined in the guidance and should be used include:
  - Introduction, vision and strategy
  - Child First
  - Voice of the Child
  - Governance, leadership and partnership agreements
  - Board development
  - Progress on previous plan
  - Resources and services
  - Performance
  - Priorities
  - Standards for children in the justice system
  - Workforce development
  - Evidence based practice and innovation
  - Service development plan

- 2.5. 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.

### 3. Advice and analysis

- 3.1. This is the second year where the YJB have stipulated the contents of the Youth Justice Plan. Prior to 2022, the content of the plan was subject to local determination.
- 3.2. A significant development in the updated guidance is a requirement that local authorities develop the plan to address a specific list of headings and requirements. Prior to 2022 the contents of the plan were subject to local determination.
- 3.3. The principle aims of the Youth Justice system are:
- Prevent Youth Crime
  - Reduce Re-offending
  - Safeguard young people from harm
  - Protect the public from harm
- 3.4. Section 3 of this plan outlines how we have delivered Child First practice and outlines the work that we have already achieved. Building upon these achievements, the following priorities have been developed for the 2023-24 plan:
1. Support young people to realise a positive identity. Strengthen and Build Bonds, Bridges and Links between young people and the community.
  2. Work with young people and partners to create a safer community for Medway.
  3. Keep young people safe and enable them to thrive.
  4. Prevent young people from entering the Youth Justice System.
- 3.5. The wording of these priorities emphasises the aspiration to deliver the child first principle, emphasising positive identities, strengths, collaboration and working with young people, whilst incorporating a focus on local issues.

3.6. These priorities are aligned to those in the Medway People Strategy, 2021-2025, 'Supporting Medway's people to realise their potential'.

- Children in Medway will have the best start in life
- Children and young people in Medway will develop well
- People in Medway contribute to their community and have a meaningful say in decisions and services that shape their lives

And particularly the following activities described in the People Strategy, the strengths-based approach to children is mirrored in the proposed Youth Justice Plan.

*'Support good mental health, emotional wellbeing and resilience for children and young people, from pre-school right through to young adulthood'.*

*'Children and young people will have clear pathways and smooth transitions between education, health and social care settings by effective partnership working. Their preparation for adulthood will be built on their strengths, thus enabling them to have an independent life as possible'.*

*(Medway People Strategy, January 2022)*

3.7. Compared to the 2022 Plan, this Plan has a greatly expanded list of headings and information to include (the key headings are listed above at paragraph 2.5). The plan now will represent a more comprehensive account of Youth Justice Services locally.

3.8. The plan detailed in Appendix 1, shows development of our previous two-year Youth Justice Plan. The current plan has been updated to meet the national Youth Justice Boards requirements. The current plan continues to refer to the extensive child and staff consultation that informed the 2022 submission.

3.9. This new approach to the plan's completion enables the National Youth Justice Board to be able to compare the provision of Youth Justice Services from one local authority to another.

3.10. In April 2023, the national Youth Justice Board made it a requirement that local authorities report back on 10 key performance indicators. The new Youth Justice Plan requirements are aligned to these key performance indicators. This is the first time in over a decade that the national Youth Justice Board have collated comparison data in respect to local authorities' youth justice services.

3.11. On 25 April 2023 the Medway Youth Justice Partnership Board met to discuss the plan and agreed a partnership response to its completion.

3.12. The Youth Justice Plan must be submitted to the Youth Justice Board by **30 June 2023** to ensure timely payment of your Youth Justice Grant 2023/24.

Youth justice plans in England must be signed off by full Council in accordance with Regulation 4 of the 'Local Authorities (Functions and Responsibilities) (England) Regulations 2000'. This regulation does not apply to Wales. Where it is not possible to achieve full sign off by the 30 June 2023, plans can be submitted with the approval of the Board Chair with confirmation of full sign off submitted at a later date. The Medway Youth Justice Plan will therefore be submitted to full Council for final approval on 20 July 2023.

3.13. A Diversity impact Assessment has been undertaken and is attached at Appendix 3 to the report.

#### 4. Risk management

Risk	Description	Action to avoid or mitigate risk	Risk rating
Negative media response	Media and social media have 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	Improvement plan aligned to children's improvement board  Strong leadership and governance from the Youth Justice Partnership Board.	D4
The rating distracts the YJPB from: 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	Strong leadership and governance from the Youth Justice Partnership Board  We need to improve the system if we are to achieve outstanding. Therefore,	C3

Risk	Description	Action to avoid or mitigate risk	Risk rating
	culture change and service improvement.	Medway has moved to a 3-year strategy	

Likelihood	Impact:
A Very high B High C Significant D Low E Very low F Almost impossible	1 Catastrophic (Showstopper) 2 Critical 3 Marginal 4 Negligible

## 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. Appendix 2 of the plan details the collaboration that took place.

## 6. Children and Young People Overview and Scrutiny Committee

- 6.1. The Children and Young People Overview and Scrutiny Committee considered this report at its meeting on 14 June 2023 and its comments are summarized as follows:
- 6.2. The Youth Offending Manager introduced the report which followed guidance and headings provided by the National Youth Justice Board and was in line with new guidance given to Local Authorities in March 2023. This plan focused on the statutory requirements and areas that Medway was required to report back on and detailed actions in place on how to improve performance.
- 6.3. Members raised several questions and comments which included:
- 6.3.1. **Substance Misuse Worker** – it was asked how the appointment of a substance misuse worker that was based in the North East Foundation Trust

benefitted the young people of Medway and how this worked in practice. The officer said that quite a few of the young people they worked with used cannabis and the impact on their motivation and aspiration due to regular use was diminished. Whilst there was a substance misuse worker linked to the service, there was a commissioning exercise currently taking place on increasing capacity. This exercise was to explore the possibility of employment of a person to a new part time post to work with young people, build relationships and monitor progress rather than linking in with Foundation Trust Service.

- 6.3.2. **Child Adolescence Mental Health Service (CAMHS) Worker** - the appointment of a CAMHS worker to the service was welcomed, it was however commented that the threshold for the CAMHS service was high, and it was asked what impact the worker would have on the service. The officer said that the provision of the CAMHS worker greatly benefitted the service due to the high prevalence of emotional mental health issues experienced by the young people they worked with. If a young person that came through the service was assessed as having a need through the mental health screening, this would be managed outside of the National CAHMS threshold, and their needs would be responded to appropriately.
- 6.3.3. **Grant Allocation** – it was commented that the grant allocations for 2023/24 had not yet been received and it was asked if there were mitigations in place should there be a reduction in the funding allocated. The officer said that whilst the allocation was not yet known, it was known that there would be an uplift from the previous year and there was no expected reduction in the amount to be received.
- 6.3.4. **Metropolitan Police** - it was commented that a Police Officer had not been seconded to the Youth Offending Team since 2022. It was vital that their support be given to the work being carried out by the Youth Offending Service and it was suggested that the Chief Superintendent be written to, to suggest that an officer from the Task Force may be suitable for the role. Officers said that discussions had taken place with the Police colleagues on the Youth Offending Board, and they gave their full support of the new Plan. Additionally, Kent Police were in the process of launching a Child Centred Policing Team and the development of that team and how it supported the delivery of the Police Officer role in the Youth Offending Team would continue to be closely monitored.
- 6.3.5. **Reoffending Rates** - in response to a question on what influences were behind reoffending rates as there had been some improvement in some areas of Medway but not others, the officer said that the data received was not case by case data, which made it difficult to determine and understand what the drivers were. There was an Information Officer in post that had been collating data which would enable the team to form a picture and identify trends which would be presented to the Committee at a future meeting.

6.3.6. **Youth Centres** - In response to a question on what was in place to increase Youth Centres in Medway as residents were concerned that there were not enough, officers said that there were currently no plans in place to increase the number of Youth Centres. There was a good youth offer in Medway, with sessions delivered in its centres. Details of this would be provided to the Committee.

6.4. The Children and Young People Overview and Scrutiny Committee noted the report and plan and recommended Cabinet to recommend full Council to approve the Medway Youth Justice Plan 2023-24 attached at Appendix 1 to the report.

## 7. Cabinet

7.1. The Cabinet considered the report on 11 July 2023 and agreed the following:

7.2. The Cabinet noted the comments made by the Children and Young People Overview and Scrutiny Committee, as set out at Section 6 of the report.

7.3. The Cabinet recommended full Council to approve the Medway Youth Justice Plan 2023-24, attached at Appendix 1 to the report.

## 8. Climate change implications

8.1. There are no implications as a result of this report.

## 9. Financial implications

9.1. The YOT responsibilities are funded through contributions from the statutory partner agencies in accordance with the Crime and Disorder Act 1998. Each partner's contributions are reviewed annually.

9.2. 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. Submission of annual youth justice plans is a duty outlined as a requirement of the terms and conditions of grant.

9.3. The grant allocations for 2023/24 have yet to be confirmed but the Government have confirmed that they will be at least the same as 2022/23 allocations. On that basis, the Council's 2023/24 budget assumes the same level of contributions from the Government and partners (including the Council, Office of the Police and Crime Commissioner and Probation). The plan (attached at Appendix 1) will be delivered on that basis.

## 10. Legal implications

10.1. 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.

## 11. Recommendations

- 11.1. The Council is asked to note the comments made by the Children and Young People Overview and Scrutiny Committee, as set out at Section 6 of the report and the decisions of the Cabinet as set out at section 7 of the report.
- 11.2. The Council is asked to approve the Medway Youth Justice Plan 2023-24 attached at Appendix 1 to the report.

## Lead officer contact

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## Appendices

Appendix 1 – Medway Youth Justice Plan 2023-24

Appendix 2 – Youth Justice Board (March 2023), *Youth Justice Plans: Guidance for Youth Justice Services*

Appendix 3 – Diversity Impact Assessment

## Background papers

None