

Council

17 October 2024

Medway Youth Justice Plan 2024-25

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

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

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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) is a completely new plan in line with guidance distributed to local authorities in March 2024. The Format of the plan follows guidance and headings provided by the national Youth Justice Board in the guidance mentioned, detailing best practice in the Youth Justice Plans completion. The Council is requested to approve the Plan.

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

The report has previously been considered by Children and Young People Overview and Scrutiny Committee on 1 August 2024 and by the Cabinet on 1 October 2024, the comments and decisions of which are set out at sections 7 and 8 of the report respectively.

1. Recommendations

- 1.1. The Council is requested to note the comments of the Children and Young People Overview and Scrutiny Committee, as set out at section 7 to the report and the decisions of the Cabinet set out at section 8 of the report.
- 1.2. The Council is requested to approve the Medway Youth Justice Partnership Strategic Plan 2024 – 2025.

2. Budget and policy framework

- 2.1. A Youth Justice Plan is required under the provisions of the Crime and Disorder Act 1998.
- 2.2. 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.
- 2.3. 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.
- 2.4. 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.

3. Background

- 3.1. In March 2024, the National Youth Justice Board provided updated guidance as to how local authorities should complete their annual Youth Justice Plans.
- 3.2. The YJB in their revised guidance on completing the Youth Justice Plan have stated that they require a new plan to be submitted by 30 June 2024. 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 deadline above, plans can be submitted with the approval of the Board Chair with confirmation of full sign off submitted at a later date. As acting chair, Lee-Anne Farach, Director of People has signed this off prior to its submission. The Medway Youth Justice Plan will therefore be submitted to full Council for final approval on 17 October 2024.

3.3. The plan has to follow a structure by which a number of specified headings and priorities are used.

3.4. The YJB offer the following rationale for this approach –
Youth justice plans 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. The aggregated data on priorities, risks and practice is used to provide advice to ministers and inform the YJB’s strategic influence across government.

3.5. Completed plans are now rated by the National Youth Justice Board. The 2023 / 24 Medway Youth Justice was rated as being a ‘Good’ plan.

4. Advice and analysis

4.1. This is the third 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.

4.2. A significant development in the updated guidance is a requirement that local authorities develop the plan to address to a specific list of headings and requirements. Prior to 2022 the contents of the plan were subject to local determination.

4.3. 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

4.4. The following priorities have been developed for the 2024-25 plan:

1. Developing effective diversion and prevention services.
2. Reducing the numbers of first-time entrants.
3. Reducing re-offending through strengthening collaborative working with children and their families.
4. Delivering high quality services to all victims of children’s offending.
5. An effective response to Serious Violence and criminal exploitation.
6. Disproportionality, to identify and respond to local trends.

4.5. The wording of these priorities emphasises the aspiration to deliver the child first principle, emphasising positive identities, strengths, collaboration and working with young people and their families, whilst incorporating a focus on local issues.

- 4.6. Priority two is reflected in the Community Safety Partnership Action Plan 2024 / 25 – which contains the following key deliverable –

Youth Offending Team - To reduce the number of children who are first time entrants in the criminal justice system to below national and regional levels – and increase the use of diversionary responses for children.

- 4.6.1. This priority is important locally in that local and regional data identifies that the numbers of first-time entrants in Medway are higher than both regional and national averages. These are the children who are recorded as first receiving a statutory outcome in the criminal justice system. Lower numbers of first-time entrants would evidence a greater efficacy of diversionary measures locally.
- 4.6.2. The Youth Justice Plan is being presented to and discussed at the Community Safety Partnership in January 2025, the CSP will be appraised as to the delivery of the plan.
- 4.7. These priorities are aligned to Priority 1 of the One Medway Council Plan 2024-28:

'Delivering quality Social Care and Community services' – Sub Priority 'Support our children and young people to ensure they are safe, secure and stable'.
- 4.8. The approach taken by the national Youth Justice Board to the development and submission of Youth Justice Plans enables central government to compare the provision of Youth Justice Services from one local authority to another.
- 4.9. The national Youth Justice Board requires local authorities to report back on 10 key performance indicators, 11 National priority areas, as well as rates of first time entrants in the Youth Justice System, rates of Re-offending and rates of the use of custody. The Youth Justice Plan requirements are aligned to these key performance indicators. The national Youth Justice Board are now able to collate comparison data in respect to local authorities' youth justice services. The first cohort of this data was between 01/04/2023 – 31/03/2024. As yet we cannot provide this data as the national Youth Justice Board are still in a process of data validation.
- 4.10. From the beginning of 2025 the Her Majesties Inspectorate of Probation is undertaking a new round of inspections across the youth justice sector nationally. This new round of inspections will take a number of years -however the 2024 / 25 Youth Justice Plan could be the plan that represents the service in the forthcoming inspection.
- 4.11. On 31 July 2024 the Medway Youth Justice Partnership Board will meet to discuss the plan and agree a partnership response to its completion.

4.12. The Medway Youth Justice Plan requires approval by full Council under the current constitution.

5. 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.	BII
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.	DIV
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	CIII
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.	Strong leadership and governance from the Youth Justice Partnership Board We need to improve the system if we are to achieve outstanding.	CIII

Likelihood	Impact:
A Very likely B Likely C Unlikely D Rare	I Catastrophic II Major III Moderate IV Minor

6. Consultation

- 6.1. 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.
- 6.2. 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.
- 6.3. Following agreement by the Youth Justice Partnership Board, endorsement was sought by the Cabinet and finally the Council.

7. Children and Young People Overview and Scrutiny Committee

- 7.1. The report was considered by the Children and Young People Overview and Scrutiny Committee on 1 August 2024 and its draft comments are set out below:
- 7.2. The Youth Offending Team Manager introduced the annual report which set out how youth justice would be delivered locally. This new plan was developed in line with the new guidance that was distributed to Local Authorities in March 2024.
- 7.3. Members raised several comments and questions which included:
- 7.4. **Young people with additional needs** - it was asked how the commissioning of speech and language therapists for young people with additional needs was progressing and the officer said that this had recently been discussed at the Youth Justice Board. There was a national shortage of speech and language therapists, and work was being undertaken with providers to look into innovative solutions as part of the work that the late Director of Public Health started, to address challenges with recruitment. A meeting was due to take place to discuss progress on this matter.
- 7.5. **Funding** – in response to a question on the amount of funding that would be received, the officer said that they were still awaiting confirmation of the final amount but had received confirmation that it would not be less than the previous year.
- 7.6. **Education and Training** - in response to a query on what achievements and qualifications could be earned by young people, the officer said that the AQA qualification work had been in place for a year and the education responses from young people were presented in the report. Some young people had a negative experience of education, and work on this qualification was being

introduced to them in small manageable steps. The AQA offer was in varied areas such as work with children through unpaid work in the community to enable them to gain vital work experience, work in areas of building and construction, music as well as other areas of interest. The aim of the qualification offer was to identify young people's areas of interest and to support them in developing skills that they could utilise in later life.

- 7.7. **Data on first time offenders** - it was asked how data on first time offenders was being used to support the work of the team. The officer explained that data was collated and shared quarterly at the National Youth Justice Board. A deep dive had been undertaken on backgrounds of the young people and the types of offences they commit but there was more work that needed to be undertaken on understanding their experiences. Detailed work on first time offenders was a priority for this year and further details would be provided to the Committee, including data on outcome 22 to enable members to analyse trends.
- 7.8. **Female Offending** - in response to a question on understanding female offending, the officer said that whilst boy and girl offending was different, the approach of the team was for all young people to have a strong focus on identity, who they were, who they wanted to be and how to achieve their aspirations. It was however important to understand the nuances and that everyone was an individual, listening to their experiences, how they perceive their identities and responding appropriately. It was important to ensure that all young people were treated as individuals.
- 7.9. **Retention of staff**- it was asked how invested management was in development of staff and the officer said that he was very proud and lucky to work with an exceptional team who were motivated and committed to continuous development. He was also proud of the diverse and rich background of the team.

7.10. **Decision:**

The Committee recommended Full Council to approve the Medway Youth Justice Plan 2024 – 2025.

8. **Cabinet**

- 8.1. The report was considered by the Cabinet on 1 October 2024 and its decisions are set out below:
- 8.2. The Cabinet noted the comments of the Children and Young People Overview and Scrutiny Committee, as set out at section 8 to the report
- 8.3. The Cabinet agreed to recommend to Full Council that it approve the Medway Youth Justice Partnership Strategic Plan 2024 – 2025.

9. Climate change implications

9.1. No implications as a result of this report.

10. Financial implications

10.1. The report needs to set out the financial implications of any recommendations, including both the cost of the proposals and how these are to be funded. These implications must be completed by report authors who may wish to liaise with their respective accountant during drafting. As a minimum it should be made clear whether recommendations can be financed from existing capital or revenue approvals or whether additional approvals will be required.

10.2. Final finance clearance of the completed report will be required from a finance manager - this process will be more expedient if prior discussions with service accountants have been undertaken.

10.3. 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.

10.4. 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.

11. Legal implications

11.1. 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.

Lead officer contact

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Appendices

Appendix 1 – Medway Youth Justice Plan 2024-25

Appendix 2 – Diversity Impact Assessment

Background papers

[Youth Justice Board \(March 2024\), Youth Justice Plans: Guidance for Youth Justice Services](#)