



## Overview & Scrutiny Committee

<b>Title</b>	<b>Youth Justice Plan 2023-25</b>
<b>Date of meeting</b>	<b>7th November 2023</b>
<b>Report of</b>	Director Early Help & Children's Social Care
<b>Wards</b>	All
<b>Status</b>	Public
<b>Urgent</b>	No
<b>Appendices</b>	Appendix A – Youth Justice Plan 2023-25
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### Summary

Under Section 40 of the Crime & Disorder Act 1998, local authorities must produce and publish an annual plan that sets out how youth justice services will be provided and funded in the local authority area, and how the services provided will prevent offending and reduce reoffending.

Updated guidance to youth justice services, published in March 2023, confirmed that plans must be signed off by the full council in accordance with Regulation 4 of the 'Local Authorities (Functions and Responsibilities) (England) Regulations 2000'.

In line with agreed regulations Barnet's Youth Justice Plan 2023-25 was submitted to the Youth Justice Board as required before 30 June 2023. The submission of the plan enables payment of the Youth Justice Grant 2023/24 and was submitted with the approval of the Youth Justice Matters Board Chair with confirmation of full sign off to be submitted at a later date. The 'sign off' by the Chair indicates that the wider management board have approved the submitted plan and all sections outlined in the Youth Justice Plan Structure have been covered. The Plan is available in appendix 1.

The Youth Justice Board will receive confirmation of full sign off of the youth justice plan when it has been agreed by full council.

## Recommendations

- 1. Overview & Scrutiny Committee is asked to note and provide any comments and recommendations (for Full Council) on the Youth Justice Plan in appendix 1.**
- 2. Overview & Scrutiny Committee is asked to note the SEND (Special Educational Needs & Disability) Quality Lead Status with a Child First Commendation.**

### 1. Reasons for the Recommendations

#### 1.1 Youth Justice Services

- 1.1.1** Youth Justice Services (YJS) are multi-disciplinary teams set up under the Crime and Disorder Act 1998. The Act places a duty on local authorities and statutory partner agencies (Police, Health & Probation) to establish Youth Justice Services with the primary aim of preventing offending by children and young people.
- 1.1.2** Youth Justice Services in England and Wales are overseen by the Youth Justice Board (YJB) which is a non-departmental public body that oversees, monitors and leads the youth justice system.
- 1.1.3** The YJB also administers and oversees an annual grant provided by central government. Members of the YJB are appointed by the Secretary of State for Justice and are responsible for setting the YJB's strategic objectives; the YJB is sponsored by the Ministry of Justice.
- 1.1.4** Local authorities have a statutory duty to submit an annual youth justice plan under Section 40 of the Crime and Disorder Act 1998. The Plan is produced in consultation with partner agencies and set out:
  - how youth justice services in their area are to be provided and funded
  - how the youth offending team (YJS) or equivalent service will be composed and funded, how it will operate, and what functions it will carry out
- 1.1.5** His Majesty's Chief Inspector of Probation has responsibilities that are set out in Section 7 of the Criminal Justice and Court Services Act 2000, as amended by the Offender Management Act 2007 section 12(3)(a). The legislation requires the Chief Inspector to inspect (section 1) and report to the Secretary of State (section 3) on the arrangements for the provision of probation services. Under Section 7(6) of the Criminal Justice and Court Services Act 2000, HM Chief Inspector of Probation is also conferred to inspect and report on youth justice services.
- 1.1.6** Barnet Youth Justice Services' last inspection by HM Inspectorate of Probation (HMIP) was published in May 2022. Barnet received an overall rating of 'Good' for arrangements for organisational delivery of the service, the quality of work done with children sentenced by the courts, the quality of out-of-court disposal work and quality of resettlement policy and provision. HMIP found that Barnet Youth Justice Services had developed an effective child-first approach with innovative approaches and a commitment to developing these through co-

production with children. Partnerships and services were recognised as a particular strength and rated 'Outstanding'.

## **1.2 Youth Justice Plan**

- 1.2.1 Guidance for youth justice services (Youth Justice Board, March 2023) sets out considerations for youth justice partnerships on both the content and structure of the youth justice plan; and asks for reflection on how the service takes a strength-based approach towards delivering a Child First justice system.
- 1.2.2 A Child First justice system means that youth justice plans must prioritise the best interests of children, recognising their unique needs and potential. Plans are to promote prevention, diversion and interventions that minimise criminogenic stigma from contact with the criminal justice system. Plans need to promote the development of a pro-social identity for sustainable desistance through the building of supportive relationships that empower children to make positive contributions to society and encourage children's active and meaningful participation, engagement and social inclusion.
- 1.2.3 Under Section 39 of the Crime and Disorder Act 1998, the local authority, police, probation services and health are required to co-operate and are under a duty to secure appropriate youth justice services are in place within the local authority area.
- 1.2.4 Barnet's Youth Justice Plan 2023-25 was developed by the partnership of the Youth Justice Matters Management Board. The Youth Justice Matters Management Board is responsible for:
- Providing oversight and strategic leadership and developing a clear local vision
  - Ensuring the YJS operates according to 'Child First' principles.
  - Determination of how the YJS is composed and funded, how it operates and what functions it carries out
  - Monitoring the performance of the YJS
  - Listening to the child's voice and improve their outcomes
  - Formulation and implementation of the Youth Justice Plan
  - Strategic oversight of the standards for children in the youth justice system (2019)
  - Ensuring the actions arising from the Youth Justice Plan and audits of performance are carried out
  - Developing and monitoring plans arising from HMIP findings to address areas identified in need for improvement
  - Escalating challenges with partner organisations to ensure children receive the services or provision they require
- 1.2.5 Barnet's Youth Justice Plan 2023-25 is set out in two parts, the first covers both strategic and operational delivery. It provides an introduction and vision alongside local context of the service and delivery environment and a summary of performance against Barnet's Youth Justice Plan 2021-23.

- 1.2.6 Part 2 of the Youth Justice Plan sets out seven strategic priorities agreed by the partnership, this section sets out local trends, performance and expected outcomes. The priorities are:
- ❖ Priority 1. Strategic & Operational Multi-Agency Leadership
  - ❖ Priority 2. Education
  - ❖ Priority 3. Over-representation of Black and Global Majority Ethnic background children
  - ❖ Priority 4. Prevention & Diversion
  - ❖ Priority 5. Serious violence and exploitation
  - ❖ Priority 6. Resettlement & Transitional Safeguarding
  - ❖ Priority 7. Restorative Justice (RJ) and Victims
- 1.2.7 Barnet’s Youth Justice Plan 2023-25 was submitted to the Youth Justice Board for approval in June 2023. The YJB provided feedback on the Plan on 03 October 2023. The YJB noted the submission of a very strong and child focused plan that set clear outcome focused priorities for children in the local area.

### **1.3 Youth Justice Quality Lead Status SEND (Special Educational Needs & Disability)**

- 1.3.1 In October 2023, Barnet Youth Justice Service obtained the Youth Justice SEND Quality Lead Status. This award was achieved by the Youth Justice Partnership following submission of effective evidenced-based practice against the quality assurance framework. The award recognises, the well-established relationship between the Youth Justice Service, Barnet Education and Learning Service SEND Team and the Pupil Referral Unit and schools. The strong integration with Child & Family Early Help Services, co-located educational psychologists and speech and language therapists and a commitment to resettlement and aftercare services.
- 1.3.2 The service also received a Child First Commendation, for the residential trips provided to children in the youth justice system, co-produced information and on-line materials created by and for children in the youth justice system and a “very strong and child-focused Youth Justice Plan which has been endorsed by the Youth Justice Board” (Oct 2023).

## **2 Alternative Options Considered and Not Recommended**

- 2.1 Not relevant in relation to this report.

## **3 Post Decision Implementation**

- 3.1 The Overview and Scrutiny Committee may decide to make recommendations or refer issues to the Council, Cabinet, relevant Cabinet Member or other body for response in accordance with the scrutiny arrangements set out in sections 32 to 43 of the Committee Procedure Rules and under the Crime and Disorder (Overview and Scrutiny) Regulations 2009.
- 3.2 The Youth Justice Plan forms part of the Policy Framework and will be considered by Full Council for approval.

## 4 Corporate Priorities, Performance and Other Considerations

### Corporate Plan

- 4.1 The Barnet corporate plan puts Caring for People, our Places and the Planet at the heart of everything we do, with a commitment to create places that are clean, safe and welcoming.
- 4.2 Family Friendly is a key driver of our corporate planning with the vision of “Creating a Family Friendly Barnet, enabling opportunities for our children and young people to achieve their best”.

### Outcome Measures

4.3 The Youth Justice Board sets standards and publishes data against thirteen youth justice national performance indicators which are mandatory reporting requirements for youth justice partnerships through their Youth Justice Management Boards:

- **First time entrants to the youth justice system**

Young people aged 10 to 17 years receiving a pre-court disposal or conviction. This data is published quarterly per local authority area, for a rolling 12 months and is taken from the Police National Computer (PNC). The FTE figure is compared with the same quarter of the previous rolling 12-month period.

- **The binary reoffending rate**

Frequency and binary re-offending data is published quarterly per local authority area, comparing rolling 12-month data from 2 years ago with data from 3 years ago. This is taken from PNC. The binary figure relates to the percentage of young people in the cohort who reoffend, and the frequency figure relates to the number of re-offences per young person.

- **The use of custody**

The number of young people per 1,000 of the 10 to 17 population receiving custodial sentences is compared with the number who received a custodial sentence in the same quarter of the previous year.

- **Suitable accommodation**

The type and suitability of accommodation at the start and end of the order by type of order. Additionally, for those leaving custody, it looks at how far in advance accommodation was secured. YJSs are required to record the number of children in the community and being released from custody into suitable or unsuitable accommodation arrangements

- **Education, training and employment (ETE)**

The number and proportion of children in ETE by suitability, ETE provision type and type of order for children of school age and children above school age and how many hours were offered and attended.

- **Special educational needs and disabilities/Additional learning needs**

The number of children with SEND for England or by type of order, whether they have a formal plan in place and whether they are in suitable ETE.

- **Mental health care and emotional wellbeing**

How many children are screened or assessed to understand their mental health and emotional wellbeing needs. For children who are already in an arrangement to support their mental health and emotional wellbeing, is the support in place.

- **Substance misuse**

The number of children with a screened or identified need for an intervention or treatment to address substance misuse and of that, the number of planned/offered treatment and the number of children attending intervention/treatment.

- **Out of court disposals**

The number of children with interventions ending in the period, the number of children who completed the intervention programmes in the quarter and the number of children who did not complete intervention programmes in the quarter.

- **Links to wider services**

The number of children who are classified as a currently care experienced child (known in statute as a 'Looked After Child'), a 'Child in Need' or who are on a 'Child Protection Plan', an 'Early Intervention Plan' or who are referred to Early Help services.

- **Management board attendance**

The number of senior partners attending the quarterly meetings, and of those senior partners was data presented which identified areas of disproportionality.

- **Serious violence**

The number of children cautioned or convicted of Serious Violence on the YJS caseload.

- **Victims**

The number of victims resulting from offences committed by children on the YJS caseload, the number contacted, and the number engaged in restorative justice opportunities as well as those who requested and were given further information and support.

### **Sustainability**

4.4 There are no current sustainability implications associated with the recommendations of this report.

### **Corporate Parenting**

4.5 Children and young people in care and care experienced young people have a higher prevalence of adverse childhood experiences that may make them susceptible to grooming and coercion as such may be at an increased risk of becoming involved with the criminal justice system. The Youth Justice Plan aims to ensure all children at risk of offending are provided with support early and ensures cohesive overlap with Corporate Parenting Services, transitional safeguarding and transitions and resettlement planning for young people involved with Youth Offending Services and transitioning to National Probation Services.

### **Risk Management**

4.6 Family Services risks are recorded on the Family Services Risk Register and monitored each quarter by the Senior Leadership Team with escalations to CMT if necessary.

### **Insight**

4.7 The Youth Justice Service uses a comprehensive suite of performance information to support decision making, including local and regional and national datasets, self-assessment, audit and inspection information. Insights are contained within the performance data contained within the Youth Justice Plan and monitored quarterly by the Youth Justice Matters Management Board. , audit and financial analysis.

### **Social Value**

4.8 The cost of offending and reoffending is set out in the 2018 Home Office report on the Economic and Social Cost of Crime (2<sup>nd</sup> edition). The report followed a cohort of offenders identified in 2016 who subsequently went on to reoffend during the 12-month follow up. The total estimated economic and social cost of reoffending was £18.1 billion. In addition, there is a further personal, familial and community cost which impacts on the lives of individuals, children and families and the communities that they live in.

4.9 Reducing offending and reoffending seeks to minimise the harm caused and create opportunities for social integration, family cohesion and community engagement.

## **5 Resource Implications (Finance and Value for Money, Procurement, Staffing, IT and Property)**

5.1 None in the context of this report.

## **6 Legal Implications and Constitution References**

6.1 Under s4 of the Crime and Disorder (Overview and Scrutiny) Regulations 2009, A crime and disorder committee shall meet to review or scrutinise decisions made, or other action taken, in connection with the discharge by the responsible authorities of their crime and disorder functions as the committee considers appropriate but no less than once in every twelve-month period.

6.2 The Council's Constitution, Part 2B sets out the Terms of Reference of the Overview and Scrutiny Committee: 10.1.8 To review or scrutinise decisions made, or other action taken, in connection with the discharge of responsible authorities of their crime and disorder functions in accordance with s.19 of the Police and Justice Act 2006.

6.3 Under Section 40 of the Crime & Disorder Act 1998, youth justice partnerships must produce and publish an annual plan that sets out how youth justice services will be provided and funded in the

local authority area, and how the youth offending team(s) are to be composed and funded, how they are to operate and what functions they are to carry out.

6.4 Youth justice plans in England, must be signed off by the full council in accordance with Regulation 4 of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000.

6.5 Youth Justice Services (YJS) are multi-disciplinary teams set up under the Crime and Disorder Act 1998. The Act places a duty on local authorities and statutory partner agencies (Police, Health & Probation) to establish Youth Justice Services with the primary aim of preventing offending by children and young people.

6.6 Other relevant legislation includes the Powers of Criminal Courts (Sentencing) Act 2000, Police and Criminal Evidence Act 1984 (PACE) codes of practice the Criminal Justice and Immigration Act 2008 and Legal Aid, Sentencing and Punishment of Offenders Act 2012 (LASPO).

6.7 In accordance with Article 3 of the Constitution, the Council is responsible for approving the policy framework, which includes plans and strategies required by the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended), which includes the Youth Justice Plan.

6.8 In accordance with Part 3D, paragraph 8.1 of the Constitution, Budget and Policy Procedure Rules, a copy of any proposed plan or strategy which is part of the policy framework shall also be referred to the Overview and Scrutiny Committee in sufficient time for the proposals to be included in the agenda for a scheduled meeting of the Committee, and for the Committee to make a report or recommendations to the meeting of the Council that is to consider the plan or strategy concerned. The Council shall not agree a plan or strategy until the Overview and Scrutiny Committee has had the opportunity to consider the proposals, subject to the need for statutory deadlines to be met.

## **7 Consultation**

7.1 The Youth Justice Plan 2023-25 has been co-produced in consultation with the multi-agency partnership of the Youth Justice Matters Management Board.

7.2 My Say Matters is the Family Services consultation and participation programme for children and young people. Children are routinely engaged, consulted and supported to participate in the co-production of plans, strategies, information and services.

## **8 Equalities and Diversity**

8.1 Pursuant to the Equality Act 2010, the Council and all other organisations exercising public functions on its behalf must have due regard to the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; advance equality of opportunity between those with a protected characteristic and those without; promote good relations between those with a protected characteristic and those without.



- 8.2 The relevant protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation. It also covers marriage and civil partnership with regard to eliminating discrimination. The work of overview and scrutiny will be transparent and accessible to all sectors of the community.
- 8.3 The broad purpose of this duty is to integrate considerations of equality into day business and keep them under review in decision making, the design of policies and the delivery of services
- 8.4 Offending affects all communities and there is well documented racial disproportionality in the criminal justice system for children and adults. It is imperative that youth justice services for children and young are sensitive and responsive to the protected characteristics of age, disability, race and religion or belief, sex, gender reassignment, and sexual orientation. We closely monitor this in our performance data which is set out in the Youth Justice Plan.
- 8.5 It is our aim for the borough to be a fair, inclusive and a safe place for all our communities. A borough where discrimination is tackled, crime is reported and dealt with promptly, and everyone feels safe to live their life.

## **9 Background Papers**

9.1 None