

Birmingham City Council

Report to Cabinet

7th September 2021



Subject: YOUTH JUSTICE PLAN 2021-2022

Report of: Kevin Crompton,
Interim Director for Education and Skills

Relevant Cabinet Member: Cllr Sharon Thompson - Vulnerable Children & Families

Relevant O &S Chair(s): Cllr Narinder Kooner - Education and Children's Social Care

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|---|---|---|
| Are specific wards affected? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No – All wards affected |
| If yes, name(s) of ward(s): | | |
| Is this a key decision? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| If relevant, add Forward Plan Reference: 008943/2021 | | |
| Is the decision eligible for call-in? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| Does the report contain confidential or exempt information? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| If relevant, state which appendix is exempt, and provide exempt information paragraph number or reason if confidential: | | |

1 Executive Summary

- 1.1 There is a statutory requirement for every local authority, after consultation with partners, to produce and implement a Youth Justice Plan.
- 1.2 The plan must set out how local youth justice services are to be designed, resourced and delivered. There is a requirement for the Plan to be submitted to the National Youth Justice Board (YJB) and published in accordance with the directions of the Secretary of State.

- 1.3 This report recommends approval of the Birmingham 2021 - 2022 draft Youth Justice Plan, provides relevant background and highlights any implications around legal, compliance, and finance.

2 Recommendations

- 2.1 Cabinet is recommended to note the Birmingham 2021 - 2022 draft Youth Justice Plan and approve submission for consideration to Full Council to adopt.

3 Background

Context for Youth Justice Plan

- 3.1 There is a statutory requirement in the Crime and Disorder Act 1998, Section 40, for every local authority, after consultation with partner agencies, to produce and implement a Youth Justice Plan.
- 3.2 The plan sets out how local youth justice services are to be provided and funded. There is a requirement for the Plan to be submitted to the national Youth Justice Board (YJB) and published in accordance with the directions of the Secretary of State.

2020 HMI Probation Inspection

- 3.3 In March and July 2020, the Service was inspected by Her Majesty's Inspectorate of Probation. In October 2020, the findings of the inspection were published with the Service being judged overall as requires improvement.
- 3.4 The report made 12 recommendations that inspectors, which would need to be addressed to improve the quality of the Service and would consequently improve the lives of those children who it comes into contact with and better protect the public.
- 3.5 The Service's improvement plan is directly linked to the findings of the HMIP inspection published in 2020. Twelve recommendations were made within this report, spanning core case practice, strategic activity and governance. As a Service, progress has been made with the expansion of the senior leadership team, the appointment of an independent Chair of the Partnership Board, strengthening of the board membership and additional assurance Board meetings.

Local Context

- 3.6 Birmingham, the biggest city in the UK outside London, is a diverse, multicultural city. More than half its one million population identified as non-white British in the 2011 census and that figure is likely to be higher in 2020. The latest census figures identify that over 26% (274,135) of the population is under 18 years and 58% of these are from minority ethnic backgrounds. There are approximately 117,000 10-17-year-olds.
- 3.7 Birmingham is one of the most deprived local authorities in England according to the Index of Multiple Deprivation statistics from 2019.

- 3.8 In the last 15 years, Birmingham has become more deprived, moving from the 16th most deprived local authority in 2004 to sixth in 2019 and overtaking Sandwell in 2015 as the most deprived authority in the West Midlands. Although many children achieve good outcomes, others face a range of challenges, particularly in terms of their wellbeing and staying safe.
- 3.9 Analysis of local data for 2020/21 (a different period to the national dataset) has identified that the majority of first-time entrants were aged 15-17, with 43.1% aged 16 or older. 12.5% of first-time entrants were female. The most prevalent offences amongst first time entrants were Violence against the Person, Motoring offences and Robbery.
- 3.10 Black, Asian and other minority ethnic children accounted for 69.4% of all First Time Entrants compared with 55.0% in the general 10 -17 population.
- 3.11 Black and Black British ethnic categories are over-represented appearing at approximately twice the rate of their incidence in the general 10-17 population. Furthermore, children from a Black or Mixed ethnicity (108 children) accounted for 38.4% of all first-time entrants while comprising 19.15% of the general 10 -17 population.

4 Options considered and Recommended Proposal

- 4.1 This is a statutory requirement within the Crime and Disorder Act 1998, Section 40, that every local authority, after consultation with partners, to produce and implement a Youth Justice Plan. As such, there are no alternative options outlined in this report.

5 Consultation

- 5.1 Between 1 April 2020 and 31 March 2021, 694 children completed self-assessment surveys. The outcome of which has helped to shape and influence partnership and commissioning priorities.

6 Risk Management

- 6.1 In March and July 2020, the Service was inspected by Her Majesty's Inspectorate of Probation. In October 2020, the findings of the inspection were published with the Service being judged overall as requires improvement.
- 6.2 The report acknowledged that the period following inspection was a critical time and for a rating of inadequate to be avoided "there must be a high level of scrutiny and a relentless focus on making improvements with pace".
- 6.3 The implementation Youth Justice Plan will ensure that the "high level of scrutiny and relentless focus" outlined in the report will support making improvements with pace and mitigate the risk of an inadequate rating by Her Majesty's Inspectorate of Probation.

7 Compliance Issues:

7.1 How are the recommended decisions consistent with the City Council's priorities, plans and strategies?

- 7.1.1 There is a statutory requirement for every local authority, after consultation with partners, to produce and implement a Youth Justice Plan. As such the plan has not been specifically developed in line with the City Council's priorities, plans and strategies. Notwithstanding this, successful implementation of the plan will support the Council Priorities as set out in the Birmingham City Council Plan 2018-2022.

7.2 Legal Implications

- 7.2.1 There is a statutory requirement in the Crime and Disorder Act 1998, Section 40, for every local authority, after consultation with partners, to produce and implement a Youth Justice Plan.
- 7.2.2 The plan must set out how local youth justice services are to be provided and funded. There is a requirement for the Plan to be submitted to the national Youth Justice Board (YJB) and published in accordance with the directions of the Secretary of State.
- 7.2.3 Section 39 (1) of the Crime and Disorder Act 1998 requires the cooperation of the named statutory partners (Local Authority, Police, Probation and Health) to form a Youth Offending Team, which includes staffing contributions from those statutory partners.

7.3 Financial Implications

- 7.3.1 The Youth Offending Service partnership's overall delegated funding for 2021/22 is £8,523,071.
- 7.3.2 The table below sets out the delegated funding sources for 2021/22 as set out in the Youth Justice Plan.

| Partner | Staffing | Other Delegated Funds | Total |
|--|-------------------|------------------------------|-------------------|
| Birmingham Children's Trust | £3,528,334 | £644,327 | £4,172,661 |
| Police | £322,000 | | £322,000 |
| Police & Crime Commissioner | £166,195 | £108,805 | £275,000 |
| Probation | £152,052 | £15,000 | £167,052 |
| Health | £253,327 | | £253,327 |
| Youth Justice Board | £2,106,280 | | £2,106,280 |
| Other sources of funding | £1,165,251 | £61,500 | £1,226,751 |
| Total | £7,693,439 | £829,632 | £8,523,071 |

7.4 Procurement Implications (if required)

7.4.1 N/A

7.5 Human Resources Implications (if required)

7.5.1 N/A

7.6 Public Sector Equality Duty

7.6.1 The Plan recognises that some ethnic categories are over-represented within the service. However, the plan does not contain any elements that risk being interpreted in ways which could lead to discrimination against a particular group.

8 Appendices

8.1 Appendix 1 – Draft Youth Justice Plan 2021 -2022

8.2 Appendix 2 – Equalities Assessment

9 Background Documents