

Birmingham City Council

City Council

12th September 2023



Subject: YOUTH JUSTICE PLAN 2023-2028

Report of: Councillor Nicky Brennan
Cabinet Member for Social Justice, Community Safety and Equalities

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Does the report contain confidential or exempt information? ☐ Yes ☒ 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 2023 - 2028 Youth Justice Plan, provides relevant background and highlights any implications around legal, compliance, and finance.

2 Recommendation(s)

- 2.1 It is recommended that City Council approves the Birmingham Children's Trust's 2023 - 2028 Youth Justice Plan.

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. 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.
- 3.2 In December 2022, Birmingham Youth Offending Service was re-inspected by His Majesty's Inspectorate of Probation. The final report was published in March 2023. Whilst the Service remains judged overall as requires improvement, HMIP (His Majesty's Inspectorate of Probation) found that there had been improvements since their last visit in 2020. The press release can be found [here](#).
- 3.3 The Service's development plan has been reviewed and updated since the publication of this latest report and considers the recommendations and findings.

Local Context

- 3.4 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 2023. 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.
- 3.5 Birmingham is one of the most deprived local authorities in England according to the Index of Multiple Deprivation statistics from 2019. 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.
- 3.6 The BYOS (Birmingham Youth Offending Service) Partnership have continued, year on year, to reduce the number of children becoming a first-time entrant to the youth justice system, performing better than the England and Wales average and our Youth Justice Service Family.
- 3.7 Analysis of our children entering the Youth Justice system in 2022-23 tells us; Most first-time entrants were aged 15-17, with 49.7% aged 16 or older; 11.1% of first-time entrants were girls; Violence Against the Person was the most prevalent offence

category accounting for 93 offences, 61.6% of all proven offences for first time entrants. Compared with January to December 2022, this offence category shows a decrease of 20.5% in the number of offences; 48.5% of children becoming a first-time entrant had an identified special educational need.

- 3.8 Black and Black British children are over-represented appearing at approximately twice the rate of their incidence in the general 10-17 population. Black, Asian, and mixed heritage children accounted for 63.2% of all First Time Entrants compared with 55.0% in the general 10 -17 population.
- 3.9 The draft 23-28 Strategic Youth Justice Plan sets out how the challenges faced by our children, amplified by COVID-19, will be met through the vision, strategy and plans that are set out for the local Youth Justice Partnership. From research and local data analysis we know that children entering the Youth Justice System experience abuse, neglect, poverty, school exclusion and poorer health at levels that are disproportionate to the general 10-17 population.
- 3.10 In recognition that we must tackle the root causes of offending, priorities have been established with clear and measurable programmes of work. These are:
- 3.11 Building on the successes of recent years and what is known about areas for continued development, the partnership has agreed several strategic priorities for 2023-28, that align well with the Youth Justice Boards Child First Principles, the BCC (Birmingham City Council) Change for Children & Young people Plan and the Practice Model. There are heavily influenced by the findings of the HMIP 2023 Inspection report.
- Governance, communication, accountability, and professional responsibility are developed across our Service.
 - Build a culturally responsive Service which promotes equality, reduces discrimination, and enables our children, victims, caregivers, and staff to thrive.
 - Our staff are skilled, equipped, and capable of delivering quality services to children, victims, and caregivers.
 - Participation and co-creation opportunities with all the people we provide services to are maximised across our services.
 - Children, victims, and caregivers have access to services, support and interventions that are relevant to them.
 - Children on the cusp of offending or entering the YJS (Youth Justice System) are supported.
 - Communities and individuals are protected from harm.
- 3.12 In directing resources to support the vision, strategy, and priorities we will ensure that the workforce as our greatest asset, have the appropriate skills, knowledge and are equipped to deliver high quality and effective services that align with the vision for the service, the Trust, and the city.

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 Legal Implications

- 5.1 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.
- 5.2 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.
- 5.3 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.

6 Financial Implications

- 6.1 The Youth Offending Service partnership's overall delegated funding for 2023/24 is £9,946,575.
- 6.2 The table below sets out the delegated funding sources for 2023/24 as set out in the Youth Justice Plan.

Funding Source	Staffing Budget 2022-23	Payments in Kind 2022-23	Other Delegated Funds 2022-23	Total
Birmingham Children's Trust	£3,557,641	£0	£665,685	£4,223,326
Police	£598,616	£0	£0	£598,616
Police & Crime Commissioner	£117,843	£0	£157,157	£275,000
*Probation	£153,417	£0	£15,000	£168,417
*Health	£253,327	£0	£0	£253,327
Youth Justice Board	£2,439,382	£0	£0	£2,439,382
MOJ (Ministry of Justice) (Turnaround Programme)	£316,051	£0	£345,135	£661,186
Other sources of funding	£1,229,321	£0	£98,000	£1,327,321
Total	£8,665,598	£0	£1,280,977	£9,946,575

*2023/24 Funding level is still to be confirmed

^{**} The Trust has provided all financial data and has supporting information for its own resources and those of partners alongside grant funding information.

- 6.3 Should funding levels change this plan will be amended to reflect any resulting impact, working to the available funding.

7 Public Sector Equality Duty

- 7.1 Birmingham Children's Trust, Youth Offending Service, is committed to developing its services in a way that embraces the Youth Justice Board's Child First principles and embodies the Trust Practice Model. We know that certain groups of children are over-represented within the local justice system, notably children of black and mixed heritage and children who are looked after of who have care experience. Our value base, to recognise and respond to trauma, to adopt a relationship, strengths-based approach, will allow us to support our children to realise their ambitions and reduce the risk of offending and re-offending.
- 7.2 The strategic plan sets out our intention to remove or minimise disadvantage, to ensure we meet the needs of our children, and to ensure that children are diverted from the formal system wherever possible. An area where we have seen significant improvement.
- 7.3 We are committed to learning and review and to developing systems and practices, all of which is being driven by the Over-Represented Children Working Group, a subgroup to the Strategic Partnership Board. The over-represented children action plan sets out the developmental work and activity that is taking place, from a strategic organisational delivery perspective through to audit, learning and review, workforce development and frontline practice.
- 7.4 We will continue to monitor our data, analysing and reporting on children who are over-represented, so that we can continue to influence change across the wider criminal justice system and respond to any internal learning.

8 Other Implications

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

There is a statutory requirement for every local authority, after consultation with partners, to produce and implement a Youth Justice Plan. The successful implementation of the plan will support the Council Priorities as set out in the Birmingham City Council Plan 2018-2022 and the partnership Change for Children Campaign.

9 Background Papers

- 9.1 Birmingham Community Safety Partnership Violence Profile Birmingham May 2022.

10 Appendices

10.1 Appendix 1 – Youth Justice Plan 2023 -2028