

Birmingham City Council

Report to Cabinet

6th September 2022



Subject: YOUTH JUSTICE PLAN 2022-2023

Report of: Sue Harrison,
Director for Children and Families

Relevant Cabinet Members: Cllr Karen McCarthy – Children, Young People & Families
Cllr John Cotton - Social Justice, Community, Safety and Equalities

Relevant O & S Chair(s): Cllr Kerry Jenkins - Education & Children's Social Care
Cllr Sir Albert Bore – Co-ordinating

Report author: Dionne McAndrew
Assistant Director - Birmingham Children's Trust
Email: Dionne.McAndrew@birminghamchildrenstrust.co.uk

Nigel Harvey-Whitten
Strategic Commissioning and Transformation Consultant
Email: Nigel.Harvey-Whitten@birmingham.gov.uk

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: 010410/2022		
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 2022 - 2023 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 2022 - 2023 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. 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 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.
- 3.3 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

- 3.4 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 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.
- 3.5 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 Analysis of local data for 2021/22 has identified that the majority of first-time entrants were aged 15-17, with 54% aged 16 or older. 9.8% of first-time entrants were female. The most prevalent offences amongst first time entrants were Violence against the Person, Motoring offences and Robbery. Black, Asian and other minority ethnic children accounted for 63% of all First Time Entrants compared with 55% in the general 10 -17 population.
- 3.7 Black and Black British ethnic categories are over-represented in the overall offending population appearing at twice the rate of their incidence in the general 10-17 population. Furthermore, black and mixed heritage children (64 children) accounted for 35.4% of all first-time entrants while comprising 19.15% of the general 10 -17 population.
- 3.8 The draft 22-23 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.
- 3.9 In recognition that we must tackle the root causes of offending, priorities have been established with clear and measurable programmes of work to strengthen support provided around education, training and employment; improve the health offer to children in the YJS; develop and strengthen youth crime prevention and diversion; tackle the over-representation of certain children in the system, including children in care; respond to the rise in serious youth violence; developing constructive resettlement; establishing systems and practices around participation and engagement; strengthening the support delivered to victims and improving practice quality and consistency.
- 3.10 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 Consultation

- 5.1 Between 1 April 2021 and 31 March 2022, 476 children completed self-assessment surveys. The information these provide help to shape and influence the child's plan and support for them, but also influence partnership and commissioning priorities.

6 Risk Management

- 6.1 Since the 2020 inspection by Her Majesty's Inspectorate of Probation the Service has continued its improvement journey. The findings from this Inspection, published in October 2020, had judged the service overall as requires improvement.
- 6.2 The Inspection report had 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 improvement journey now continues within a climate more challenging than that previous to the 2020 Inspection with the enduring socio-economic impact of lockdown restrictions on communities and the children and families within them.
- 6.4 The proposed youth justice plan seeks to continue to make improvements at pace. Careful, robust scrutiny of performance and of these improvements will help the service to minimise the risk of a future inadequate inspection rating.

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. The 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 2022/23 is £8,931,874

7.3.2 The table below sets out the delegated funding sources for 2022/23 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	£3,762,545	£0	£567,397	£4,329,942
*Police	£322,000	£0	£0	£322,000
Police & Crime Commissioner	£84,589	£0	£190,411	£275,000
Probation	£153,417	£0	£15,000	£168,417
*Health	£252,327	£0	£0	£252,327
Youth Justice Board	£2,334,337	£0	£0	£2,334,337
*Other sources of funding	£1,211,851	£0	£38,000	£1,249,851
Total	£8,121,066	£0	£810,808	£8,931,874

* 2022/23 Funding level is still to be confirmed

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

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

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 seeks to address the over presentation by offering early support and help to these young people.

8 Appendices

8.1 Appendix 1 – Draft Youth Justice Plan 2022 -2023

8.2 Appendix 2 – EIA

9 Background Documents

Birmingham Community Safety Partnership Violence Profile Birmingham May 2022.