

# Birmingham City Council

## City Council

11 October 2022



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**Subject:** Youth Justice Plan 2022-2023

**Report of:** Councillor Karen McCarthy  
Cabinet Member for Children, Young People & Families

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Does the report contain confidential or exempt information? ☐ Yes ☒ No

### 1 Motion

- 1.1 It is recommended that City Council approves the Birmingham Children's Trust's 2022 - 2023 Youth Justice Plan.

### 2 Background

#### Context for Youth Justice Plan

- 2.1 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.
- 2.2 The plan sets out how local youth justice services are both 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.
- 2.3 Birmingham faces several challenges, yet with these challenges also come opportunities for reflection. Within the 2022-23 Strategic Youth Justice Plan (Attached in Appendix 1), 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.

- 2.4 Fundamentally, children's offending must be recognised as symptomatic of their experiences. It is well established that behaviour is a form of communication. Through a relentless focus on tackling the root causes of childhood offending, using a strengths-based approach, Birmingham YOS will improve practice and performance against the national and local performance indicators.
- 2.5 In 2021-22 there were several successes, both in terms of service transformation and performance. A Prevention Team was established; work to better understand and improve practice was commenced with two commissioned independent reviews of practice and the appointment of a Practice and Performance Manager; a Restorative Practice and Victim Manager position was established and appointed to, with the intention of strengthening and standardising the support being delivered to victims of youth crime; a full review of the OOC systems and practice was completed; and a number of key structural and practice reforms underpinned by Child First principles were delivered. This represents a step change in the preparedness of the Birmingham YOS.
- 2.6 However, this plan illustrates that whilst a lot has been done there is still much to do. Too many children continue to enter the Youth Justice System in Birmingham, becoming a first-time entrant and of those, black, Asian, and mixed heritage children are over-represented. Similarly, when we examine local use of custody, including those children remanded, despite the unprecedented improvements that have been made in 2021-22, too many Birmingham children remain in the secure estate. To further address these challenges we plan to strengthen governance and Service accountability, in 2022-23 and introduce a revised set of local performance indicators that align to the service priorities that have been developed.
- 2.7 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; 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.
- 2.8 There is a commitment towards investment that supports the vision, strategy, and priorities, including increased investment to developing our workforce and a commitment to investment in modernising the case management system. 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.

- 2.9 We believe our plan is rightly ambitious. We will have a clear set of priorities, underpinned by a vision, strategy, and a (stretching) Service Improvement Plan. We remain committed to the transformation of Birmingham YOS and to ensure we have the very best youth justice services to our children, their parents and carers, victims, and communities.
- 2.10 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.
- 2.11 The report made 12 recommendations that 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.
- 2.12 The Service's improvement plan is 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.

### 3 Local Context

The indices of deprivation indicate that Birmingham suffers from high levels of deprivation. With 43% of the population living in Lower Layer Super Output Areas (LSOAs) in the 10% most deprived areas in England, and 51% of children (under 16s) living in the 10% most deprived areas.

- Birmingham is ranked the 7th most deprived local authority in England.
- The city is also the most deprived authority in the West Midlands Metropolitan area.
- Birmingham is ranked the third most deprived English Core City after Liverpool and Manchester.
- While there are pockets of deprivation in all parts of the city, deprivation is most heavily clustered in the area surrounding the city centre.
  - Hodge Hill is the most deprived constituency in the city; Sparkbrook & Balsall Heath East, Bordesley Green and Lozells are the top 3 most deprived wards. Sutton Coldfield is the least deprived part of the city with 7 of the 8 Sutton wards ranked as the city's least deprived wards.



### 3.1 Aside from the indices of deprivation, what do we know about our children and our city?

- There are 158,800 children aged 10-19 in Birmingham.
- Child poverty in Birmingham is worse than the England and Core Cities average.
- At the end of secondary school, Birmingham children's attainment is ahead of the other core cities and within 1% of England average. However, this is not the case for those with special needs.
- The unemployment rate for 16–24-year-olds is worse than the England and Core Cities average.
- Black and mixed heritage children are over-represented in the local youth justice system, as are children in care.
- Serious youth violence is rising.

### 3.2 The local context is critically important when we consider offending behaviour in children. Children face many, often interconnected and complex challenges. Fundamentally offending behaviour does not mean children forfeit their right to be seen and treated as children and many children entering the Youth Justice System should themselves be considered and recognised as victims, either as a result of the offending behaviour of others, but also as victims of their experiences.

### 3.3 The root causes of childhood offending require a joined up and coordinated approach across the partnership, there is no single solution to reducing childhood offending. As we consider the local context within Birmingham, and as we transform the local youth justice response, careful consideration is being given to how we build a service that is well placed, alongside partners, to tackle the root causes that underpin children's offending.

### 3.4 Knowing Our Children

Research tells us that children coming to the attention of Youth Justice Services have experienced disproportionate levels of harm, trauma, and disadvantage. In 2021, a report commissioned by the West Midlands Combined Authority and the West Midlands Police and Crime Commissioner, Punishing Abuse, studied 80 children across the West Midlands, including several children from Birmingham. Of these:

- Nine in ten were known or suspected to have been abused.
- Eight in ten were known or suspected to have a health issue.
- Eight in ten were subject to school exclusion or attendance at multiple secondary schools.
- Seven in ten were known or suspected to have lived with domestic violence whilst growing up.
- Seven in ten were known or suspected to be a victim of violence.
- Seven in ten lived in poverty.
- There was only one child with no recorded abuse or childhood adversity.

3.5 Birmingham Youth Offending Service (BYOS) is committed to working with partners locally and across the West Midlands to develop a system that responds to the specific and unique needs of children in the youth justice system.

3.6 Local assessment data in 2021-22 indicated clearly that the children the Service is working alongside have a range of complex needs, with 75% of all assessments indicating elevated concerns around children's safety and wellbeing and risk of harm to others, requiring an enhanced offer from the Service and partners.

3.7 Information provided by the children themselves in self assessments further supports the research. Between 01 April 2021 and 31 March 2022, 476 children completed a self-assessment. The information these provide help to shape and influence the child's plan and support for them, but also influence partnership and commissioning priorities. Responses to self-assessments indicated:

I drink too much	21	4.4%
I get angry and lose my temper	301	63.2%
I have lost someone special from my life	187	39.3%
I have thought about hurting myself	39	8.2%
I have thought about killing myself	27	5.7%
I live with people who get into trouble	45	9.5%
I miss/missed school	207	43.5%
I take too many drugs	27	5.7%
I want help with reading	66	13.9%
I want help with writing	77	16.2%
My friends get into trouble	208	43.7%

3.8 This strategic and the service improvement plans are responding to the findings above through:

- Work to strengthen the health offer across the service, including substance misuse, physical and emotional and mental health support, via the YOS Health Taskforce
- Continued investment in school age education support and additional investment to strengthen targeted management oversight of this within the service
- A full review of interventions in use across the service with a move towards trauma informed, relationship-based resources.

### 3.9 Working with Girls

Whilst across Youth Justice Services girls are underrepresented, within Birmingham there is a recognition that they often present with a specific and unique set of needs. BYOS continues to benefit from a Girls Empowerment Team, #GET. Formerly the Gender Specific programme, in March 2022 the team was re-named following the active engagement and collaboration with the girls the team were working with.

3.10 In 2022-23, the Service plans to continue investment in this team and will:

- Explore opportunities for investment, both internally funded and through externally secured additional grants, to expand the team.
- Review current criteria to ensure that resources are targeted to where need is greatest.
- Design and create a trauma informed and therapeutic space girls can be seen in; consulting and involving them where possible.
- Consider local and national best practice arrangements for working with girls and utilise this to review and refresh the current operating model.

## 4 **Key Issues**

4.1 There are 7 key areas for development that we will return to in assessing the next Youth Justice Plan and progress for 2023/2024, namely:

1. How the review and enhancement to the Service in the context of the prevention offer across the partnership.
2. To see development of approaches to multi agency risk management
3. To demonstrate improvement of the quality and consistency of practice

4. To estimate how the service has responded to the issue of 'disproportionality and particular actions for workforce development: e.g restorative practice and trauma informed training across the service.
5. Evidence that victims are considered in all cases
6. Developing a Birmingham YOS culture and vision that secures consistency across the city.

4.2 Reflecting on the process this year for review of this plan, we acknowledge that the Children's and Families Directorate Commissioner should have a closer link in with this work.

4.3 In planning the permanent staffing structure for commissioning we plan to build a specific link with the Youth Offending Service and agree to be a full member of the Youth Justice Partnership Board.

## **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 2022/23 is £8,931,874

6.2 The table below sets out the delegated funding sources for 2022/23 as set out in the Youth Justice Plan.

<b>Funding Source</b>	<b>Staffing Budget 2022/23</b>	<b>Payments in Kind 2022/23</b>	<b>Other Delegated Funds 2022/23</b>	<b>Total</b>
**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
<b>Total</b>	<b>£8,121,066</b>	<b>£0</b>	<b>£810,808</b>	<b>£8,931,874</b>

\* 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.

- 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 The plan seeks to address the over presentation by offering early support and help to these young people

## **8 Appendices**

Appendix 1 – Youth Justice Plan 2022 -2023

Appendix 2 – EIA

## **9 Background Documents**

Birmingham Community Safety Partnership Violence Profile Birmingham May 2022.