

Birmingham City Council

City Council

Date 14th September 2021



Subject: Youth Justice Plan 2021-2022

Report of: Cabinet Member for Vulnerable Children & Families

Report authors: Garath Symonds,
Assistant Director (Commissioning) for Education and Skills
Email: Garath.Symonds@birmingham.gov.uk

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

1 Motion

- 1.1 That Council approves the Birmingham Children's Trust's draft 2021 - 2022 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 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

- 2.3 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.

- 2.4 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.
- 2.5 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

- 2.6 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.
- 2.7 Birmingham is one of the most deprived local authorities in England according to the Index of Multiple Deprivation statistics from 2019.
- 2.8 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.
- 2.9 Analysis of local data for 2020/21 (a different period to the national dataset) has identified that most 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.
- 2.10 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.
- 2.11 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.

3 Key Issues

- 3.1 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.

- 3.2 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”.
- 3.3 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.

Disproportionality of Black Children in the Youth Justice System

- 3.4 We know that children from Black and other minority ethnic groups are over-represented within the criminal justice system with clear evidence of the extent of this across Birmingham. Children from these ethnic groups account for a disproportionate number of those arrested, and this over-representation continues and is evident at every stage of the justice system.
- 3.5 The Service and its partners are committed to reducing this over-representation, with a vision that the incidence of each ethnic group is proportionate to its incidence in the general 10 -17 population.
- 3.6 Work is on-going to ensure alignment with the Trust’s Equalities and Diversity Action Plan whilst ensuring that the wider context of the criminal justice system is considered. A disproportionality taskforce has been established and is developing a multi-agency action plan for 2021/22 which will support this priority in the Service’s wider Improvement Plan.

4 Strategy Approach and Action Areas

- 4.1 During 2020/21, the Senior Leadership Team within the Service has been expanded as there was recognition that, such is the size of the Service and breadth of improvement required, increased resource at this level was necessary and this was progressed swiftly by the Trust Executive.
- 4.2 Critically, an immediate change around the management and responsibility for the budget attached to remands of children was made. This strategic decision immediately alleviated the burden on the Service to meet any costs exceeding the remand grant from the central budget.
- 4.3 Capturing the key priorities for the Service is essential. As a partnership we are attempting to navigate the findings of the YOS HMIP inspection in the context of the challenges the city faces and the partnership responses to this. The Service Improvement Plan is robust, and captures the activity linked to each of the HMIP recommendations, alongside those actions arising from internal audit and review, broader HMIP Inspections, Serious Case Reviews and Safeguarding Children Practice Reviews.
- 4.4 A robust approach to audit, review and learning is essential to the Service’s improvement journey. An improved understanding of the quality of local practice will allow the Service to respond quickly to areas for improvement.

- 4.5 In 2021/22 an annual audit plan has been developed which has a focus on the quality of core case practice (assessment and planning) at the start of a child's involvement with the Service. Additionally, thematic audits including children in custody and resettlement will also be conducted.
- 4.6 The Service has also commissioned two detailed case audits which will be externally and independently conducted in 2021/22. The first will focus on the quality of the Service's work in relation to out of court disposals and this will inform practice development with West Midlands Police. The second audit will concentrate on those children receiving a court disposal. The findings of both audits will contribute to the Improvement Plan and its actions.
- 4.7 The aim is to work alongside children and families, within a model underpinned by relationship-based practice which is fundamental to the effectiveness of our work.
- 4.8 Birmingham Children's Trust is currently developing a practice model that will define key principles and ways of working with children, families, carers, and communities. As a Trust there is a clear commitment to child-centred practice, with a focus on keeping children safe, meeting their needs whilst at the same time involving parents, or carers, and wider family members. The vision is that involvement should always be collaborative and reflect the expertise and resources of families and local community networks and this will span the Service.
- 4.9 It is without doubt an exciting time for Birmingham Youth Offending Service and Partnership Board. We have an innovative programme of recruitment and service reform ahead, helping children to lead healthy and happy lives, to be safe from harm, to achieve and to be ready to contribute to adult life.

5 Appendices

- 5.1 Appendix 1 – Draft Youth Justice Plan 2021 -2022