

**BIRMINGHAM CITY COUNCIL**

**PUBLIC REPORT**

<b>Report to:</b>	<b>CABINET</b>
<b>Report of:</b>	<b>Strategic Director of People</b>
<b>Date of Decision:</b>	<b>18<sup>th</sup> October 2016</b>
<b>SUBJECT:</b>	<b>YOUTH JUSTICE STRATEGIC PLAN 2016/17</b>
<b>Key Decision: Yes</b>	<b>Relevant Forward Plan Ref: 002355/2016</b>
<b>If not in the Forward Plan: (please "X" box)</b>	<b>Chief Executive approved <input type="checkbox"/></b> <b>O&amp;S Chairman approved <input type="checkbox"/></b>
<b>Relevant Cabinet Member(s) or Relevant Executive Member for Local Services:</b>	<b>Cllr Waseem Zaffar, Cabinet Member for Transparency, Openness and Equality</b> <b>Cllr Brigid Jones, Cabinet Member for Children, Families and Schools</b>
<b>Relevant O&amp;S Chairman:</b>	<b>Councillor Susan Barnett: Schools, Children and Families O&amp;S</b>
<b>Wards affected:</b>	<b>All</b>

<b>1. Purpose of report:</b>
<p>1.1 The Local Authority has a statutory duty under Section 40 of the Crime and Disorder Act 1998 to consult with partner agencies to prepare and implement an annual Youth Justice Strategic Plan, setting out how Youth Justice Services are to be provided and funded and how the youth offending team or teams established by them are to be composed and funded, how they are to operate, and what functions they are to carry out, outlining the contributions of the City Council and its partners towards the principal aim for the youth justice system: 'the prevention of offending by children and young people.'</p> <p>1.2 To seek Cabinet approval for this Strategic Plan 2016/17 at Appendix 1.</p>

<b>2. Decision(s) recommended:</b>
<p>That the Cabinet:-</p> <p>2.1 Approve the Youth Justice Strategic Plan 2016/17, taking into account the financial implications and the priority actions identified.</p>

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### **3. Consultation**

Consultation should include those that have an interest in the decisions recommended.

#### **3.1 Internal**

Councillor Waseem Zaffar, Cabinet Member for Transparency, Openness and Equality and Chair of the Youth Offending Service Management Board has been consulted on the plan. Consultation has also taken place with Councillor Brett O'Reilly, Cabinet Member for Jobs and Skills. There has been consultation and engagement with relevant Birmingham City Council services. The Youth Offending governance structure includes representation from these services.

#### **3.2 External**

Consultation has taken place with the statutory youth justice partners: West Midlands Police, National Probation Service, and NHS Clinical Commissioning Groups. All statutory partners are represented on the YOS Management Board. Consultation also took place with young people through self-assessment surveys in setting priorities.

3.3 All those consulted on the plan are in agreement with the content and are supportive of the proposals detailed therein. The Youth Offending Service Management Board has approved the Strategic Plan 2016/17.

### **4. Compliance Issues:**

#### **4.1 Are the recommended decisions consistent with the Council's policies, plans and strategies?**

The Plan is consistent with the Early Help Strategy and Safeguarding Improvement Plan for Children's Services and contributes to the Council Business Plan for 2015 onwards, which includes working together to make people safe, especially the most vulnerable; improving health and wellbeing and ensuring that young people are in employment, training or education. It focuses on how partners in Birmingham will ensure that services for children and young people in the City are delivered in a manner which reduces youth crime and re-offending, protects the public from harm, promotes safeguarding, takes into account the views of victims and utilises restorative justice where appropriate. The participation of members of the community as volunteers and Referral Order Panel members increases the transparency and accountability of the Service, contributing to a reduction in the fear of crime within communities.

#### **4.2 Financial Implications**

**(Will decisions be carried out within existing Finance and Resources?)**

The plan outlines the resource and funding arrangements for the Youth Offending Service, including those from its statutory partners, the Youth Justice Board and the Community Safety, Police and Crime Board. The local Authority contribution is funded from the Council's general fund. The plan identifies the agreed reductions in funding for 2016/17 and how the service has responded to these reductions. The Head of Service is working with the senior management team and partners to develop and implement a strategy to address the challenges to funding and to meet the savings the Service is required to make, which includes a review of the operating model.

#### 4.3 Legal Implications

There is a statutory duty upon each local authority, pursuant to S40 of the Crime and Disorder Act 1998, to formulate and implement, after consultation with the relevant persons and bodies each year, a Youth Justice Plan. The Plan sets out how youth justice services in their area are to be provided and funded; and how the youth offending team or teams established by them (whether alone or jointly with one or more other local authorities) are to be composed and funded, how they are to operate, and what functions they are to carry out.

#### 4.4 Public Sector Equality Duty (see separate guidance note)

Cabinet is asked to have due regard to the Equality Assessment (completed 22/09/2016) at Appendix 2. The Plan supports key outcomes in relation to improved life chances for vulnerable people and safer communities. Cabinet is particularly asked to consider the analysis of disproportionality which sets out offender data based on a group's representation in the context of the general population.

Whilst numbers continue to fall year on year, black young males remain over-represented in both the Criminal Justice system and in the custodial population. Young people from a mixed heritage background are also over-represented in the Criminal Justice System.

Looked After Children (LAC) are an especially vulnerable group and their prevalence in the Youth Justice System is regularly monitored and reported on. The latest Local Authority returns identified that 40 (4.6%) of the 870 children aged 10 or older who had been looked after for more than 12 months had a conviction or were made subject to a Final Warning or Reprimand during the period 1st April 2015 - 31st March 2016, a reduction from 60 (6.8%) in 2014/15. This compares favourably with the national average of 5.19%, and has been supported by Police and Crown Prosecution Service practices to reduce criminalisation of young people in Care for minor offences such as Criminal Damage.

Young People with a history of being looked after were more likely to be sentenced to custody, with custodial sentences comprising 16.12% (39 young people) of all LAC sentencing, compared to 8.51% of those who had never been looked after. Despite the high proportion being sentenced to custody, young people with a history of being looked after only constituted 8.8% of First Time Entrants during the period.

Young People with a history of being looked after were less likely to be in full time ETE at the end of their Order (62.3%) than those who had never been looked after (72.0%).

Of the Young People remanded to the Secure Estate during the period, 9 (16.0%) were looked after at the time of remand. These young people accounted for 9.0% (269) of the 2,965 remand bed nights during the period.

The Youth Justice Plan identifies the barriers for these cohorts, highlights progress made, and identifies on-going actions to address performance across partner agencies including education and training providers.

## **5. Relevant background/chronology of key events:**

- 5.1 The Birmingham Youth Justice Strategic Plan reviews the performance of the Service and its partners in 2015/16 and outlines the priorities for the next 12 months.
- 5.2 Birmingham Youth Offending Service is the largest metropolitan Youth Offending Service in the country and is identified as the most complex by the Youth Justice Board, given its urban context. Overall Birmingham has maintained good performance against the national youth justice indicators: reducing first time entrants and reducing re-offending. In relation to reducing the use of custody, Birmingham has a higher than national average custodial sentences, however levels are comparable with other core cities.
- 5.3 The Youth Offending Service Management Board has set strategic priorities for the Youth Offending Service partnership for 2016/17 and these are outlined within the Plan. They include maintaining and improving performance against the Youth Justice outcomes especially for those cohorts identified with poorer outcomes, and prioritising the safeguarding of vulnerable children and young people.
- 5.4 These priorities have also been informed by feedback from 354 self-assessment surveys completed during 2015/16 by young people, analysing and reviewing performance data and an understanding of 'what works' in achieving outcomes. The Plan is monitored by the YOS Management Board on a quarterly basis.
- 5.5 As the overall number of young people coming to the attention of the Criminal Justice system has fallen, the proportion of those with complex needs and presenting more serious risks has risen. Considerable work has been undertaken within the Service to increase awareness of workers as to the risk that a young person can present to themselves. This has enabled staff to put into effect plans to minimise those risks.
- 5.6 In the period April 2015 to March 2016 the Service worked with 1369 young people on Court Order and Preventative Programmes, 666 (48.652%) of these were existing clients. This compared with 1515 young people, 677 (44.69%) who were existing clients, in the same period the previous year. This represented a fall of 9.64% over 2014/15. In addition, the Service worked with approximately 1800 parents and siblings under its 'Think Family' responsibilities.
- 5.7 While the total number of first time entrants rose between April 2015 and March 2016 to 557 young people, an increase in the 10 -17 population saw a fall in the rate to 475 per 100,000. This compared with 542 young people (497 per 100,000) in 2014/15.5.7
- 5.8 Birmingham has continued its good performance in relation to preventing re-offending, sustaining one of the lowest re-offending rates of all core cities for the 12 month cohort July 2012 – June 2013 (latest Ministry of Justice figures) and is below the national average of 1.19.

- 5.9 Birmingham has higher than the national average custodial sentences, although levels are comparable with other core cities. The number of custodial sentences in Birmingham has increased in the 2015/16 period to 110. This compares to 103 custodial sentences in 2014/15. Although the number of custodial sentences slightly increased over 2015/16 this is still a fall from the 157 custodial sentences given in 2101/13 and less than half of the 206 given in 2011/12. The three main offences that resulted in a custodial sentence over the period were Robbery; Breach of Statutory Order; and Violence against the Person.
- 5.10 The Service is responsible for completing 'Risk of Serious Harm to Others' (ROSH) assessments and co-ordinates robust multi-agency plans for these young people. This led to 1466 ROSH assessments being completed on 428 young people and 1111 Risk Management Plans being completed on 497 young people between 01 April 2015 and 31 March 2016 to manage that risk, This compared with 1426 ROSH assessments being completed on 632 young people and 1008 Risk Management Plans being completed on 469 young people in 2014/15.
- 5.11 All young people are screened for issues of Vulnerability and Vulnerability Management Plans. Between 01 April 2015 and 31 March 2016, 1111 Vulnerability Management Plans were completed on 472 young people known to the Service, compared with 984 plans on 436 young people in the previous year. Responses include referrals to Children's Safeguarding Services, Child and Adolescent Mental Health and Substance Misuse and Alcohol Treatment Services.

## **6. Evaluation of alternative option(s):**

- 6.1 There is a legal requirement to produce a Youth Justice Plan.

## **7. Reasons for Decision(s):**

- 7.1 The Youth Justice Plan is the City Council's response to the requirement in the Crime and Disorder Act 1998 (Section 40) that every Local Authority should join together with partner agencies to produce an annual Youth Justice Plan.

<b>Signatures</b>	<b><u>Date</u></b>
Cabinet Member for Transparency, Openness and Equality Councillor Waseem Zaffar .....	.....
Cabinet Member for Children, Families and Schools Councillor Brigid Jones .....	.....
Strategic Director, People, Peter Hay .....	.....

<b>List of Background Documents used to compile this Report:</b>
Birmingham Youth Justice Strategic Plan 2016/17

<b>List of Appendices accompanying this Report (if any):</b>
1. Birmingham Youth Justice Strategic Plan 2016/17
2. Equality Assessment
3.
4.
5.

<b>Report Version</b>	<b><u>3</u></b>	<b>Dated</b>	<b><u>04.10.2016</u></b>
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