

## **OVERVIEW AND SCRUTINY COMMITTEE – 9<sup>TH</sup> MARCH 2021**

### **YOUTH JUSTICE – OVERVIEW**

#### **REPORT OF THE DIRECTOR OF CHILDREN AND FAMILY SERVICES**

##### **Purpose of the Report**

1. The purpose of this report is to provide the Committee with an overview of the Youth Justice Team, including the composition of the Team, performance against national and local indicators and a case study to illustrate the work that the Team undertake with children.

##### **Introduction**

2. In April 2019, as part of the Early Help Transformational Review, the Youth Offending Service (YOS), Supporting Leicestershire Families (SLF), the Children's Centres and the Early Help Information, Support and Advice Service amalgamated to form the Children and Family Wellbeing Service (CFWS). This introduction of the CFWS has enabled services provided to children and young people to be aligned in a singular offer rather than being across two separate services, the YOS and SLF. The offer within the CFWS is called Youth and Justice and contains a continuum of support on both a prevention and statutory basis. This offer has a distinct team called the Youth Justice Team who provide the statutory intervention within the Criminal Justice Framework on behalf of the Local Authority.
3. The work of the Youth Justice Team and the wider Youth and Justice Service continues to be governed by the Youth and Justice Management Board (formally the Youth Offending Service Management Board) which is chaired by the Chief Executive of Leicestershire County Council and is attended by Senior Officers across the Partnership. The Service continues to ensure compliance with the practice standards and conditions of the Youth Justice Grant which are governed by the Youth Justice Board. The Service continues to be subject to the inspection regime from Her Majesty's Inspectorate of Probation (HMIP) and is planning for inspection, having not been inspected since 2014.

##### **Service Culture**

4. As part of the implementation plan following transformation, the Service has worked at developing a set of Core Principles which underpin the work that is undertaken with children and young people, regardless of whether they are receiving a statutory or prevention intervention, in

essence, finding the common ground between the two services. The Core Principles place children at the heart of the Service and recognise them as being experts in their own lives. The Principles are a mechanism for the Service to have accountability to the children, each other and across partnerships. The Core Principles which guide the Youth and Justice Service are that the Service is:

- a. Child First in all that we do;
  - b. Committed to listening to children and their families and carers and taking action based on this;
  - c. Support children to achieve their potential and to have hope;
  - d. Committed to ensuring equality and inclusion and challenging discrimination;
  - e. Committed to building positive and trusted relationships with children.
5. The Core Principles have been adopted by the Youth and Justice Partnership Board and by the Service. The children engaged with the Services are currently working with Practitioners to identify the behaviours that they would expect from officers as professionals within this framework. They fundamentally support the premise that the Service is trauma informed and recognises children as children first and as offenders second through an asset based model focused on building learning, resilience and safety within children's lives.

### **Service Operating Model**

6. The Youth and Justice Service is centrally based at County Hall but has a prevention offer in each District around the County, co-located with Family Workers in CFWS buildings to enable them to effectively engage in communities. The impact of Covid-19 means that the Service has been operating from homes, unless there is a requirement for an office space i.e. for health and wellbeing, to see children or to visit children.
7. The Service is managed by a Service Manager with 5 Managers and 7 Team Leaders. The Team has a variety of different practitioners who support the delivery of the model identified from paragraph 9. The Youth Justice Team has a specific staffing structure predominantly focused on the statutory response to children. However, by aligning the offer for children aged 10+ this has enabled the team to provide a relational based response focused on training practitioners to respond to the child, rather than re-allocating a new worker to the child (old Service practice). An example is where a child may have a Youth Worker for a brief intervention but then goes on to commit an offence and receives a Youth Conditional Caution. Previous practice would have forced that child to move to a new worker in a new Service, but current practice has enabled Youth Workers to be trained in the Asset Plus framework.
8. Children continue to be seen face to face following the Covid-19 Recovery Plan and Departmental guidance. The Service has adapted to

digital interaction with children where they have the technology and communication skills to engage well. This digital response has sustained good levels of staffing across the Service throughout the pandemic and has provided additional opportunity to review the model of operation post-pandemic.

9. In terms of prevention and diversionary work, there are a variety of strands to the offer which it has been possible to consolidate across the two former services and introduce new innovative practice:
  - a. **Street-based Youth Work** – The Impact Team offers evening sessions in key Anti-Social Behaviour (ASB) hot-spots in Districts around the County. The Team are engaged in partnerships to identify the hot-spots and engage with children with a view to providing informal education and safety planning.
  - b. **ASB Reduction Work** – The ASB Reduction Officer works with colleagues across the Districts and with Police to identify those children most at risk of being issued with outcomes linked to ASB Legislation. This includes looking for unmet need and support, along with ensuring that outcomes are proportionate and appropriate.
  - c. **Groupwork** – There is a varied offer of groupwork across the service targeted at children and young people.
    - i. E-Pods – one-off thematic sessions focused on relevant topics such as Child Criminal Exploitation (CCE), Sexual Health, Online Gaming Safety.
    - ii. Respite offer for Young Carers and children with Special Educational Needs and Disability (SEND) - Children can be engaged with groups for up to two years and both groups offer friendship, respite and informal learning. These groups are split in to two age groups; 10 – 14 and 15 – 18, which is focused on preparing children for young adulthood and transitions.
  - d. **Safer Returns Project (SRP)** – 2.5 FTE Youth Workers work with colleagues across the Department to provide a response to children who have gone missing and are assessed as low or medium risk by the Child Exploitation Hub. The Youth Workers will complete the statutory return interview with a child and will support with next steps including safety planning, identifying support, providing intervention and sharing information with partners.
  - e. **Project Responsive** – This is a team of five FTE Youth Workers who work across prevention and statutory frameworks to offer those children most at risk (offending, harm, exploitation) an intensive youth work intervention aimed at creating safety, completing practical tasks and building ongoing relationships with those children who are most difficult to engage. In relation to statutory work, the Team facilitates the interventions for all of those children who are most at risk of receiving a custodial

sentence and this can involve arranging activity for up to 25 hours per week.

- f. **Kick Start Your Life (KSYL)** – This is a project that is accessed by Project Responsive to identify sport and art-based activities focused around desistance from crime within their communities.
  - g. **Education Team** – The Service has two Education Co-ordinators who work directly with children and their families to ensure that children are in receipt of their statutory entitlement to education when pre-16 years old and are engaged in 16 hours of education, training and employment when post-16.
  - h. **Youth Action Project (YAP)** – This is a new initiative where all positive activity is hosted for children and young people. The YAP focuses on supporting children to realise their potential and create leadership qualities for life. Offers under the YAP include training in recruitment, engaging/facilitating recruitment panels of potential employees' statutory reparation and skills based projects.
  - i. **Youth Work One to One Intervention** – There are two offers in terms of length; standard for 12 weeks and enhanced for up to 6 months. Work is undertaken on a shared plan with children focused on areas of support that have been identified through assessment.
  - j. **Crime Prevention One to One Intervention** – This mirrors the option in paragraph e above but is targeted at the cohort of children who are most at risk of entering into the Youth Justice System with a view to divert or reduce the likelihood of this occurring.
  - k. **Restorative Justice Hub** – This is a group of practitioners who lead the work on restorative interventions such as reparation, representing the victim in statutory outcomes, face to face restorative conferencing, shuttle mediation. The Team also works with private care homes to reduce the risk of Looked After Children entering into the Criminal Justice System.
  - l. **Volunteers** – Community volunteers provide many services across the Service from interventions with children and being Community Panel members on Referral Order Panels.
  - m. **Family Work** – Access to support for parents and carers such as parenting interventions or whole family working remains available through the CFWS.
10. In relation to statutory Youth Justice, this is when a child has received a substantive outcome from the Justice System and all the above interventions are available to a child. A robust assessment of the child is undertaken called an Asset Plus which guides risk assessments, interventions and activities focused on desistance theory. The length and type of intervention will be directed by the Court or the Out of Court

Disposal Panel. The Officers will be working with children both in the community and within custodial settings.

11. In addition to this, the Youth and Justice Service has access to the following additional interventions:
  - a. **Victim contact** - Intervention offered to engage victims (child and adult) in the restorative work within Youth Justice. This includes the development of a pathway for child victims who research advises are most at risk of offending due to this.
  - b. **Appropriate Adult Services** – This is a requirement of the Service and is met through the use of volunteers and practitioners during working hours and a commissioned contract outside of this. These Services are provided to children who are in Police Stations and pending interview.
  - c. **Adverse Childhood Experiences (ACE's) Project** – This is a Project funded by NHS England focused on providing training, clinical support and interventions for children around understanding their ACE's and supporting them to develop a positive response to trauma. This Project has supported the Service to move to a trauma informed model.
  - d. **Liaison and Diversion Project** – This is an NHS England Project that the County Council is commissioned to deliver to provide a health response to children who have been in Police Custody and to assess for further support in the community. This project was due to end on 31<sup>st</sup> March 2021, but due to the overwhelming success of the project, the County Council will be awarded the commission to deliver this across Leicester, Leicestershire and Rutland in conjunction with Leicestershire Partnership Trust. This Project has started to address the health inequalities within the children who are at most risk of offending or have offended.
12. Maintaining low numbers of First Time Entrants into the Criminal Justice system is a priority for the County Council and Youth Justice in the main. This new model of delivery has enabled robustness in the offer of diversionary and prevention interventions for children. The Prevention offer detailed above in paragraph 9 is also available to children who are currently open to Social Care colleagues, including the Child Exploitation Hub Who Youth and Justice work extremely closely with.

### **Performance**

13. The Service reports quarterly on local and national indicators to the Youth Justice Board and to the Youth and Justice Management Board. An overview of the most recent performance data is provided. Due to Covid-19, this data is based on local monitoring due to the lack of access by Central Government to the Police National Computer. The Committee is provided with the most recently available performance data which pertains to Quarter 2 2020/21 as Appendix 1 of this Report.

14. **First Time Entrants** - Overall, FTE rates for the Service have remained low and this has been a strong performance factor for a number of years. This is attributed to the strong diversionary and prevention offer available for children and young people of Leicestershire. This move is supported by the Youth Justice System and the focus of diverting children away from the Courts. Performance data pertaining to Q2 2020/21 shows that there were 16 FTEs. This is a decrease of five compared to last quarter (Q1) and a decrease of two children in comparison with quarter 2, 2019/20 (18 FTEs). Each quarter the Youth and Justice Management Board will be provided with detail around the journey of those children who have become FTE's to enable learning or targeting of the Service. Within this cohort, over half of the children were open to Services across the Department and were receiving support based on an assessment of needs.
15. **Re-offending rates** – The picture regarding rates of re-offending continues to be relatively consistent in terms of trends and continues to be a challenge to manage given the shift in offending type, the emergence of Child Criminal Exploitation and the complex nature of the children who are supported by Youth and Justice, along with colleagues from other parts of the Department, such as social care.
16. The data attached in Appendix 1 tells of 40 outcomes (13 Out of Court disposals and 27 Court disposals). The average offences committed within the first quarter tracking up to June 2020 was 0.40, which is an increase compared with the same period the previous year, which was 0.18. Within this period (April 2020 to June 2020), of the 40 children who are tracked, the re-offending relates to five children who have been responsible for committing 16 offences. However, one child is responsible for committing half of these offences (8) which illustrates the complexity and challenges faced by these children. Appropriate support plans and assessments are in place for all of these children across the Department.
17. **Use of Custody** – In relation to the use of custody in Leicestershire, this continues to be a strong area of performance with maintained low custody rates. When monitoring the use of custody by the Court this appears to be appropriate and commensurate to the seriousness of the offences presented before the Bench.

The strength of the Service is having credible alternatives to Custody such as an Intensive Referral Order or Intensive Supervision and Surveillance. There has been a spike of children who have not been known to any services who have committed serious offences and have received Custodial sentences.
18. The Ministry of Justice information in relation to the custody rate per 1,000 of the 10 to 17-year-old population in Leicestershire shows performance for July 2019 to June 2020 to be 0.07 children sentenced to custody. This is a decrease when compared to the same period last year (0.11). The use of custody performance remains ahead of the Regional (0.13) and National (0.18) performance.

19. **Remands** - During July to September 2020 there were four children remanded into custody. This is an increase of three compared to last quarter (Q1) and an increase of one in comparison with quarter 22019/20 (3). Nationally there has been an increase in remands, however the number of children remanded to custody in Leicestershire remains low. This continues to be attributed to the joint remand management strategy work with partner agencies. The Service is seeing a slow increase of the use of Remand by the Court, particularly over the last year; this is a national trend.
20. The Court Team continues to offer robust alternatives to Custody where risk is able to be managed within the Community. In terms of Quality Assurance regarding the congruence between the remand status of the child and the subsequent sentencing outcome that follows, the Service is confident that the remands are appropriate and have then translated across to custodial sentences upon sentence. The Service caseload data shows that there were three children open on Intensive Supervision and Surveillance (ISS) during this quarter and a Remand to Custody has been avoided.
21. **Education, Employment and Training (EET)** - The EET performance has remained a challenge for the Service to hit the 80% local indicator. Performance for July to September 2020 was 61.5% (24 of 39), which is an increase from the previous quarter (59.4%) and a decrease when compared to the same quarter last year, which was 67.5% (27 of 40). The Service has undertaken work to understand why the EET performance is so challenging and there are a number of factors such as the frequency of re-sentencing for the re-offending cohort. As each sentencing episode counts towards the EET performance, children are often not engaged in any EET when they present in Youth Justice or are in alternative provision but not receiving their statutory requirement of hours and therefore cannot be classed as EET. At the request of the Board, the Service is currently planning a deep dive audit on 20 children across two Districts to unpick the education history of those children and identify any key themes or trends that can be shared. This is being undertaken with colleagues in education as a learning event.
22. The performance of the Service is monitored closely by the Youth and Justice Management Board who receive a quarterly report to the Board. The Service is currently working on widening the performance indicators on a local level.

### **Background Papers**

23. None

### **Circulation under the Local Issues Alert Procedure**

24. None

### **Officer to Contact**

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### **List of Appendices**

Appendix 1 – Performance Data; Ministry of Justice and Local Indicators based on local data

### **Equalities and Human Rights Implications**

25. None. There are no changes recommended as part of this report.



## Ministry of Justice and Local Indicators based on local data

<b>Leicestershire Data Summary April 2020 - March 2021</b>				
	Quarterly	Cumulative		
	Jul - Sep 20	2020/21	2019/20	2018/19
		April – Mar 2020-21	April – Mar 2019-20	April – March 2018-19
<b>First Time Entrants</b>	-11.11% (16)	-28.85% (37)	11.00% (111)	-3.85% (100)
Of the above those young people known to YOS prior to becoming FTE	38% (6)	46% (17)	47% (52)	34% (34)
<b>Use of Custody</b>	6.45% (2)	3.6% (2)	4.96% (7)	2.4% (4)
<b>Use of Remand</b>	25.0% (4)	21.7% (5)	16.7% (6)	9.4% (3)
<b>Education, Training and Employment</b>	61.5%	60.6%	59.0%	64.2%
	<b>Apr - Jun 2020</b>	<b>April – Mar 2020/21</b>	<b>April – Mar 2019/20</b>	<b>April – March 2018/19</b>
<b>Re-offending by young people</b>	0.40	0.40	0.76	1.37

**Ministry of Justice indicators based on YJB data (where supplied)**

	Leicestershire	East Midlands	Average for YOTs of your choice	England	same period last year	change from same period last year
<b><u>Indicators</u></b>						
Use of custody (rate per 1,000 of 10-17 population) (Jul 19 – Jun 20)	0.07	0.13	0.23	0.18	0.11	-0.03