



**REPORT TITLE: Youth Justice Plan 2023/24**

<b>Cabinet Date</b>	19 <sup>th</sup> July 2023
<b>Cabinet Member</b>	Councillor Stephen Davies Cabinet Member for Children’s Safeguarding and Early Years
<b>Key Decision</b>	Yes
<b>Purpose of Report</b>	To seek Cabinet’s recommendation that Council approve Gloucestershire’s Youth Justice Plan 2023/24.
<b>Recommendations</b>	To recommend the Youth Justice Plan 2023/24, attached at Appendix 1 to Council for approval.
<b>Reasons for Recommendations</b>	Gloucestershire County Council is the accountable body for youth justice services in the county and is required to work with local partners to bring forward an annual youth justice plan. The Council’s constitution requires that the plan be considered by Cabinet prior to approval by Council.
<b>Resource Implications</b>	There are no direct resource implications arising from this decision.
<b>Background Documents</b>	<a href="https://www.gov.uk/government/publications/youth-justice-plans-guidance-for-youth-justice-services/youth-justice-plans-guidance-for-youth-justice-services">https://www.gov.uk/government/publications/youth-justice-plans-guidance-for-youth-justice-services/youth-justice-plans-guidance-for-youth-justice-services</a>
<b>Statutory Authority</b>	Crime and Disorder Act 1998
<b>Divisional Councillor(s)</b>	All
<b>Officer</b>	Andy Dempsey Director of Partnerships and Strategy E-mail: <a href="mailto:andy.dempsey@gloucestershire.gov.uk">andy.dempsey@gloucestershire.gov.uk</a> Telephone: (01452) 425019
<b>Timeline</b>	The Youth Justice Plan was considered by Gloucestershire’s Youth Justice Management Board, prior to submission to the National Youth Justice Board by 30 June. The Youth Justice Plan will then be considered by July Cabinet and submitted for approval by Council in September.

## Background

1. Local authorities have a statutory duty to submit an Annual Youth Justice Plan relating to their provision of Youth Justice Services (YJS). Section 40 of the Crime and Disorder Act 1998 sets out the Youth Justice Partnership's responsibilities in producing a plan. It states that it is the duty of each relevant local authority, after consultation with local partner agencies, to formulate and implement an Annual Youth Justice Plan, setting out how youth justice services are to be provided and funded, how they will operate and what functions will be carried out.
2. Local governance for the YJS is provided by Gloucestershire Youth Justice Management Board (YJMB) comprising of representatives from the statutory partners – local authority, police, NHS and probation services, alongside relevant local agencies, including the Judiciary. The Youth Justice Plan 2023/24 is required to be approved by the YJMB prior to its submission to the Youth Justice Board no later than 30<sup>th</sup> June 2023.
3. Youth justice plans, in England only, must be signed off by the full Council in accordance with 'Regulation 4 of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000'. If this has not taken place before 30 June 2023, the statutory guidance allows the plan to be submitted with the approval of the Youth Justice Management Board with confirmation of the full sign-off submitted at a later date.
4. The Youth Justice Board (YJB), as the relevant national body, has set out its expectations for the format and structure of youth justice plans for 2023/24 in their guidance document 'Youth Justice Plans: YJB Practice Guidance (March 2023). The YJB planning guidance for 2023/24 requires that local plans address the following:
  - Introduction, vision and strategy
  - Child First
  - Voice of the child
  - Governance, leadership and partnership arrangements
  - Board Development
  - Progress on previous plan
  - Resources and Services
  - Performance
  - National key performance indicators
  - Priorities
  - Children from groups which are over represented.
  - Prevention
  - Diversion
  - Education
  - Restorative approaches and victims
  - Serious violence and exploitation
  - Detention in police custody
  - Remands

- Use of custody
- Constructive resettlement
- Standards for children in the justice system
- Workforce Development
- Evidence-based practice and innovation
- Evaluation
- Service development plan
- Service development
- Challenges, risks and issues

5 The performance of YJS is determined by reference to a range of national and local performance metrics. At a national level, there are three key determinants: -

- The number and rate of first time entrants (FTE) to the criminal justice system – those young people receiving a substantial, sanction based outcome.
- The re offending rate of a tracked cohort – this includes the number of young people committing further offences and the number of offences on average each has committed.
- The use of custody as a rate per 10,000 young people aged 10 – 17 years old.

6 In 2022, the Youth Justice Board (YJB) expanded the range of youth justice performance indicators, as set out below, to provide for a holistic picture of service effectiveness. The change in approach acknowledges that diverting young people from the criminal justice system and reducing offending requires a ‘whole system’ approach, encompassing activity beyond direct provision by the youth justice services. Locally, YJS are required to report on the new performance indicators from April 2023 with the first submission to the YJB due in July 2023.

- Suitable accommodation.
- Education, training and employment.
- Special educational needs and disabilities.
- Mental health care and emotional wellbeing.
- Substance misuse.
- Out-of-court disposals.
- Links to wider services.
- Management Board attendance.
- Serious violence.
- Victims.

7 Gloucestershire YJS is delivered by the Youth Support Team (Shaw Trust/Prospects) on a commissioned basis, with the contract recently extended for a period of 12 months until 1 July 2024, to ensure the recent national changes in performance and practice are embedded and inform future commissioning intentions. Gloucestershire YJS is generally performing well against key metrics when compared with both national and comparator performance. There had been a question about local reoffending data, which was not aligning with national data, which indicated higher rates of recidivism than understood locally. This has been subject to joint exploration with the YJB to ensure the confidence of local leaders in our data is justified, with a closer alignment between the most recent local and national performance data.

8 Although Gloucestershire YJS is generally performing well, there are considerable national and local challenges in continuing to improve outcomes for children and young people encountering the youth justice system and in protecting the wider community. These are reflected in the priorities for 2023/24 as set out in the plan which will be subject to regular review via the Youth Justice Management Board:

- Continue the implementation of the Child First evidence in all work with children in the justice system in Gloucestershire.
- Working with partners and in particular the Police and CPS to reduce the FTE rate and reduce the number of Youth Conditional Cautions (YCC's).
- Addressing the multiple and complex needs of the children that continue to reoffend to reduce both the binary and reoffences per reoffender rates.
- Focusing on exploitation and serious violence.
- Ensuring that all children in both statutory and diversionary cohorts have access to suitable education, training, or employment.
- Addressing racial overrepresentation in the youth justice cohort in Gloucestershire.
- The continued development and implementation of a harmful sexual behaviour (HSB) strategy and the commencement of the virtual HSB Team.
- Understand the impact of the current health interventions on the Youth Justice cohort.
- Reduce the use of custody for sentencing and remand while improving outcomes from those released from custody.
- Working with relevant partners to improve victim engagement, satisfaction and public confidence.

The Youth Justice Board has recently instigated a quarterly review meeting between their regional leads, Youth Justice Management Board Chairs and Heads of Youth Justice Services to provide a further layer of scrutiny and oversight of local service effectiveness. The first review meeting will take place in Q2 and will include progress against planning priorities.

## Options

9 There is a statutory requirement for Gloucestershire County Council, working with local partner agencies, to publish an annual Youth Justice Plan. The local Youth Justice Plan is also required to be submitted to the Youth Justice Board for their approval as a condition of their grant funding.

## Risks

10 There are a number of risks identified:

1. **Risk:** The Youth Justice Plan is not effective in tackling key issues including new entrants to the justice system and re-offending. **Mitigation:** The Youth Justice Service is currently performing well against key performance metrics and the current plan set out further measures to improve effectiveness.

2. **Risk:** There is a risk that the outcomes and experience of children is disproportionate and unfair, based on their ethnicity or gender. **Mitigation:** A programme of training on disproportionality and work with partners around their core processes are key elements within the Youth Justice Plan.
3. **Risk:** Partners are insufficiently engaged in the administration and effectiveness of Youth Justice in Gloucestershire. **Mitigation:** The Youth Management Board provides oversight of partner agency support for the YJS and delivery of the annual Youth Justice Plan.

### **Financial implications**

- 11 Gloucestershire's YJS is funded by a combination of direct grant funding from the Youth Justice Board and contributions, both financial and material, from the statutory partner agencies identified within the Crime and Disorder Act 1998. Details of local funding and resourcing are set out in the Youth Justice Plan 2023/24, attached at Appendix 1. There are no direct financial implications arising from this decision and funding for the current year considered to be sufficient to meet service needs.

### **Climate change implications**

- 12 There are no direct climate change implications arising from the completion of the Youth Justice Plan.

### **Equality implications**

- 13 A key aspect of the Youth Justice Plan and work of Gloucestershire's Youth Justice Service is to ensure that the administration of Youth Justice is fair and non-discriminatory. Current data evidence that children and young people from mixed and BAME ethnic groups and females are over represented within Gloucestershire's Youth Justice Service population. The Youth Justice Plan sets out a range of actions to address this, with performance reported on a regular basis to the Youth Justice Management Board.
- 14 A further focus within the Youth Justice Plan 2023/24 will be the extent to which other vulnerable groups, such as looked after children and children with behavioural, emotional, or mental health needs become involved in the Youth Justice System. The Children First programme which takes a restorative, trauma informed approach is key to ensuring that young people, who are vulnerable, and/or disadvantaged, do not become labelled by the system with all that implies for their longer-term prospects.

### **Data Protection Impact Assessment (DPIA) implications**

- 15 There are no direct Data Protection Impact Assessment implications arising from the completion of the Youth Justice Plan 2023/24.

## **Social value implications**

- 16** There is a considerable body of research evidence that the early involvement of young people in the criminal justice system has a significant and adverse impact on their subsequent outcomes. An effective YJS and local youth justice plan are key to diverting young people in the first instance and preventing the escalation of those young people already in contact with youth justice services, which together deliver significant social value for the wider community of Gloucestershire.

## **Consultation feedback**

- 17** In developing the Youth Justice Plan, GCC has undertaken extensive consultation with local partners and stakeholders working through Gloucestershire's Youth Justice Management Board. Feedback has been positive, and the plan will be subject to approval by the Youth Justice Management Board, prior to submission to the Youth Justice Board by 30 June.

## **Officer recommendations**

- 18** Gloucestershire County Council, working with local partner agencies, have taken the lead in developing the local Youth Justice Plan. The plan proposes an early intervention approach and the progressive replacement of criminalising sanctions with restorative approaches that address offending behaviour and meet the needs of victims.
- 19** It is considered that the Youth Justice Plan 2023/24, when finalised, will provide an effective mechanism through which GCC, and its partners can meet their statutory obligations under the Crime and Disorder Act 1998.

## **Performance management/follow-up**

- 20** There is a comprehensive range of performance indicators in place to evidence the impact, or otherwise, of the YJS and Youth Justice Plan. These include the rate of first time entrants, re-offending, the use of custody alongside the range of local measures. The performance framework has been further enhanced by the wider range of KPIs announced by the YJB in May 2022, with local reporting against the wider set of metrics commencing in April 2023.
- 21** At a local level, performance is scrutinised by the Youth Justice Management Board and, at a national level, by the Youth Justice Board. Gloucestershire YJS is generally performing well against key performance metrics when compared to regional, statistical, and national comparators.