



REPORT TITLE: Youth Justice Plan 2021/22

Cabinet Date	21 st July 2021
Cabinet Member	Councillor Stephen Davies Cabinet Member for Children's Safeguarding and Early Years
Key Decision	Yes
Purpose of Report	To seek Cabinet's recommendation that Council approve Gloucestershire's Youth Justice Plan 2021/2022.
Recommendations	To recommend the Youth Justice Plan 2021/22, attached at Appendix 1 to Council for approval.
Reasons for recommendations	The Council, working with partner agencies, has a duty to publish an Annual Youth Justice Plan outlining the activities, funding and resourcing of its Youth Offending Service. The Youth Justice Plan forms part of the Council's policy framework and shall be approved by full Council following consideration by Cabinet.
Resource Implications	There are no direct resource implications arising from this decision.
Background Documents	https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/973141/Youth_Justice_Plans_-_YJB_Practice_Guidance_March_2021_.pdf
Statutory Authority	Gloucestershire County Council
Divisional Councillor(s)	All
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Timeline	The Youth Justice Plan will be considered by Cabinet prior to approval by Council and Gloucestershire's Youth Justice Partnership Board, and submission to the Youth Justice Board.

Background

- 1.1 Section 39 of the Crime and Disorder Act 1998 introduced the statutory requirement for local authorities to establish one or more Youth Offending teams (YOTs) in their area, with each requiring the involvement of the local authority, police, NHS and probation services. In Gloucestershire this responsibility rests with Gloucestershire County Council (GCC).
- 1.2 The responsible local authority is also required, after consultation with partner agencies, to publish a Youth Justice Plan each year outlining the composition of, and funding for, their YOT and the functions it is to carry out. This includes the steps taken to encourage children not to commit criminal offences. In Gloucestershire, the Youth Offending Service (YOS) is delivered by Prospects on a commissioned basis, as part of the Youth Support Team.
- 1.3 Local governance for the YOS is provided by the Gloucestershire Youth Justice Partnership Board (YJPB), comprising of representatives from the statutory partners (above) and relevant local agencies. The Youth Justice Plan 2021/22 will be approved by Youth Justice Partnership Board prior to its submission to the National Youth Justice Board (YJB) as part of its conditions for the YOS Grant.
- 1.4 Following its consideration by the Statutory Partners, the Youth Justice Plan will be considered by Cabinet prior to approval by Council, as required by the constitution. A copy of the Youth Justice Plan is attached at Appendix 1.
- 1.5 In March 2021, the Youth Justice Board published Youth Justice Plan: YJB Practice Guidance which sets out the requirements for YOS planning, with local plans required to include:
 - The direction and strategy of youth justice services.
 - How leadership and governance is set up to monitor the quality and effectiveness of services.
 - Workforce learning and development needs.
 - What is known about child criminal exploitation and any initiatives or plans the partnership has in place to address and prevent the harm arising from exploitation.
 - What is known about any groups of over-represented children and any initiatives or plans to address this.
 - What local partnerships are doing to ensure effective services are available for constructive resettlement for children leaving the secure estate.
 - Effective practice and those aspects of service delivery that are contributing towards key achievements.
 - How youth partnerships hold education to account over levels of exclusion, elective home education and the provision and delivery of education, health and care plans.

- What is being done to divert children at risk of offending and prevent those already involved from being progressed into the formal youth justice system

A key element within Gloucestershire's Youth Justice Plan (2021- 22) will be to build on last year's recovery plan in responding to Covid 19.

- 1.6 The performance of YOS 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 1,000 young people aged 10 – 17 years old.
- 1.7 Gloucestershire YOS is generally performing well against these metrics when compared to South West and National comparators. The YOS also utilises local data such as the percentage of young people in education, employment or training, the number of young people open to social care or with an Education Health and Care Plan (EHCP) to provide a broader picture of service effectiveness.
- 1.8 As part of the national response to the Covid 19 pandemic the YJB waived the requirements for an annual youth justice plan for 2020/21, requiring in its place the completion of a Recovery Plan. This was completed and considered by Cabinet in November 2020, prior to its approval by Council.
- 1.9 Although Gloucestershire YOS is generally performing well, considerable challenges remain in seeking to improve outcomes for children and young people and the wider community. These are reflected in the YOS priorities for 2021/22 set on the plan:
- Reduce disproportionality in order to ensure that outcomes and the experience of BAME children who come into contact with the youth justice system in Gloucestershire are proportionate and fair.
 - Ensure children and young people in Gloucestershire who come in to contact with the youth justice system are supported to achieve their full potential and given the opportunity to engage in good quality education, training, and employment.
 - Ensure the prevention and safeguarding of children at risk of criminal exploitation in Gloucestershire.

- Develop a trauma informed approach to the complex cohort of young people who are responsible for high number of reoffences and who have experienced trauma and Adverse Childhood Experiences (ACEs).
- Develop greater insight into violent offending by children and young people and the underlying causes, in order to inform prevention activity.
- Develop and implement a countywide strategy towards Harmful Sexual Behaviour displayed by children and young people in Gloucestershire.
- Continue to develop our response to Covid moving from response to recovery in line with local and national guidance.
- Enhance the Restorative Justice offer to support victims to redress the harm caused, and engage those who offend in order to reduce reoffending.
- Gather feedback from children and young people, parents/carers, victims and partners and use it to further develop services and improve outcomes for these groups.

Options

- 2.1 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

- 3.1 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 Offending 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 BAME children is disproportionate and unfair. **Mitigation:** A programme of training on disproportionality is a key element within the Youth Justice Plan.
3. **Risk:** Partners are insufficiently engaged in the administration and effectiveness of Youth Justice in Gloucestershire. **Mitigation:** The Youth Partnership Board provides oversight of partner agency support for the YOS/T and delivery of the Youth Justice Board.

4. **Risk:** Covid impacts disproportionately on the most vulnerable/complex young people. **Mitigation:** The Youth Justice Plan will place a particular focus on outcomes for the most vulnerable young people
5. **Risk:** Young people involved in the criminal justice system and/or at risk of offending have a higher rate of exclusion and/or a reduced educational offer. **Mitigation:** Education provision will be a key element within the Youth Justice Plan and work of the Youth Justice partnership Board.

Financial Implications

- 4.1 Gloucestershire's YOS is funded by a combination of direct grant funding from the Youth Justice Board and contributions from the statutory partner agencies identified within the Crime and Disorder Act. The funding arrangements for the current year are set out in the Youth Justice Plan 2021/22, attached at Appendix 1. There are no direct financial implications arising from this decision and funding for the current year is considered to be sufficient to meet service needs.

Climate Change Implications

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

Equality Implications

- 6.1 A key aspect of the Youth Justice Plan and work of Gloucestershire's Youth Offending Service is to ensure that the administration of Youth Justice is fair and non-discriminatory. Current data evidences that children and young people from mixed and BAME ethnic groups are over represented within Gloucestershire's YOS 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 Partnership Board.
- 6.2 A further focus within the Youth Justice Plan 2021/22 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

- 7.1 There are no direct Data Protection Impact Assessment implications arising from the completion of the Youth Justice Plan 2021/22.

Social value implications

- 8.1 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 YOS 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

- 9.1 In developing the Youth Justice Plan, GCC has undertaken extensive consultation with local partners and stakeholders working through Gloucestershire's Youth Justice Partnership Board. Feedback has been positive and the plan was approved by the Youth Justice Partnership Board prior to submission to the Youth Justice Board.

Officer Recommendations

- 10.1 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.
- 10.2 The Youth Justice Plan 2021/22 has been informed by the YJB guidance on local planning. It is considered that the Youth Justice Plan 2021/22 provides 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

- 11.1 There is a comprehensive range of performance indicators in place to evidence the impact, or otherwise, of the YOS and Youth Justice Plan. These include the rate of first time entrants, re-offending and the use of custody.
- 11.2 At a local level performance is scrutinised by the Youth Justice Partnership Board and, at a national level, by the Youth Justice Board. Gloucestershire YOS is generally performing well against key performance metrics when compared to South West and National comparators.