

CITY OF WOLVERHAMPTON COUNCIL	Cabinet 7 July 2021
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Report title	Wolverhampton's Youth Justice Plan 2021-2022	
Decision designation	RED	
Cabinet member with lead responsibility	Councillor Beverley Momenabadi Children and Young People	
Key decision	Yes	
In forward plan	Yes	
Wards affected	All Wards	
Accountable Director	Emma Bennett, Director of Children's and Adult Services	
Originating service	Youth Offending Team	
Accountable employee	Rachel King	Head of Service
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Report to be/has been considered by	Directorate Leadership Team	17 June 2021
	Strategic Executive Board	21 June 2021

Recommendation for decision:

The Cabinet recommends that Council:

1. Approves the adoption of the Youth Justice Plan 2021-2022.

Recommendation for noting:

The Cabinet is asked to note:

1. The specific achievement of the Youth Offending Team during 2020-2021 including a reduction in first time entrants, a reduction in re-offending rates and a reduction in the number of young people receiving a custodial sentence.

1.0 Purpose

- 1.1 The purpose of this report is to request that Cabinet recommend to Council the approval of the Youth Justice Plan for 2021-2022. This is the plan relating to the work of the Youth Offending Team (YOT) that is overseen by the partnership YOT Management Board (YMB). The work of this plan is regularly reviewed by the YOT Management Board, which comprises of membership from the City of Wolverhampton Council, West Midlands Police, The Royal Wolverhampton Hospital Trust, Recovery Near You (substance misuse service), National Probation Service, Housing, Public Health, Clinical Commissioning Group, Black Country Healthcare NHS Foundation Trust, the Chair of the Black Country Youth Court Bench and the voluntary sector.

2.0 Background

- 2.1 Under the Crime and Disorder Act 1998, each Local Authority is required to have in place arrangements for the delivery of Youth Justice services usually via a YOT. Central government provides a grant to support local Youth Justice work via the Youth Justice Board (YJB) which sits within The Ministry of Justice. A condition of the grant is the provision of satisfactory services that are outlined in the required production of an annual Youth Justice Plan. The Youth Justice Plan requires Full Council approval, as detailed in the Constitution under the budget and policy framework.
- 2.2 The format for Youth Justice planning is prescribed by the Youth Justice Board and has varied over the years. The attached plan is compliant with current guidance and an action plan based on future priorities and risks to delivery is prepared to drive the work.
- 2.3 This plan has involved significant consultation and planning, with contributions from staff within the YOT, the YOT Management Board and young people. A draft of the plan was submitted to YJB on 28 June 2021, with an option to send an updated version following local sign off by the YOT Management Board and approval from Full Council.
- 2.4 The plan for 2021-2022 seeks to identify priorities that respond to the national YJB key performance indicators whilst also taking the local context of Wolverhampton into consideration. There is a clear focus on continuing to reduce the number of first-time entrants, reducing reoffending and reducing the number of young people who received a custodial sentence.
- 2.5 Specific focus is given to addressing gangs, youth violence and exploitation activity within the city to ensure we are identifying young people at risk and tailoring interventions to take into account the impact of adverse childhood experiences on young people. This priority area of work for the YOT is supported by the recent launch of a citywide Partnership Exploitation Hub, for which the YOT are a key partner. Through the work of the YOT and the Exploitation Hub this will assist in developing a better understanding across the region of issues surrounding all forms of exploitation.

- 2.6 Partners represented at YMB have also committed to developing a deeper understanding regarding the disproportionality of Black Asian Minority Ethnic groups in the youth justice system and to drive forward work and initiatives aimed at addressing this systemically.
- 2.7 The plan for Wolverhampton YOT will also be aligned to the City of Wolverhampton Council's plan of support and recovery "Relighting Our City, Reset, Recovery and Relight", with a specific focus on the key priority area of supporting people who need us most.

3.0 Progress

- 3.1 The primary focus of a YOT is to prevent and reduce the offending behaviour of young people aged up to 18. There are three overarching national indicators on which performance is measured; the number of first-time entrants into the youth justice system, the number of young people who reoffend after their first offence and the number of young people who receive a custodial sentence as opposed to a community sentence.
- 3.2 The last 12 months has provided an unprecedented challenge. In 2020-2021 the YOT produced a Recovery Plan for the YJB detailing the challenges presented by the Covid pandemic and outlining the YOT's response to these. This highlighted the way Wolverhampton YOT had responded by re-imagining service delivery, moving to a range of digital platforms, using new technologies whilst still maintaining face to face contacts with young people and families. Alongside this, the YOT's previous investment in developing trauma informed approaches provided the service with the foundation to continue to meet not only the strategic and operational needs but to genuinely support and build relationships with young people and families, whilst continuing to promote desistance and keeping young people and others in the community safe.
- 3.3 The YMB has played an instrumental role in guiding and scrutinising the YOT's work and priorities in the last 12 months. The continued partnership contribution to the YOT is evident of the genuine local commitment to supporting a multi-agency response to young people at risk or involved in the criminal justice system in Wolverhampton.
- 3.4 Despite the challenges presented during 2020-2021, the YOT has continued to make progress and this is evidenced in performance data.
- 3.5 During 2020-2021, local data indicates the first time entrant rate (FTE) has recorded a 31.3% reduction in young people and a 37.4% reduction in the number of offences committed amongst FTE when compared to the previous year. YJB available data (January - December 2019) confirms a similar reduction for Wolverhampton year on year of 26.2% which is significantly better than a 4.9% reduction within the YOT family group (made up of comparator YOTs).

- 3.6 The nationally reported reoffending data has a two year time delay. Therefore, in April 2018, Wolverhampton YOT introduced the use of the reoffending live tracker toolkit to provide real time data. The use of the live tracker has provided an opportunity to track the most up to date cohort of young people over a 12-month period, and has ensured that 18 year olds leaving the service continue to be tracked using Police National Computer data (PNC). This has provided encouraging data on the levels of reoffending, with quarter 4 (January – March) data in 2019-2020, reporting a 17.6% overall binary rate, compared to a national rate of 37.9%. Overall reoffence per offender rate was 1.67, compared to 3.30 nationally. The overall reoffences rate across the cohort for Wolverhampton was 0.29, compared to a national rate of 1.25.
- 3.7 Use of the reoffending live tracker is recommended by the YJB for all young people who go through the court system and receive a court disposal. However, in Wolverhampton, there is specific focus on trying to avoid the need for young people to enter the court system. Wherever possible, young people will be dealt with out of court. As a result of this, the YOT has taken a local decision to also use the re-offending live tracker for young people who receive an out of court disposal.
- 3.8 The live tracker toolkit, quarter 4 (January – March) data in 2019-2020 for out of court disposals, reported an overall binary rate of 11.8% compared to national rate of 37.9%. Overall, reoffences per offender rate for Wolverhampton was 4.00 compared to a national rate of 3.30; and overall reoffences rate across the cohort was 0.47 compared to 1.25 national rate.
- 3.9 It is recognised that some children and young people need to be detained in custody for the protection of themselves and the wider community. The YOT Management Board receives regular reports on custody rates and also seeks assurance that those who are detained in the secure estate are those for whom all other options have been exhausted or their sentence is proportionate to the crime committed.
- 3.10 Based on local data, only six custodial sentences were recorded during the 2020-2021 year; a reduction of five when compared to the previous year, a reduction of 55%. Similarly, only four young people were subject to Youth Detention Accommodation (YDA) on remand throughout 2020-2021, 50% lower than compared to the previous year.
- 3.11 All YOTs are subject to inspection from Her Majesty's Inspectorate of Prisons (HMIP). The YOT inspection framework was revised in July 2020 and inspection preparation is underway. The last inspection of the YOT was in December 2015 and the team is therefore due another inspection. The outcome of the last inspection was that Wolverhampton YOT and its partners were found to have children and young people at the heart of their work. Planning for work to reduce reoffending was impressive and interventions were judged as being delivered to a high standard. However, education, training and employment outcomes for children and young people known to the YOT required improvement.

- 3.12 Education performance is based on the educational engagement of young people at the end of the YOT statutory order. Unfortunately, between 2019-2020 and 2020-2021 there has been a reduction in overall ETE performance to 54% after recording 72% during the previous year. However, 2020-2021 did record a smaller cohort of young people with 28 completing their orders; against 73 young people during the previous year, resulting in a more sensitive statistical reaction to changes performance. Educational engagement was also impacted upon by Covid.
- 3.13 Young people were consulted about areas they felt the youth justice plan should be focusing on. The challenge and issue that was strongly emphasised by young people was the risk and challenge regarding exploitation and gang issues. Children and young people involved within the criminal justice system appear to be more vulnerable to this type of abuse or exploitation from outside their families. These extra-familial threats might arise at school and other educational establishments, from within peer groups, or more widely from within the wider community and/or online. These threats can take a variety of different forms including exploitation by criminal gangs and organised crime groups such as county lines, trafficking, online abuse, sexual exploitation and the influences of extremism leading to radicalisation. Increasingly young people are becoming both perpetrator and victim of offending, especially around youth and gang violence.
- 3.14 To respond to increasing concerns around exploitation, gangs and youth violence, the City of Wolverhampton completed a whole system review in 2019-2020. This resulted in the launch of a new exploitation screening tool, changes in Social Care threshold practice around contextual safeguarding and the creation of a Partnership Exploitation and Missing hub. This has enabled a new, innovative and comprehensive response to exploitation, in which the YOT is a genuine partner.
- 3.15 YOTs also have to deliver services in line with the National Standards for Children in Youth Justice. The national standards were updated in February 2019 and the YOT had to undertake a self-assessment during 2020 against the national standards. This considered all areas of practice including out of court work, work within the court arena and in the community, work within the secure estate and the delivery of services to support young people at key points of transition, e.g. the transition to adulthood. The self-assessment evidenced continued high quality of assessments, planning, interventions, and delivery across all areas.
- 3.16 In 2017 David Lammy undertook a review focusing on the discrimination within policing and criminal justice systems in the UK. The review found significant racial bias in the UK justice system. The issue of disproportionality is a key priority for Wolverhampton YOT and the “Black Lives Matter” movement during 2020 has brought into sharp focus the continued disproportionality experienced by many Black Asian and other Minority Ethnic young people in the criminal justice system.

- 3.17 During 2020-2021, Wolverhampton YOT has produced a detailed analysis of the experience of Black Asian and other Minority Ethnic young people in Wolverhampton. The findings identified areas of encouraging practice as well as some areas where disproportionality for Black Asian and other Minority Ethnic young people remains a concern.
- 3.18 Positively, 97% of Black Asian and other Minority Ethnic young people were found to engage with and complete their YOT intervention compared to 84% of white young people. Only 17% of YOT order breaches during 2019-2020 were for Black Asian and other Minority Ethnic young people. This indicates that once Black Asian and other Minority Ethnic young people become known to YOT there is successful engagement. Encouragingly, Black Asian and other Minority Ethnic young people in Wolverhampton also have a lower reoffending rate than white people.
- 3.19 However, 53% of first-time entrants were Black Asian and other Minority Ethnic young people in 2019-2020; an increase of 4% in comparison to 2018-2019, with Black Asian and other Minority Ethnic young people being three times more likely to be arrested than white young people. Once Black Asian and other Minority Ethnic young people become involved with the criminal justice system, they are also less like to receive an out of court disposal. During 2019-2020, 82% of custodial sentences were for Black Asian and other Minority Ethnic young people.
- 3.20 A significant barrier to Black Asian and other Minority Ethnic young people receiving about of court disposal is that in order to be eligible, the young person has to admit to the crime. Black Asian and other Minority Ethnic young people are often less like to admit blame due to the fear of repercussions. Work still remains to fully address the disproportionality in the youth justice system.

4.0 Evaluation of alternative options

- 4.1 The local authority has a statutory duty to submit an annual youth justice plan relating to their provision of youth offending services. The youth justice plan 2021-2022 has been developed following consultation with partner agencies, staff and young people.

5.0 Reasons for decision

- 5.1 The local priorities that have been identified for Wolverhampton not only respond to the local areas of need but also represent an alignment with the strategic priorities identified by the YJB.
- 5.2 The core vision of the YJB as set out in the YJB Strategic Plan 2019-2022 is:
“A youth justice system that sees children as children, treats them fairly and helps them to build on their strengths so they can make a constructive contribution to society. This will prevent offending and create safer communities with fewer victims.”
- 5.3 The youth justice plan 2021-2022 seeks to achieve this vision and some of the key areas that will be given significant priority include:

- Reshaping and incorporating lessons learnt from the pandemic into the delivery model of the YOT going forward.
- Embedding diversion at the point of arrest whereby young people will not even have to be issued an out of court disposal. This will reduce the criminalisation of young people.
- Earlier identification of health issues to prevent health issues being the basis for entry into the criminal justice system, e.g. due to mental health issues or substance misuse. The impact of the pandemic on mental health will be a key consideration.
- Launching a YOT Peer mentoring Programme.
- Continuing to embed the work of the Partnership Exploitation and Missing Hub and the Partnership Gang Forum to identify at the earliest opportunity young people at risk and work as part of the multi-agency response.
- Ensuring the voice of the child and young people proactively engage with their service to influence and shape delivery.
- Improving the educational engagement and outcomes for young people at the YOT through the appointment of an additional dedicated worker.
- Addressing areas of disproportionality and promoting wider partnership engagement to reduce areas of significant disproportionality.

6.0 Financial implications

- 6.1 The gross partnership pooled budget for 2021-2022 for the Youth Offending Service is £2.4 million. Following the deduction of partnership income contributions, grants and other in-kind contributions of £932,000 from partners the approved net budget for the Council for the Youth Offending Service is £1.4 million.
- 6.2 A breakdown of the partnership pooled budget for the Youth Offending Service is shown in the attached Youth Justice Plan 2021-2022.
- 6.3 The Youth Offending budget has increased over the last three years with a £89,000 increase in partnership income from the Youth Justice Board along with a £70,000 grant contribution from Headstart. This evidences the partnership commitment to delivering a high quality Youth Offending Team. The impact the Youth Offending budget is evidenced within the key achievements section of the YJB Plan.
[JG/22062021/V]

7.0 Legal implications

- 7.1 Under the Crime and Disorder Act 1998, each Local Authority is required to have in place arrangements for the delivery of Youth Justice services usually via a YOT.
- 7.2 YOT services are mandated in legislation and oversee Statutory Court Orders. It is a requirement for every area in England and Wales to provide YOT services.

- 7.3 A condition of the grant provided by central government is the provision of satisfactory services outlined in the production of an annual Youth Justice Plan.
[TC/16062021/O]

8.0 Equalities implications

- 8.1 The YOT provides services for some of the most vulnerable young people both as offenders, but also as victims of youth crime. There is on-going work to address the potential for disproportionality in the Youth Justice System.
- 8.2 YOT performance data indicates a disproportionate representation of males from Black Asian and other Minority Ethnic groups. The YOT cannot solely influence and address this disproportionality as the police and the courts are also key in the decisions made when a Black Asian and other Minority Ethnic young person commits an offence. There is also a key role for universal services, e.g. health and education, to deliver early intervention support to prevent Black Asian and other Minority Ethnic young people entering the youth justice system.
- 8.3 Current data suggests that black males are the key group to focus on, with communities from other protected characteristic groups not being disproportionately represented. However, improved data collection around all protective characteristic is required to ensure full consideration is given to all communities.
- 8.4 The YOT is committed to developing practice and interventions that positively engage young people from Black Asian and other Minority Ethnic communities. Work will continue to identify ways in which the YOT can have influence and impact upon the disproportionality and this will be underpinned by a disproportionality action plan that is overseen by the YMB. The disproportionality action plan will include ongoing equality analysis.

9.0 All other implications

- 9.1 In relation to human resources implications, the YOT is a multi-agency team made up of City of Wolverhampton employees as well as staff who are seconded from other services. YOT employees work to City of Wolverhampton terms and conditions and policies, or those of their seconding agency.
- 9.2 During 2020 - 2021 work has been undertaken to close the previous YOT offices at Beckminster house and work has been completed to refurbish office space at Merridale Fire Station. The YOT is planning to open the new YOT office once Covid restrictions are lifted. This will enhance the YOT's interactions with young people and improve the quality of service delivery.
- 9.3 It is known that young people in the youth justice system experience poorer health outcomes. From a health and well being perspective there is therefore a need to ensure all health issues are identified as early as possible There needs to be a focus

on ensuring health issues, for example mental health and substance misuse, do not pre-dispose a young person to becoming involved in the criminal justice system.

- 9.4 More broadly, it is important to consider the wider determinants of health and wellbeing. Almost all of the causes of childhood offending lie outside of the direct influence of the youth justice system. For example, within the YOT cohort it is evident that a number of young people have Special Education Needs and experience barriers to engaging in education. Therefore, it is crucial that health, education, social care and other services form a collaborative approach alongside law enforcement agencies, to prevent the offending and reoffending behaviour in children.
- 9.5 The strong strategic representation at YMB provides an opportunity to develop cross-sector partnerships aimed at reducing health and social inequalities.
- 9.6 It is recognised that during 2020-2021, the impact of the Covid pandemic presented a number of challenges including:
- The reengagement of young people back into education/training
 - Loss of family income and increase in financial hardship for many families, creating additional strain within households and parental relationships
 - Impact of lockdown on young people's emotional health and wellbeing. Alongside this, the impact on social development, including speech and language, emotional intelligence and resilience.
 - The increase and changing risks associated with exploitation and gang involvement. This includes online methods of grooming and targeting local young people, rather than recruitment of them to go "out of town" for county drug lines.
 - Increased risk of gang and public place violence, due to "pent up" aggression, digital provocation, and competition for drug supply both geographically within Wolverhampton, and in relation to county line routes.
 - Delays in the progression of Crown Court cases, impacting on young people and families, with young people on extended periods of bail.
 - YOT office and partnership offices being closed for significant periods of time has impacted on the delivery of therapeutic support sessions.
- 9.7 The impact of Covid have been fully considered when identifying the priorities for youth justice plan 2021-2022.

10.0 Schedule of background papers

10.1 None.

11.0 Appendices

11.1 Appendix 1 – Youth Justice Plan.