

EDUCATION & YOUTH OVERVIEW AND SCRUTINY COMMITTEE

Date of Meeting	Thursday 7 th November 2019
Report Subject	Flintshire Youth Justice Service - Overview
Cabinet Member	Leader of the Council & Cabinet Member for Education
Report Author	Chief Officer, Education & Youth
Type of Report	Operational

EXECUTIVE SUMMARY

The Flintshire Youth Justice Service (YJS) is a multiagency statutory partnership established in April 2000, further to the requirements of the Crime and Disorder Act 1998. The chief aim of the Flintshire YJS is to prevent offending and re-offending by children and young people aged 10-17 years in Flintshire. This report outlines the governance, structure and delivery of youth justice services in Flintshire. The report outlines the challenges in the delivery of youth justice services whilst evidencing the structures in place to mitigate risks for future delivery whilst developing and improving practice to better support children and young people at risk of re-offending.

RECOMMENDATIONS

1	To note the positive work undertaken by the Youth Justice Service and its impact on children and young people.
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REPORT DETAILS

1.00	THE YOUTH JUSTICE SERVICE
1.01	<p>The Flintshire Youth Justice Service (YJS) is a multiagency statutory partnership established in April 2000, further to the requirements of the Crime and Disorder Act 1998. The chief aim of the Flintshire YJS is to prevent offending and re-offending by children and young people aged 10-17 years in Flintshire.</p> <p>The Youth Justice Service also works towards a shared Welsh Government and Youth Justice Board vision in '<i>children and young people first</i>' and to improve services for children and young people from Wales who are in, or at risk of entering the youth justice system. Since April 2016 the Youth Justice Service has been embedded within the Education and Youth portfolio under the Integrated Youth Provision.</p>
1.02	<p>Flintshire YJS works with young people across the youth justice spectrum (pre/out of court and post court). This includes:</p> <ul style="list-style-type: none"> • Prevention of offending (Prevent and Deter) and support for early intervention (e.g. by participating in the Early Help Hub) • Pre-conviction arena (Police and Criminal Evidence Act (PACE) 1984, bail and remand management) • Integrated pre/out of court system (Bureau) • Community sentences (Reparation Order, Referral Order and Youth Rehabilitation) • Long term custodial sentences (DTO, S.90/91)
1.03	<p>The Crime and Disorder Act 1998 s 39 (1) requires the co-operation of named statutory partners to form the YJS. These are the local authority, most particularly education and social services, health, police and National Probation Service. The Act places upon them a duty to co-operate and so secure youth justice services appropriate to their area. Each of the five agencies is expected to second staff and provide cash contributions and contributions which support the operation of the Youth Justice Service.</p>
1.04	<p>Governance and strategic oversight of the Youth Justice Service is provided by a multi-agency Management Board which is chaired currently by the Local Authority Chief Executive and representation includes Chief Officers (Education and Youth, Housing and Assets, Social Services for Children), Elected Members (Education and Youth, Social Services for Children) Senior Managers (Social Services for Children, Integrated Youth Provision, Community Safety) Senior Managers from external partners (North Wales Police, National Probation Service, Action for Children, Child and Adolescent Mental Health Service, Coleg Cambria) and representatives from HM Courts and Tribunal Service and Head Teachers Federation. The Board will consider both the strategic and operational elements of the Youth Justice Service in addition to key themes impacting on the multi-agency service, improving practice and reviewing performance.</p>
1.05	<p>The Crime and Disorder Act 1998 (Section 40) requires that the Youth Justice Service to devise an annual Youth Justice Plan (see appendix) following consultation with partner agencies which details how youth</p>

	<p>justice services in their area and how the Youth Justice Service will be composed, funded, operate and deliver on key functions. The Youth Justice Service must also demonstrate adherence and compliance to <i>National Standards for Youth Justice</i>. These standards have been updated since April 2019 and we are required to undertake an audit against these new standards by April 2020 which will be submitted to our Executive Management Board for review and any actions arising will be incorporated into our Youth Justice Plan beyond April 2020.</p>
1.06	<p>Youth Justice Service's in England and Wales are also subject to an Inspection by HMI Probation every 4 years. Flintshire Youth Justice Service participated in a Short Quality Screening (SQS) inspection in September 2016 where it was identified that;</p> <p><i>“Overall, we found an enthusiastic and dedicated group of staff who had built constructive relationships with the children and young people who had offended, and their families. Case managers were committed to identifying what aspects of a child or young person's life contributed to their offending behaviour. Good links were in place with other agencies and workers had access to a wide range of resources to help them assess and plan their work, including a parenting worker and the Child and Adolescent Mental Health Service. Compliance was supported and breach was instigated where necessary. Attention was needed to make sure contingency plans to manage risk of harm to others and safety and well-being were effective”</i></p> <p>From March 2018 the Inspectorate have changed their standards of inspection to include; Organisational Delivery, Court Disposals and Out of Court Disposals. Flintshire has yet to be inspected under the new inspection format. The new Inspection regime and standards focus on;</p> <ul style="list-style-type: none"> • Organisational delivery; Governance and leadership, staff, partnerships and services, information and facilities. • Court disposals; Assessment, planning, intervention and delivery and reviewing. • Out of Court disposals; Assessment, planning, implementation and delivery and joint working.
1.07	<p>The Flintshire Youth Justice Service has operated a three year Partnership Plan 2017-2020. In addition to national Key Performance Indicators relating to reducing first time entrants into the Youth Justice System, reducing re-offending and reducing the use of custody, the Youth Justice Service has identified a number of local priorities;</p> <ul style="list-style-type: none"> • Strengthening our Out of Court Disposal Panel, • Respond to emerging issues relating to children who are missing, exploited, trafficked and impacted by the rise of Modern Day Slavery and County Lines, • Develop trauma informed approaches, • Support agencies to tackle youth homelessness, • Improve outcomes for children and young people through education, training and employment including reducing the use of exclusions, • Ensure effective youth to adult transitions to services, • Improve young people's emotional and mental health and,

	<ul style="list-style-type: none"> • Increase the participation and engagement of young people within the youth justice system.
1.08	<p>In 2018/19 the Youth Justice Service worked with 145 young people in Flintshire and delivered 200 outcomes (from prevention to Court Orders). 78% of these outcomes were delivered through our prevention and diversion (Out of Court Disposal) services. This is in line with other Youth Justice Services throughout England and Wales who between 2004 and 2015 have seen a 76% reduction of young people in their cohorts. Since 2005 Flintshire Youth Justice Service has seen a reduction in its first time entrants rates on average year on year. In 2005 Flintshire reported 1,577 young people per 100,000 in September 2018 this had reduced to 192 young people per 100,000. This reduction has in part been the result of the introduction of our Out of Court (Bureau) panel which requires the Youth Justice Service to assess and intervene at an earlier stage. The introduction of the Bureau has also evidenced a lower re-offending rate (26%) compared to young people subject to statutory Court Orders (37%). Flintshire's custody rate remains low. The rate of youth custody in Flintshire is 0.14 (per 1000 of 10-17 population). The compares favourably with rates of 0.33 in North Wales and 0.25 in Wales as a whole. The Youth Justice Service has identified that part of our cohort continue to not access or be provided with their full entitlement in statutory education or access further education. Local analysis demonstrates from January 2019 – June 2019 that on average 27% of children and young people of statutory school age and 30% of those post 16 are not accessing 25 hours of school or 16 hours of further education, training or employment. Raising attendance and education, training and employment opportunities is a key priority for the Youth Justice Service.</p>
1.09	<p>Despite positives within our performance and a reduction in the number of young people within the youth justice system, we continue to identify a cohort of young people within the youth justice service with multiple complexities. A detailed cohort analysis of 117 cases from 10 Youth Justice Services across Wales undertaken by Youth Justice Board Cymru (2012) evidenced high levels of family violence, abuse and neglect, trauma, involvement with social services and an absence of education qualifications.</p> <p>Our local analysis evidences that the youth justice cohort has a number of complexities;</p> <ul style="list-style-type: none"> • In April 2019 of 64 young people demonstrated 79% of young people had experienced between 1-6 Adverse Childhood Experiences (ACE's). • In September 2019 11 young people have been identified as at risk of Modern Day Slavery • Since January 2019 – June 2019 on average 5 young people within the youth justice service are excluded from education at any one time and 12 young people are not receiving their full statutory education entitlement of 25 hours per week.

2.00	RESOURCE IMPLICATIONS
2.01	As with many services, the Youth Justice Service continues to manage its finances and resources against a backdrop of austerity. Since 2010 the Youth Justice Service has seen its Local Authority financial contribution reduce by 40% and external partnership funding reduce by 15% which relates to a £298,902 reduction in cash terms. Moreover, the Youth Justice Service has seen a 35% reduction in its staffing complement since 2010. A significant challenge continues to be a lack of certainty regarding Youth Justice Board funding year on year which historically has been confirmed once the financial year has commenced which prevents an accurate forecast of our finances and resources. In addition this lack of clarity impacts on our ability to recruit and causes anxiety for those staff on temporary contracts.
2.02	Despite challenges in funding and resourcing, the Youth Justice Service continues to work with its Executive Management Board and Regional networks and partners to identify additional funding streams. As a result the Youth Justice Service has continue to develop practice and adapt to provide services reflective of the needs of our cohort.

3.00	CONSULTATIONS REQUIRED / CARRIED OUT
3.01	The Youth Justice Service has a diverse multi-agency Executive Management Board and Development group and is provided with strong leadership and support from the Chief Executive and Chief Officer from Education and Youth. Through these forums partners are consulted on youth justice practice and held to account. Moreover, Board members are asked to provide annual feedback on the Board's operation and engaged in the development of the Youth Justice Plan. During our Executive Management Board Development Day in January 2019, Board Members undertook a self-assessment against the HMIP Inspection Standards (Organisational Delivery) which formed the basis of an Improvement Plan. The development day also identified the need for the Board to highlight and give additional consideration to the views and experiences of young people. As a result a proportion of Board meetings now gives time to consider feedback from young people and specific themes impacting them.
3.02	The Youth Justice Service is required to undertake an audit against the new National Standards for Youth Justice to provide a baseline for its performance. Board Members will be undertaking aspects of the audit against strategic and operational standards. The Youth Justice Service will be required to develop an action plan following this baseline audit and the Management Board will monitor the progress of these actions.

4.00	RISK MANAGEMENT
4.01	The Youth Justice Service has a number of mechanisms to mitigate potential risks;

	<ul style="list-style-type: none"> • Twice annual Executive Management Boards to undertake strategic planning, scrutiny and challenge of Youth Justice Services and its partners, • Executive Management Board Risk Register and Improvement Plan, • Annual Executive Management Board Development Days, • Quarterly Executive Delivery Groups to monitor progress against the Youth Justice Plan, • Established links with partners, • Operational Improvement Plan, • Performance Management at operational and strategic levels, • Practitioner and Manager forums to review practice, • Operational Risk Management Procedures, • Operational Practice Notes, • Safeguarding and Public Protection Critical Learning Procedures (draft).
4.02	<p>In addition in order to support emerging issues and cohort complexity the Youth Justice Service have also worked with partners to;</p> <ul style="list-style-type: none"> • Establish an Operational Missing, Exploited and Trafficked (MET) Panel and train its staff to respond in Modern Day Slavery, • Develop strategies and diversion programmes in knife carrying behaviours, substance misuse and county lines which schools can access to reduce the likelihood of permanent exclusion, • Develop interventions to support children and young people reach their potential and aspirations, • Develop a knife crime strategic group to monitor knife related offending, • Create a Youth Violence and Exploitation Prevention Officer post, • Continue to develop trauma informed practice, • Undertake an audit and monitor our progress against the National Standards for Youth Justice 2019.

5.00	APPENDICES
5.01	Appendix 1 – Youth Justice Partnership Plan 2019-20 Review

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	<p>Cordis Bright (2017) <i>Evaluation of the Enhanced Case Management approach; final report.</i> https://gov.wales/sites/default/files/statistics-and-research/2019-07/170328-evaluation-enhanced-case-management-approach-en.pdf</p> <p>Her Majesty's Inspectorate of Probation (HMIP) Inspection Standards for Youth Justice Service's https://www.justiceinspectors.gov.uk/hmiprobation/wp-content/uploads/sites/5/2018/04/Youth-offending-standards-March-18-final.pdf</p>

	<p>Youth Justice Board / Ministry of Justice (2019) <i>Standards for children in the youth justice system 2019</i>. https://www.gov.uk/government/publications/national-standards-for-youth-justice-services</p> <p>Contact Officer: James Warr, Operations Manager, Flintshire Youth Justice Service Telephone: 01352 701125 E-mail: james.warr@flintshire.gov.uk</p>
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7.00	GLOSSARY OF TERMS
7.01	<p>ACE's- Adverse Childhood Experiences are traumatic events that affect children while growing up, such as suffering child maltreatment or living in a household affected by domestic violence, substance misuse or mental illness.</p> <p>Bureau - Framework for diverting young people out of formal Youth Justice processes by tackling underlying causes of youth crime through mechanisms that promote pro-social behaviours, children's rights, youth and parent/carers participation and delivered by universal services.</p> <p>CSPPI - Community Safeguarding and Public Protection Incident</p> <p>ECM- Enhanced Case Management- community and psychological based intervention framework which is informed by the Trauma Recovery Model.</p> <p>FTE - First time entrants to the service</p> <p>HMIP- Her Majesties Inspectorate Probation</p> <p>MET- Missing, Exploited (criminal, sexual, forced labour) and Trafficked.</p>