



CHILDREN, YOUNG PEOPLE & EDUCATION COMMITTEE

Monday, 25 September 2023

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| REPORT TITLE: | WIRRAL YOUTH JUSTICE SERVICE ANNUAL PLAN |
| REPORT OF: | DIRECTOR OF CHILDREN, FAMILIES AND EDUCATION |

REPORT SUMMARY

This report provides the Children, Young People and Education Committee with an introduction to the Wirral Youth Justice Service, YJS, Strategic Plan 2023-2024.

The Youth Justice Board, YJB, is a non-departmental public body for overseeing the youth justice system in England and Wales. The preparation and submission of an 'Annual Plan' is linked to the terms and conditions of the Youth Justice Board grant award, this award contributes to the funding of youth offending teams and services across England and Wales.

The Wirral Youth Justice Strategic Plan 2023-2024 links to the Wirral 2021-2026 Plan against delivery of the following:

- Brighter futures for all regardless of their background.
- Safe and pleasant communities that our residents are proud of.
- Active and healthy lives for all, with the right care, at the right time to enable residents to live longer and healthier lives.

This matter affects residents across the borough.

This report relates to a key decision.

RECOMMENDATION/S

The Children, Young People and Education Committee is recommended to:

1. Endorse the Wirral Youth Justice Service's Strategic Plan 2023-2024 and recommend to Council that the Plan be approved.
2. Note the approach and ongoing work within the Youth Justice Service and across the Youth Justice Management Board (YJMB).

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATION/S

- 1.1 Wirral Youth Justice Service (YJS) is a statutory partnership between Police, Probation, the Local Authority and Health partners in accordance with the Crime and Disorder Act 1998.
- 1.2 Section 39 (1) of the Crime and Disorder Act 1998 requires the co-operation of the named statutory partners to form a Youth Offending Team, or YOT (Now known as the 'Youth Justice Service', or 'YJS' in Wirral and in most Local Authority areas nationally). Section 38 identifies the statutory partners and places upon them a duty to co-operate to secure youth justice services appropriate to their area. These statutory partners are:
- The Local Authority.
 - Police.
 - Probation service.
 - Health.

Additional partners may also be recruited to the joint strategic effort to prevent offending by children and young people.

- 1.3 The primary duty to ensure a Youth Justice Service is in place rests with the local authority. Section 40 of the Crime and Disorder Act 1998 sets out the responsibilities in producing and implementing a plan, after consultation with the partner agencies.
- 1.4 The Youth Justice Service is overseen by the Wirral Youth Justice Management Board (YJMB). The management board should be formed to provide strategic direction with the aim of preventing offending by children and young people.
- 1.5 As a statutory partner under the Crime and Disorder Act 1998, Wirral Local Authority has key role to play in delivering Youth Justice. Endorsement by The Council will support the delivery of this Strategic Plan and therefore the linked aspects of The Wirral Plan 2021-2026.

2.0 OTHER OPTIONS CONSIDERED

- 2.1 Not supporting the Wirral Youth Justice Service Strategic Plan 2023-24 may result in less clearly aligned and coordinated multi agency activity to prevent offending and re-offending. The lack of an 'Annual Plan' would be contrary to Section 40 of the Crime and Disorder Act 1998.

3.0 BACKGROUND INFORMATION

- 3.1 Wirral's Youth Justice Service was inspected by Her Majesty's Inspectorate of Probation (HMIP) in July 2021, receiving an overall rating of 'Good'. All developing actions arising from this inspection are now complete, subject to ongoing oversight from Wirral's Youth Justice Management Board.

- 3.2 The national governing body, the Youth Justice Board (YJB), has previously set out 3 National areas of key performance for all YOTs. These national indicators are:
- The amount and rate of First Time Entrants to the Youth Justice System (FTEs).
 - The use of custody (Use of youth custody as opposed to managing young people in the community).
 - The rate of Re-offending.
- 3.3 From 2023, the YJB has extended these key performance reporting areas to include the below:
- Suitable accommodation
 - Education, training, and employment
 - Special educational needs and disabilities/Additional learning needs
 - Mental health care and emotional wellbeing
 - Substance misuse
 - Out of court disposals
 - Links to wider services
 - Management board attendance
 - Serious violence
 - Victims
- 3.4 Reporting on the additional key indicators is not required until August 2023. National upgrades to the case management system are underway to support the capture and monitoring of the wider set of key indicators.
- 3.5 First time entrants' (FTE) rate between January 2022 and December 2022 was 86 per 100,000 children (26 children) compared to 114 (45 children) the previous year. This compares to an average 25% increase in FTE rate in the other areas of Merseyside and a 2% increase in FTE rate nationally.
- 3.6 Use of custody was 0.10 per 1000 children (10-17 years), compared to 0.16 the previous year. This equated to 2 less young people entering custody in the financial year 2022-23 compared to the previous year.
- 3.7 The rate of re-offending saw a decrease of 0.9 percentage points. This related to a cohort of less offenders overall (78 compared to 86 the previous year), with fewer of that cohort re-offending (32 re-offenders, compared to 36 the year before). Significantly the number of offences committed by re-offenders reduced from 166 to 98, inferring a decreased volume impact of youth related crime on the community and victims.

4.0 FINANCIAL IMPLICATIONS

- 4.1 The Wirral YJS Strategic Plan sets out the budget for 2023-24. This is drawn from local authority and statutory partners contributions through direct payment or the commitment of resources as 'in kind' payments. (See Appendix 4 of the Strategic Plan, Page 42).

- 4.2 The cost of remanding young people into custody is an area of unpredictable expenditure. Demand on this area of the budget is highly volatile, driven by serious crimes, which are low in volume and infrequent. Remand costs are such that small numbers can impact significantly on the YJS budget. Grant awards to cover remand expenditure are based on a 3-year cycle, which can sometimes lead to a shortfall, depending on previous years remand. In view of this, Wirral YJS have retained some contingency funds to cover shortfall in this area.
- 4.3 The current financial pressures are noted as a relevant risk within section 7 of this report.

5.0 LEGAL IMPLICATIONS

- 5.1 Section 40 of the Crime and Disorder Act 1998 imposes a statutory duty on local authorities to submit an annual youth justice plan relating to their provision of youth justice services and sets out the youth justice partnership's responsibilities in producing a plan. It is the duty of each local authority, after consultation with the partner agencies, to formulate and implement an annual youth justice plan, setting out how youth justice services in their area are to be provided and funded, how they will operate, and what functions will be carried out. The plan should also address the functions assigned to a youth justice service, including how services will prevent offending behaviour and reduce reoffending.

6.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS

- 6.1 The Strategic Plan references a broad range of activity delivered in the context of youth justice in Wirral. As part of the Youth Justice Management Board arrangements, the board will retain an overview of any changes to partnership structures, assets and activities that may impact on service delivery around those activities and services highlighted within the plan.
- 6.2 Changes to the structure of the YJS in Wirral will only be undertaken through report and approval to the Youth Justice Management Board, taking into account local need, cost benefit and considering other options.

7.0 RELEVANT RISKS

- 7.1 Failing to deliver the Strategic Plan will be mitigated through management oversight and Youth Justice Management Board arrangements for monitoring performance and delivery. Strategic and operational risk will additionally be monitored through the National Youth Justice Board through the quarterly returns that are a legal requirement of the Youth Justice Board Grant, as well as checks on progress from the regional lead from the Youth Justice Board for the Northwest. Additionally any changes in government policy and funding from the Ministry of Justice for Youth Offending Services could have an adverse effect on the delivery of Youth Justice Service dependent on negative changes.
- 7.2 The current financial pressures facing the Council and its partners represents a risk. Considerations on changes to any future funding arrangements will include cost-benefit analysis, including invest to save considerations.

8.0 ENGAGEMENT/CONSULTATION

- 8.1 Feedback has been gathered through the partnership's participation and engagement network, this included direct feedback from young people involved with Youth Justice.
- 8.2 Members of the Youth Justice Management Board and Community Safety Partnership have been consulted with during the development of the Strategic Plan.
- 8.3 Section 3 (Page 10) of the Strategic Plan highlights the ongoing commitment to the voice of children and victims. This is delivered through participation and engagement across young people and engagement with victims and carers linked to the work of Wirral's Youth Justice Service.
- 8.4 Appendix 7 contains the Wirral YJS Participation and Engagement Strategy, 2021 and Wirral Youth Justice Management Board's Youth Feedback Report, page 46.
- 8.5 The Strategic Plan has also been reviewed externally by the Youth Justice Board (YJB), who have provided the following feedback.
- The Plan demonstrates a strength in the Service's approach to the use of data and analysis to inform practice, supplemented by audits and feedback.
 - The narrative is comprehensive in terms of describing Service delivery and the successful partnership approaches.
 - The Service's attention to the equality and diversity needs of the children and young people the Service works with comes out strongly in the Plan.
 - The Plan evidences a very strong approach to workforce development.
 - Strong evidence of practice including reference to Operation Inclusion
 - Positive endorsement of the education programme 'In the Zone' being worthy of recognition having reached over 4000 secondary school pupils both in mainstream and alternative provisions.

9.0 EQUALITY IMPLICATIONS

- 9.1 Wirral Council has a legal requirement to make sure its policies, and the way it carries out its work, do not discriminate against anyone. An Equality Impact Assessment is a tool to help council services identify steps they can take to ensure equality for anyone who might be affected by a particular policy, decision, or activity.
- 9.2 A full Equality Impact Assessment has been completed and reviewed for the Wirral Youth Justice Service Strategic Plan. The EIA can be found via the following link:

<https://www.wirral.gov.uk/communities-and-neighbourhoods/equality-impact-assessments>

10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS

- 10.1 There are no environmental and climate implications arising from this report. It is anticipated that the Strategic Plan will have no impact on the emission of greenhouse gases.

11.0 COMMUNITY WEALTH IMPLICATIONS

11.1 The work being done to reduce vulnerability to exploitation supports the development of resilient local communities.

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APPENDICES

Appendix 1 Wirral Youth Justice Strategic Plan 2023-24

BACKGROUND PAPERS

Youth Justice Board: Youth Justice Plan guidance 2023-24
Youth Justice Board: Key Performance Indicator Recording Guidance V 1.3

TERMS OF REFERENCE

This report is being considered by the Children, Young People and Education Committee in accordance with section a of its Terms of Reference:

(a) exercising management, oversight and delivery of services to children and young people in relation to their care, wellbeing, education or health, with the exception of any powers reserved to full Council.

SUBJECT HISTORY (last 3 years)

| Council Meeting | Date |
|---|--------------------------|
| Children, Young People and Education Committee | 12 October 2022 |
| Children, Young People and Education Committee | 13 September 2021 |