

Children & Families Committee

18 September 2023

Annual Youth Justice Plan

Report of: Tom Dooks (Head of Cheshire Youth Justice Services)

Report Reference No: CF/22/23-24

Ward(s) Affected: All

Purpose of Report

- 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 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 guidance also states that 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'. This regulation does not apply to Wales.
- 2 Cheshire East have a shared service arrangement for Youth Justice Services with the other three local authorities in the sub-region and as such the governance arrangements for Youth Justice are overseen by a pan Cheshire Partnership Management Board. The 2023-24 YJ Plan has been drafted in partnership with Cheshire Police and other statutory partners and was approved by Cheshire Youth Justice Management Board on the 15 June 2023.
- 3 This report will brief committee on the content of the 2023-24 Youth Justice Plan for Cheshire and seek delegation for sign off for the 2023-24 and subsequent Youth Justice Plans to the Chair of the Pan Cheshire YJ Management Board.

Executive Summary

- 4 The Cheshire sub-region is a large complex area and the Youth Justice partnership between and across the four local authorities provides a strong base to meet the various complexities and challenges faced by the county's children, families and victims.
- 5 Despite the scale, Cheshire YJS is a comparatively small organisation comprising 76 WTE staff, including seconded workers and 45 volunteers. The human resource arrangements for the entire workforce involve 11 different employing organisations (of which Cheshire East is the third largest after CWaC and Warrington Council) but also includes police, probation, three different NHS Trusts and two independent providers (speech and language and substance misuse specialists).
- 6 The national body responsible for inspecting Youth Justice Services are His Majesty's Inspectorate of Probation (HMiP) with national oversight provided by the Youth Justice Board (YJB). Both HMiP and the YJB recognise Cheshire YJS as of a high standard. The former rated Cheshire YJS as 'Good' in a 2021 full joint inspection (Governance and leadership were rated as 'Outstanding') and the latter granted 2-year pathfinder status for Cheshire's successful youth diversion programme.

RECOMMENDATIONS

The Children and Families Committee is recommended to:

1. Be sighted on the Annual Plan of the Young Justice Service
2. Note paragraph 17 of this report and the requirement for the report to be considered and adopted at full council.
3. Delegate authority to Executive Director of children's services to approve the report at the pan Cheshire youth justice board.

Background

- 7 Annual youth justice plans are an opportunity to review performance and developments over a single year period and plan for the next year. This allows services to be able to respond to any changes that have taken place in the previous year, including new legislation, demographic changes, delivery of key performance indicators, and developments in service delivery. The production of a youth justice plan is beneficial to

partnership working and service delivery to ensure the best outcomes for children.

- 8 The plan has been produced in accordance with the Youth Justice Board guidance to include, Introduction, vision and strategy, the Child First principle, provision for the voice of the child, governance, leadership and partnership arrangements, Board development matters, progress on the previous plan, resources and services, performance including national key performance indicators, priorities, information on 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 and Service Challenges, risks and issues.
- 9 Performance figures submitted to the YJB and those cited in the HMIP report show that Cheshire YJS continue to achieve high performance against the three main performance indicators: First Time Entrants to the criminal justice system (FTEs), Custody rates and re-offending rates (detailed within the YJ Plan)
- 10 In 2022-23 there were just 34 Cheshire East first time entrants to the justice system, only four children sentenced to custody among a caseload of eighty-four children on out of court disposals and forty-eight children on sentences imposed by the courts.
- 11 Data shows Cheshire East is like the other three local authority areas in terms of the type of offences committed by children and young people. Violence against the person is the most frequent offence type representing 42% of all offences committed by children. Mostly this is common assault or assault occasioning actual bodily harm with victims typically family members, carers or other children and young people. Cheshire east has comparatively low rates of serious youth violence. The next most frequent offence types are criminal damage (10%) Public Order (7%) Drugs (7%) with small numbers of sexual (4%) robbery (4%) and Burglary offences (3%).
- 12 The priorities for Youth Justice in Cheshire are described fully in the YJ Plan but include; 1) ensure the findings of the health needs analysis are considered by relevant strategic partners 2) continue to develop anti-exploitation strategies in partnership with the Police, local authorities and other partners and 3) embed the Ministry of Justice funded 'Turnaround' project within an expanded Youth Justice Diversion Service to work with a broader cohort of children on the cusp of the youth justice system.

Consultation and Engagement

- 13 The Youth Justice Service have consulted with children, young people, parents, carers, and stakeholders in the development of the Youth Justice Plan 2023-24

Reasons for Recommendations

- 14 There is provision within the national YJB guidance for the Chair of the local Youth Justice Management Board to sign off the Youth Justice Plan and for retrospective approval to be sought from Full Council. Given the timescales available this is the approach that has been taken this year. It is also recommended that Cheshire East council (along with the other three councils in the partnership) delegate sign-off of the annual Youth Justice Plan to the Chair of the pan Cheshire Management Board so it can be submitted by the end of June each year and then be presented to cabinet.

Other Options Considered

- 15 The only other option is for the annual Youth Justice Plan to be presented to full council in four local authority areas prior to the deadline for submission at the end of June. Given the timelines and different processes across four separate councils this would be logistically challenging hence the recommendation for councils to delegate authority for sign-off to the Chair of the pan Cheshire Board which is permissible within the guidance.

Implications and Comments

Monitoring Officer/Legal

- 16 Production of an annual Youth Justice Plan follows section 40 of the Crime and Disorder Act 1998 and with the refreshed guidance published by the Youth Justice Board in March 2023.
- 17 In order to comply with Regulation 4(1) and Schedule 3 of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 the Plan must be referred to Full Council for consideration and adoption.
- 18 The Youth Justice plan is subject to an annual review to ensure the plan is up to date and relevant, and partner agencies have had the opportunity to comment on the review of the strategy.

Section 151 Officer/Finance

19 Cheshire Youth Justice Service is a shared service partnership arrangement and is funded by the four Local Authorities, with contributions from statutory partner agencies (Police, Health, National Probation Service) with the largest amount of funding coming from the Youth Justice Board as a ring-fenced national grant.

20 There are no financial implications as a result of this report.

Policy

21 No policy implications

Equality, Diversity and Inclusion

22 The Youth Justice Plan has been produced with due regard to the need to eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equalities Act 2010 and to foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Human Resources

23 None

Risk Management

24 No risks identified.

Rural Communities

25 No specific implications identified.

Children and Young People including Cared for Children, care leavers and Children with special educational needs and disabilities (SEND)

26 The Youth Justice plan takes full consideration of and makes and explicit reference to Cared for Children and those with SEND – both of whom are over-represented in the Criminal Justice System.

Public Health

27 No specific public health implications of this report other than to state the strategy for Youth Justice partnership is to minimise the volume of children with previously unmet health needs that are criminalised for offences/behaviour that is symptomatic of previously unidentified health needs.

Climate Change

28 No specific or relevant implications

Access to Information	
Contact Officer:	Tom Dooks Head of Cheshire Youth Justice Service tom.dooks@youthjusticeservices.org.uk
Appendices:	Annual Youth Justice Plan 2023-24 (Cheshire YJS)
Background Papers:	None