

## Children's Services Overview and Scrutiny Committee

## Agenda Item No.6

26<sup>th</sup> September 2023

### Youth Justice Annual Plan and Strategic Priorities

Ward(s): All

Portfolios: Cllr S. Elson - Children's Services Social Care

#### 1. Aim and purpose

- 1.1 To present Scrutiny with an overview of the annual youth justice plan as required by the Youth Justice Board for England and Wales showing how youth justice services will be provided and funded with the identification of strategic priorities.
- 1.2 To provide an update and progress against two key priorities, disproportionality and Transition as requested by Scrutiny.

#### 2. Recommendations

- 2.1 For Children's Services Overview and Scrutiny Committee to note the contents of the annual youth justice plan.
- 2.2 For Children's Services Overview and Scrutiny Committee to be assured of the progress and impact of the work to address disproportionality and strengthen support around transition for children in youth Justice.

#### 3. Report detail: know

- 3.1 Walsall Youth Justice Service (YJS) is a statutory multi-agency service under Section 37 of the 1998 Crime and Disorder Act in partnership with the Local Authority, Walsall Children's Services, West Midlands Police, National Probation Service and Health. The YJS is also supported by numerous other partners who contribute to the YJS' agenda.
- 3.2 The principle aim of the YJS partnership is to prevent and reduce offending and re-offending behaviour in children and young people and we have three main national key performance indicators:
  - a) Reducing the number of young people entering the justice system for the first time (FTE)
  - b) Reducing re-offending
  - c) Reducing the use of custodial disposals.

#### Annual Youth Justice Plan update

- 3.3 Youth justice partnerships have a statutory duty to produce an annual youth justice plan for submission to the Youth Justice Board for England and Wales showing how youth justice services will be provided and funded.

- 3.4 The Youth Justice Plan is prepared on an annual basis in accordance with the YJB governance and leadership guidance and specific conditions as set within the Youth Justice Board Effective Practice Grant. The youth justice plan sets out key achievements over the past 12 months, how Walsall Youth Justice Service is structured and funded and also identifies risks to service delivery and improvement.
- 3.5 The YJB require that youth justice services should use the template they have provided and work from guidance they have released.
- 3.6 The plan and its priorities have been informed by the HMIP thematic inspection of children on remand that occurred in Walsall in June 2023. The plan set out last year was a multi-year plan between 2022 and 2025. The YJB require an update and review of the plan on a yearly basis.
- 3.7 The plan identifies 5 main priorities as stated below:

- Transitions and Resettlement.  
Strategic Lead: Head of Probation  
This priority is aligned to the Safer Walsall Partnership reducing re-offending priority and the regional Transition 2 Adulthood policy framework.
- Reducing Serious Youth Violence:  
Strategic Lead: Superintendent Walsall Police.  
This priority is aligned to the Safer Walsall Partnership and recognises the Serious Violence Duty (2021) and the delegated responsibilities on agencies and partnership.
- Responding to Disproportionality  
Strategic Lead: Head of Service – Children’s Social Care.  
This priority is linked to the Council’s Corporate Equality Group and objectives within the Corporate Plan 2022-25.
- Identifying and responding to unmet need (health).  
Strategic Lead: Head of CAMHS commissioning  
Our partnership recognise that there is a clear need to ‘level up’ health provision for Walsall children in line with the Black country and regional developments.
- Voice of our children  
Strategic Lead: YJS Strategic Lead  
Following the findings of the HMIP assurance review in 2021, the partnership are committed to better evidencing that we hear and are responsive to the voices of our children both strategically and operationally.

See attachment 1 for full detailed annual plan.

### **Disproportionality Priority**

- 3.8 Overview of the issues:  
The national Youth Justice Board (YJB) recognise the issue of disproportionality in the justice system and have it as one of their main priorities in their youth justice strategy. Their national data and research suggests that compared to white children convicted of

an offence, all minority ethnic groups are more likely to be male. They are convicted of offences with a higher average severity, offences that are more likely to involve a knife, and their cases are more likely to be heard at Crown Court. Black and Mixed ethnicity children have on average more previous orders (court sentences/disposals) than White children, whereas Asian and children of other ethnicities receive fewer.

- 3.9 The YJB also state that practitioner assessments suggest Black and Mixed ethnicity children are assessed as both higher risk and more vulnerable. Black children are most likely, and children of Mixed ethnicity are second most likely, to be assessed as at a high likelihood of reoffending, at risk of serious harm and have greater concerns over their safety and wellbeing. Findings suggest fewer differences for Asian and Other ethnic groups; however, Asian children were the least likely to have serious concerns raised over their safety and wellbeing and their likelihood of reoffending. The ‘adultification’ of black children is an ongoing national issue where they are perceived to be more adult like, and viewed through a lens of criminality rather than as vulnerable or victims. This form of stereotyping and bias can lead, for example, to increased rates of ‘stop and search’ by the police or even reduced rates of safeguarding as black children can be thought of as ‘streetwise’ or ultra resilient. This can ultimately lead to a lack of timely support being given.
- 3.10 Children were more likely to receive custodial remand if they were male, older, non-local residents, committed more serious offences, or were judged as having a higher likelihood of reoffending, a greater risk of serious harm or safety and wellbeing concerns or their cases were heard at Crown Court.
- 3.11 Locally in Walsall we have a good understanding of local data and trends informed by a 2-year data review and also by monthly monitoring. Our local understanding of disproportionality is in line with national themes.

Ethnicity by Population 1.4.20 – 31.3.22			
Ethnicity	Percentage 10-17 Population	Percentage	Difference
Asian or Asian British	19% (5,473)	7% (10)	-12%
Black or Black British	3% (723)	12% (17) 1 less	9%
Chinese or other ethnic group	1% (423)	1% (2) 1 more	0%
Mixed	5% (1,396)	25% (37) 8 less	20%
White	72% (20,253)	55% (81) 26 less	-17%

Ethnicity by Offence Type						
Offence Type	Asian or Asian British	Black or Black British	Chinese or other ethnic group	Mixed	White	Total
Acquisitive Crime	1 (5%)	13 (17%)	1 (33%)	8 (11%)	57 (34%)	80 (24%)
Breach	0 (0%)	7 (9%)	0 (0%)	0 (0%)	7 (4%)	14 (4%)
Drugs Offences	6 (30%)	14 (19%)	0 (0%)	10 (14%)	9 (5%)	39 (12%)
Violent Offences	13 (65%)	41 (55%)	2 (67%)	52 (74%)	95 (57%)	203 (60%)
<b>Grand Total</b>	<b>20</b>	<b>75</b>	<b>3</b>	<b>70</b>	<b>168</b>	<b>336</b>

Legend: % 10-17 Population (light green), % Open Cases (dark purple)

Additional data from chart: Asian or Asian British (19%), Black or Black British (3%), Chinese or Other Ethnic Group (1%), Mixed (5%), White (72%)

- 3.12 The youth justice partnership has reviewed its full ethnicity analysis to help us understand local disproportionality in the justice system, in addition to monthly monitoring. This year we were keen for this analysis to help us better understand children with mixed ethnicity. The charts above tell us that similarly to the national picture we continue to see the overrepresentation of black boys and boys with mixed ethnicity within the local justice system. The latest YJB data tells us that 100% of custodial sentences between April 2022 - March 2023 were children with non-white ethnicity.
- 3.13 We have seen a slight increase in the number of Asian young people entering the system again this year, however overall, this group remains underrepresented in the formal justice system when considering the wider population in Walsall. We know that most recorded violent offences are committed by white children, however a disproportionate amount of violence is committed by children with black and mixed ethnicity. Our data also tells us that black children are disproportionately represented in the numbers of children involved with breach of bail offences, and they are more likely to enter the system on average at a younger age of 14 or below. Our audits based upon the recommendations from the HMIP Thematic also highlighted that our service needs to improve how we engage with fathers and understand the impact of a missing father. This was further supported in our thematic multi-agency audits of children involved in the commission of serious violence and our audits of remanded children. Although absent fathers remain an ongoing issue for our boys, our audits told us that we also need to better understand the impact of anti-social fathers upon our children.
- 3.14 Black boys in the youth justice system talk about their experience with the Police and believe that their ethnicity contributed towards the number of times they were stopped and searched. Our YJS Performance and Partnership Board heard testimony from a local young man who talked of the anxiety and fear that's provoked in him when he hears a siren and he remembered the trauma that both he and his family experienced when the Police came to his house. Boys generally talk positively about the strength of their relationships with their YJS worker, however national research by HMIP suggested that often YJS workers often did not talk to them about your experience of discrimination or 'stop and search'. Within our work in the YJS Disproportionality Forum and through our practice improvement group we have developed and introduced resources to support practitioners in having these meaningful conversations. Black boys, and their families, often talk about the mixed messages they receive from the criminal justice system and that expectation upon them are not clearly understood. We have worked to develop literature to ensure consistency of message and have redesigned our 'induction' paperwork to ensure boys understand what is happening to them and what they need to do to succeed. The YJS partnership has implemented the recommendations from the HMIP thematic report.
- 3.15 What are we doing about it:  
 What we have done during 2022/23 to reduce disproportionality and improve outcomes for children with black and mixed ethnicities:
- Reviewed the partnership full Ethnicity Analysis for 2020-2022 with a focus on the overrepresentation of children with mixed ethnicity.
  - Our YJS Equality and Disproportionality Forum provides oversight and enables youth justice professionals a safe space to discuss equality and diversity issues.
  - The Disproportionality Practice Improvement Sub-Group meets regularly to consider practice developments needed, such as improving our engagement strategy and reviewing our breach process, as identified by the overarching Disproportionality Forum.
  - The YJS used funding, through the Safer Walsall Partnership, to set a partnership with Open Lens Media to develop a Development Programme for boys with black and mixed ethnicities, using film, media and personal coaching to improve outcomes.
  - We have now established a training and employment pathway for black boys with Open Lens and are keen to start referring eligible children for specialist support.

- The YJS have also used funding to commission a mentor to support black children within the secure estate and help prepare them to resettle back in the community.
- We have identified practitioner Disproportionality Champions to help lead on issues impacting our children, such as developing a diversity assessment tool kit.
- We have identified a lead for working with fathers to improve our practice.
- In 2022 and again in 2023, the YJS have supported Palfrey One Big Local in the schools Lionheart Challenge to help local children develop ideas to reduce the levels of violence.
- Although the number we work with is small, the YJS have supported a regional working group to improve outcomes for girls in the justice system.
- In partnership with the police and crime commissioner we deliver Stop and Search Programmes for children to improve their understanding of the law and their rights.

3.16 Impact:

When HMIP visited Walsall in June 2023, they commented that our work to address disproportionality was meaningful and that we responded well to the learning and recommendations within the HMIP thematic report that explored the experience of boys with black and mixed ethnicity. We continued to make good progress during 2022 and the first half of 2023. Our YJS partnership lead from children's social care, led on a themed partnership board in September 2022 where we explored data, our response for overrepresented children and considered next steps. This strategic leader has also taken this priority into the Safeguarding Partnership's exploitation subgroup and within the Children's Learning Alliance. Our disproportionality work has also influenced the Safer Walsall Partnership who have now adopted an equality priority.

3.17 Within the Service, our Disproportionality Forum meets regularly to provide a safe space for youth justice staff and our partners to come together to discuss factors impacting upon over and overrepresentation in Walsall. In support, we have a practice improvement group that makes changes to our practice as a result of our learning, proven effective practice and our discussions in the forum. A good recent example is how we have reviewed our compliance and engagement policy as our data told us that boys with black and mixed ethnicity were disproportionately involved in bail offences.

3.18 We have continued our partnership with Open Lens, a local media and training organisation who have delivered an Identity Programme for our boys with black and mixed ethnicity. HMIP thematic recommendation state that Youth Justice Partnerships should have a dedicated offer to support boys with black and mixed ethnicity. This programme helped our boys explore their identity and culture, improved their confidence and self-esteem and developed their employability skills and prepared them for the workplace. Through this work we commissioned Open Lens to create a documentary exploring what it's like for black boys to grow up in Walsall and a partnership strategy to reduce the number of boys with black and mixed ethnicity entering the justice system. We recognise that much more needs to be done across the partnership for these boys before they get to the criminal justice system. Using Safer Walsall Partnership funding, we have commissioned a local mentor, a former professional footballer with lived experience of the justice system, to support our boys in custody and to help them resettle back in their communities. Our cohort in custody has increased significantly and our mentor works closely with custody staff to prepare our boys for eventual release. We also delivered stop and search workshops for our children in partnership with the police and crime commissioner and will be expanding this work to other vulnerable children across Walsall.

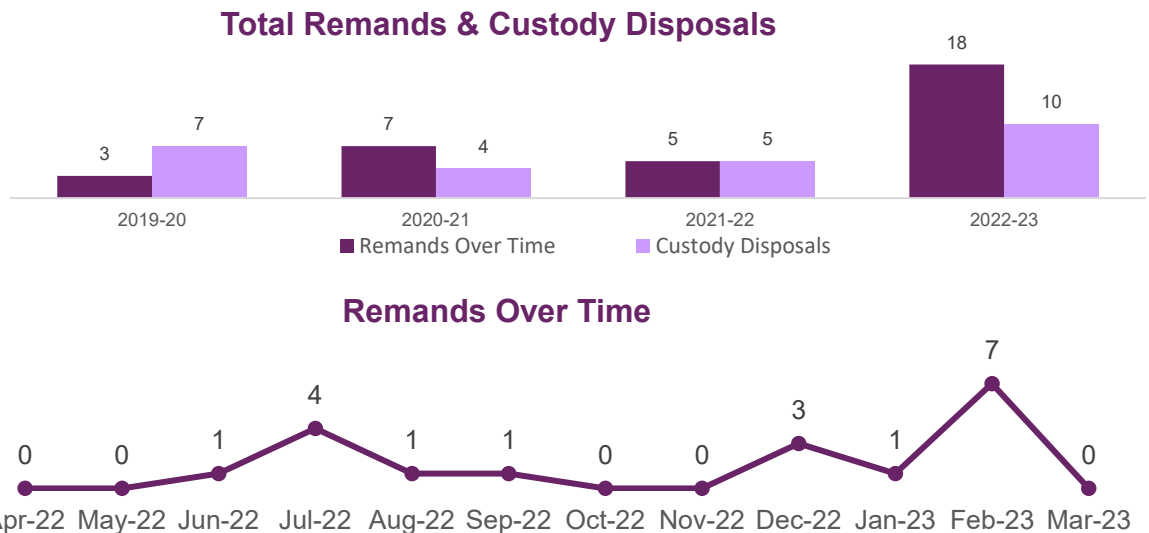
3.19 The documentary is due to be shown at the Light cinema in Walsall on October 16<sup>th</sup>. It includes footage and testimony of black children involved in the youth justice system or what it's been like for them to grow up in Walsall. It also includes contributions from key strategic partners in Walsall and further afield detailing their views on the system and what is needed to make a positive change. Following the release of the documentary, the YJS partnership, alongside Open Lens, will propose a partnership strategy within the differing

partnerships across the system to influence how services respond to over and underrepresentation in Walsall.

**Transition Priority Update:**

3.20 What is the issue:

Over the past 18 months we have seen a significant change in the Youth Justice cohort. Between April 2022 and March 2023, we saw 18 children remanded into the secure estate and also 10 children receiving custodial sentences. This is an increase compared to the previous 12-month period where 5 children were remanded and 5 children received custodial sentences.



3.21 Over the past year, the total number of children within the secure estate has kept growing due to lengthy remand periods and lengthy custodial sentence being imposed to a point where 20% of the caseload are currently not in the community.

3.22 The majority of children from Walsall within the secure estate are 17 and many will turn 18 whilst they are awaiting an outcome from Court. Changes in policy due to overcrowding within the adult secure estate has meant that children will now be transferred to the adult estate upon their 19<sup>th</sup> birthday, instead of their 18<sup>th</sup>. The numbers of 18-year-olds (technically adults) within the secure estate is quickly increasing. This presents difficult safeguarding challenges for the secure estate when violence is commonplace, and separation is not possible.

3.23 The transition or the resettlement of children who are leaving the secure estate is incredibly complex and an issue that needs focus from across the partnership. Children in this position often have fractured relationships with family, are looked after by the local authority and/or have accommodation issues. This, combined with high risks and public protection concerns, vulnerabilities and community safety issues and tensions, means that placing children back into the community is incredibly difficult. There is a national shortage of placements for older teenagers who present with complex risks and needs, and who may have been involved in serious youth violence. This also impacts upon the Local Authority finding suitable alternatives to remands in the first instance.

3.24 The overall cohort of children in the youth justice system has become older over the past 12 month with nearly a half of the cohort currently 17 years or older. Children are eligible for transition to the Probation Service on their 18<sup>th</sup> birthday if their maturity and Court Order allow. There are national issues with the recruitment of Probation Officer secondments into Youth Justice Services who help facilitate transition to adult interventions and smooth the transition with formal transfer into Probation. We have had similar issues here in

Walsall, although our colleagues in the Probation Service have positively provided temporary cover and there are plans in place to recruit.

3.25 What are we doing about it?

In preparation for a thematic inspection from His Majesty's Inspectorate of Probation, a multi-agency audit was undertaken to evaluate the effectiveness of practice in relation to children who had been remanded into custody.

3.26 There was evidence of positive relationships with the young people within the cohort from both youth justice and social care and there was evidence of child-centred, empathetic and respectful practice. The work of the YJS resettlement and disproportionately officer was seen as an area of strength both in terms of the work they do with young people on remand but also with their families. There was evidence of support for the wider families within the community from both Youth Justice and Children Social care which includes ensuring that parents maintain regular and positive contact with their children in custody.

3.27 As a result of this review a more robust pathway has been developed regarding education support for young people on remand from Virtual School, the Inclusion Hub and SEND services. This has resulted in all children on remand now having an allocated practitioner progressing Personal Education Plans for them.

3.28 A partnership action plan is now in place to further improve services for children on remand including their transition back into the community.

3.29 The Head of Walsall Probation is the Youth Justice Partnerships strategic lead for transitions. Together with our colleagues in Probation we are developing a transition team with dedicated Probation Officers who specialise in working with young adults who are due for transition or who have had previous experience within the justice system. We have also recently forged a new relationship with the governor and other senior leaders within HMYOI Brinsford to ensure smoother transitions within the secure estate. The partnership is exploring a pilot programme with an organisation that supports the resettlement of young men in Brinsford to support and mentor teenagers who are approaching the age of 18 and who will be transferred to Probation. In support of both our disproportionality and transitions work, our resettlement mentor can be a strong addition to the transitions hub. Oversight of this work is governed by both the Safer Walsall Partnership and the Youth Justice Performance and Partnership Board.

3.30 Impact:

HMIP commented, during their thematic inspection of remand, that although they were pleased that we had transitions as a strategic priority, they suggested it should be our focus for the coming year. Our cohort in custody is changing as children transition to adulthood whilst serving lengthy sentences and therefore our partnership with Probation becomes more important.

3.31 Our preparation for the HMIP thematic was a good experience for the partnership and brought the needs of the children on remand into focus. The partnership completed a multi-agency audit of remanded children and their journey from early years to this point and we have in place an action plan. Overall, the findings suggested there was strong evidence of effective care planning for the children on remand. There was good information sharing evident between youth justice, social care, police, the secure estate and other agencies to support the young person and purposeful plans to support these young people's development. Generally, there was good oversight and footprint from the Independent Reviewing Officer for those children on remand. There was evidence of good multi-agency plans of support for some of our young people on bail and evidence that these young people were being safely managed in the community whilst awaiting their trial date. Children and young people's needs were assessed and responded to in a proportionate manner and at the right multi-agency thresholds.

3.32 Our partnership response to children in the secure estate is good and practitioners are knowledgeable and work well together. Our partnership with Werrington YOI is also strong and monthly planning meetings occur where issues are resolved. We need to do more to robustly explore alternatives to remand at Court with our partners in Social Care and we need to better improve transitions within the secure estate, with adult services and back into the community. HMIP recognised the impact the Vulnerable Learners Hub (now Inclusion Hub) was beginning to have on children in the secure estate to help the transition of children from the community, especially for those with identified education and health care plans or special education needs. We had identified and quickly implemented necessary improvements within the multi-agency audits that were already making a positive difference to children within the secure estate.

#### **4. Financial information**

4.1 There are no direct financial implications arising from this report.

#### **5. Reducing Inequalities**

5.1 The provision of Youth Justice Services to young people aims to support those at risk of harm and who need safeguarding. This includes young people from protected characteristics of gender, disability, race and religion. We are aware that there is overrepresentation of black and mixed heritage young people within the justice system in Walsall at this time and our wider plans will seek to improve outcomes for this group and others.

#### **6. Decide**

6.1 For overview and scrutiny committee to decide if they are assured of the progress against the two key priorities – Disproportionality and Transition

6.2 For overview and scrutiny committee to consider if a progress report should be presented to a future meeting.

#### **7. Respond**

7.1 It was a statutory requirement in the Youth Justice Effective Practice Grant to submit the approved plan to the Youth Justice Board (YJB). Following approval by the YJS Performance and Partnership Board, the plan was submitted on time to the YJB.

#### **8. Review**

8.1 Progress against the priorities and the delivery plan will be monitored on a quarterly basis by the YJS Performance and Partnership Board.

#### **Background papers**

Please see attached annual youth justice plan

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