

18 March 2014		ITEM: 6
Children's Services Overview and Scrutiny Committee		
Youth Offending Service Function and Performance		
Report of: Jason Read, Acting Service Manager, Youth Offending Service.		
Wards and communities affected: All	Key Decision: Non-Key	
Accountable Head of Service: Barbara Foster, Head of Care & Targeted Outcomes		
Accountable Director: Carmel Littleton, Director of Children's Services		
This report is: Public		
Purpose of Report: To update Members on the Youth Offending Service		

EXECUTIVE SUMMARY

To provide an overview of the duties and responsibilities of the YOS (Youth Offending Service), its current performance and funding arrangements.

1. RECOMMENDATIONS:

1.1 That the contents of this report be noted.

2. INTRODUCTION & BACKGROUND:

- 2.1 Youth Offending Services (YOS) were created by the 1998 Crime and Disorder Act to prevent offending and re-offending by young people between the ages of ten and seventeen years. The YOS effectively has a dual duty; to provide interventions that turn young people away from crime, maximise their potential and keep them safe but also to protect the public from their actions.
- 2.2 YOS is responsible for the enforcement of all criminal court orders and for the delivery of interventions attached to those orders plus the planning and through care of those young people serving custodial sentences. Much of the work is done in the criminal courts both Magistrates (Youth) and Crown who cannot, in law, operate without YOS Officers in attendance to guide and advise in respect of suitable and available disposals that address identified risk factors. YOS also provide risk assessed bail packages offering viable alternatives to Remands in Custody and Court Ordered Secure Remands (now both renamed Youth Detention Accommodation). Thurrock YOS is held in high esteem by legal advisors, advocates and magistrates. This is

important as it is only with the confidence of the courts that we can achieve the best outcomes for our young people.

- 2.3 The YOS is multi-disciplinary, staffed and funded by partner agencies in Police, Social Care, Education, Probation, Health and the Ministry of Justice via the Youth Justice Board to whom it reports. It has a governance board (Youth Crime Governance Board) comprising senior members of partner agencies with a reporting line to the Children and Young People's Partnership. Line management of staff is through the Council and YOS manages staff from the partner agencies.

3. Structure and Staffing

- 3.1 The YOS is in three parts. The biggest part is the core case work team which currently has six case managers, including a secondee from the probation service, two qualified social workers (one of whom is a senior practitioner) and a senior YOS officer who manage all the court work, intervention, enforcement, through-care and resettlement from the secure estate. Secondly, the Youth Inclusion Support Programme (YISP) and Triage focus on prevention and consist of two full time officers plus some sessional workers who deliver prevention programmes for 8-16 year olds and pre-court diversion programmes for 10-17 year olds. The third function is ISS (Intensive Supervision and Surveillance) who also have two full time staff plus sessionals who deliver programmes for the most prolific/dangerous/high risk cases as a direct alternative to custody. Young people on those programmes receive a minimum twenty five hours, seven day per week contact.
- 3.2 Supporting all three functions are a CAMHS specialist seconded from Health, a Police Officer from Essex Police and a reparation co-ordinator, who works with the community and numerous charities to ensure that there is some payback for the crimes committed against them. Much of this is done with the elderly population, either in their own homes or in sheltered housing complexes.
- 3.3 There is also a second CAMHS post funded by direct grant from the Department of Health to support the Triage/prevention programme. At the point of writing this report the post is vacant, however we have successfully recruited and have a start date of the 10th March 2014 for the successful candidate.
- 3.4 YOS also employs a victim support worker as part of our statutory duty to offer direct reparation to victims of youth crime. Reparation may be direct in the form of Restorative Justice Conferences where victim and perpetrator meet under carefully controlled conditions. Additionally our victim support worker gives training in restorative justice to education establishments, to avoid exclusions, and the community, so that neighbourhood disputes can be resolved amicably.
- 3.5 Thurrock YOS enjoyed an extremely stable workforce for many years, however since the summer of 2012 we have had three staff seconded to Troubled Families, including one operations manager. Although these posts

have long been filled, there remains a fragility, with 3 members of staff seconded to YOS to fill the posts of those seconded to troubled families. Despite this and having numerous new members of staff, most of who have had limited experience of working in youth justice, performance has not been affected.

4. Performance

4.1 Thurrock is a low spending authority generally and has the smallest YOS in the country. The value for money indicators are therefore good for Thurrock's YOS.

4.2 Thurrock YOS had two inspections in January 2012 from the Care Quality Commission and HMI Probation. Both outcomes were very positive with an overall minimal improvement required & the action plan as a result of the inspection has been successfully implemented.

The inspection criteria for Youth Offending Services has now been changed looking at a systemic approach as opposed to case based. Additionally the criteria for the decision for inspection has changed, with this now being based on poor performance or an identified cause for concern. Currently the Youth Justice Board is pleased with the performance of Thurrock YOS and as a result we do not expect to be inspected in the near future

5. Custody

Use of custody			
	11-12	12-13	13-14 (Q1-3)
Thurrock	11%(18)	10% (14)	6% (7)
<p><i>Commentary: As a result of community solutions and the success of TRIAGE in greatly reducing the first time entrants to the youth justice system in Thurrock (a reduction of 40% on the 2010 cohort), the reduction in those appearing before the Courts & undergoing sentencing has greatly reduced & those that are appearing for sentencing are therefore the more serious & persistent offenders and at higher risk of a custodial sentence. Additionally the lesser crimes are now being dealt with by the prevention/pre-Court disposal and can no longer be used to counter balance custodial sentences. This is reflected in the figures above (*young people v percentage).</i></p>			

5.1 Despite the commentary above, current figures indicate a reduction in the percentage of young people sentenced to custody for this financial year (13-14). As mentioned above there have been concerns in relation to a more serious and persistent cohort of young people being sentenced, therefore a higher risk of custody and the last two financial years have born this out. Whether we are over this impact has yet to be proved and only a sustained reduction in custody over two years will evidence this.

1. Re-offending

6.1 The national data in relation to offending is based on Police National Computer data and is always two years old, so fails to give a dynamic overview of re-offending figures. As a result we use the counting rules based on the old national indicator, which is based on a cohort. I have been asked to provide this information in straight numbers. These are:-

YEAR	No. in cohort	No. re-offended	No. of offences	%
2009/2010	138	59	148	(43%)
2010/2011	119	36	117	(27%)
2011/2012	70	31	93	(46%)
2012/2013	42	18	36	(43%)

6.2 The cohort consists of all young people sentenced in the Courts during a three month period and includes sentences such as fines, curfews and conditional discharges. These are sentences where the YOS has no intervention with the young people. Therefore performance can be narrowed further by concentrating on those where YOS has had direct intervention. Under these rules the rates would be reduced thus:

YEAR	No. in cohort	No. re-offended	No. of offences	%
2012/2013	33	13	12	(39%)

This not only gives a clearer view of the success of YOS interventions in respect of numbers re-offending but greatly reduces the number of offences committed. This figure combined with our TRIAGE offending data (26%) gives us an overall re-offending/recidivism figure of **35%**.

7. First Time Entrants

Thurrock YOS continues to perform highly in the reduction of first time entrants to the criminal justice system. Based on the numbers prior to the introduction of TRIAGE and the re-launching of the Youth Inclusion & Support Programme, it has reduced the first time entrants by over 50 %, outperforming all groups it is measured against. Please see table below.

	Thurrock	Region	Essex	Group	England
Apr 12 - Mar 13	480	586	627	710	593
Jan 10 - Dec 10	980	1,009	1,017	990	928
percent change from selected baseline	-51.1%	-41.9%	-38.4%	-	-36.1%

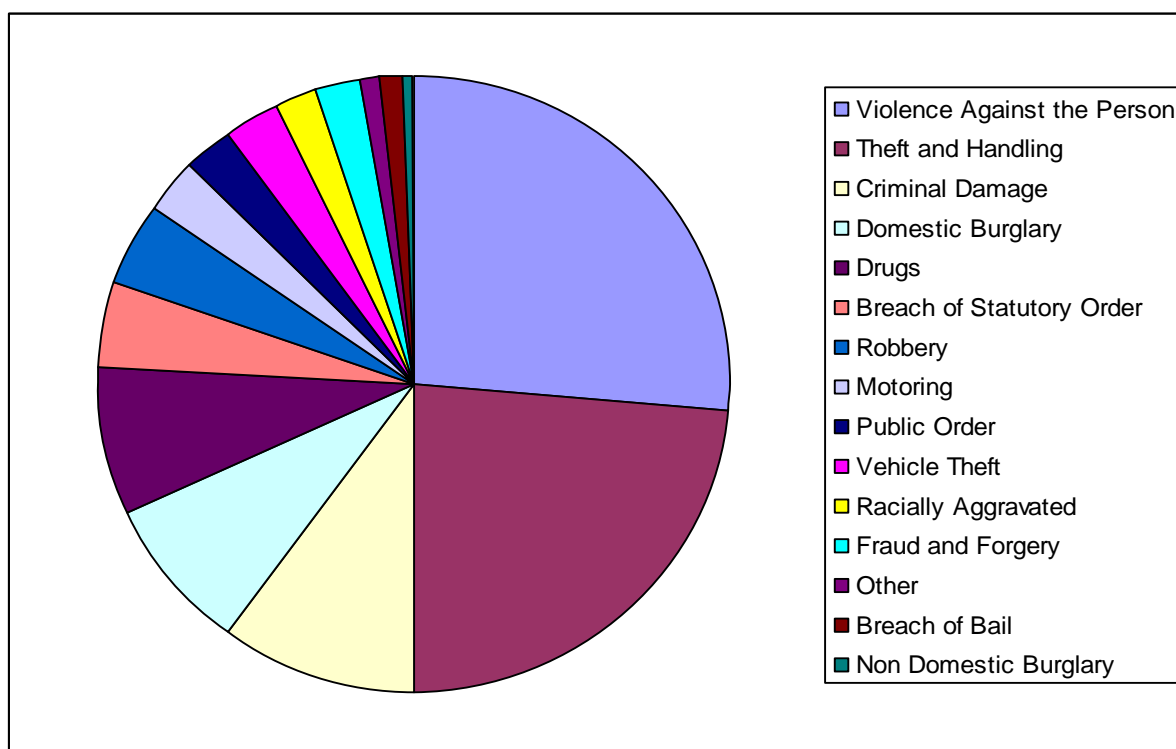
FTE PNC rate per 100,000 of 10-17 population **Good performance is typified by a negative percentage

8. Prevention

- 8.1 So far this financial year (1/4/13-18/2/14) Thurrock YOS have worked with 68 young people as part of our prevention service, with 51 being subject to TRIAGE and 17 interventions via Youth Inclusion & Support Programmes.
- 8.2 Additionally we have extended our prevention service to offer interventions in local schools, whether this be a specific piece of work to address an identified risk or a general intervention regarding the consequences of crime and anti social behaviour. So far this year we have worked in 15 local schools ranging from primary level through to six form.

9. Youth Crime in Thurrock

- 9.1 The most common offences committed by young people in Thurrock are violence against the person (26%) & theft and handling (23%), this is line with national and local adult and youth data. Knife possession is very low (this is recorded under violence against the person) with only convictions 3 convictions for “bladed article” offences thus far this financial year.



* Data above covers the period 1/4/13 – 18/2/14

- 9.2 Over the last three years the type of offences committed by young people in Thurrock has been static, with no notable increase in any specific crime.

10. Migration to Thurrock and Serious Youth violence

- 10.1 One emerging issue locally is the migration of young people and their families from the London Boroughs in addition to local supported accommodation and foster placements that serve these boroughs. With the introduction of the benefit cap and the relatively low cost local accommodation, there has been a significant increase in case transfers and oversight supervision for Looked After Children from other authorities. These cases currently account for 20% of caseloads.
- 10.2 With this migration comes the risk management of young people who are or have been involved in serious youth violence and still have connections to youths in their originating boroughs. Most of these young people are assessed as a high risk of serious harm and have to be supervised accordingly. They present a far more challenging prospect, with differing needs and risks than the indigenous young people of Thurrock. However, they rarely offend locally preferring to return to their originating boroughs to commit offences.
- 10.3 The Youth Offending Service have been working with wider Children's Services, the Local Safeguarding Children's Board, the Thurrock Community Safety Partnership & Essex police to plan and manage this issue. We are currently in the process of completing a scoping report to ascertain the level of the issue and the connotations and impact for local services.
- 10.4 As a result of the early identified risk of the management of serious youth violence, Thurrock YOS have advertised and recruited a Senior YOS Officer who has specific responsibility and knowledge of the issues and manages or oversees all young people who meet this criteria, in addition to instigating prevention work in local schools and education providers.

11. Funding

- 11.1 For the year 12-13 YOS funding from the Ministry of Justice was cut by £14,000 to a total of £345,000 which resulted in the loss of some staff hours dedicated to ETE and reparation.
- 11.2 This financial year, there has been a further 16% cut in the funding from the Ministry of Justice and a top sliced devolvement of remand funding (see para 10.1). This has resulted in the loss of a YOS case manager, although the post does remain open. So the funding for the current financial year is £291,000 from the Ministry of Justice, a £53,000 remand budget also from the Ministry of Justice, £93,000 from YOS partners, with the remainder being made up from the local authority. This brings the overall budget for 13-14 to just over £1,000,000.

12. Links with wider Children's Services.

- 12.1 In 2010 the links between YOS and Social Care were strengthened by the YOS Service Manager becoming responsible for Adolescent Services (previously Targeted Youth Support). This last year has seen the continued integration of the services with the YOS Manager now being the Strategic Lead for Youth Offending, Adolescent Services & Troubled Families.

- 12.2 YOS staff work closely with Social Care colleagues and are made aware of care plans before implementing their own intervention plans which must, of course, take any LAC, CIN or child protection plans into account to ensure cohesion and non-duplication of work.
- 12.3 Additionally the implementation of the Youth Detention Accommodation Order (see Para 13.1) and consequently the looked after status of young people remanded in custody has further cemented this working relationship.

13. Issues And/Or Options

13.1 Youth Detention Accommodation

The Legal Aid, Sentencing & Punishment of Offenders Act (LASPO) 2012 changed the remand status of young people by making under & over 15 yr olds subject to the one remand status, a Youth Detention Accommodation Order, as of December 2012. It also gave all young people subject to such orders "Looked After" status. Additionally, 13-14 has been the first financial year that remand budgets have been devolved to local authorities as opposed to being managed centrally by the Youth Justice Board. These budgets were greatly reduced (top sliced) and the risk of the budget not meeting the cost of bed nights of young people subject to Youth Detention Accommodation Orders was a serious risk, not to mention the addition costs to the local authority of an increase of young people who have looked after status.

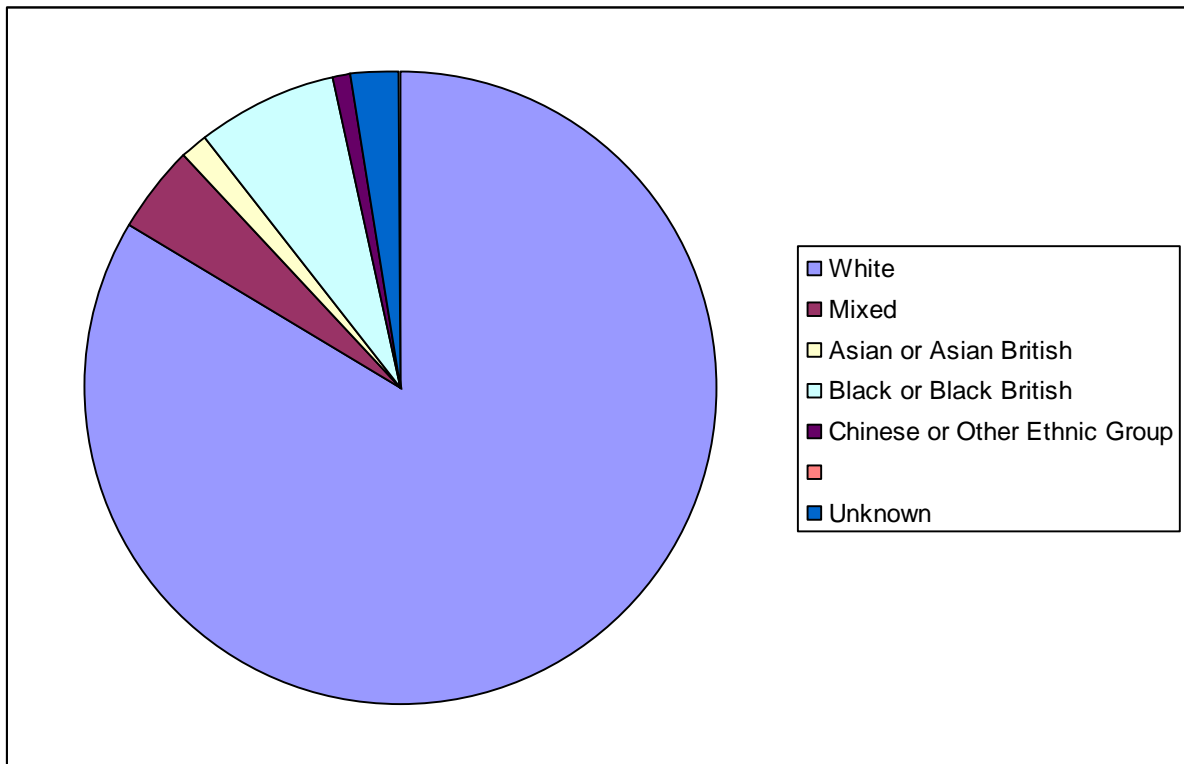
- 13.2 At the end of the financial year figures show that the prediction is slightly under budget on the Youth Justice Board devolved remand budget. This is as a result of robust Court work and high level alternatives to remands.
- 13.3 We have yet to be informed of the devolved remand budget for the financial year 2014-15 and whether there will be any further savings required but this budget will always pose a risk as the cost of remand beds are expensive (over 15 yr olds £173 a night & under 15 yr olds £603 a night). Therefore any long remand will put the budget at serious risk.

13.4 Offices

As a result of the Grays Court house being sold the YOS have moved into new premises, Corringham's old police station. Despite the initial move, which took place in January this year, being successful, Health & Safety issues have arisen, which need to be resolved urgently.

14 Diversity and Equality

14.1 Last year (12-13) the BME element of Thurrock's youth offending population was:-



White	83.5%
Black/Black British	7.2%
Mixed	4.6%
Asian/Asian British	1.3%
Chinese or other ethnic group	0.6%
Unknown	2.6%

14.2 With the latest local data indicating a 15% BME population in Thurrock, it can be seen from this that the BME population are not over represented in the offending population.

14.3 In respect of age & gender, males make up 86% of the offending population with the remaining 14% being female. The most common age for young men to offend is 17 yrs old but strangely for young females it is 15 yrs old.

15. Consultation (Including Overview And Scrutiny, If Applicable)

Not applicable

16. Impact On Corporate Policies, Priorities, Performance And Community Impact

- 16.1 All aspects of Crime and Disorder Act including S.17 as YOS statutory duty is prevention of offending and re-offending.
- 16.2 The work that YOS undertake with young offenders has a clear impact on the community's perception of crime and fear of crime.

17. Implications

- 17.1 Youth crime is a major issue for most communities and must be seen to be tackled effectively. Whilst most people look to the police in the first instance to tackle crime it is what happens post apprehension that impacts on the community especially in the management of violent, high risk & sexual offenders.
- 17.2 With government policy determined to reduce the use of custody this will inevitably mean more high risk offenders needing to be managed in the community which will have resource implications in addition to the risks outlined above.

Financial

Implications verified by: **Kay Goodacre**

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These are contained in the main body of the report.

Legal

Implications verified by: **Lindsey Marks**

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Section 39(1) Crime and Disorder Act 1998 places a duty on each Local Authority, acting with its statutory partners (Police, Probation and Health) to establish Youth Offending Teams in their local area to deliver youth justice services. It is a highly regulated non devolved service that is overseen by the Ministry of Justice via the Youth Justice Board for England and Wales.

Diversity and Equality

Implications verified by: **Rebecca Price**
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Within the context of this report, additional information is provided to highlight the diversity of Thurrock's youth offending population illustrating that young people identifying as white make up the majority of youth offenders, whilst Chinese or other ethnic groups are a small percentage. Since this report is for information only there are no direct diversity implications.

Other implications (where significant) – i.e. Section 17, Risk Assessment, Health Impact Assessment, Sustainability, IT, Environmental

Duties and responsibilities as described in the Crime and Disorder Act 1998 particularly Part 3, S.37 – S.42.

18. Conclusion

- 18.1 Thurrock has seen a year on year reduction in youth crime and the YOS provides an important, if largely unseen, service that contributes significantly to that, and, by default, to the community's perception of Thurrock and their own safety.

19. Background papers used in preparing this report

N/A

20. Appendices to this report:

N/A

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