

SURREY COUNTY COUNCIL**CABINET****DATE: 28 APRIL 2015****REPORT OF: MRS MARY ANGELL, CABINET MEMBER FOR CHILDREN AND FAMILIES****LEAD OFFICER: NICK WILSON, STRATEGIC DIRECTOR FOR CHILDREN, SCHOOLS & FAMILIES****SUBJECT: YOUTH JUSTICE STRATEGIC PLAN 2015 - 2020****SUMMARY OF ISSUE:**

Surrey has some of the most successful youth justice outcomes in England and Wales. For example, between April 2013 and 2014, Surrey had the lowest number of young people entering the criminal justice system for the first time per 100,000 of the population in England. This is a trend that has been established since 2011 through a strategic emphasis towards preventative and restorative interventions and means that a Surrey young person is less likely to enter adulthood with a criminal record than anywhere else in the country.

Within this high performing context, described by the Youth Justice Board for England and Wales as 'exceptional', the Youth Justice Strategic Plan 2015 -2020 seeks to build on success to date by continuing to drive a sustainable and innovative programme of delivery that will ensure that Surrey remains at the forefront of best national youth justice practice, serving the best interests of young people, victims and communities.

The Youth Justice Strategic Plan is produced to meet the council's obligations under the Crime & Disorder Act 1998 and is submitted to Cabinet for endorsement before being approved at the full County Council meeting in May 2015. Youth Justice relates to that area of the council's responsibilities for the management of young people who have committed criminal offences. These responsibilities are discharged in partnership with Surrey Police, Surrey & Sussex Probation and NHS Surrey. The organisation within the council with lead responsibility for youth justice is Surrey Youth Support Service (YSS).

The refreshed Youth Justice Strategic Plan 2015 – 2020 covers a 5-year period and has been co-produced with Youth Justice Partnership Board (YJPB) members. The clear partnership focus of the plan seeks to ensure that key services and agencies work together to deliver an effective youth justice system that provides value for money.

The decision to produce a 5-year plan represents a partnership consensus that a longer-term strategic plan provides the greatest opportunity to deliver sustainable high quality youth justice outcomes, which can withstand risks. The plan will be refreshed annually, reflecting any changes to the national and local youth justice landscape which impact on the strategic priorities.

The strategic priorities for the Youth Justice Strategic Plan are:

- **Prevent Youth Crime**
- **Reduce Re-offending**
- **Safeguard young people from harm**
- **Protect the public from harm**

In meeting the priorities, activity will include restorative justice approaches and the application of a clear safeguarding focus to prevent and reduce offending, improve victim satisfaction and raise public confidence.

RECOMMENDATIONS:

It is recommended that Cabinet:

1. endorses the Youth Justice Strategic Plan for 2015 – 2020 and recommends its approval to full Council.
2. congratulates Surrey Youth Support Service and the wider partnership on the outstanding performance and outcomes achieved in the youth justice arena.
3. acknowledges the exceptional political support and leadership provided in particular by the Lead Cabinet Member for Children and Families and the Leader of the Council that has contributed to the above performance and outcomes.

REASON FOR RECOMMENDATIONS:

The council has a duty under the Crime & Disorder Act 1998 to formulate a Youth Justice Plan setting out:

- How youth justice services in their area are to be provided and funded; and
- how the youth offending team or teams established are to be composed and funded,
- how they are to operate and what functions they are to carry out.

The Youth Justice Strategic Plan 2015-2020 is designed to deliver a sustainable and effective youth justice system that enables improved outcomes and value for money for Surrey residents.

DETAILS:

Local arrangements

1. In Surrey the statutory functions of the Youth Offending Team (YOT), in accordance with the Crime and Disorder Act 1998, are undertaken by the YSS. This includes the provision of a wide range of services to courts, young people who offend and their families, carers and victims. The Youth Justice Partnership Board (YJPB) oversees the activities of a range of partners who support and complement the work of the YSS in preventing and reducing youth crime, safeguarding young people and protecting the public. Partnership arrangements are outlined in Appendix A of the Youth Justice Strategic Plan (Annex 1).
2. The youth offending responsibilities of the YSS are funded through contributions from the statutory partner agencies in accordance with the Crime and Disorder Act 1998. These are the Local Authority, (covering Education and Social Care), the Probation Service, the National Health Service (NHS) and the Police Service. Further funding is provided through an annual grant from the Youth Justice Board (YJB) for England and Wales. Funding arrangements are outlined in Appendix C of the Youth Justice Strategic Plan (Annex 1).

3. Surrey YSS comprises local teams, one in each of the county's eleven boroughs and districts, that deliver services to young people who offend. The YSS also provides services to other young people who are homeless, who are deemed children in need (section 17 of the Children's Act 1989), who are open to but not engaged with the Children and Adolescent Mental Health Service (CAMHS) and who are Not in Employment, Education or Training (NEET). Young people who offend also often fall into these other cohorts, and vice versa. Therefore, an integrated service such as the YSS is of benefit to meeting a range of overlapping needs.

Youth Justice Interventions

4. The youth justice interventions and services provided through the YSS and supported by partners include:

a. Appropriate Adults

When young people are interviewed or otherwise processed at police stations a parent or other appropriate adult must be present. When parents are unwilling or unable to attend an appropriate adult is provided by the Surrey Appropriate Adult Volunteer Service (SAAVS)

b. Prevention

Targeted preventative work may be undertaken with young people at risk of offending where the young person's circumstances suggest that a casework approach is required. Referrals for this work come from a number of sources, including Community Incident Action Groups (CIAG) that monitor anti-social behaviour, schools, the police, and social services. Engagement at this stage is voluntary.

c. Pre-court / diversionary responses to offending

YSS is committed to avoiding the unnecessary criminalisation of children and young people. Central to Surrey's response is to approach young people's offending in a risk led, restorative manner. Thus young people's behaviour may be dealt with informally by officers on the street or through the Youth Restorative Intervention (YRI) or Youth Cautions, with or without conditions. The latter two are delivered by the YSS in partnership with Police and all serve to appropriately divert young people from prosecution through the courts.

d. Victims and restorative work.

The use of restorative justice is a cornerstone of the approach to youth crime in Surrey. This has included the development of the Surrey's Youth Restorative Intervention (YRI), sponsored by the Local Criminal Justice Board, which is the main disposal outcome for young people admitting all but the most serious offences. The YRI brings the victim and the young person together at heart of the system's response to offending, ensuring wherever possible that both have their needs met and harm is repaired. Key to the development of this approach has been an ongoing partnership with Surrey Police, which includes joint decision making processes in relation to whether young people who have offended can be dealt with out of court through the YRI.

e. Court work

For those young people who do go to court, the YSS provides a service by attending each youth court sitting to offer advice, undertake assessments of young people and make recommendations about the most appropriate responses in order to prevent further offending. As the YSS has a statutory duty to manage court orders, it is also

responsible for taking enforcement action when young people have consistently failed to comply with their order. This may mean that the young person is required to return to court where the YSS will prosecute the young person for the breach offence.

f. Supervising Court Orders

The YSS has a statutory duty to supervise a range of orders that are made in the courts. Most commonly orders are “community orders”, that is they are delivered whilst the young person lives in the community, and these are most often Referral Orders or Youth Rehabilitation Orders. The operating of these orders is subject to a set of national standards and is inspected by Her Majesty’s Inspectorate of Probation. A wide range of interventions can be agreed, dependant on a young person’s individual needs and level of risk, but most will require regular meetings between the YSS and the young person in order to support them into a constructive law abiding lifestyle.

g. Custodial Sentences

On the rare occasions when a young person goes to prison they normally serve the first half of their sentence in a secure/custodial setting and the second half in the community. The YSS maintains frequent contact with the young person and the prison and helps plan interventions both whilst in custody and in preparation for release. They then supervise the second half of the sentence in the community.

The Youth Justice Strategic Plan

5. The Youth Justice Strategic Plan (attached at Annex 1) for 2015 - 2020 follows a structure recommended by the Youth Justice Board for England & Wales and includes the following sections:
 - a. Introduction and context - sets out the context in which youth justice services are provided (section 1&2).
 - b. Ambition and strategic priorities – outlines the service’s high level strategy for the five years ahead (section 3&4).
 - c. Outcomes from 2013/14 – a review of service performance over previous 12 months (section 5 & Appendix B).
 - d. Resourcing & value for money – details how resources are deployed to deliver effective youth justice services to prevent offending and re-offending (Appendix C).
 - e. Partnership arrangements and governance – defines the partnership and governance arrangements which support integrated strategic planning and performance oversight and demonstrates the connectivity of services making a contribution to youth justice within the childcare and criminal justice system in the county (Appendix A).
 - f. Risks to future delivery - this section considers the risks that may undermine capacity to deliver effective youth justice services over the term of the plan (section 6).

6. The review of performance detailed in the plan (section 5 & Appendix B) demonstrates why Surrey is considered to have one of England and Wales’ foremost youth justice partnerships. Notable achievements include:
 - Young people in Surrey are significantly less likely to enter the criminal justice system than in any other authority in the country.

- Surrey is leading a regional programme to reform responses to looked after children's offending. Building on its success in keeping looked after children out of the criminal justice system in Surrey.
 - Surrey's restorative justice programme is nationally recognised as at the forefront of best practice putting victims at the heart of the justice process and records high levels of victim satisfaction.
 - Surrey detains fewer of its children and young people than ever before and fewer than any comparable authority in the country.
 - Offending by young people in Surrey is reducing and reductions in re-offending are most marked for those who have been subject to a youth restorative intervention.
7. The Youth Justice Strategic Plan 2015 - 2020 sets out how a partnership approach led by Surrey Youth Support Service (YSS) will deliver against the core strategic priorities and recognises that a longer-term plan is essential to provide the foresight and resilience required to enable us to sustain our outstanding performance, whilst also further reforming key areas of the youth justice system locally and regionally. This includes continuing to strive to use resources in the most effective way by preventing the costs of crime through early targeted intervention and promoting restorative justice processes to help a young person make amends for their behaviour and repair the harm caused to victims. Wherever appropriate this will be done without requiring recourse to the formal criminal justice system.
 8. At the same time, the plan seeks to lead a transformational shift in how work is undertaken with the smaller group of young people whose circumstances mean they are more likely to have prolonged contact with the youth justice system. This will be achieved through better understanding and addressing the needs underpinning their offending, which often reflect safeguarding and vulnerability concerns, as the route to reducing youth crime, creating fewer victims and making communities safer.
 9. For example, research highlights that those at greatest risk of offending are the least likely to be positively participating in the life of their communities; they are more likely to be out of education or employment and they can often be marginalised from services and opportunities, which perpetuates their vulnerability. By placing our youth offending services at the heart of a holistic, integrated partnership approach to meeting the needs of vulnerable young people we instead optimise our opportunity to return them to the heart of their communities and equip them with the skills to become contributing, non-offending adults.

CONSULTATION:

10. The Youth Justice Strategic Plan was considered by the Children and Education Select Committee on 26 March 2015 and was co-produced by the Youth Justice Partnership Board (YJPB). Nick Wilson, Strategic Director for Children, Schools and Families is the chair of the YJPB. The plan was also shared for consultation and feedback with the membership of the Youth Justice Advisory Committee and the Children, Schools and Families Directorate Leadership Team.
11. Feedback from the Children and Education Select Committee has contributed to a greater emphasis in the plan on support for young carers and those with mental health issues, transition between youth and adult services and the role of schools in supporting the prevention of offending.

RISK MANAGEMENT AND IMPLICATIONS:

12. The Youth Justice Strategic Plan identifies four areas of risk affecting the services capacity and capability to deliver effective youth justice services. These are detailed at section 6 of the plan together with corresponding mitigating action.

Financial and Value for Money Implications

13. The funding available for delivering year 1 of the Youth Justice Strategic Plan 2015 – 2020 is set out in appendix C of Annex 1 in a table that lists the contributions from partner agencies. The £1.429m contribution from Surrey County Council is an estimate based on the proportion of the YSS budget attributable to this area of work.
14. Costs are funded by contributions from partner agencies, a grant from the Youth Justice Board and the agreed revenue budget for the YSS. In addition, there is an annual bidding process for a grant from the Office of Surrey's Police and Crime Commissioner.

Section 151 Officer Commentary

15. Whilst it is recognised that the Youth Justice Strategic Plan is for 5 years, the funding to deliver the plan is generally agreed on an annual basis. Given that the funding available could change, the Section 151 Officer would expect the priorities and outcomes in the plan to also be reviewed on an annual basis to ensure delivery costs remain within the funding agreed.

Legal Implications – Monitoring Officer

16. The production of a Youth Justice Plan is a statutory requirement (Crime and Disorder Act 1998) and forms part of the county council's policy framework. The plan outlines how duties in respect of the youth justice system will be discharged by the council and its partners. There are no new commitments within the plan which impact upon the council's legal responsibilities.

Equalities and Diversity

17. Youth justice services support vulnerable young people to prevent further offending and to enable young people to make a successful transition to adulthood.
18. The youth justice partnership, including the YSS is acutely aware of the over representation of some minority groups within the criminal justice system and works actively to mitigate the impact on young people.

Corporate Parenting/Looked After Children implications

19. The plan provides for a continuing focus on reducing the over-representation of looked after children in the youth justice system. This builds upon the significant success in recent years in reducing looked after children's involvement in the youth justice system.

Safeguarding responsibilities for vulnerable children and adults implications

20. The plan commits the partnership to delivering outstanding services to safeguard young people and ensure protection of the public. The plan leads a transformational shift in recognising that persistent offending is often intertwined with significant safeguarding and vulnerability issues and,

therefore, that addressing safeguarding need is a likely starting point for successfully reducing entrenched youth offending behaviour.

Public Health implications

- 21. The plan's priorities include tackling risk factors associated with drugs and alcohol; emotional and mental health problems and sexual health/exploitation and cyber-bullying.

WHAT HAPPENS NEXT:

- 22. This is a rolling five year strategic plan setting out the ambition of the council and the wider youth justice partnership to prevent offending, address offending more effectively through ensuring a sufficient safeguarding focus, improve victim satisfaction, raise public confidence and where appropriate to divert young people from the criminal justice system through restorative justice processes.
- 23. The plan will be refreshed each year with the annual action plan (appendix D of Annex 1) reviewed and updated

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Consulted:

Children and Education Select Committee
Youth Justice Partnership Board
Surrey Youth Justice Advisory Committee
CSF Directorate Leadership Team

Annexes:

Annex 1: The Youth Justice Strategic Plan 2015 – 2020

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