

<b>Committee:</b> Safeguarding Sub-Committee	<b>Dated:</b> 23/11/2023
<b>Subject: Youth Justice Service Action Plan</b>	<b>Public</b> <b>Appendix 1 – non-public</b>
<b>Which outcomes in the City Corporation’s Corporate Plan does this proposal aim to impact directly?</b>	<i>Contribute to a flourishing society, sections 1–4</i>
<b>Does this proposal require extra revenue and/or capital spending?</b>	<b>N</b>
<b>If so, how much?</b>	n/a
<b>What is the source of Funding?</b>	n/a
<b>Has this Funding Source been agreed with the Chamberlain’s Department?</b>	n/a
<b>Report of:</b> Judith Finlay, Executive Director of Community and Children’s Services	<b>For Discussion</b>
<b>Report author:</b> Rachel Talmage, Head of Service, People Department, Department of Community and Children’s Services	

### Summary

The City of London commissions Tower Hamlets to operate our Youth Justice Service (YJS). It is a statutory requirement, given the local authority function of the City of London, to provide a service to any children who use offending behaviour who are resident within its boundaries. In April 2022, an inspection of the commissioned service was undertaken by His Majesty’s Inspectorate of Probation (HMIP), and the improvement plan was brought to the Safeguarding Sub-Committee in October 2022. This report provides an update on progress in the Youth Justice Service and summarises the inspection findings.

### Recommendation

Members are asked to:

- Note the report.

### Main Report

#### Background

1. The City of London commissions Tower Hamlets to operate our YJS. It is a statutory requirement to provide a service to any children who have any offending behaviour who are resident in the City of London. The service is outsourced due to our small resident population and the consequent small size of Children’s Services.
2. The service has been commissioned since 2014.

3. In April 2022, an inspection of the commissioned service was undertaken by HMIP. The report is appended (Appendix 1). The overall grading received was 'requires improvement', with five sections being graded 'inadequate'.
4. A swift and thorough response was made by the YJS Management Board which developed an improvement plan.
5. The Tower Hamlets and City of London Youth Justice Improvement Plan has been informed by the outcome from the HMIP inspection that took place in April 2022. This improvement plan focuses on strengthening the Youth Justice Management Board and the Youth Justice Service (YJS) to ensure that there is a 'child first' approach to meet the needs of children and to protect the public.
6. The YJS submitted its YJS strategy, including its improvement plan (see Appendix 2) to the Youth Justice Board and to HMIP on 14 August 2022.
7. The inspection raised seven recommendations that need to be implemented to impact positively on the quality of Tower Hamlets and City of London YJS.

**The Tower Hamlets and City of London Youth Justice Management Board should:**

**Recommendation 1.** Review its membership to ensure that the right people, at the right level of seniority, are included to engage actively in achieving better outcomes for YJS children.

**Recommendation 2.** Ensure that there are comprehensive quality assurance arrangements to understand performance and respond to the profile and needs of all children supervised by the YJS.

**Recommendation 3.** Make sure that all data and management information is accurate, reliable, and enables informed decision-making.

**Recommendation 4.** Review its out-of-court provision to ensure that the arrangements are effective and support diversion.

**The Tower Hamlets and City of London Youth Justice Head of Service should:**

**Recommendation 5.** Improve the quality of assessment, planning, and service delivery work to keep children safe and manage the risk of harm they present to others.

**Recommendation 6.** Ensure that robust contingency plans are in place for all children to address their safety and wellbeing, and risk of harm to others.

**Recommendation 7.** Make sure that safeguarding and public protection arrangements are comprehensive and understood by all staff.

8. These recommendations have been adopted in full. The consequent plan aims to address the areas highlighted via the HMIP inspection. It has been developed with the involvement of the Youth Justice Management Board and the YJS.

### **Current Position**

9. The Youth Justice Management Board has made many improvements at pace over the last 12 months. The Board has been separated into an operational and a strategic board and has been supported by the national Youth Justice Board (YJB).
10. The immediate action was to improve out-of-court disposals (OOCs). This diverted young people away from the criminal justice system, and the first-time entrant rates have reduced by approximately 45% over the last 12 months.
11. The YJS now has a robust quality assurance process that has been highlighted as an area of excellent practice by the YJB. This is demonstrating that there are fewer cases of concern, with more cases that are being counted as 'good'. This is supported by an external auditor.
12. The YJB has referred the YJS to be de-escalated due to the progress made in the last 18 months. The YJB are very happy with the actions taken so far.
13. There are no specific City of London issues.

### **Key Data**

14. No City of London child is currently accessing the YJS. Two children committed an offence in the last five years. It is our view that our robust Early Help offer and outstanding social care service contribute to low levels of either justice or recidivism, in addition to our small volume of children.
15. Black children have been and are disproportionately impacted by Youth Justice, nationally and locally. Change is important so that black children have better outcomes and are not discriminated against. One key example is spotting poor legal advice regarding OOCs. Black children are more likely to be advised to say 'no comment'; this means that, instead of receiving a caution (an OOC), they would have to go to court and would likely receive a sentence – such as a referral order. The data above shows that the first-time entrant rate is much lower due to intervention. Black, white and Asian children are less likely to receive a sentence compared with other residents in Tower Hamlets. Mixed Black/white children are now over-represented, and work is being undertaken to understand and address this issue. The Board regularly reviews disproportionality as a core element of their work.

### **Corporate & Strategic Implications**

16. Strategic implications – This report and appendices align with all four elements of the corporate strategy:

Contribute to a flourishing society:

- People are safe and feel safe.
- People enjoy good health and wellbeing.
- People have equal opportunities to enrich their lives and reach their full potential.
- Communities are cohesive and have the facilities they need.

17. Financial implications – The City of London contributes our allocation from the YJB to Tower Hamlets.

18. Resource implications – This is a commissioned service, so minimal staff resources are used to manage the contract. In addition, the Head of Service sits on the Youth Justice Executive Board.

19. Legal implications – None.

20. Risk implications – There is a risk that, if the service does not improve, then any resident child who offends in the City will not receive a good enough service.

21. Equalities implications – Public Sector Equality Duty 2010 – racial disproportionality is central to the improvement plan, as is age. Children who offend are deliberately referred to as ‘children’, to recognise their development and vulnerability. The Serious Case Review of Child Q showed that Black children are often seen as older and less vulnerable than their white peers. This is called ‘adulthoodification’ and staff are provided with relevant training to ensure that children are seen as children first.

22. Climate implications – none

23. Security implications – none

## **Conclusion**

24. The main report introduces the inspection by HMIP and the subsequent improvement plan by the service designed to improve safety and wellbeing of children, the community, and victims of crime. Much development work has taken place and it is of note that the National Youth Justice Board is happy with progress and is deescalating the service.

## **Appendices**

- Appendix 1: The YJB Action Log September 2023 – non-public
- Appendix 2: – Unlocking Potential, Transforming Lives, the YJS Strategy

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