

Report to:	CHILDREN AND YOUNG PEOPLE'S SCRUTINY COMMITTEE
Relevant Officer:	Diane Booth, Director of Children's Services
Date of Meeting:	10 September 2020

YOUTH OFFENDING TEAM IMPROVEMENT

1.0 Purpose of the report:

To update the Committee on the progress of Blackpool Youth Justice Service Improvement Plan theme areas - Out of Court and In Court.

2.0 Recommendations:

For the Scrutiny Committee to have oversight of progress made and provide challenge and support.

3.0 Reasons for recommendations:

To fulfil the Committee's role in scrutiny in seeking assurance.

3.1 Is the recommendation contrary to a plan or strategy adopted or approved by the Council? No

3.2 Is the recommendation in accordance with the Council's approved budget? Yes

4.0 Council Priority:

4.1 The relevant Council Priority is:

- Communities: Creating stronger communities and increasing resilience.

5.0 Background Information:

5.1 The Youth Justice Board and Her Majesty's Inspectorate for Prison and Probation undertook an unannounced inspection of Blackpool Youth Justice Service in October 2018.

5.2 The findings of the inspection resulted in Blackpool Youth Justice Service receiving an inadequate rating. Prior to the inspection it had been recognised that there were improvements which needed to be made both in the strategic partnership and the operational teams and a comprehensive improvement plan was put in place.

The outcome of the inspection reinforced the need for pace and focused resource to support the change that was needed to improve the service and ensure that children are well supported across the partnership and achieve good outcomes.

5.3 The improvement plan focuses on five themes (in line with the Youth Justice Board’s National Standards for Youth Justice) and each of the themes has a lead person from the partnership:

- Out of Court (lead- Head of Criminal Justice, Lancashire Constabulary);
- In Court (lead- Legal Team Manager, Blackpool Magistrates Court);
- In the Community (lead- Service Manager Targeted Intervention Service, Blackpool Council);
- Transitions (lead- Education Inclusion lead and Youth Offending Team (YOT) Service Manager, Blackpool Council);
- In Custody (lead- Business Development Manager, Blackburn with Darwen, Blackpool and Lancashire Children Safeguarding Assurance Partnership).

The improvement plan has been drawn up by the partnership and is monitored through the governance of the Youth Offending Team Executive Board.

5.4 **Out of Court Disposals (OoCDs) – Outcome: Fewer children are exposed to the justice system because issues are dealt with proportionately.**

Blackpool’s triage service was decommissioned at the end of September 2019 and a new diversion service pathway developed. A partnership launch was held to share the new pathway, which provides a diversion approach for low level crime through the use of Community Resolutions and referrals onto relevant services through the Blackpool Council Early Help Hub.

Numbers of Community Resolution outcomes and referrals through to the Early Help Hub are steadily increasing and continue to be monitored closely by Lancashire Constabulary and the YOT. The increase in the use of Community Resolutions has resulted in a reduction in the number of children entering the Youth Justice System as first time entrants.

5.5 Lancashire Constabulary share monthly data with the YOT which details all OoCDs given during the period. This data assists the services in monitoring trends and outcomes for children.

Month	Community Resolutions	Youth Cautions	Youth Conditional Cautions
November 2019	9	1	1
December 2019	7	0	0
January 2020	4	0	0
February 2020	10	5	1
March 2020	6	2	0
April 2020	14	1	1
May 2020	8	1	1
June 2020	5	3	1

5.6 In February 2020, Blackpool YOT invited a peer review team into the service to provide an opportunity for the YOT and local partners to gain a fresh perspective

regarding practice. One of the key lines of enquiry required the peer review team to consider whether the First Time Entrant (FTE) diversion model was robust, of sufficient quality and having a desired and significant impact. The peer review found a clear commitment from partners to getting a robust working OoCD model. They reported that assessments and reports were prepared for the OoCD panel in a timely manner and that early data showed the revised OoCD model was beginning to make an impact. The peer review report highlighted however that the current OoCD panel process was quite resource intensive and that the service may wish to consider a place-based approach which would focus on the specific needs of Blackpool communities, utilising the informed knowledge of local practitioners who work within the vicinity.

- 5.7 Early in 2020, the Youth Justice Board requested that all YOTs completed a self-assessment based on the updated Standards for Children in Youth Justice Services (2019). Five self-assessments were completed, one of which focused on OoCDs.

The YOT Service Manager and Team Managers have completed a number of audits with Lancashire Constabulary colleagues as part of the standards for youth justice self-assessment. The audits evidenced some areas of good practice and identified areas which require improvement. Future case audits will be undertaken as part of future monitoring of areas requiring improvements.

Whilst there was evidence that Blackpool YOT had made some positive developments in practice around OoCD, there were a number of recommendations made for further service developments. These related to record keeping, the assessment and OoCD panel process, quality checks and case audits and future strategic planning. These will be taken forward, along with recommendations made in the YOT peer review, by a small working group involving key partners and practitioners from the YOT.

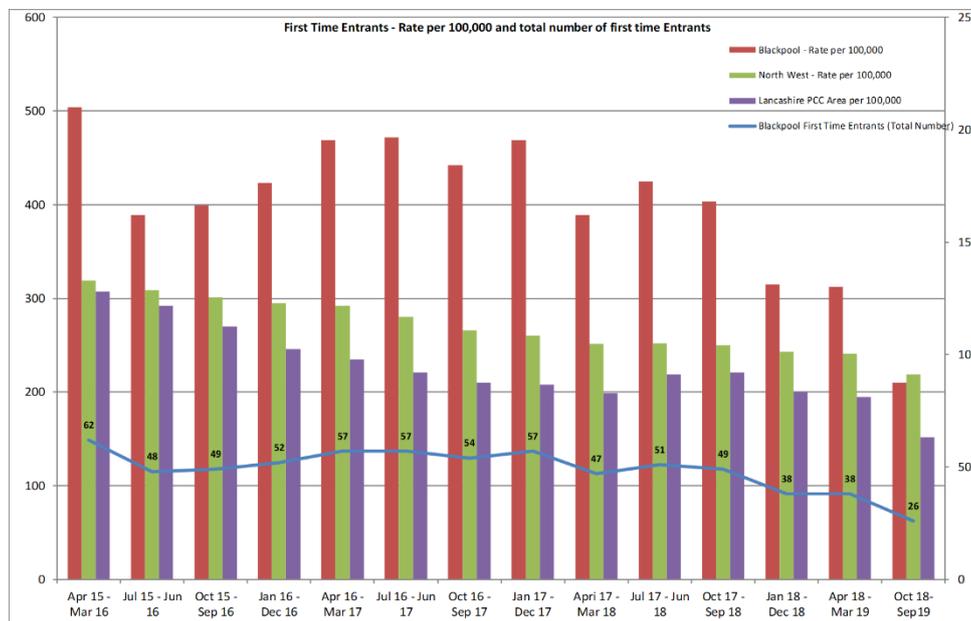
- 5.8 Work has been completed to identify learning from other areas of the country from those who are deemed to have good practice in relation to Out of Court Disposal work. Partnership visits undertaken to other Local Authorities, learning from other YOTs inspections and the recent YOT Peer Review will continue to influence our improvement work.
- 5.9 Significant work has been completed as part of the improvement journey to raise awareness of OoCDs within Lancashire Constabulary, including briefings to all front line officers and police personnel. The Blackpool YOT seconded Police Officer completes regular training events with Lancashire Constabulary new recruits to ensure they have a thorough understanding around OoCDs from the start of their police career.
- 5.10 New Pan-Lancashire materials have been developed and launched to support practitioners when explaining OoCDs to young people and their families. As a

result, children and their families have a better understanding of the implications of receiving an out of court disposal.

- 5.11 In response to inspection findings a refreshed Out of Court Disposal panel was developed to facilitate joint decision making between the Youth Justice Service and Police. A further review of this, including feedback from the recent Peer Review will inform next steps, this may include a dedicated Blackpool panel with wider partnership representation.
- 5.12 Work has been completed to improve the timeliness of referrals for Youth Cautions and Youth Conditional Cautions to the Youth Justice Service to ensure that children are supported at the earliest opportunity. The YOT and Lancashire Constabulary have developed flow charts for practitioners and managers to utilise to improve a consistent approach. Timeliness is scrutinised on a regular basis between Lancashire Constabulary and the YOT at an operational and strategic level. In addition the YOT is fully engaged with the Lancashire Criminal Justice Board's multi-agency OoCD scrutiny panel and ensures learning is implemented into practice.
- 5.13 A range of interventions continue to be developed to support the delivery of OoCDs. During the recent Covid-19 pandemic the service has seen some fantastic creative examples of virtual interventions completed by YOT staff with children to achieve positive results. Whilst face to face interventions have now resumed with all children open to the YOT, learning from virtual contacts will be considered as part of future interventions.
- 5.14 Restorative justice opportunities are explored for all OoCDs. There is a good level of victim contact and some excellent examples of direct work with victims and indirect restorative justice interventions taking place. There have been some good examples of joint work between the YOT and Lancashire Constabulary Restorative Justice team in delivering restorative justice as an approach as opposed to criminalising children.
- 5.15 The Pan-Lancashire Joint Agency Protocol for Dealing with Offences in Children's Care Homes, which is in line with the National Protocol on Reducing the Criminalisation of Looked After Children, has been developed and launched. A process is in place too for the Youth Justice Service and Police to regularly review offences that take place within Blackpool children's homes to ensure that partner agencies are adhering to the process. Lancashire Constabulary have identified link police personnel who have regular contact with local children's care homes to encourage them to consider alternative ways to deal with children who may commit low level criminal behaviour within the units. Further work was planned to be completed with the local children's care homes, however this has been delayed as a result of the Covid-19 pandemic.

5.16 It has been identified in analysis of quarterly performance data that the YOT has an over representation of looked after children within the whole cohort. To address this, a small working group has been established to review the National Protocol on Reducing the Criminalisation of Looked After Children to develop a Blackpool focused strategy and approach.

5.17 The First Time Entrants (FTE) rate (per 100,000) data table provided by Ministry of Justice Youth Data Summary shows a continued decline in the numbers of children coming into the Youth Justice System in Blackpool. This data shows a promising reduction, however it is acknowledged that the data is only provided up until September 2019 and more up to date data is required to provide a more current picture. The next set of YDS data was due in May 2020, however it has been delayed as a result of the Covid-19 pandemic.



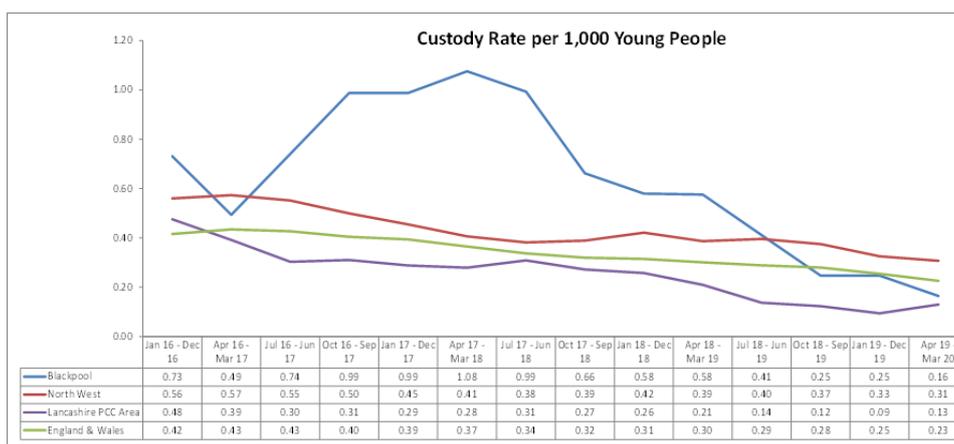
5.18 **In Court: Outcome- Children who are exposed to the criminal justice system achieve good outcomes and are supported to make positive changes**

All YOT officers currently attend court rather than having a dedicated court team. This ensures that all YOT officers have the necessary skills and experience to undertake the role and ensures that there is a confident and knowledgeable team. The YOT officers have supported and built positive relationships between the service, Her Majesty’s Court and Tribunal Service (HMCTS) and the judiciary. The YOT Court Officers provide a consistent approach, building confidence amongst the judiciary in relation to recommendations for sentencing.

5.19 YOT Court Officers attend daily pre-court planning meetings between the YOT, Legal Advisers, Crown Prosecution Service and solicitors to facilitate the business of the court and identify issues early. This assists with the swift administration of

justice for children appearing before the court.

- 5.20 The YOT has established stronger links with HMCTS court staff and the judiciary and the YOT Service Manager attends regular local Youth Liaison meetings as well as Youth Panel meetings with the Lancashire Magistrates and Youth Panel Chairman. The YOT Team Managers have regular communication with HMCTS, with regards to day to day court appearances for children.
- 5.21 HMCTS has provided training for YOT Court Officers regarding court etiquette and expectations at court. This was received well and has clearly impacted on the practice and relationships within the court arena.
- 5.22 A process has been developed between the YOT, Lancashire Constabulary, Her Majesty's Court and Tribunal Service and the Crown Prosecution Service to regularly review cases which are bounced back from court for consideration of an OoCD. This review enables process issues to be identified to reduce the numbers of children appearing before the court, when an OoCD is a more appropriate outcome.
- 5.23 The YOT has worked hard to reduce the number of children being remanded to custody by developing practices to ensure strong bail proposals are being presented to the court as a direct alternative to custody. The Ministry of Justice has provided an updated Youth Data Summary for custody rates. The graph below shows that our custody rate continues to reduce and is below the average for the North West and England and Wales. This data is taken from the YDS (April 2019 – March 2020) which provide a relatively up to date picture for the service.



- 5.24 A pan-Lancashire process has been developed and implemented to provide feedback on the quality of pre-sentence reports completed by the Youth Justice Service. A written feedback form is presented to the court after each sentencing episode to enable the judiciary to provide detailed feedback. The feedback received has been helpful in shaping service delivery and the service has received some excellent feedback from the judiciary about the improvement in quality of

pre-sentence reports which address vulnerabilities and factors to prevent re-offending.

- 5.25 A digital system has been developed to send pre-sentence reports directly to court/defence in advance of hearing to prevent delay and adjournments in sentencing for young people, allowing proportionate intervention to begin without delay.
- 5.26 The Problem Solving Court at Blackpool Magistrate's had been developed, however due to the reduction in numbers of children appearing before the court, the approach was not widely utilised. As an alternative Blackpool YOT Court Officers speak directly to all children and parents/carers who attend for a court appearance and provide information regarding services which may assist them. This includes direct referrals onto relevant services and/or further information regarding pathways.
- 5.27 Early in 2020, the Youth Justice Board requested that all YOTs completed a self-assessment based on the updated Standards for Children in Youth Justice Services (2019). Five self-assessments were completed, one of which focused on Court.

The YOT Service Manager and Team Managers have completed a number of audits with the Blackpool HMCTS Legal Team Manager as part of the standards for youth justice self-assessment. The audits evidenced some areas of good practice and identified areas which require improvement. Future case audits will be undertaken as part of future monitoring of areas requiring improvements.

Whilst there was evidence that Blackpool YOT had made some positive developments in practice within the court arena, there were a number of recommendations made for further service developments. These related to reducing the number of 'bounce backs' from the court to the police for consideration of an OoCD, reducing the number of remands specifically for children who appear before the court during the weekend or in an out of area court, further developments around participation and engagement of children and their parents/carers before, during and after court appearances and reviewing data to establish and identify any concerns around disproportionality. These will be taken forward by a small working group involving key partners and practitioners from the YOT.

- 5.28 In relation to court delays as a result of Covid-19, Blackpool YOT is working closely with HMCTS to monitor youth work. The data from June 2020 indicated that there were 39 children whose court appearances were delayed as a result of Covid-19. These numbers are starting to reduce as Blackpool is holding a youth court every Thursday and is dealing with children appearing before them. The impact of the court delays may result in a spike in the YOT cohort numbers for this period, however work with the courts and police will continue to reduce the numbers of

children appearing before the court, where an OoCD may be a more appropriate outcome.

Does the information submitted include any exempt information?

No

List of Appendices

None.

6.0 Legal considerations:

There are no legal implications to consider.

7.0 Human Resources considerations:

There are no human resources to consider.

8.0 Equalities considerations:

As identified in the narrative above, Blackpool knows its YOT cohort well and has identified disproportionality in the number of our looked after children supported by our YOT service. A working party has been established to consider the issues and take any relevant action.

9.0 Financial considerations:

The YOT financial structure is made up of multi-agency contributions as below:

Agency	Financial contribution 20/21
Youth Justice Board	£327,141
Local Authority	£129,051
Police	1 FTE Police Officer £41,941 additional contribution
Probation	1 FTE Probation Officer £5,000 additional contribution
Health	1 FTE Health practitioner £15,444 additional contribution

There are no current budget pressures.

10.0 Risk management considerations:

There are no issues of concern, appropriate governance arrangements are in place.

11.0 Ethical considerations:

There are no current issues identified.

12.0 Internal/ External Consultation undertaken:

As mentioned within the report, the YOT had a peer review undertaken in February 2020 by colleagues from other YOTs. Recommendations from the peer review have been considered by the YOT Executive Board and will be implemented into practice.

We are strengthening our consultation and co-production approach with our young people and victims to support improved service delivery.

13.0 Background papers:

None.