

# Youth Justice Board for England and Wales

**Business Plan 2017/18**

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# Foreword

We all want children and young people to live good childhoods and grow-up to make positive contributions to society. Many of the children and young people in the youth justice system have come from challenging backgrounds and have experienced damaging situations which have contributed to their current circumstances. A large proportion of those in custody have not been engaged in education, have experimented with illegal substances, and have mental health issues to name but a few of the challenges they present. In order to help children and young people to overcome their offending behaviours then we must promote their welfare and give them the opportunities to prosper.

If we are to truly transform the lives of our most troubled children and young people in our society then public services must work together and across a range of needs, including: health, accommodation, education and employment. Public services not only need to work with individual children and young people but also with their families as the primary source of support.

Outstanding progress across a number of services has brought huge success. We have seen an 83% reduction in the number of children and young people entering the youth justice system compared to 10 years ago. We have seen custody numbers remain under 1,000 which is a reduction of over two thirds on the peak average custodial population of 3,050 in 2003.

However, the demands on the youth justice system have changed significantly from when the reformed youth justice system and the Youth Justice Board for England and Wales (YJB) was established in 1998. The children and young people in the youth justice system today represent a more concentrated mix of those with complex needs and entrenched behaviours. This is shown by a high reoffending rate of approximately 69% (year ending March 2016) among those released from custody as well as high levels of violence within the secure estate.

The Government has recognised that the youth justice system needs reform to effectively meet these demands - something the YJB has been advocating for some time. The Government is managing a reform programme which follows on from Charlie Taylor's Review of the youth justice system. Charlie joins the YJB as our new Chairman which will help us to capture the true essence of the changes he proposed in his Review as we work closely with the Government to implement their reforms.

As part of the reform, the Government has announced changes to our functions. The newly established HM Prisons and Probation Service has a distinct Youth Custody Service with responsibility for the day-to-day running of youth secure services and for managing their performance. The commissioning of youth secure services will move to the Ministry of Justice. These changes were effective from 1 September 2017.

We will continue to work closely with the Government to provide scrutiny of the whole system and independent advice to ministers. This includes advising on what standards should be set for the youth justice system and monitoring delivery of those standards. We will continue to work closely with local Youth Offending Teams (YOTs), including focusing on preventing children and young people from entering

the youth justice system. We will continue to focus on sharing best practice across the system. We will continue to work with partners on shared issues, for example the over-representation in the youth justice system of children and young people from the care system and from black, Asian and minority ethnic backgrounds.

The changes to our functions and the wider youth justice reforms presents us with an opportunity to reflect on how we currently deliver our functions. Therefore, in addition to carrying out our current responsibilities which this plan reflects, we will be considering how we can operate most effectively to meet the needs of the children and young people in today's youth justice system. Next year we will publish a new YJB strategic plan and business plan which reflects our renewed role. We will be working closely with the Government and stakeholders on the development of our future operating model.

A handwritten signature in black ink, appearing to read 'Colin Allars'.

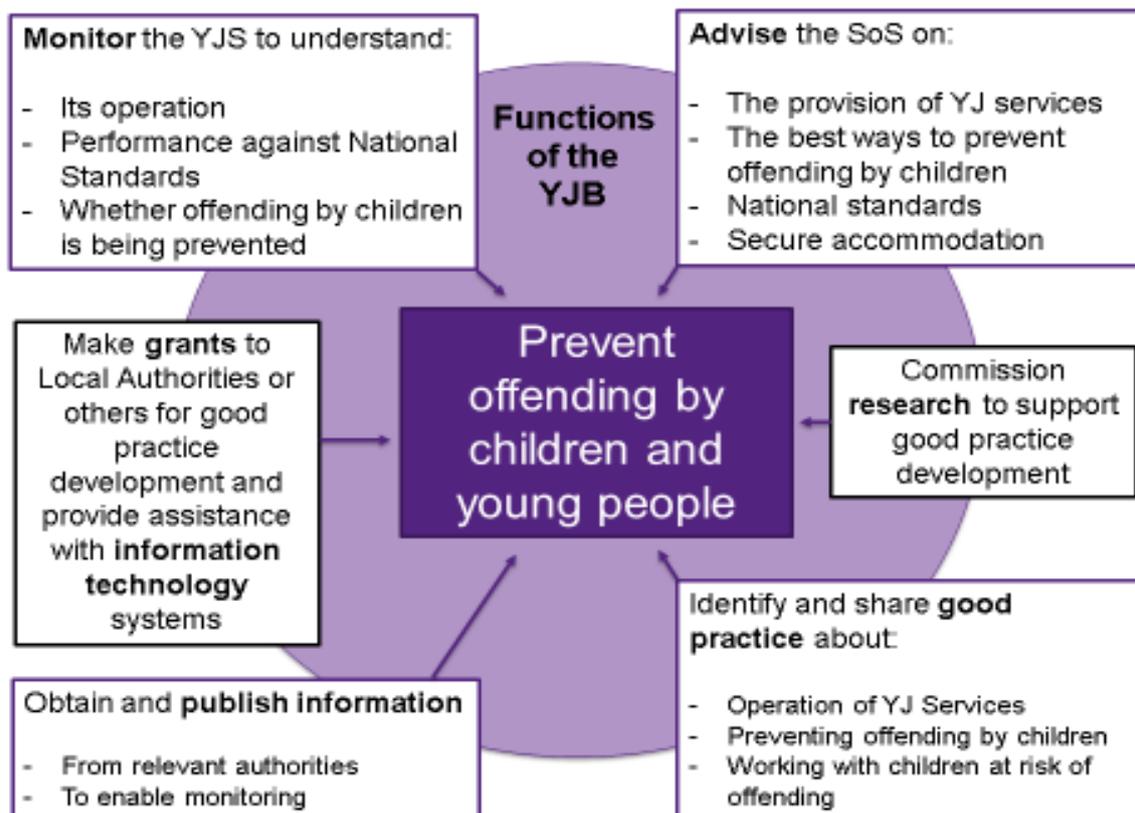
**Colin Allars**

Chief Executive, Youth Justice Board

# Who we are and what we do

The Crime and Disorder Act 1998 states that the principal aim of the youth justice system is to prevent offending by children and young people (any person between the ages of 10 – 17).

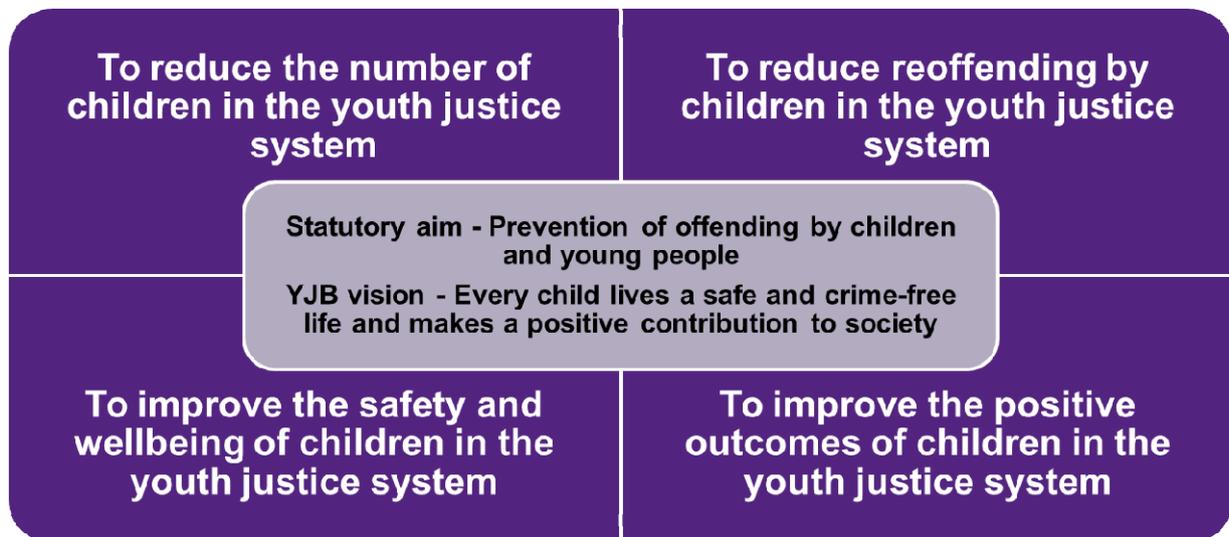
The YJB is a non-departmental public body established by the Crime and Disorder Act 1998. Its primary function<sup>1</sup> is to monitor the operation of the youth justice system and the provision of youth justice services<sup>2</sup>. It has a legal duty to advise the Secretary of State on matters relating to the youth justice system, to identify and share examples of good practice and to publish information about the system: reporting on how it is operating and how the statutory aim of the system ('to prevent offending by children and young people') can best be achieved. The YJB is the only official body to have oversight of the whole youth justice system and so is uniquely placed to guide and advise on the provision of youth justice services.



<sup>1</sup> The YJB's primary and unique functions are set out in section 41, part III of the Crime and Disorder Act 1998

<sup>2</sup> As defined by section 38, part III of the Crime and Disorder Act 1998

The YJB's vision and strategic direction (below) is set by our Board, which is formed of experts in areas which are vital for effective youth justice: education, health, local authorities, policing, the magistracy and the voluntary and private sectors (members of our Board are appointed by the Secretary of State). The Board is supported by a chief executive and other employees<sup>3</sup> who are responsible for delivering the remit of the YJB.



The YJB believes that every child should live a safe and crime-free life and make a positive contribution to society. To achieve this and to support the statutory aim of the youth justice system in England and Wales, the YJB believes that all parts of the system should work together to:

1. Reduce the number of children in the youth justice system
2. Reduce reoffending by children in the youth justice system
3. Improve the safety and wellbeing of children in the youth justice system
4. Improve the positive outcomes of children in the youth justice system

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<sup>3</sup> As allowed by section 4, Schedule II of the Crime and Disorder Act 1998

# Youth justice in Wales

Many of the matters that drive the delivery of youth justice services in Wales are devolved to the Welsh Government, as reflected in the joint youth justice strategy, [‘Children and Young People First’](#), published in July 2014. This joint strategy brings together the Welsh Government and the YJB’s vision and commitment to improve services for children and young people from Wales who are in, or at risk of becoming involved in, the youth justice system. The joint delivery plan enables the Welsh Government and the YJB to monitor the implementation of the strategy, ensuring it remains relevant and responds to the changing needs of the youth justice system, as well as how services are organised and delivered.

In Wales, YJB Cymru is responsible for [sharing effective practice](#) and has additional scrutiny and oversight of YOT performance through the use of four specific performance indicators linked to the devolved areas of legislation. These are:

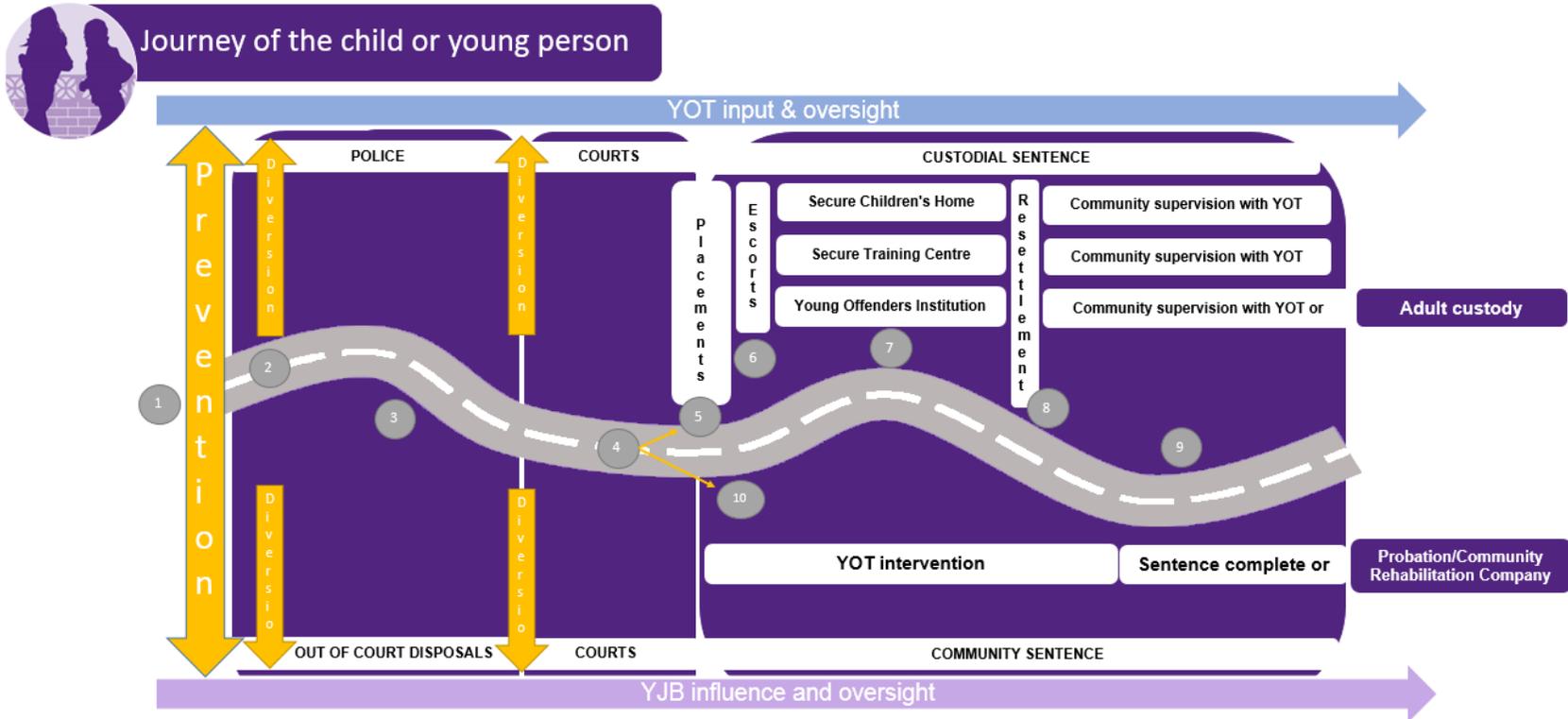
- engagement with education, training and employment
- access to satisfactory accommodation
- timely access to services for mental health issues
- timely access to services for substance misuse.

The Wales Youth Justice Advisory Panel provides governance for youth justice delivery in Wales. It assists the Welsh Government and the YJB to implement policy that prevents offending by children and young people in Wales. The panel is jointly chaired by the YJB Board Member for Wales and the Welsh Government Director for Local Government and Public Services. The Advisory Panel is a sub-committee of the Board of the YJB and acts as a stakeholder reference group for the Welsh Government and YJB Cymru.

# Journey of the child or young person through the youth justice system

The 'journey of the child or young person' (below) is a simplified visual representation of the youth justice system. This diagram does not intend to outline all the details of the various points of the justice system, but briefly capture the main points relating to youth justice. More detailed information can be found on [www.gov.uk](http://www.gov.uk).

The diagram should be observed by following the numbers from left to right, reading the text below as you progress. The diagram divides into two sections – 'community sentence' and 'custodial sentence' - after point '4'.



1. **Prevention:** There are various prevention programmes to positively engage children and young people. These are operated by local communities to keep children and young people away from crime and anti-social behaviour. Children and young people who are identified by YOTs, the police, health services or charitable organisations will have access to these programmes.
2. **Diversion:** In an attempt to divert children and young people away from the youth justice system, local police forces will usually have procedures in place which include working with local youth justice services to assess the risks and needs of children and young people. If the child or young person admits to the police that they committed a crime then it is here where a decision to provide a community resolution or formal out-of-court disposal, with YOT intervention, will be made.

If the police stop a child or young person informally for what they consider to be a 'low level' offence/anti-social behaviour, they can impose a community resolution. This requires acceptance of guilt and should involve carers in the decision making process. At this point, officers should also take into account the views of potential victims and seek to provide informal resolution. This process is not counted as an entry into the criminal justice system but can provide an important opportunity for related agencies and families to work with children and young people and deter further offending.

3. **Out-of-court disposals:** Should police officers decide to arrest or formally investigate an offence by a child or young person, an appropriate adult (any responsible person over 18, usually the child's or young person's parent or guardian. Appropriate adults ensure the child or young person understands what is happening to them and why) will be identified. Once the police have carried out their investigation, including interviewing the child or young person, they may decide to release the child or young person with no charge, request a YOT assessment, issue a Youth Caution or Youth Conditional Caution (post YOT assessment), or charge/summons the child or young person and will pass the case to the Crown Prosecution Service.
4. **Court:** If a decision has been made by the Crown Prosecution Service to prosecute the child or young person (the YOT will be involved in the decision to prosecute unless the offence is so serious that it requires direct escalation to court) then the case will be considered by a youth court (type of magistrates' court for children and young people). There are key differences in a youth court compared to an adult court, for example: there is a focus on the welfare of the child or young person; magistrates in the youth court are given special training; sentencing options are different; the court setting is less formal. The youth court will decide if it can hear the case or if the offence is more serious (e.g. murder, rape) and needs to be passed to the Crown Court.

## If the court has issued a custodial sentence

5. **Placement Service:** The Youth Custody Service (YCS; within HM Prisons and Probation Service), advised by the child's or young person's YOT caseworker, will decide which custodial establishment (see '7') they should be placed in depending on their risks and needs.
6. **Escorts:** The YCS will arrange for the child or young person to be transported from the court to the custodial establishment they have been placed in. This is a secure escort service specifically for children and young people.
7. **Custody:** There are three [different types of custodial establishments for children and young people](#): secure children's homes (SCHs), secure training centres (STCs), and under-18 young offender institutions (YOIs). Each differs in size and services available and will be targeted at different age groups, gender and need. They all have a focus on education and health services but each child and young person will have an individual plan to meet their specific needs. Children and young people are supported by their caseworker, a social worker, and their local YOT. In addition, confidential advocacy services run by children's charities regularly visit custodial establishments which children and young people can access.
8. **Resettlement:** Each child and young person will have a plan that addresses individual needs as identified in their key assessment in order to prepare their release into

## If the court has issued a community sentence

10. **YOT intervention:** There is a requirement for each local authority to work with children and young people in their area. This is normally in the form of a [YOT](#) which works with a number of services, including: police, probation, children's services, housing, health, education, drug and alcohol misuse, charities.

The YOT supervises the child or young person whilst they serve a community sentence (they will also be responsible if the child is in custody, as described at '7').

Two examples of community sentences are: 1) Referral Order – The child or young person attends a youth offender panel and agrees a contract to address their offending behaviour. 2) Youth Rehabilitation Order – The court has the choice of one or more of 18 different requirements which a child or young person must comply with for up to three years. Examples include: a curfew, unpaid work, electronic monitoring, health and education requirements.

When a child or young person becomes an adult, at 18, the YOT may pass supervision to the national probation service or a community rehabilitation company (see [Joint National Protocol for Transitions in England](#) and [Youth to adult transition principles and guidance for Wales](#)).

the community.

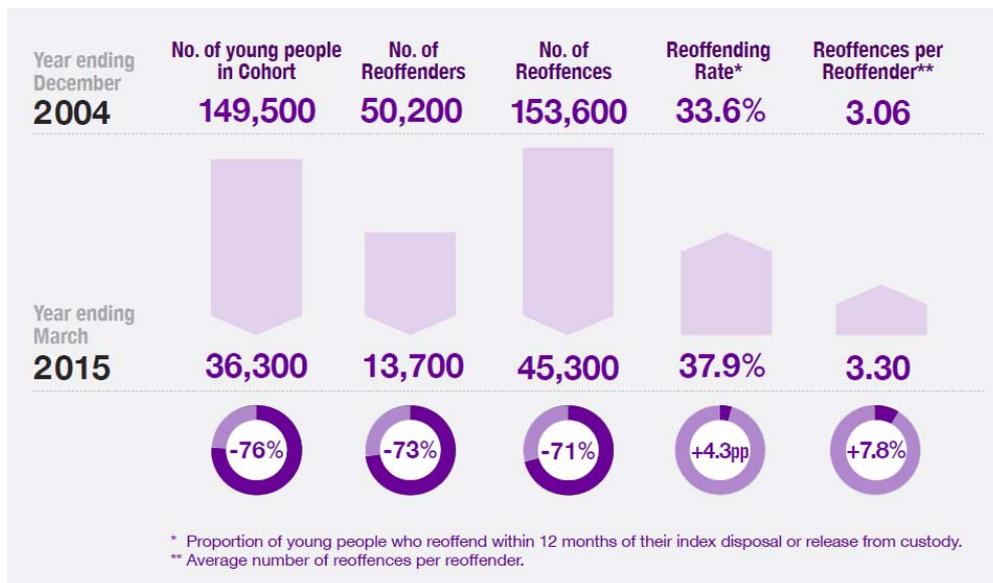
9. **Community supervision with YOT:** Many children and young people will have a community element of their sentence to serve once they have left custody (Detention and Training Order). Where young people transition from youth to adult custody at or around the age of 18 case responsibility will then be transferred to the national probation service or a community rehabilitation company. When statutory orders finish, wider assistance (e.g. from charitable organisations) would be engaged to help children and young people transition to mainstream services.

# Achievements and challenges

Part of the YJB's role is to understand and describe trends in the youth justice system and the children and young people who enter it. There have been significant reductions in the number of 10 to 17 year-olds entering the youth justice system and custody.



The proportion of children and young people who reoffend within 12 months has increased over the past decade (to 37.9%), as has the average number of reoffences per reoffender. Over the same period, however, the number of children and young people in the justice system, the number reoffending, and the number of reoffences, have all fallen substantially. As the cohort shrinks, it becomes more concentrated with children and young people with the most complex needs, challenging behaviours, and propensity to reoffend.



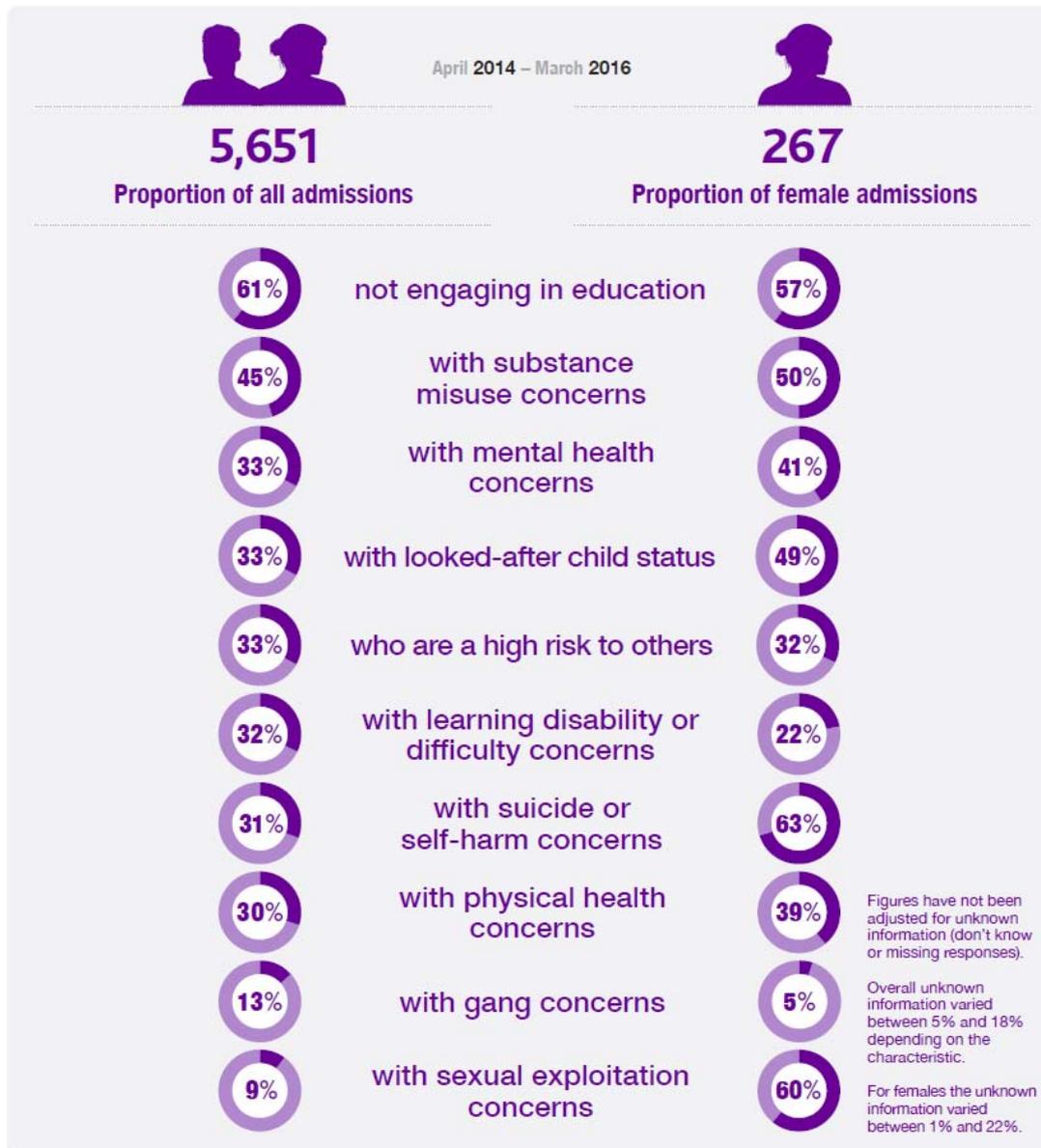
The information below is derived from the answers to a set of questions asked for operational purposes by YOTs and submitted to the Placement Service to inform placement decisions (the full report is within the [Youth Justice statistics: 2015 to 2016](#)).

The data presented should be considered as an indication of the needs and risks of children and young people in the secure estate, rather than formal diagnoses.

Nevertheless, it provides the most comprehensive quantified picture to date of children and young people entering custody. It shows that children and young people entering custody require a great level of support and intervention to effectively address their needs and challenging behaviours, and help them turn their lives around.

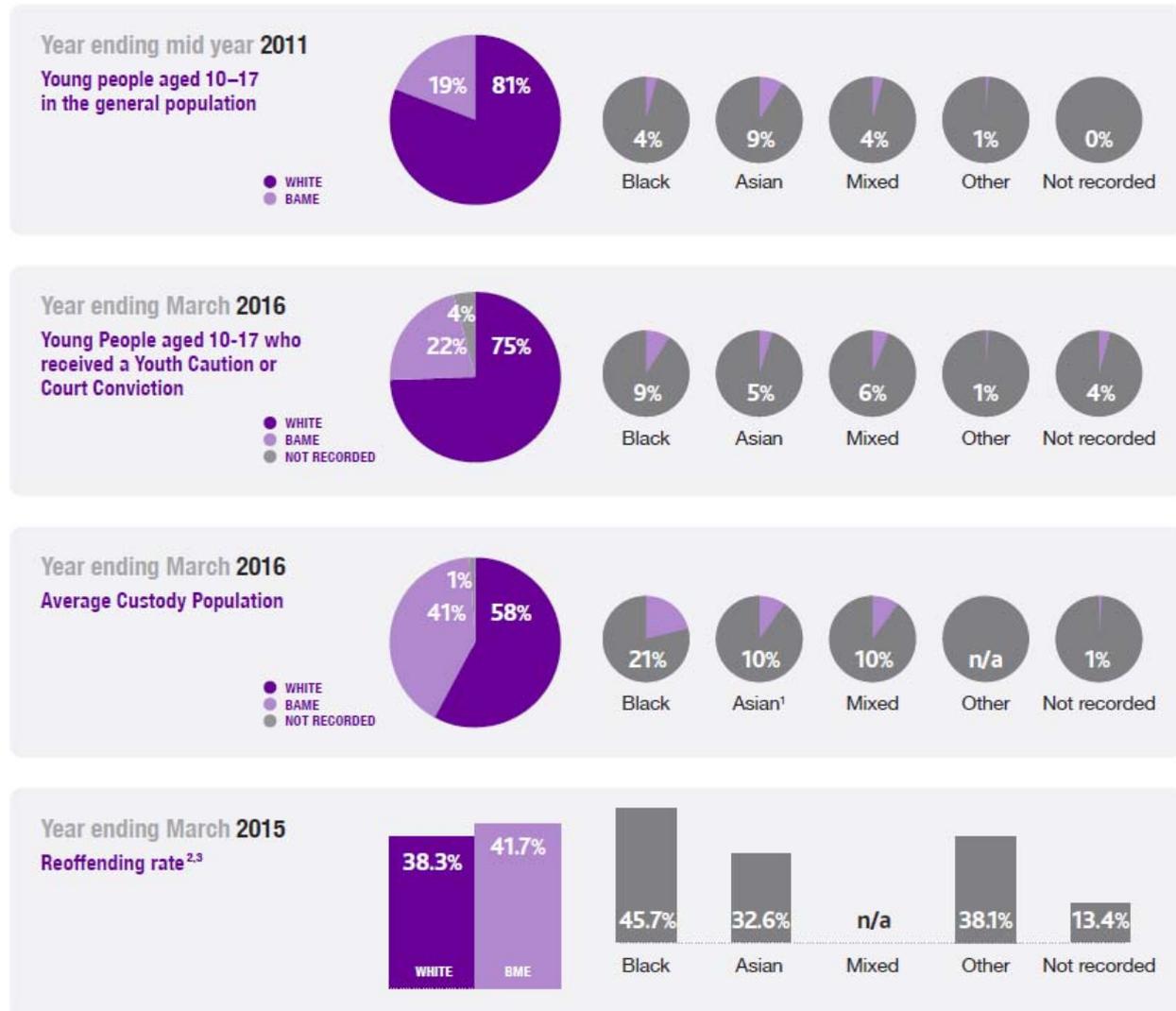
Admissions characteristics can vary considerably depending on whether the child or young person is male or female.

### Key characteristics of children and young people entering youth custody



The following compares the ethnicity of children and young people in the youth justice system as a whole, in custody, and by reoffending. It demonstrates the over-representation of black, Asian and minority ethnic (BAME) children and young people in the youth justice system.

### Over-representation of black, Asian and minority ethnic children and young people in the youth justice system<sup>4</sup>



1 Includes 'Other' ethnicity to reduce the risk of identification of young people.  
 2 For young people who were given a caution, who received a non-custodial conviction at court or who were released from custody.  
 3 Ethnicity identified and recorded on the PNC by Police Office according to the appearance of young people not as those self-identified and recorded on census.  
 Due to rounding figures may not add up to 100%.

<sup>4</sup> Addressing the over-representation in the youth justice system of children and young people from black, Asian and minority ethnic backgrounds is one of our cross-cutting themes (see page 18).

# Our work in 2017/18

The YJB takes a benefits-led approach so we can assess our performance on what we achieve rather than what we deliver. This allows us to better evidence the impact and value we are adding to the youth justice system.

We structure our work under the four strategic end benefits which our Board have set for the youth justice system.

## Strategic end benefits

- 1) To **reduce the number of children and young people** in the youth justice system
- 2) To **reduce reoffending by children and young people** in the youth justice system
- 3) To **improve the safety and wellbeing** of children and young people in the youth justice system
- 4) To **improve the positive outcomes** of children and young people in the youth justice system

We have identified key business activities for the latter part of 2017/18 which work towards achieving each of the above strategic end benefits. Each business activity is listed, below, under the strategic end benefit it most contributes to achieving.

Please note that not all of our work is represented here as we have detailed directorate business plans which support this business plan. Also, some business activities contribute to more than one strategic end benefit but for the purposes of this document they are only listed once.

Our Board holds our Executive Management Group to account for the delivery of this plan. This is done through Board meetings and sub-committees.

## Youth justice reform

The demands on the youth justice system have changed significantly since the YJB was established, both in terms of the number of children and young people in the system and the extent and nature of their needs.

A major aspect of our activity in 2017/18 will be to work with government on their youth justice reforms. The government published a review of the youth justice system, conducted by Charlie Taylor, and their response to his proposals in December 2016 (both can be read [here](#)). This was followed by a written ministerial statement in February 2017 ([here](#)). The YJB is integral to delivering the government's response and will work collaboratively to deliver the changes proposed.

Additionally, we will use our expertise to advise government on how to drive forward improved outcomes for children and young people in custody and in the community, both now and in the future.

The YJB is also subject to some of the reforms, with changes to our functions. The newly established HM Prisons and Probation Service has a distinct Youth Custody Service with responsibility for the day-to-day running of youth secure services and

managing their performance. Responsibility for the commissioning of youth secure services has moved to the Ministry of Justice.

This reform programme and the changes to our functions mean that this is a significant period of change for the YJB and the youth justice system. It means that in addition to our planned business activities we will be reviewing how we carry out our functions to ensure we are operating efficiently and effectively. However, we will ensure it does not affect our core focus on supporting partners to improve outcomes for children and young people. We will also work with the Welsh Government to make sure the reforms are adapted to the devolved context.

## Key business activities in 2017/18

<b>To reduce the number of children and young people in the youth justice system</b>	
1.	Advise the Secretary of State on the operation of the youth justice system, including on the content of national standards
2.	Work with and provide advice to the Ministry of Justice on how the youth justice system could be reformed, including a renewed focus on prevention
3.	Engage with wide-ranging stakeholders, including operational partners and government departments, to influence policy outcomes affecting children and young people
4.	Work in partnership with Welsh government and strategic partners to deliver the key outcomes under Children and Young People First, the joint youth justice strategy for Wales
5.	Identify and disseminate effective practice, including: <ul style="list-style-type: none"> <li>• Develop our model of working with the youth justice sector</li> <li>• Commission, conduct and publish research</li> <li>• Manage and promote the Youth Justice Resource Hub.</li> </ul>

<b>To reduce reoffending by children and young people in the youth justice system</b>	
6.	Deliver a trial of the Enhanced Case Management approach across the South Wales police force area and extend to England
7.	Manage the reducing reoffending project into business as usual
8.	Pursue the youth justice workforce development strategy
9.	Ensure the effective implementation and use of AssetPlus (the new assessment and planning interventions framework) and manage the Youth Justice Application Framework

**To improve the safety and wellbeing of children and young people in the youth justice system**

10.	Embed a new monitoring approach for YOTs
11.	Monitor YOT performance and compliance with national standards
12.	Act on gathered intelligence to help improve YOT performance where services are failing
13.	Take action within the YJB's remit to improve safeguarding and child protection responses and provide advice and leadership
14.	Identify and promote learning from incidents to support systemic improvements in safeguarding and child protection
15.	Work to improve the prevention and management of extremism and counter terrorism

**To improve the positive outcomes of children and young people in the youth justice system**

16.	Provide strategic support to ensure the maintenance of effective, local, multi-agency community youth justice services
17.	Form strategic partnerships with stakeholders in Wales to improve services through co-commissioning
18.	Manage processes to ensure grants are provided to YOTs and spent appropriately by them
19.	Review YOT grant funding arrangements and consult if any significant changes proposed
20.	Facilitate sector-led improvement
21.	Gather, use and share reliable information and data from the youth justice system

**Cross-cutting themes**

We have identified four important themes which are distinct from our business activities (above) so that they can be kept at the forefront of everything we do. Each theme is led by a YJB Board Member and a member of our Executive Management Group.

The four cross-cutting themes are:

- **Engaging and hearing the voice of the child or young person**

The United Nations Convention on the Rights of the Child sets out that children and young people should have access to the services they need and have a say

in how they are delivered. The [YJB Participation Strategy](#) has been developed so children and young people have the opportunity to participate in decisions about their care and supervision.

- **Address the over-representation in the youth justice system of children and young people from black, Asian and minority ethnic backgrounds**

The infographic on page 14 highlights disproportionality across the system. We have developed an action plan and will work in partnership with key stakeholders to address this issue. This includes working to address the issues highlighted in the report on the treatment of, and outcomes for, black, Asian and minority ethnic individuals in the criminal justice system, conducted by David Lammy MP.

- **Address the over-representation in the youth justice system of looked-after children<sup>5</sup>**

The infographic on page 13 shows us that a high proportion of admissions to custody are looked-after children. We also know that a high proportion of children and young people working with YOTs in the community have looked-after child status. The YJB has established a thematic group that works with external stakeholders to build evidence, influence policy and promote good practice to improve outcomes for looked-after children in the youth justice system. This includes responding to the recommendations in Lord Laming's review of looked-after children in the criminal justice system.

- **Meeting the needs of victims**

The youth justice system has an important role in mitigating the impact of crime on victims, families, communities and children and young people. Considering and seeking to address the needs of victims should underpin all work across the YJB, such as supporting YOTs who deliver services to victims and promoting the use of restorative justice<sup>6</sup>.

It is also important to remember that a significant proportion of the children and young people within the youth justice system have experienced victimisation or are themselves victims of crime. The impact of these experiences needs to be taken into account when working to address their offending behaviour and helping them make a positive contribution to society. A victims' reference group attended by key stakeholders has been established to this end.

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<sup>5</sup> A looked-after child is defined in the Children Act 1989 as any child who is in the care of the local authority for more than 24 hours. Looked-after children are entitled to certain services to safeguard them and promote their welfare.

<sup>6</sup> Restorative justice brings those affected by crime into communication with those who have committed crime. This is done in a carefully managed way with the aim of repairing the harm caused.

# Our resources

## Anticipated expenditure

Our budget has not yet been adjusted to reflect the changes to our functions. We will include this information when the revised budget has been agreed.

## What makes us an effective organisation

In order to continue to oversee and support the youth justice system effectively despite reductions in resources, we must be transparent, accountable and fulfil our obligations as a non-departmental public body. It is important to ensure that our governance structure, risk management approach, and business and ICT infrastructure are as efficient and effective as possible, and that we demonstrate value for money.

This includes ensuring that we continue to comply with existing public and parliamentary scrutiny requirements. We will ensure we have appropriate arrangements in place to comply with corporate governance obligations, as set out in the framework agreement between the YJB and our sponsor department. In addition, we will demonstrate efficiencies by sharing services with others but will apply an intelligent interface so that we select the services that are in line with our business requirements. We will manage our information appropriately which extends to our work to ensure the youth justice system collects, uses and shares information appropriately and in a way which enables the best possible outcomes for children and young people.

The YJB aspires to be a learning organisation, made up of people skilled at creating, acquiring, and transferring knowledge. With these attributes, we believe our people will help us to cultivate a culture of tolerance, foster open discussion, and think holistically and systemically. In this we strive to be a resilient and agile organisation, able to quickly adapt to change and the unpredictable. Through the development of our people strategy and plan, along with our diversity strategy and plan we intend to make sure that we have the right people in the right place at the right time and that we are an inclusive employer recruiting, supporting and continually developing a diverse workforce to achieve their and our full potential.

Through the YJB Values the YJB aspires to be:

### Child-centred

- We make every effort to champion the needs of children and young people wherever they are in the youth justice system and ensure we give them a voice.
- We strongly believe that children and young people can, and should be given every opportunity to make positive changes.

### **Outcome focused**

- We provide leadership and expertise and promote effective practice across the youth justice workforce to maximise positive outcomes for children and young people and their victims.

### **Inclusive**

- We strive to challenge discrimination and promote equality, and we work with others to try to eliminate bias in the youth justice system.

### **Collaborative**

- We actively encourage, facilitate and engage in partnership working to help meet the needs of children and young people, their victims and their communities.

### **Honest**

- We endeavour to act with integrity in everything we do.

# Finding out more information

There are lots of ways to find out more information about us or the youth justice system.

- [Our website](#) is the place for all the latest news and information relating to the youth justice system.
- The [Youth Justice Resource Hub](#) is an online resource containing examples of effective youth justice working, online training, volunteering opportunities, and youth justice research.
- Key documents and resources:
  - [Youth justice annual statistics: 2015 to 2016](#)
  - [Key characteristics of admissions to youth custody April 2014 to March 2016](#)
  - [Youth custody data](#)
  - [Proven reoffending statistics](#)
  - [National standards for youth justice services](#)
  - [HM Inspectorate of Prisons, Children in Custody 2015 – 16: An analysis of 12 – 18 year-olds' perceptions of their experiences in secure training centres and young offender institutions](#)