Safer Stronger Communities Select Committee

Report title: Lewisham Youth Offending Service Key Strengths and Challenges

Date: 13 October 2022

Key decision: No.

Class: Part 1

Ward(s) affected: Not applicable

Contributors: Head of Youth Offending Service

Outline and recommendations

This report gives committee members an opportunity to review information and updates on the work of the Youth Justice Partnership and the outcomes for the YOS over the past year.

The Committee is asked to:

- To review the data attached in Appendix A
- To agree the aims and recommendations of the annual Youth Justice Plan

Timeline of decision-making

1. Summary

1.1. The committee requested an update on strengths and key challenges for the Youth Offending Service in meeting its objectives.

1.2. The committee requested data on performance outcomes for the Youth Justice Partnership to include education data for children and young people in contact with the service.

2. Recommendations

2.1. The Committee is asked to:

- To consider the contents of the Youth Justice Plan summarised in this report.
- Clarify any items of interest from the data report

3. Youth Justice Plan summary

3.1. The Lewisham Youth Justice Plan has been developed and agreed across the youth justice partnership though the Lewisham Youth Justice Management board. In 2021 it was agreed that there will be a three year plan 21-24 with an annual refresh updating on key information and achievements each year. This year the plan is updated in the context of services opening up following the Covid 19 pandemic and builds on the Lewisham YOS recovery plan. The last year has seen significant challenges to maintain a high quality of service while keeping staff and the public as safe. The plan sets out the priorities and vision for the Lewisham Youth Justice Partnership for the forthcoming year which will be:

- Sustaining and improving even further our key performance measures to reduce first time entrants, re-offending and custodial episodes. Continue our workforce development and learning strategy to be a model of best practice building on our MJ Award 2020
- Fulfill the opportunities provided by the move of the Youth Offending Service into Children and Young People's Directorate including leadership and direction for tackling child exploitation and violence utilizing Lewisham's extensive know how in adopting a public approach to reducing violence
- A new and revised approach in Children and Young People's Services to prevention and early help
- Extend our influence and reach to promote anti-racist policy and practice and other inter-sectional inequalities taking forward the feedback from the HMIP Thematic Inspection 2021 – How the Youth Justice system meets the needs of black and mixed heritage boys (Lewisham April 2021)
- Applying the particular Lewisham YOS 'TIAARA' model (Trauma-informed, Anti-Racist and Restorative approaches) to achieve even better outcomes for children and families and staff wellbeing.

3.2. The Lewisham Youth Justice partnership is able to report on some key achievements for the year (2021) which include:

- The development of a new and innovative structure for the YOS to align with other preventative, family and therapeutic children service provision
- A revised vision to meet needs of children based on 'Child first' principles and practice to further reduce first time entrants, re-offending rates and use of custody
- An evolving anti-racist strategy to reduce over-representation and racial disparity centered around recognized best practice as identified by HMIP's Thematic inspection (best practice guidance for Black and Mixed heritage boys 2021**)** **A thematic inspection of the experiences of black and mixed heritage boys in the youth justice system (justiceinspectorates.gov.uk)**
- Local and national interest in the 'TIARRA' model integrating established trauma-informed and restorative practice with our vision to become an anti-racist service**.**

4. Youth Justice Challenges:

4.1. Serious Youth Violence / Victims:

Highlights (CREST: Lewisham Crime and Vulnerability Strategic Assessment 2021)

- Lewisham experiencing more serious youth violence but less antisocial behaviour compared to the London averages.
- Lewisham faces similar problems to much of London but with generally increased demand.
- Drugs, robbery and violence all major points of concern
- Criminal exploitation, gangs and serious youth violence are all strong features of Lewisham's crime profile and both causes and consequences of vulnerability
- Vulnerability is high and often multifaceted: rates of children in contact with Children Social Care (CSC) are higher than London averages, as are deprivation and domestic abuse
- There is significant overlap between victims and offenders among young people: victimisation should be understood as a vulnerability
- Housing, substance misuse and mental health are significant drivers of crime among adults, and are often interconnected with child vulnerability

4.2. **Racial Disparity and Over-representation**

The Lammy Reviews *(September 2017* and follow up 2020) assessed institutional racism within the criminal justice system (CJS) and identified racial disparity at every level. One of the key recommendation sand concerns was for youth justice. More recently the issue of racism was highlighted again by the case of Child Q a 15 year old girl Child Q who was taken out of an exam at a Hackney school to the school's medical room and strip-searched by two female Met Police officers who were looking for cannabis, while teachers remained outside. No other adult was present, her parents

were not contacted, and no drugs were found. The girl's intimate body parts were exposed and she was made to take off her sanitary towel and then expected to return to her exam.The action was unjustified and the Local Child Safeguarding review from Hackney stated that racism was likely to have played a part. Within this context the Service is committed to establish anti-racist and anti-discriminatory policy and practice to tackle disproportionality and over-representation. In this aim the Youth Justice Management Board has driven a borough-wide, self-assessment and action plan– strengthened by an Anti-racist policy in 2021/22 which includes focus groups within the YOS team to develop and action plan mirroring ' the journey of the black child' and the development of a new set of outcomes and measures.

4.3. Education Training and Employment

As a service it is recognised that Education Training and Employment is a key protective and vital factor in preventing and reducing offecding and re-offending for children and young people. The YOS has a seconded ETE lead and an Enhanced ETE panel attended by a range of statutory and voluntary services. A recent HMI Probation published a thematic inspection undertaken jointly with Ofsted and Estyn into education, training and employment services in youth justice services in England and Wales. The inspectorates looked at over a hundred cases and made the troubling discovery that some children had not participated in education, training or employment opportunities for two years or more. Inspectors also found that the quality of educational support was worse for children with Education and Health Care Plans (England) and Individual Learning Plans (Wales) whose needs are likely to be greatest. This is very relevant because as well as education being a child's right under the UN Convention on the Rights of the Child, good quality and engaging education can help to prevent children from entering the youth justice system in the first place. Education, training and employment is also an important part of the solution for those that already are in the system and is crucial to their prospects and future success. The inspectors did make some positive observations, including close and active working relationships between the youth justice service management board and local authority, health, police and probation colleagues.

In terms of our Local data (YOS database) a breakdown of Education Training and Employment status based on age, gender and race. Notable analysis of the data points to:

- Disproportionate numbers of black and mixed heritage boys out of mainstream school compared to white and Asian boys
- High numbers of children experiencing school disruption compared to the mainstream population
- The need for a deeper dive into the data to consider the causes and consider solutions

5. Youth Justice Perfomance Data: Headlines

5.1. The Youth Justice Board method for measuring YOTs nationally has been refined against the 3 measures as follows:

- First time entrants (FTEs)– Number per 100,000 of local 10-17 population
- Reoffending- binary
- Custody – Number of custodial sentences (per 1000 of local 10-17 population)

The last quarters KPI (Oct- Dec18) is showing the following: UPDATE:

- ✓ FTEs **down 41.1%** (The decrease in FTEs is significant (342 down to 202 Jan 2022 – compared to Jan 2021) and has moved Lewisham to 10th in our family group. This is despite an increasing 10-18 population.
- ✓ Re-offending **down 3.8 %** (42.1% (April – June 2020 tracked cohort))
- ✓ Custody no change – **10** per year (April 21-March 22 compared to April 20-March 21). Custodial rates continue to fall nationally. Lewisham custody rates reduced significantly between 2019- 2021 but seem to have stabilised over the past year. Our data informs us that there has been a continuation in certain serious offences where there is a high likelihood of a custodial sentence.

6. Legal implications

6.1. In accordance with the Council's Constitution, all scrutiny select committees must devise and submit a work programme to the Business Panel at the start of each municipal year.

7. Equalities implications

7.1. Equality Act 2010 brought together all previous equality legislation in England, Scotland and Wales. The Act included a new public sector equality duty, replacing the separate duties relating to race, disability and gender equality. The duty came into force on 6 April 2011. It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

7.2. The Council must, in the exercise of its functions, have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
- advance equality of opportunity between people who share a protected characteristic and those who do not.
- foster good relations between people who share a protected characteristic and those who do not.

7.3. There may be equalities implications arising from items on the work programme and all activities undertaken by the Select Committee will need to give due consideration to this.

8. Climate change and environmental implications

8.1. There are no direct climate change or environmental implications arising from the implementation of the recommendations in this report. However, in February 2019 Lewisham Council declared a Climate Emergency and proposed a target to make the borough carbon neutral by 2030. An action plan to achieve this target was subsequently agreed by Mayor and Cabinet (following pre-decision scrtuiny by the Sustainable Development Select Committee)[1]. The plan incorporates all areas of the Council's work. Items on the work programme may well have climate change and environmental implications and reports considered by the Committee should acknowledge this.

9. Crime and disorder implications

9.1. There are no direct crime and disorder implications arising from the implementation of the recommendations in this report. Items on the Committee's work programme may have crime and disorder implications and these will need to be considered as part of the reports on those items.

10. Health and wellbeing implications

10.1. There are no direct health and wellbeing implications arising from the implementation of the recommendations in this report. Items on the Committee's work programme may have health and wellbeing implications and these will need to be considered as part of the reports on those items.

11. Report author and contact

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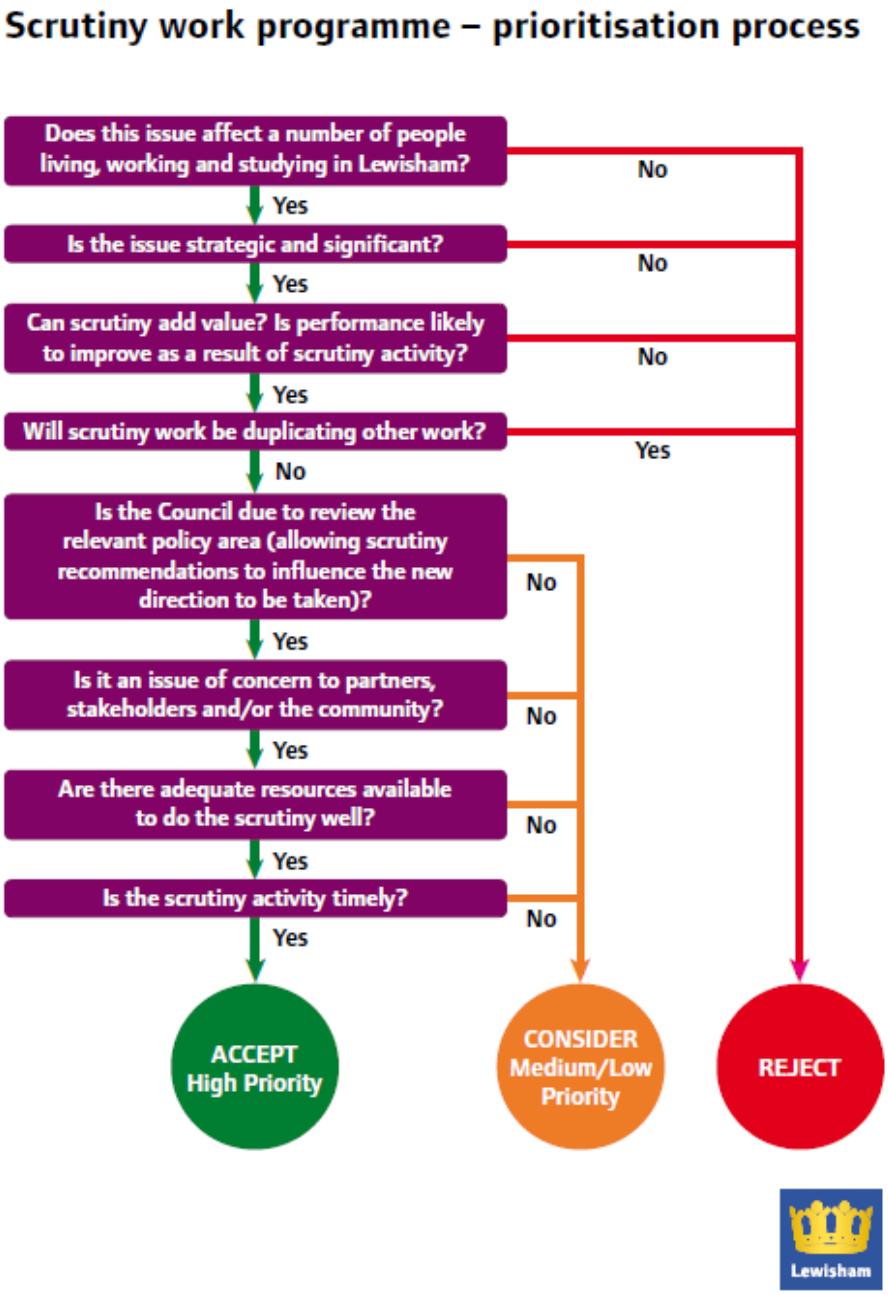
Appendix C

The flowchart below is designed to help Members decide which items should be added to the work programme. It is important to focus on areas where the Committee will influence decision-making.



Appendix D

Effective Scrutiny Guidelines

At Lewisham we:

1. Prioritise

It is more effective to look at a small number of key issues in an in-depth way, than skim the surface of everything falling within scrutiny's remit. We try to focus on issues of concern to the community and/or matters that are linked to our corporate priorities. We only add items to the work programme if we are certain our consideration of the matter will make a real and tangible difference.

2. Are independent

Scrutiny is led by Scrutiny Members. Scrutiny Members are in charge of the work programme and, for every item, we specify what evidence we require and what information we would like to see in any officer reports that are prepared. We are not whipped by our political party or unduly influenced by the Cabinet or senior officers.

3. Work collectively

If we collectively agree in advance what we want to achieve in relation to each item under consideration, including what the key lines of enquiry should be, we can work as a team to question witnesses and ensure that all the required evidence is gathered. Scrutiny is impartial and the scrutiny process should be free from political point scoring and not used to further party political objectives.

4. Engage

Involving residents helps scrutiny access a wider range of ideas and knowledge, listen to a broader range of voices and better understand the opinions of residents and service users. Engagement helps ensure that recommendations result in residents' wants and needs being more effectively met.

5. Make SMART evidence-based recommendations

We make recommendations that are based on solid, triangulated evidence – where a variety of sources of evidence point to a change in practice that will positively alter outcomes. We recognise that recommendations are more powerful if they are:

- Specific (simple, sensible, significant).
- Measurable (meaningful, motivating).
- Achievable (agreed, attainable).
- Relevant (reasonable, realistic and resourced, results-based).
- Time bound (time-based, time limited, time/cost limited, timely, time-sensitive).