

London Borough of Bromley

PART 1 - PUBLIC

**Briefing for Care Services and Education Portfolio Holders
4 and 11 September 2012**

**ANNUAL UPDATE REPORT ON BROMLEY YOUTH
OFFENDING TEAM PARTNERSHIP**

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1. Summary

1.1 This is an annual report to the Care Services and Education Portfolio Holders on the performance of the Bromley Youth Offending Team (YOT) partnership during 2011/12, and on other YOT-related operational and strategic developments.

2. **THE BRIEFING**

2.1 **Governance**

Youth Offending Teams in England and Wales are monitored and supported by the Youth Justice Board (YJB), which is an executive non-developmental public body. YJB Board Members are appointed by the Secretary of State for Justice.

The YJB:

- oversees the youth justice system in England and Wales;
- works to prevent offending and re-offending by children and young people under the age of 18;
- ensures that custody for them is safe, secure, and addresses the causes of their offending behaviour.

In November 2011, Central Government confirmed that that the leadership of youth justice and the specific functions undertaken by the YJB would be retained within the Ministry of Justice (MoJ).

Bromley's YOT is situated in the Education and Care Services Department with direct line management of the YOT Group Manager through the Head of Bromley Youth Support Programme. The YOT's two tier governance arrangements continue to be strategically and operationally managed through an Executive and Operational Board respectively. The Operational Board is chaired by the Assistant Director of Children's Social Care and Safeguarding supported by the Head of Community Safety as Vice Chair ensuring strong strategic links between the two boards and with Community Safety operations. Attendance from the statutory partners and key agencies has been maintained.

2.2 Performance

The YOT produces performance reports for both the Executive and Operational Management Boards, the latter containing a detailed breakdown of offending activity and patterns. The Youth Justice Board monitors performance and requires quarterly data reports against key performance indicators.

NI 111: First Time Entrants to the Youth Justice System (FTEs)

The YOT partnership has a target to reduce first time entrants by 2% each year. This target has been achieved for a fourth consecutive year. In 2008/09, there were 315 FTEs, in 2009/10 there were 203 and in 2010/11 there were 138. This downward trend looks set to continue as in 2011/12, there were only 67 first time entrants.

The introduction of the Triage system which diverts young people who have not previously offended out of the criminal justice system has had a significant impact on the number of first time entrants. 168 young people were referred to the YOT through the Triage system in 2011/12, of which only 28 young people later offended.

NI 19: Rate of Proven Re-offending by Young People who have previously offended

Year	Cohort Group	Size of cohort	Number of re-offences within 12 months of original conviction	Frequency rate per 100
2009/10	Jan -March 2009	150	161	107.3
2010/11	Jan - March 2010	115	98	85.0
2011/12	Jan - March 2011	77	138	179

The rate of proven re-offending by young people who have previously offended is arrived at by measuring the actual number of re-offences committed by a cohort of young people during a one year follow-up period following their original conviction in court or pre-court disposal.

The rate, which is expressed as the number of offences per 100 offenders, is susceptible to variation between years resulting from a combination of (a) changes in the size of the cohort and (b) the offending behaviour of individuals within the cohort. The increase in the rate between 2010/11 and 2011/12 is explicable in terms of the statistical effect of a high number of offences being committed by a few members of a smaller cohort than the previous year.

In the year April 2011 – March 2012, 64 offences were committed by 8 members of the January-March 2011 cohort (10% of a cohort of 77 were responsible for 46% of all offences committed in the year following their original conviction).

Of those 8, 1 offender was responsible for 19 offences. Although counted as part of the Bromley cohort (because of their status as a Looked After Child) this offender was actually resident in another Borough and was subject to the supervision of another YOT during the 12 month period.

NI 43: Young People Receiving a Conviction in Court who are Sentenced to Custody

Year	Total No of Disposals	Sentenced to Custody	%
2011/2012	224	15	7%
2010/2011	263	15	6%
2009/2010	347	22	6%

During 2011/2012, 15 custody sentences were issued. Although all custodial sentences are reviewed by the YOT to see if an alternative sentencing could have been offered and the YOT continues to discuss with the courts sentencing decisions, it was considered that the seriousness of the offences of the young people sentenced rendered community sentencing inappropriate.

NI 45: Engagement by Young People who Offend in Suitable Education, Training and Employment

In 2010/11, 73% of the young people known to the YOT were in education, training or employment at the end of their order. In 2011/12, the proportion in EET had increased to 76%. A higher proportion of the young people who are Not in Education, Employment or Training (NEET) are in the 16+ cohort. The service continues to work with internal and external education and training providers to address this. The establishment of a Not in EET Multiagency Panel has proved effective, as has the introduction of a Mentoring Scheme to provide 1-1 support to young offenders particularly those whose offending behaviour is a barrier to their participation in EET. During 2012/13, additional initiatives to support these young people are being introduced. The Mentoring Scheme and the additional initiatives are the outcome of funding received from the Public Protection and Safety Portfolio and exemplify the strength of cross portfolio working and support within the Bromley YOT Partnership.

2.3 Youth Offending Team Workforce Reorganisation

The YOT workforce was subject to a reorganisation which took effect from April 2012. The reorganisation followed a period of staff consultation which commenced in October 2011 and concluded in December 2011.

The key reasons for the reorganisation are:

- reductions in the Youth Justice Board (YJB) grant funding of £98,049 in 2011/12 (equivalent to a 21.47% reduction on grant funding from the previous year);
- a requirement to make £40,000 efficiency saving in 2011/12 as part of the requirement to meet 25% savings in Council expenditure as required by Government;
- anticipated further reductions in future YJB Grant funding and public spending over the next three years;
- the recommendations of the Government's Green Paper: breaking the Cycle of Offending: Effective Punishment, Rehabilitation and Sentencing of Offenders (Ministry of Justice, Dec 2010);
- the continuing statutory responsibility on local authorities to prevent and reduce youth offending and re-offending.

The new structure improves the capacity of the YOT to meet the requirements of the Crime and Disorder Act 1998, which provides the legislative framework for YOTs and the responsibilities of statutory agencies (health, police, children's services, including Children's Social Care and Education) to reduce and prevent offending and re-offending.

The Ministry of Justice Green Paper, which sets out direction of Criminal Justice Services for Young People has a clear expectation that comprehensive community alternatives in future to custody will be applied (an intention which was reaffirmed in the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (LASPO Act 2012), which received Royal Assent in May 2012 (see 2.5)). The new structure allows a greater flexibility to respond to this expectation.

In addition to ensuring that the new structure of the Bromley Youth Offending Team retains sufficient flexibility to maintain current adherence to legislative principles and to respond to the various demands and challenges of the period of financial and policy change, the structure also enhances management oversight of the YOT's casework practice which received recent endorsement and validation in November 2011's HMIP inspection exercise (see 2.4).

From July 2012, with the objectives of supporting integrated working and creating further cost efficiencies, the Management Team of the Bromley Youth Support Programme relocated from their previous base in St Mary Cray to the YOT's premises at Mason's Hill. The outcome will be improved information sharing between the 2 teams and new service developments particularly with respect to the YOT's prevention and intervention remit.

2.4 Her Majesty's Inspectorate of Probation

- 2.4.1 Her Majesty's Inspectorate of Probation has been undertaking a programme of Core Case Inspections of all Youth Offending Teams in England and Wales over a three-year period starting in April 2009.

The primary purpose of the inspection is to assess the quality of practice in relation to three general criterion; assessment and sentence planning, delivery and review of interventions and outcomes. Assessment entails close examination of a selected sample of at least 38 cases. Bromley's Youth Offending Team was the subject of an inspection in November 2011.

The inspection seeks to establish how often each aspect of casework is judged to be done to a sufficiently high standard. Casework is scored on the basis of the level of improvement required to bring them to that standard.

Bromley's YOT was awarded the best possible score of Minimum Improvement required for assessment and planning and interventions and Moderate Improvement (bordering on Minimum) for outcomes. Inspectors made comment that they noted a significant improvement in practice standards and the quality of the service on offer since their 2007 and 2008 inspections (DCYP08038).

Overall, the Inspector judged the findings of the report to be "very creditable". With specific respect to the Safeguarding and public Protection aspects the Inspector judged the Safeguarding aspects of the work were done well enough 81% of the time. With the Public Protection aspects, work to keep to a minimum each individual's *Risk of Harm to others* was done well enough 75% of the time, and the work to make each individual less likely to re-offend was done well enough 82% of the time. These figures are shown in the table below in the context of findings from Wales and English regions inspected to date.

	Performance for YOTs in Wales and the English Regions that have been Inspected to Date			Performance for Bromley YOT
	Lowest	Highest	Average	
'Safeguarding' Work (action to protect the young person)	37%	91%	68%	81%
'Risk of Harm to Others' Work (action to protect the public)	36%	85%	63%	75%
'Likelihood of Re-offending' Work (individual less likely to re-offend)	43%	87%	71%	82%

The outcomes from the Inspection reflect improvements achieved through Bromley's previous Inspection Improvement Plan. This excellent result is attributable to the effectiveness of a cross-portfolio strategy, local partnership arrangements, the leadership of the YOT Manager, and the application of the staff team to the task of ongoing service improvement.

Members are asked to note that the CQC undertook an inspection of the Bromley PCT contribution to the YOT at the same time as that undertaken by HMIP. YOT management are working to support their colleagues within the PCT to implement the recommendations of that Inspection.

A report providing detailed commentary, the Inspector's recommendations for improvement together with draft improvement plans was presented to the PH CYP and PPS in March 2012 (DCYP10152).

2.4.2 Future Inspection Programme

Every YOT in England and Wales has now received an inspection under the CCI inspection programme of youth offending work. Following agreement with Ministers and consultation with YOTs and other interested parties, HMI Probation is currently undertaking development of successor programmes, the first of which is due to roll-out in Summer 2012.

Inspection of youth offending work under the new programme will consist of four elements. A full Joint Inspection programme will be targeted at a small number of YOTs each year where performance gives particular cause for concern, together with some YOTs where published performance is strong and worth sharing. A thematic programme will undertake a focused inspection of specific aspects of work across a range of YOTs. HMI Probation will contribute to the forthcoming Ofsted-led inspection of child protection arrangements. Finally, there will be a short screening programme targeted at about 20% of YOTs each year, focussed on the start of sentences.

The Full Joint Inspection programme will be undertaken at short notice, be led by HMI Probation and will include contributions from our partner inspectorates covering health, children's social care, education and training, and Police. The MoJ has recently consulted with YOTs and others on the criteria for inspection and the inspection methodology. Inspection criteria will be published in due course, along with detailed guidance for inspected bodies on the inspection methodology.

2.5 **Legal Aid, Sentencing and Punishment of Offenders (LASPO) Act 2012 - Key Changes for Youth Justice**

The Legal Aid, Sentencing and Punishment of Offenders (LASPO) Act 2012 received Royal Assent on 1 May 2012, with implementation anticipated in November 2012. The Act reforms the justice system and the administration of legal aid and will create a new youth remand and sentencing structure that will allow courts greater flexibility when deciding on appropriate disposals for young people.

The Act introduces the following changes:

Youth sentences

- Increased discretion on sentencing, which will enable courts to conditionally discharge a young person pleading guilty to their first offence instead of giving a referral order.
- Removal of current restrictions on repeated use of referral orders following a guilty plea.
- Variation to detention and training order recall conditions.

Remands

- A more flexible and simplified process is to be introduced for remanding young people under 18 years of age.
- The Act requires that any child remanded to youth detention accommodation is to be treated as 'Looked After' by the designated local authority (this is to apply from the date of which the Act is implemented).

Out of Court Disposals

- Reprimands and final warnings will be replaced by youth cautions and youth conditional cautions.

Knife Crime

- Offenders aged 16+ will receive a minimum custodial sentence of at least four months.

Rehabilitation of Offenders

- The Act amends the times when different convictions become spent and, in most cases, when rehabilitation periods will be reduced.

The YJB is working closely with the Ministry of Justice and with criminal justice partners to produce detailed guidance on the key changes in the LASPO Act 2012 and is organising a programme of training for YOT staff and partners. Locally, officers are now conducting an exercise to determine the implications of these legislative changes on the operation of the YOT and for Children's Social Care.

3. POLICY IMPLICATIONS

- 3.1 All matters in this Report contribute to the priorities identified in Building a Better Bromley Community Strategy: 2020 Vision, the CYP Portfolio Plan for 2011/2012, and Bromley's Community Safety Strategy.