

**Decision Maker:** PORTFOLIO HOLDER FOR CHILDREN, EDUCATION AND FAMILIES

**Date:** For Pre-Decision Scrutiny by the Children, Education and Families PDS Committee on 17 November 2022

**Decision Type:** Non-Urgent Executive Non-Key

**Title:** BROMLEY YOUTH JUSTICE SERVICE UPDATE

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**Ward:** All Wards

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1. Reason for report

- 1.1 This purpose of this report is to provide an update on the work of Bromley Youth Justice Service since April 2022, to include work to address offending as well as the performance and other work of the service.
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2. **RECOMMENDATION(S)**

- 2.1 **The Children, Education and Families PDS Committee is asked to note the report and provide any comments on the work of Bromley Youth Justice Service.**
- 2.2 **The Portfolio Holder for Education, Children and Families is asked to endorse this half yearly report.**

### Corporate Policy

1. Policy Status: Existing Policy
  2. BBB Priority: Children and Young People
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### Financial

1. Cost of proposal: None
  2. Ongoing costs: N/A
  3. Budget head/performance centre: YOS Budget
  4. Total current budget for this head: £1,682m
  5. Source of funding: LBB. Statutory Partners and the Youth Justice Board
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### Staff

1. Number of staff (current and additional): 30.5FTE
  2. If from existing staff resources, number of staff hours: N/A
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### Legal

1. Legal Requirement: Statutory Requirement:
  2. Call-in: Applicable: Portfolio Holder decision.
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### Procurement

1. Summary of Procurement Implications: None
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### Customer Impact

1. Estimated number of users/beneficiaries (current and projected): N/A
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### Ward Councillor Views

1. Have Ward Councillors been asked for comments? Not Applicable
2. Summary of Ward Councillors comments: N/A

### **3. COMMENTARY**

3.1 The Youth Justice Service is multi-disciplinary, multi-agency service with the statutory duty of supervising children and young people aged 10-18 years who are subject to Court orders . We work with children and their families to deliver our statutory responsibilities in relation to a wide range of provision to prevent offending and reoffending.

#### **3.2 Context**

3.3 The statutory responsibilities of the Youth Justice Service (YJS) is set out in the Crime and Disorder Act 1998 and if further underpinned by other legislation such as Children’s Act 1998 and 2000, Powers of Criminal Courts (Sentencing Act) 2000 and Legal Aid Sentence and Punishment of Offenders Act 2000 of the YJS includes out of court disposal, statutory supervision for those sentenced by the courts this include those sentenced to detention, on licence in the community, court work and those remanded on bail under supervision.

3.4 The governance for Bromley YJS is via an Executive Strategic Board chaired by the Ade Adetosoye (CBE) – Chief Executive Officer with senior officers from partner agencies. There are three themed operational subgroups who work to deliver against the youth justice plan objectives and report directly into the Executive Board. This is a statutory board set up under the Crime and Disorder Act 1998.It comprises of members from Children’s Social Care, Education, Police, Health, Probation, Housing and Community Safety. As well as our Lead Member for children’s services. The Board meets on a quarterly basis and provides a robust scrutiny of the work of the service, and this is further considered as we continue to have the work of the YJS overseen by an Improvement Board and a Challenge Board as we continue on a journey of preparing for external inspection with the Her Majesty Inspectorate of Probation who are the regulator for Youth Offending work.

3.5 Bromley YJS has a clear focus on crime and reducing reoffending as detailed in our Youth Justice Plan 2022/24. The service has been supported by partners and we work with children and families. We have tried to be innovative and learn about new ways of engaging with children and young people across the youth justice sector and the wider partnership landscape to support our frontline staff in delivering services to the community and support children at risk, including supporting those children who have been victim of crime to receive the support and assistance they need.

#### **3.6 Bromley’s performance**

3.7 Youth Justice Services have three national outcome measures that are reported onto the Youth Justice Board, these are: to reduce first time entrants to the youth justice system, to prevent offending and re-offending by children and young people and to reduce the use of custody for young people who are either remanded or sentenced to custody. We are not required to collect data related to educational attainment or accommodation, but these are additional

local measures that we report on internally to the Executive Board in relation to whether children and young people are in education, training and employment at the end of the YJS intervention. Equally we provide data into accommodation status of our children and whether this is deemed suitable or not, we count custody as being unsuitable accommodation for children.

- 3.8 In terms of our performance we have continued to reduce the levels of first-time entrants to the criminal justice system from a rate of 143 (April 2020 – March 2021) to 112 (April 2021 to March 2022) per 100,000 representing a 21% reduction, placing Bromley as the 4<sup>th</sup> lowest rate amongst London and 38<sup>th</sup> nationally. The success of this measure relates to our triaging of over 100 children that provides support to them and takes them out of the criminal justice system and keeps the rate low. The national data suggests that overall there is a fall in first time entrants.

<b>First Time Entrants (FTE)</b>	<b>Apr 20- Mar 21</b>	<b>Jul 20 - Jun 21</b>	<b>Oct 20- Sep 21</b>	<b>Jan 21- Dec 21</b>	<b>Apr 21- Mar 22</b>
<b>Bromley Number</b>	47	46	44	40	37
<b>Change previous year*</b>	-2%	-2%	-4%	-9%	-8%
<b>Bromley Rate</b>	143	140	135	121	112
<b>Change previous year*</b>	-7%	-2%	-4%	-10%	-7%
<b>London Rate</b>	206	224	204	186	172
<b>Statistical Neighbours Rate</b>	145	146	146	121	120
<b>National Rate</b>	157	167	154	145	142

- 3.9 The data for reducing reoffending comes from the Police National Computer and is published by the Ministry of Justice (MoJ). The 12 months percentage of the cohort that reoffended is presented; this is based on our local live tracking as there are delays in the publication of the national indicators due to some technical issues at the MoJ. The cohort consists of all children and young people who received a pre-court or court disposal or were released from custody in that date range. The average reoffending rate amongst our statistical neighbours is 41% annual reduction and is 10% lower than London and 5% lower than the national average. Both the number of first-time entrants and reoffending is influenced by police activity including increased “stop and search” within the borough. The YJS and police have good processes in place to ensure as far as possible young people are diverted from prosecution. The service provides a wider range of interventions designed to tackle offending and stimulate young people’s interest and aspirations. We closely supervise and manage children and deliver interventions aimed at reducing reoffending.

Children who re-offend	Jul 18- Jun 19	Oct 18- Sep 19	Jan 19- Dec 19	Apr 19- Mar 20	Jul 19- Jun 20
<b>Cohort</b>	<b>118</b>	105	92	83	63
<b>Bromley No. reoffenders)</b>	38	32	28	27	18
<b>Change previous year*</b>	-12%	-16%	-13%	-4%	-33%
<b>Bromley offending Rate %</b>	32	31	30	33	29
<b>Change previous year*</b>	-5	-1	-1	3	-4
<b>London %</b>	40	40	39	39	38
<b>Statistical Neighbours Rate</b>	34	33	33	33	31
<b>National %</b>	37	36	35	34	33

\*Good performance is typified by a negative percentage

3.10 The use of custody has also remained low from historic highs in 2017 of seventeen children compared to one child this year. The data is in line with the expectations of the YJB good practice with the view that wherever possible risk should be managed in the community as extensive research highlights that custody doesn't work and the outcomes for children are poor. We have robust community sentencing packages recommended to the court that outlines how risk can be managed in the community as well as being clear that enforcement will be used should the child or young person fail to engage. Our close working relationship with social care working with the family has been effective.

3.11 The YJS currently has 62 open interventions, and this is broken down below, it should be noted that some children and young people are subject to more than one intervention running at the same time so open interventions equates to 57 children and this number fluctuates daily as new children come in and others end their intervention period with the YJS.

<b>Youth Justice Orders/ Interventions</b>	<b>Numbers</b>
Referral Order	22
Youth Rehabilitation Order including Intensive Supervision and Surveillance	4
Section 90/91/Through Care Programme	1
Remand	1
Post Custody/Licence Programme	1
Bail Support Programme	1
Triage/Prevention Programme	4
Youth Caution and Youth Conditional Caution	4
Informal Diversion Work	23
Assessment Programme (PSR)	1
<b>Grand Total</b>	<b>62</b>

- 3.12 The profile of the children we work with are predominately males aged 16-17 years old and invariably this can sometimes include younger ages of 12-14 years old. The primary offences committed by children and young people involved with Bromley YJS are violence against the person/robbery and weapons related offense followed by cannabis and motoring offences. This remains constant throughout the year with a small number of girls in the system. Much of the offending is related to violence and exploitation. There are over 32,700 children aged 10-17 years old in Bromley and less than 0.2% are involved in offending, on average we work with around 60 children at any one time.
- 3.13 Those in the criminal justice system tend to have a range of complex issues, often known to children's social care and experienced trauma in their lives. We have reduced CAMHS input, and the service are actively recruiting to this post but have some dedicated sessions from Thrive (therapy) worker offering support to families and reflective session for staff working with these children.

### **3.14 Interventions**

- 3.15 It is recognised that children and young people are both involved and the victim of crime and as such we have been working closely with London Ambulance Service, Street Doctors, Victim support and the Jimmy Mizen Foundation to help teenagers learn life saving techniques and the dangers and consequences of their behaviour as well. Whilst Bromley is on the lower end of serious youth violence in London there continues to be a cause for concern as we continue to develop our understanding and response to the presented risks of or involvement in serious offending and exploitation and the insights provided in the MOPAC report and evidence from local intelligence and information sharing.
- 3.16 The service has implemented interventions with a trauma informed basis to reduce re-victimisation these include our Prevention support programme and work in schools through an Impact Roadshow that is delivered to schools. We continue to deliver interventions to all our children on keeping safe within their communities and in raising awareness of the consequences and impact of their behaviour on others. We have accredited our programmes and young people completing are given an accreditation award. The YJS is part of the Missing, Exploitation and Gang affiliation (MEGA) group as well as having in place a Risk and Safeguarding panel that manages and monitors risk of harm, risk of re-offending and safety and wellbeing and we share this information across the network to effectively manage risks.
- 3.17 Serious youth violence affect all and we try to help keep young people safe who come to our buildings and increase their confidence by providing a safe space, we have a knife arch and a security officer in the building and all visitors are screened upon entry. Today this has been in place for over 2 years and there has been no objections or complaints.
- 3.18 There has been several research papers over the last ten years that builds a strong evidence base that demonstrates the potential of early intervention and

preventative support to improve the life chances of children and families involved in Children's social care. This includes the work of the Early Intervention Foundation and the recent national review of Children's Social care. There has been number of service interventions available to support children and families such as Staying Together that works to prevent teenagers coming into care and to facilitate reunification with their families, the work undertaken by statutory social workers and our Early help services. In response to this over the last year we have developed and refined our Prevention other to children and young people on the cusp of offending or involved in anti-social behaviour as the main criteria and is open access with parental consent. This includes offering parents support to better meet their needs in dealing with their children through parenting support on both a one-to-one basis and well as the offer of support in a group setting which many parents find effective sharing and learning with others in a similar position. We try to have in place support for parents before challenges emerge through open access to local provisions to early data would indicate that those who receive such intervention very few go onto offend.

- 3.19 Our prevention focus has led to us developing a Prevention Support Panel to identify and support those children and young people who are on the periphery of offending and those engaging in anti-social behaviour. We work closely with our youth services to support our children into positives activities locally. Since April 21/22 we have to date worked with sixteen children and so far this year we have worked with twenty-three of children despite the ongoing challenges of covid and some of the restrictions that we still abide by. We have a dedicated Panel to discuss referrals and staff who work to support these children to prevent them coming into the system
- 3.20 Whilst supporting to reduce those coming into the system we have worked on developing approaches to dealing with serious youth violence, through addressing disproportionality and work to raise aspiration and self-esteem through the use of education, training and employment and providing a wide range of activities, staff training

### **3.21 National updates**

- 3.22 The Mayor's Office for Policing and Crime (MOPAC) has just released an evidence and insight paper on A Problem Profile on Gangs, Violence and Young People (September 2022) which provides more update information on youth violence, the gaps and the context behind youth violence. The report highlights that gang involvement in youth crime is declining, although Metropolitan Police profile indicates gang involvement in teen homicides is far larger (e.g., over half of teen homicides with links to gangs). Whether this decline is an actual finding or an artefact of terminology, definitions and/or data capture is unknown. Youth crime peaks during weekdays and after school hours and a third of offences committed during 3-7pm. As highlighted in the report the carrying of knives is a key signal offence for offending in teenage violence with 59% of accused having previously been arrested for the possession of weapons. When exploring the levels of disproportionality for

black males 16-17 years old are more than 5.3 times more likely to receive a knife crime disposal, Black boys more likely to be the victims of homicide and for robberies Black individuals were almost 8 times more likely to feature as a suspect.

- 3.23 From available data, 23% of victims and 35% of accused of violence were not in full time education, this increases to 56% of accused when only looking at under 18s. The analysis showed 20% of those accused of teenage violence were released under police investigation for an offence in the six months prior to the violent offence.

### **3.24 Youth Justice Board**

- 3.25 The Youth Justice Board (YJB) have proposed a new set of performance measures likely to be implemented from April 2023. One of the important aspects of this is the requirement to collate and report on data related to children who are released from custody and whether they have a suitable ETE provision in the community; as well as those children who are identified with SEN and that they are receiving support. One of the reasons for the change in the KPI's is to enable the YJB to have a better understanding of how the multi-agency partnership are working and an opportunity to evident to the YJB in a more transparent and accountable way, this will help highlight the success and strengths of children as well as some of the challenges and barriers.

### **3.26 Thematic reports**

- 3.27 Her Majesty's inspectorate of Probation produced a number of thematic reports throughout the year. One of the most recent dates back to June 2022, looking at ETE in England and Wales between November 2021 and January 2022. The study focused on 181 cases and one of the important highlights that two thirds were excluded from school on a fixed term basis compared with 47% being permanently excluded from school. Many of these children had experienced disruptive lifestyles and many not participating in any form of education. We know that many of the children we work with have experienced some form of trauma in their lives, disruption of education, homelife, poor mental health and in need of specialist services. We continue to work to ensure that education opportunities are available for all our children and have a dedicated Teacher in the youth justice service providing mainly one to one support to our children. However, it remains the case that the barriers to getting and engaging in education for many of our children and the support with YJS Teacher can help in getting children to gain some confidence whilst waiting to re-enter education provision.
- 3.28 This thematic report provides a number of recommendations, this includes revising their national indicator of ETE engagement to one that provides a more meaningful measure of performance. This should include the levels of educational attainment achieved by children working with the youth justice at the end of the period of supervision and should cover out of court as well as court order cases.



- 3.29 There were also a number of recommendations for the YJS governance board highlighting ambitious aims for ETE work in the YJS, including the achievement of Level 2 English and Maths by every child and to establish a greater range of occupational training opportunities for those children beyond compulsory school age. The YJS in Bromley is a registered examination centre and we have been able to provide this facility for children to sit examinations and gain nationally recognised qualifications.
- 3.30 In Bromley we provide a broad range of support and access to a range of facilities to support delivery of education for our children. This includes well-co-ordinated support around SEN, with good working between both SEN service areas and YJS and effective information sharing, as well as the support of speech and language therapist and other health colleagues supporting our children. The ETE specialist worker has been able to engage children into ETE with some very promising outcomes of college placement and various employment including access and support to obtain the safety certificate required to work in the construction field.
- 3.31 Education is a key protective factor and we know that if children are engaging in schools then the risk of offending is reduced. The Charlie Taylor review (December 2016) where he states that “education needs to be central to our responses to youth offending.” We know that children need to be in education until their 18<sup>th</sup> birthday but so often those in the criminal justice system have been out of school for long periods and as a result some tend to have low literacy or numeracy levels. We know from various studies that over 90% of children in custody were excluded from school. It is important that we have a more joined up robust response to truancy and school exclusion to help our children engage in constrictive activities and we provide a range of activities such as art, music production, non-contact boxing, bike workshop, group work learning, self-esteem and confidence building and girls group and these provide a taster for children some of whom have gone onto explore this further in terms of education, training and employment.
- 3.32 In the last six months we have developed a Girls group in response to the numbers coming into offending to look at raising their self-esteem and aspirations. A thematic review on outcomes for girls in custody published by HMI Probation, September 2022 highlights the need for to make sure there are enough of the right type of facilities in the right place when needed. At the time of the study there were 14 girls in custody.
- 3.33 Their review found some very concerning outcomes for girls in the area of safety; they were 12 times more likely than boys to self-harm and more likely to be restrained, often in response to self-harm and too often left alone in their cell after such incidents without any support.
- 3.34 It is with this in mind that we have decided to deliver ongoing girls groups as one of the concerns from the report highlighted the lack of alternative provision and intervention meant that custody was not always justified or used as a last resort. The report found examples of girls being remanded to custody because there were no other available options. In other cases, a lack

of appropriate early intervention in the community led to girls' behaviour escalating until they received a custodial sentence. Whilst there are no girls in custody from Bromley our early intervention prevention is hopefully having a positive effect on those girls who come into the system and our work to divert them.

### **3.35 Specialist services**

- 3.36 Bromley YJS commissioned "*Youthink*" to develop a Peer Navigator programme which encourages YJS young people to participate in service design and delivery. The number of young people interested and being supported to become peer navigators is continuing to increase; currently around six young people have been trained in communication skills and trauma awareness. Engagement of young people in reviewing practice has started and their presence and co-delivery will enable us to have a quick response to issues they raise. This provides an excellent model of skilling up those who have been through the YJS to then influence their peers. These Peer Navigators influence how we can work to listen to the voices of young people and will help to strengthen routes to education, training and employment, dealing with well-being issues, responding to individual learning needs effectively. The subgroups of the Executive board met with a group of Peer Navigators in October 2022, who overwhelmingly asked for more support in school in relation to advice and guidance relating to crime and consequence and interventions related to independent living skills such as cooking. This was a real opportunity to hear these children's lived experience and how they are being rehabilitated and supported away from crime.
- 3.37 The Ether programme has been commissioned by the YJS, this identity programme for black and minority young people to assist them to explore their identity and to develop strategies to succeed. This intervention aligns with David Lammy's recommendations for public sector services to actively address the disproportionality agenda in their agency. Both programmes run have been noteworthy in that over 80% of the young people who commenced this programme successfully completed it, demonstrating that its contents were stimulating and relevant to participants. This is proving to be an effective programme.
- 3.38 We are piloting a new intervention programme entitled "Your Choice" which is London wide funded for 3 years through the Mayor of London's Violence reduction unit. The programme used cognitive behavioural techniques to address and support children affected by extra familial harm and violence which is a gap in practice. We have trained staff in YJS and Leaving Care team in the principles and tools to deliver this programme. The programme builds on existing therapeutic resources. We have a bespoke cohort of young people that are being worked with using these techniques which are adapted to take account of learning needs, communication and language issues. The work involves enhancing the skills of our staff who will build therapeutic relationships with the young people, and this can lead to increased safety. Feedback from the young people involved have cited better communication with family and professionals, no missing episodes since the

intervention started as well as putting into practice the techniques learnt so overall the beginnings of positive engagement. The programme will be being evaluated by the Institute for fiscal studies.

- 3.39 We have increased the prioritisation of the YJS reparation service during this year with extended reparation opportunities and in making this a service priority, enabling young people to learn useful new skills and undertaking constructive tasks to benefit the community. A popular project has been the bicycle restoration project operating from Masons Hill which young people have enjoyed learning skills and some even requesting to do this project and or remain attending after the completion of their time with the YJS.
- 3.40 We are currently working with the London boroughs of Croydon and Sutton in the development of “Engage” project. This is a partnership project with the Metropolitan Police, where youth workers will be based within the custody suite offering an outreach youth support programme for children and young people arrested. The key aim is to provide a voluntary short but robust intervention to support young people to divert from future contact with the Criminal Justice System. The offer of support with accessing universal services and local youth provisions being the primary objective. Each borough will have its own dedicated Youth Workers assigned to the project. This is a three year project fully funded by MOPAC and led by Croydon borough. This is an exciting opportunity for us to have a wider range of support offered to those in custody and as part of diversionary support away from criminal justice agencies. It is anticipated that the project will go live by the New Year.

### **3.41 Preparing for inspection**

- 3.42 The inspection regulator for youth offending is led by HMI Probation. Bromley YJS was last inspected in January 2017 and is due for an unannounced inspection anytime. In that regard we have been preparing the service to ensure that we are in a state of readiness when the call comes. There has been a change to the current framework with the introduction of additional focus on out of court work, increased inspection reading time, the potential to examine cases that are up to 12 months old. The introduction of decision rules and guidance to link practice and organisation delivery domains. There will be a shorter format for inspection and this is welcomed because this will remove the repetition and provide greater clarity.
- 3.43 We continue to have regular audit cycles of our practice and the feedback over the last six months has been positive and strong practice and management oversight and direction being evidence in practice. Our quality assurance framework is line with wider children’s social care and we jointly work with our colleagues who audit youth justice cases and in turn youth justice managers audit social work cases. This gives us an invaluable insight and understanding of the work of both service areas. On a monthly basis six cases from YJS are audited and feedback and development work is provided and any remedial work completed where required. Our attention to the quality of services we deliver helps us to evaluate progress made in keeping our children safe.

3.44 We have a stable workforce with many having been in the service for nearly ten years and are able to access learning and development opportunities as well as doing some very effective work to effect change with children and their families.

### **3.45 Summary**

3.46 Children and their families are at the centre of what we do, and we operate from a Child first perspective, and we treat children as children and not as offenders moving away from stigmatising language in our approach to our work. We remain ambitious for our children in trying to deliver an outstanding service to them one that challenges their behaviour, the impact it can have on others and at the same time for our children to understand that they too are victims. We are proud of the work we do in Children's service and with our partners. The service is on a positive trajectory and is performing well.