

Meeting: Cabinet **Date:** 14th June 2022

Wards affected: All

Report Title: Torbay Youth Justice Plan 2022-23

When does the decision need to be implemented? 30th June 2022

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1. Purpose of Report

- 1.1 Torbay Local Authority is required by the Crime and Disorder Act 1998 to approve an annual Youth Justice Plan that has been prepared in consultation with its partner agencies, staff, and service users.
- 1.2 The key outcomes for the Youth Justice Plan is to prevent children from offending, reduce re offending and prevent children entering custody.
- 1.3 The national Youth Justice Board (YJB) for the first time in 2022 has specified a template for the plan and has provided revised the guidance for each section.

2. Reason for Proposal and its benefits

2.1 The Youth Justice Plan contributes to desired outcomes of the Community and Corporate Plan: -

'We want Torbay and its residents to thrive' - the Youth Justice Service works with vulnerable children whose offending behaviour if not addressed is likely to have lifelong impact on their ability to thrive.

'where our children and older people will have high aspirations' - the Youth Justice Service supports children to develop alternatives to their current behaviours and raise their expectations and aspirations

'Build safer communities'

- *Work with partners to tackle crime, including exploitation, and its effects.*
- *Work with partners to reduce offending and reoffending and its impacts*
- *Work with partners to tackle domestic abuse and sexual violence and its effects'*

The Youth Justice Service contributes to the delivery of these aspects for children of the 'Thriving Community' element of the Corporate Plan

2.2 The reason for the decision is that the local authority has a statutory duty to submit its Youth Justice Plan by 30th June 2022. Failure to do so may result in YJB funding being withheld or delayed resulting in ability to provide the service specified within the plan.

3. Recommendation(s) / Proposed Decision

1. That Cabinet recommends approval of the Torbay Youth Justice Plan 2022-23 to the Youth Justice Board.

Appendices

1. Appendix 1: FINAL DRAFT V4 TORBAY YJP 2022-23

Supporting Information

1. Introduction

- 1.1 Torbay Local Authority is required by the Crime and Disorder Act 1998 to approve an annual Youth Justice Plan that has been prepared in consultation with its partner agencies, staff and service users.
- 1.2 Local authorities have a statutory duty to submit its Youth Justice Plan Youth Justice Board (YJB) by 30th June 2022. Section 40 of the Crime and Disorder Act 1998 sets out the youth justice partnership's responsibilities in producing a plan. It states that it is the duty of each local authority, after consultation with the partner agencies, to formulate and implement an annual youth justice plan, setting out how youth justice services in their area are to be provided and funded, how it will operate, and what functions it will carry out. The plan should equally address the functions assigned to a youth justice service, and include how services will prevent offending behaviour and reduce reoffending.

2. Options under consideration

- 2.1 There are no other options being considered as there is a legal requirement to deliver this service and produce this plan.

3. Financial Opportunities and Implications

- 3.1 Torbay Youth Justice Service is a statutory partnership governed by a Management Board. The statutory partners are required to agree the level of funding for the service and the amounts contributed by each statutory partner. Torbay Council Children's Services as one of the statutory partners has agreed funding (subject to final approval) for 2022-23 of £248,400 as part of a total budget of £670,900. The additional budget is made up of contributions for the other partners. Additionally, partners contribute £179,196 'in kind' through the secondment of workers to the service.
- 3.2 Failure to agree the Youth Justice Plan may result in funding from the Youth Justice Board (YJB) being withdrawn or withheld, as well as contributions from other partner agencies which would result in a reduced service to children in Torbay.

4. Legal Implications

- 4.1 The Crime and Disorder Act 1998 (Section 39) introduced a statutory requirement for local authorities to establish Youth Offending Teams (YOTs) in their area, requiring the involvement of the local authority, Police, Health and Probation – the statutory partners.

- 4.2 The responsible local authority is also required, under Section 40, after consultation with the partner agencies, to publish a Youth Justice Plan each year outlining the composition of and funding for their YOT. This includes the steps taken to encourage children not to commit criminal offences. This document is the required Youth Justice Plan for Torbay.
- 4.2 The legislation refers to Youth 'Offending' Teams (YOTs) and youth 'offenders' this language has been replaced by updated guidance from the Youth Justice Board (YJB) as part of their Child First approach to stop labelling children as offenders and now refers to local services as youth justice services, although the primary legislation has not been changed. The Child First model is based on evidence and research that shows a positive, pro social approach focussing on the child's strengths and capabilities is the most likely to result in desistance from offending.

5. Engagement and Consultation

- 5.1 All partners have been engaged in the development of the youth justice plan through representation on the two Governing Boards (see appendix 1 of the Plan for full membership list) for the service with specific meetings held to oversee the development of the plan.
- 5.2 Staff were involved through a half day workshop to help develop the vision and priorities for the service, and the views of children, families and victims has been gathered through the ongoing feedback systems of the service and used to influence the priorities of the service.

6. Purchasing or Hiring of Goods and/or Services

- 6.1 There will be very limited spend outside of the Council. Ninety two percent of Youth Justice Service funding is spent on staff employed on behalf within the Youth Justice Service by Torbay Council (not including seconded posts). The main areas of funding outside this are to a wide variety of providers relating to the delivery of direct work with children eg rental of community facilities to see children and activities provided or delivered as part of an agreed intervention plan.

7. Tackling Climate Change.

- 7.1 There will be no contribution to tackling climate change in this proposal

8. Associated Risks

- 8.1 If a Youth Justice Plan is not approved by the local authority it would potentially be failing to provide its statutory duty under as specified under the Crime and Disorder Act 1998 (section 40). This may result in funding being withheld by the YJB and therefore in a reduction in service to children, or increased expenditure by to the local authority and / or

the other funding partners. This would also affect the reputation of the local authority and may open it to legal action by the government.

9. Equality Impacts - Identify the potential positive and negative impacts on specific groups

- 9.1 The Youth Justice Plan should have a direct positive impact on children aged 10-17 years old by reducing their offending behaviour and increasing their likelihood of a positive future.
- 9.2 A high percentage of children in contact with the Youth Justice Service have Special Educational Needs and Disabilities (SEND) and nearly 50% have Education and Health Care Plans (EHCP) there is therefore and over representation of this group within the offending cohort which the service is working with its partners to address.

10. Cumulative Council Impact

- 10.1 None

11. Cumulative Community Impact

- 11.1 None