

CHILDREN'S SERVICES OVERVIEW AND SCRUTINY COMMITTEE



Report subject	First-Time Entrants to Youth Justice
Meeting date	1 December 2020
Status	Public Report
Executive summary	This report summarises the latest local information on rates of young people entering the youth justice system. The reduction that had been seen in the previous two years has continued and further steps are being taken to divert young people from the justice system.
Recommendations	It is RECOMMENDED that: The Children's Services Overview and Scrutiny Committee notes the progress being made to reduce the rate of first-time entrants into the youth justice system.
Reason for recommendations	To ensure that committee members remain informed about the rate of local young people entering the youth justice system

Portfolio Holder(s):	Councillor Mike White, Portfolio Holder Children's Services
Corporate Director	Elaine Redding, Corporate Director Children's Services
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Wards	Council-wide
Classification	For Information

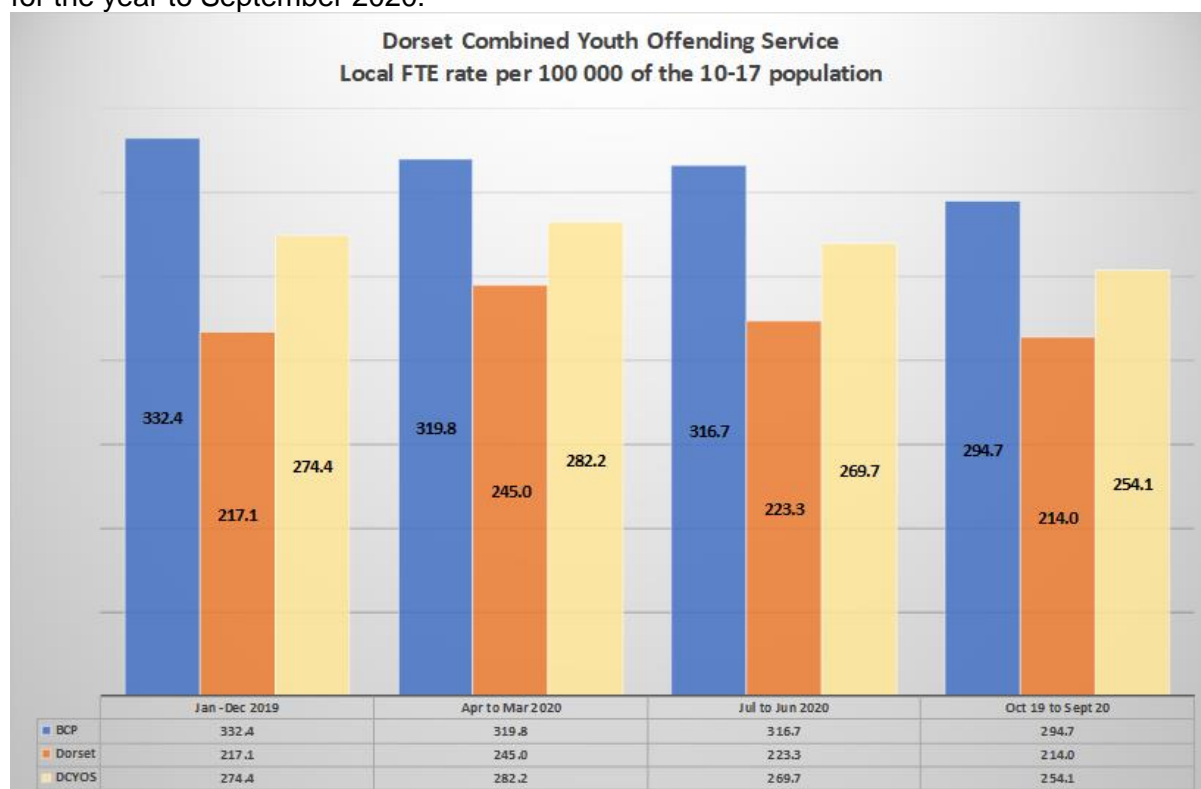
Background

1. The annual Youth Justice Plan 2020/21 was presented to the Children's Services Overview and Scrutiny Committee on 28th July 2020. It was noted that the rate of first-time entrants to the youth justice system was higher locally than the regional and national averages. The Committee therefore requested an interim progress report at the end of 2020 to give an update on work to reduce the rate of first-time entrants.

Report on Work to Reduce the Rate of First-Time Entrants to the Youth Justice System

2. Reducing the rate of first-time entrants to the youth justice system is one of the three key performance indicators for youth offending teams. National data is usually published quarterly by the Youth Justice Board, on behalf of the Ministry of Justice. National data enables comparisons to be made between youth offending teams.
3. The Covid-19 lockdown has interrupted the publication of the national data. The Ministry of Justice has prioritised other data gathering and reporting activity. No further national data has been published since the information that was reported to the Committee in July 2020 (which covered the 12 months to September 2019). Committee members may recall that our local performance had improved in that 12-month period, compared to the previous two years, but remained above regional and national averages.
4. Local data on first-time entrant rates is also available. Although this does not allow comparisons with other youth offending teams it does enable us to have more confidence about the accuracy of the information. The following information relates to our local data, covering the 12 months to the end of September 2020.
5. The Youth Offending Service works across the pan-Dorset area. This table illustrates first-time entrant rates in each local authority and across the whole area

for the year to September 2020:



6. These figures show that the first-time entrants rate in the BCP Council area has continued to reduce. There has also been a decline in the rate of first-time entrants for Dorset Council, creating a further reduction in our combined performance figure.
7. The split between males and females receiving a first youth justice outcome shows that there has been a greater reduction among females than males. The reason for this reduction has not yet been identified; more work will be undertaken to compare the cohorts of female first-time entrants in recent years:

Gender	Oct 17 to Sept 18	Oct 18 to Sept 19	Oct 19 to Sept 20
Female	25	26	12
Male	87	76	85
Grand Total	112	102	97

8. First-time entrants are defined as those young people receiving a Youth Caution, a Youth Conditional Caution or a court outcome. Where possible an 'Out of Court Disposal' (ie a form of Caution) is preferred for first-time entrants in order to lower the impact on the young person's future life chances. The decision about whether to impose an Out of Court Disposal is taken by the Police, following consultation with the Youth Offending Service. The Youth Offending Service seek information from Children's Social Care and Early Help services to inform the advice given to the Police.
9. The following table shows the types of disposal received by young people entering the youth justice system for the first time in the year to September 2020. It is notable that a higher proportion of males (38%) receive a court disposal compared to females (25%). The most likely reason for this is the seriousness of the offence

though other factors can also apply, including willingness to admit responsibility for the offence during the police interview process:

Outcomes: October 2019 -Sept 2020	Female	Male	Grand Total
Youth Caution	6	33	39
Referral Order	3	25	28
Youth Conditional Caution	2	20	22
Fine		3	3
Conditional Discharge	1	1	2
Youth Rehabilitation Order		2	2
Absolute Discharge		1	1
Section 91 Order			
Grand Total	12	85	97

10. Information is also available about the types of offences committed by young people entering the justice system for the first time in the year to September 2020, broken down by gender. The table below counts the number of offences not the number of young people, with some young people being responsible for more than one offence. The data shows that the single largest offence type is 'violence against the person'. In most cases this refers to a 'common assault' offence or something of equivalent seriousness. The more serious offences committed by some males, such as arson, robbery and sexual offences probably helps to explain a higher proportion of males received court orders rather than out of court disposals:

BCP Only Offence Category	Female	Male	Grand Total
Violence against the person	13	59	72
Drugs		21	21
Criminal Damage	1	15	16
Theft and handling Stolen Goods	1	13	14
Public order	1	11	12
Motoring offences		9	9
Other		7	7
Arson	1	2	3
Non Domestic Burglary		3	3
Robbery		2	2
Sexual offences		2	2
Fraud and forgery		1	1
Vehicle Theft / Unauthorised Taking		1	1
Grand Total	17	146	163

11. Concerns have been identified at a national level about the over-representation of young people from Black, Asian or Minority Ethnic (BAME) backgrounds in the youth justice system. Data from the last 3 years shows a fairly consistent rate of BAME first-time entrants, in the context of 11% of the local youth population being identified as BAME. The numbers in the table below show that 8% of first-time entrants in the year to September 2018 were from BAME backgrounds, compared to 10% in the

following year and 9% in the most recent year:

Ethnicity	Oct 17 to Sept 18	Oct 18 to Sept 19	Oct 19 to Sept 20
Any other white background	56	60	41
White British	46	31	42
White and Black Caribbean	1	3	3
Any other Black background	2	2	3
White and Black African	1	2	1
White and Asian	2		2
Any other mixed	2		
Any other Asian background	1	1	
African		2	
Not stated	1		5
Irish		1	
Grand Total	112	102	97

12. There are several elements to our work locally to reduce the rate of first-time entrants into the youth justice system.
13. Dorset Police and Dorset Combined Youth Offending Service share a commitment to avoiding unnecessary criminalisation of young people. Whenever possible an informal response will be taken to low level offending by a young person, usually in the form of a 'Youth Restorative Disposal'. This outcome combines a restorative justice intervention with consideration of the need for the young person to receive additional support from Early Help or Social Care services.
14. A pan-Dorset Protocol to Reduce the Criminalisation of Children in Care was launched in 2016, representing collaboration between Dorset Police, Dorset Combined Youth Offending Service, local authority children's services and independent providers of children's residential homes. The focus of the Protocol is to avoid using criminal justice responses for behaviour by a child in care at their place of residence. When a police response is required, efforts are made to avoid applying a criminal justice outcome. The Protocol is regularly reviewed and its application continues to be monitored.
15. In May 2020 Dorset Police introduced a 'Youth Diversion Disposal' for young people found to be in possession of small quantities of cannabis. This approach will involve contact from the police along with access to substance misuse support services and has been developed jointly by Dorset Police, the Youth Offending Service, local authority commissioners and local substance misuse services. This approach will be reviewed and may be expanded to address other offence categories. A Youth Diversion Disposal would not count as entering the youth justice system.
16. Decisions about how to respond to offending by children are taken by local police forces, usually working in conjunction with their local youth offending service. This means that there is some geographical variation in decision-making, reflected in the varying rates of youth first-time entrants across the country. In order to benchmark our local practices and decision-making we will be arranging for our two Youth Offending Service Team Managers to observe decision-making panel meetings in other parts of the country.
17. Dorset Combined Youth Offending Service, Dorset Police and other local criminal justice agencies are working together to identify and reduce the over-representation of people from BAME backgrounds in the criminal justice system. Young people

entering the justice system will be one of the areas focused on by this multi-agency group.

Options Appraisal

18. This report is provided for information.

Summary of financial implications

19. There are no immediate financial implications for the committee to consider.

Summary of legal implications

20. Local authorities are required to maintain a multi-agency youth offending service under the Crime and Disorder Act (1998). That Act also established the Youth Justice Board and provided it with duties to oversee the effectiveness of youth justice services. The rate of first-time entrants to the youth justice system is one of the national key performance indicators monitored by the Youth Justice Board.

Summary of human resources implications

21. No human resource implications have been identified in this report.

Summary of sustainability impact

22. This report is provided for information, rather than for decision-making, so no new sustainability implications have been identified.

Summary of public health implications

23. It is recognised that contact with the youth justice system can have a detrimental effect on young people's well-being. Success in reducing the rate of young people entering the justice system will therefore have a beneficial impact on young people's health.

Summary of equality implications

24. Children in Care and children from BAME backgrounds are known to be over-represented in the youth justice system, particularly in the youth custodial estate. The local rate of BAME first-time entrants is not disproportionate to the local population. Attention is also being given to the progress of young people from these groups through the justice system to reduce the numbers receiving custodial or other more restrictive sentences.

Summary of risk assessment

25. This report is for information and therefore does not include recommendations for new practices that would require a further risk assessment.

Background papers

There are no background papers for this report.

Appendices

There are no appendices to this report.