

NORTH YORKSHIRE COUNTY COUNCIL**YOUNG PEOPLE OVERVIEW AND SCRUTINY COMMITTEE****16.03.12****YOUTH JUSTICE SERVICE****1.0 Purpose of Report**

1.1 To provide the Committee with an update on three key areas:

- Youth Justice Service (YJS) funding allocation 2012/13
- Developments in respect of young people in custody and proposals aimed at reducing numbers
- Performance against key outcome measures

2.0 Recommendations

2.1 That Members note the contents of the report.

3.0 YJS Funding Allocation

3.1 The YJS receives funding from three sources: the Youth Justice Board Grant, from Partner organisations (NYCC, Police, Health and Probation) and from the Performance Reward Grant (PRG).

3.2 PRG funding of £450 K over three years ends on 31.3.14. This is temporary funding to assist in sustaining YJS core activity during a period of financial uncertainty and cuts. Due to restructuring and maintaining vacancies for much of the past 12 months, this funding was not required in 2011/12. Given the emergence of the Troubled Families agenda and other issues, the Children's Trust may review whether the full £450K needs to be retained as a contingency or whether some of this funding is re-allocated to support related activity.

3.3 Funding from partner organisations has still to be confirmed for 2012/13 but indications are that this will be at the same level as the current year.

3.4 An indicative Youth Justice Board (YJB) grant of £1,122,303 was announced on 1st March, although final confirmation is awaited. This is a reduction of £66,087 representing a 5.6% cut. The vast majority of the money has been passported to the Police Authority by the Home Office.

3.5 Approximately 13% of the YJB grant comes from the Home Office and it is intended that from 2013/14, this element of the grant will go directly to Police and Crime Commissioners following elections in November 2012. In preparation for this and as a transitional year, this Home Office element of the YJB grant in 2012/13 has been split between YOTs and Police Authorities, with the expectation that YOTs will seek to influence the way in which it is intended to allocate the funding.

In North Yorkshire, £61,490 has transferred across to the Police Authority (as has some funding from the City of York YOT), representing 5.2% of the overall YJS grant.

- 3.6 Other funding: A contingency reserve of £120,853 was carried forward into 2011/12 primarily to fund replacement windows at Pavilion House, Scarborough. Negotiations in respect of this are still ongoing with the landlord's agents and this reserve will be carried forward into 2012/13.

The YJS restructured in 2011 and has held a range of vacancies for much of the year. This included as part of the re-structure, a transfer of the Prevention Service to Youth Support Services. There were no redundancy costs incurred and notwithstanding the transfer of staff, the County Council agreed to the full annual allocation of the Early Intervention Grant (as opposed to 10 months) being retained within the YJS. This meant that the PRG funding was not accessed this year and there is a carry forward of £107K.

4.0 Young People in the Secure Estate: pending changes in legislation

- 4.1 Currently young people can be remanded into the secure estate either by
- Court Ordered Secure Remands (COSR): the young person acquires looked after status and the Local Authority pays 1/3 of the cost plus all transport costs, or by
 - Remand in Custody (RiC): 100% funded by the Youth Justice Board and young people are not 'looked after'.
- 4.2 The *Legal Aid, Sentencing and Punishment of Offenders (LASPO) Bill* arose from the Green Paper 'Breaking the Cycle'. Proposals include:
- A single 'Remand Order for Youths' to be applied to 12-17 year olds. This will remove differences in treatment based on age and gender as per the current system and will be a more flexible and greatly simplified process for remanding any under 18 year olds.
 - That local authorities assume the costs of all secure remands and that there is an 'associated transfer of funding' to local authorities to cover some of these costs
 - New restrictions on the use of secure remand, with an expectation that more complex and challenging young people will be managed in the community pending trial or sentence.
 - That all young people subject to the new Remand Order for Youths will acquire 'looked after' status
- 4.3 Legislation is anticipated to be implemented in November 2012, with full year costs and associated transfer of funding transferred to local authorities from April 2013.
- 4.4 There is a need to reduce the number of secure remands, not just because of the financial and resource implications arising from the LASPO Bill, but because research evidences that custody should be reserved only for young people who have committed serious violent crimes. Those in custody have a range of complex needs, with high rates having experience of neglect and abuse, chaotic family backgrounds, and problems ranging from mental health needs to drug and alcohol problems.
- 4.5 On average, 37% of young people in North Yorkshire are looked after immediately prior to entering the secure estate, whilst around 76% have had previous CSC involvement- either LAC or subject to a child protection plan.

North Yorkshire Remand Data:	2009/10	2010/11	2011/12 (to 28.2.12)
COSR bed nights	114	139	457
RIC bed nights	1005	873	1077
Total number of bed nights	1196	1012	1534

- 4.6 As is evident by the data, there can be significant fluctuations year on year. The current year's figures have been affected by a small number of young people who have been remanded for long periods on very serious charges. A detailed spreadsheet has been developed to track and aid management oversight of cases and these increased figures may in part reflect improvements in the quality of data collection.
- 4.7 North Yorkshire's CYPP 2011-2014 has as one of its key focuses, Teenagers with Multiple Vulnerabilities. A strategic multi-agency group has been established to progress the development of a comprehensive strategy to ensure improved co-ordinated support to this complex group which includes those in the secure estate.
- 4.8 In addition, the Youth Justice partnership has in place a strategy to reduce custodial remands which includes:
- 4.9
- Reducing First Time Entrants: diverting young people from the criminal justice system using Police led restorative justice disposals and working with YSS to ensure effective early targeting of young people on the edges of crime.
 - Work with the Courts to ensure confidence in the YJS and interventions is maintained
 - Reviewing and monitoring the use of breach proceedings
 - Work with Children's Social Care to closely monitor secure remands and develop alternative provision
 - Development of Bail and Remand provision to enable tailored packages of support to be devised to manage high risk young people who are otherwise Remanded to Local Authority Accommodation or custody.

5.0 Performance

- 5.1 The Government's focus in terms of youth justice performance is to reduce three key aspects: First Time Entrants to the criminal justice system, proven re-offending rates, and the use of custody. The most recent data published by the YJB is attached as Appendix 1.
- 5.2 First Time Entrants
Performance against this indicator remains strong and the reduction in numbers of first time entrants to the criminal justice system has been maintained. Although there is disparity between the figures produced from Police PNC and the YJS Careworks database, both systems evidence significant reductions. Joint work to secure improvements in PENY (Police Electronic Notification to YOTs) whereby the YJS is notified electronically by the Police of all reprimands and Final Warnings is ongoing.
- 5.3 Most recent data available covers the period Oct 2010 to Sept 2011. This evidences a reduction in FTEs of 14.2% compared to the same period 12 months earlier. Although other areas have achieved a greater percent reduction in this period, the rate per 100,000 of the 10 – 17 year old population in North Yorkshire is significantly lower and reflects the partnership work undertaken to promote restorative diversions from the criminal justice system
- 5.4 Re-Offending Rates
The Ministry of Justice has changed both the way that re-offending is calculated as well as the source from which data is pulled. The 'old' system tracked the January to March cohort for 12 months and measured the average number of further offences committed by that cohort, whilst the new measure is calculated using PNC data with a rolling quarterly cohort for a full 12 month period. This measure focuses on whether a young person has re-offended rather than the average number of re-offences.

5.5 In October 2011, the Ministry of Justice published some historical baseline data however there are concerns expressed nationally in respect of its accuracy. The YJB reviewed data across 5 YOT areas and found the overall match rate to be only 73%. One difficulty is that PNC does not flag looked after status and does not have the ability to track young people who move between authorities.

5.6 Data reported under the new measure shows that the proportion of young people who re-offend (new binary rate measure) reduced in April 2009-March 2010 compared to the previous year. However there is currently a much smaller cohort number, including young people with entrenched offending histories and early estimates for the period April 2010 to March 2011 indicate a rise in re-offending by this smaller, more complex cohort. Additionally, should attempts to reduce the use of custody prove successful, there will be more high risk, prolific offenders being supervised in the community, which may impact negatively on the reducing re-offending indicator.

5.7 Custody

The new measure represents the use of custody per 1000 of the 10-17 year old population, rather than the percentage of youth justice disposals which result in custody.

Other related data which the Ministry of Justice plans to publish includes:

- number of remands given.
- number of bed nights used (broken down by remand & sentence).
- ethnic breakdown of custodial sentences.
- the previous NI 43 measure of the custody rate.

Data on Appendix 1 evidences the significant increase in custodial sentencing in 2011. This relates to the number of disposals rather than young people, and is the result of a small number of individuals receiving multiple sentences for extremely grave crimes. Cases have been reviewed by managers and were assessed as being cases which could not realistically have been diverted to alternative sentences. Although an increase on 2010 figures, numbers in 2010 were particularly low and performance in 2011 is still significantly better than better than in 2009. Early indications for the current quarter are that numbers have again reduced.

6.0 Recommendations

6.1 That Members note the contents of the report.

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Background Documents:	None
Annexes:	Appendix 1 - YJB Data Summary



FINAL

Indicators

FTE PNC rate per 100,000 of 10-17 population

Oct 10 - Sep 11 (latest period)

658

757

730

787

Oct 09 - Sep 10

767

935

910

985

percent change from selected baseline

-14.2%

-19.0%

-19.8%

-20.1%

Use of custody rate per 1,000 of 10 -17 population

Jan 11 - Dec 11 (latest period)

0.58

1.02

0.37

0.74

Jan 10 - Dec 10

0.33

1.30

0.37

0.89

change from selected baseline

0.26

-0.28

0.00

-0.14

Reoffending rates after 12 months

frequency rate - Apr 09 - Mar 10 cohort (latest period)

0.96

0.98

0.85

0.92

frequency rate - Apr 08 - Mar 09 cohort

0.94

0.94

0.86

0.90

change from selected baseline

0.03

0.04

0.00

0.02

binary rate - Apr 09 - Mar 10 cohort (latest period)

32.2%

33.8%

31.0%

33.3%

binary rate - Apr 08 - Mar 09 cohort

33.1%

33.5%

31.0%

32.8%

percentage point change from selected baseline

-0.9%

0.3%

0.0%

0.5%