

Decision ID:

**PCCDJ**

**000644**

**2021**

## **Decision title**

### **Reducing First Time Entrants into the Youth Justice System**

#### **Executive summary**

One of Commissioner Donna Jones' top priorities is to 'Prevent Young People from Committing Crime'.

Young people need the right support at the right time to reduce their risk of being drawn into crime, maximise their full potential, and help them positively thrive. Reducing the number of young people entering the Youth Justice System will reduce the number of potential victims of crime and promote confidence and safety in local communities. The Commissioner will invest longer term funding in Youth Offending Teams (YOTs), to reduce the number of young people entering the Youth Justice System and help prevent young people from committing crime.

#### **Recommendation**

The Police and Crime Commissioner approves **£357,000** per year for three years from 1<sup>st</sup> April 2022 to 31<sup>st</sup> March 2025 to support the YOTs in reducing the number of young people entering the Youth Justice System. Hampshire YOT will receive £183,600 per year, Isle of Wight YOT will receive £30,600 per year, Portsmouth YOT will receive £71,400 per year and Southampton YOS (Youth Offending Service) will receive £71,400 per year.

Funding is identified within the Commissioning Budget, and will be paid to each top tier Local Authority to support the four YOTs on the basis that:

- The Top tier Local Authorities continue to maintain their wider support for early intervention/prevention. This refers to the work currently funded/resourced to support early intervention/prevention in addition to the Police and Crime Commissioner's grant contribution. Any planned reductions in this area need to be drawn to the attention of the Police and Crime Commissioner.
- The Top tier Local Authorities use the grant monies given by the Police and Crime Commissioner for the early intervention/prevention work detailed in the report.
- Funding is subject to outputs and outcomes being met.

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## **Statement on publication**

This Decision Record and supporting Decision Request are suitable for publication. The supporting appendices contains sensitive/confidential information and are therefore unsuitable for publication.

## **Police and Crime Commissioner approval**

I hereby **approve** the recommendation above.

Signature:



Name:

**Donna Jones**

Police and Crime Commissioner for Hampshire

Date:

21-Feb-22

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## **Decision title:**

### **Reducing First Time Entrants into the Youth Justice System**

## **Requester details:**

Requester: Karen Dawes

Role title: Commissioning and Contracts Manager, Office of the Police and Crime Commissioner

## **1 Strategic context**

One of Commissioner Donna Jones' top priorities is to 'Prevent Youth People from Committing Crime'.

Young people need the right support at the right time to reduce their risk of being drawn into crime, maximise their full potential, and help them positively thrive. Reducing the number of young people entering the youth justice system will reduce the number of potential victims of crime and promote confidence and safety of local communities. The Commissioner will invest longer term funding in YOTs to reduce the number of young people entering the youth justice system and help prevent young people from committing crime.

This decision notice proposes two changes in how YOT funding is traditionally allocated:

1. Moving from twelve month grant funding to three year grant funding
2. Funding will be directed at early intervention and prevention as opposed to broader areas of YOT responsibilities

## **Youth Offending Teams (YOTs)**

Nationally, the YOT is supported and overseen by the Youth Justice Board (YJB).

Section 39(1) of the Crime and Disorder Act 1998 requires the co-operation of named statutory partners to form a YOT. Section 38(1, 2) identifies the following statutory partners and places upon them a duty to

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cooperate in order to secure the youth justice services appropriate to their area.

- The Local Authority (Children’s Social Care)
- Police
- The Probation Service
- Health

Many additional partners form the wider YOT network including the OPCC.

The Act does not prescribe how services are delivered, but sets out two principal statutory functions assigned to each YOT in Section 39 (7):

1. Coordinate the provision of youth justice services for all those in the authority’s area who needs them
2. Carry out such functions assigned in the youth justice plan formulated by the local authority

**First time entrants (FTEs) into the Youth Justice System**

First Time Entrants (FTEs) into the Youth Justice System are children aged 10 to 17 years who receive their first youth caution or court sentence recorded on the Police National Computer (PNC).

The following statistics are based upon the number of FTEs per 100,000 of the 10-17 year old population.

Area	Jan 2019 to Dec 2019	Jan 2020 to Dec 2020	July 2020 to June 2021
Hampshire	184	150	150
Isle of Wight	501	278	246
Southampton	338	352	263
Portsmouth	436	297	286

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## **YOT Funding**

YOTs receive annual funding from the Youth Justice Board and additional contributions from partners (largely from each top tier Local Authority).

Up until 2021, the YOTs applied annually for funding from the Police and Crime Commissioner, submitting grant applications and funding activities which spanned their broad YOT remit.

All four YOT Boards, including the YJB, would welcome the Commissioner considering three year grant funding from April 2022, which focuses on early intervention/prevention.

More precisely each of the four YOTs would welcome longer term funding from the Commissioner for:

*'diversionary activity to support children and young people identified as being at risk of offending and at risk of entering the criminal justice system to reduce their criminogenic needs'.*

## **YOT Funding Formula**

The YOT funding formula was reviewed in 2020. It was previously based on crimes committed by people of all ages but was amended to crimes committed by young people aged between 10 and 17 years (across a 3 year average) in each of the four top tier local authority areas. This resulted in the following percentages and funding amounts:

Hampshire – 54% - £183,600 per year

IOW – 9% - £30,600 per year

Portsmouth – 21% - £71,400 per year

Southampton – 16% - £54,400 per year

The YOT Funding Formula was reviewed again in 2021 following ongoing concerns raised by Southampton City Council that it did not reflect higher harm.

The Commissioner made the decision that subject to her approval of this decision report, she would contribute an additional £17,000 to Southampton YOS commencing April 2022 resulting in an equal distribution between Portsmouth and Southampton. The additional

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£17,000 to Southampton reflects Portsmouth's greater volume, and Southampton's higher harm, with no reduction in funding to any of the four YOTs.

The OPCC YOT contribution from April 2022 will be:

Hampshire YOT £183,600 per year

Isle of Wight YOT £30,600 per year

Portsmouth YOT £71,400 per year

Southampton YOT £71,400 per year

## **Governance and Performance**

The Police and Crime Commissioner's team are members of the YOT Management Board which provides governance to the YOTs and reports to the YJB. The YOT Management Board includes performance monitoring and tracking, risk management and mitigation, and forward planning to ensure the YOT continues to meet the needs of children and young people.

In addition to the quarterly YOT Management Board, YOTs provide grant returns to the OPCC against pre-agreed outputs and outcomes to demonstrate effectiveness of the service. Any questions arising or discrepancies are raised with the grant recipient. If further information is required it is requested from the grant recipient. The project may also be visited by the Commissioner's team.

## **Process for applying for longer term YOT funding from April 2022**

A robust process was followed to assess and score the YOT applications using information provided against a set criteria.

The Commissioner's team requested individual projects be submitted as separate applications to support the scoring process. This resulted in six applications being submitted across the four YOTs. The six YOT applications have been scrutinised for sustainability in financial terms and safeguarding. A fair and proportionate distribution of funding was applied following an updated review of the formula.

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In order to establish a rationale for which funding would be recommended a minimum score of 45 was established based on a 65% reduction of the maximum score available, which is 70. Any YOT application scoring less than the minimum score (following satisfactory responses to any clarifications), would be deemed unsuccessful and not be recommended to the Commissioner for funding.

This process resulted in the recommendation that six YOT applications be supported totalling £357,000.

**If approved, the Commissioner's YOT contribution from April 2022 to March 2025 would support:**

**Hampshire YOT £183,600 per year**

The Commissioner's contribution would fund Youth Crime Prevention Officers (YCP). The provision of YCP is focused on working with children and young people (age 10-16) at risk of offending and entering the Youth Justice System.

Hampshire YCP is funded from three sources: 1. OPCC 2. Early Help 3. Hampshire YOT (a contribution from the Youth Justice Board grant given to YOTs).

YCP workers act as the 'prevention arm' of Hampshire YOT and are co-located within the four HYOT geographical teams covering the 11 Districts and Boroughs of Hampshire. Referrals are made from parents, schools, Police, Children's Services, YOTs and local councils.

Hampshire has a long and well established history of crime prevention services for children and young people and this has proven to be a significant factor in the reduction of FTEs into the Youth Justice System in the county. The YCP team currently consists of 14.5 full time equivalent workers co-located within Hampshire YOT in the four teams located across Hampshire.

Funding for this service pays for these workers, and associated interventions and preventative/diversionary programmes/projects they use to engage and work with children and young people at risk of offending. YCP workers engage children and young people using a wide range of interventions to address ASB, peer pressure, consequential thinking, victim awareness, harmful sexual behaviour, keeping safe work, substance misuse and anger management.

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YCP workers also liaise with colleagues in Early Help Hubs to promote education, training and employment options for young people and promote and support their emotional and mental health. YCP have partnerships with Hampshire schools, CSD exploitation team and HCC Care Homes to support the areas wider aims of addressing and tackling those at risk of exploitation, gangs and serious youth violence.

### **Isle of Wight YOT £30,600 per year**

The Commissioner's contribution would fund Youth Crime Prevention Officers (YCP). The provision of YCP is focused on working with children and young people (age 10-16) at risk of offending and entering the Youth Justice System.

IOW YCP has been funded from two sources. 1. OPCC 2. IOW YOT. YCP workers act as the 'prevention arm' of IOW YOT and are co-located within the geographical team in Newport covering the Isle of Wight. The YCP team currently consists of 2.5 full time equivalent (FTE) fixed term workers. Funding for this service pays for these workers and the associated interventions and preventative/diversionary programmes/projects they use to engage and work with children at risk of offending. YCP workers engage children using a wide range of interventions to address ASB, peer pressure, consequential thinking, victim awareness, harmful sexual behaviour, keeping safe work, substance misuse and anger management.

YCP workers also liaise with colleagues in Early Help Hubs to help promote education, training and employment options for young people and promote and support their emotional and mental health.

### **Portsmouth YOT £71,400 per year**

**£23,872 per year** - The Commissioner's contribution would fund a Reducing First Time Entrants (FTE) Analyst to monitor and analyse the FTE cohort to support interventions i.e. identify the key characteristics of FTEs to ensure interventions are effectively targeted and can be responsive to trends or issues presented by the FTE cohort.

Building on work to date and continuing to strengthen partnerships across the directorate (e.g. the Early Help and Prevention service that supports young people at risk of entering the Youth Justice System or the Looked After Children's service) and across the wider partnership in respect of children who are on the periphery of entering the system, this post will



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provide the required capacity to extract, review and report on demand and trends on a regular basis. By considering the wider aspects of criminogenic need of this cohort of young people at risk of entering the system this role will make use of this data to inform future options of effective direct interventions, service design and capacity. This would also include sharing and/or cross-referencing with other departments and partners to inform their approach including recommendations to strengthen partner's roles and responsibilities to intervene earlier to prevent young people offending in the first place.

The role would fully support the local and Pan-Hampshire Youth Diversion Scheme and promote the use of relevant toolkits and interventions across the workforce which in turn will inform approaches needed in policing, education, early help, children's social care and health to improve positive outcomes for young people and prevent and divert them away from the Youth Justice System.

**£29,254 per year** - The Commissioner's contribution would fund one FTE Reducing First Time Entrants - Youth Justice Practitioner (YJP) – Triage post. This project will strengthen Portsmouth YOT's delivery of joint YOT/Police Decision Making/Triage processes through offering direct support to Triage meetings, undertaking Pre-Triage Assessments (PTA) and supervising pre-Court disposals such as Youth Community Resolution (YCR) and Youth Diversion Programmes (YDP).

The post holder will work restoratively to:

- Liaise with colleagues within and outside of the YOT to gather relevant information to support and inform the YOT Triage process.
- Complete high quality assessments of risk of serious harm to the public, the young person's vulnerability and their likelihood of re-offending to develop intervention recommendations and plans.
- Hold a caseload of children; planning, delivering, co-ordinating and reviewing direct interventions with them, under a restorative approach, to reduce the risks posed.
- Liaise with parents, carers, other family members and professional networks to ensure plans are agreed and delivered with them to support sustainable change.

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- Provide direct work with children and families in a variety of settings to support them to manage challenges they may experience including offending behaviour, emotional wellbeing, substance misuse, healthy relationships, access to education and employment, housing, and income. At times, this could include small group work.
- Offering up to date information, advice and signposting; supporting access to other services where more specific, specialist or longer term support where required.
- Write high quality reports, and present information in a variety of formats.
- Recognise and contribute towards achieving the KPIs set for the YOT
- Keep up to date with developments in research, practice, legislation and guidance.
- Represent the service, and the needs of our stakeholders, at meetings as required. They will be expected to liaise with colleagues both within and outside the YOT in order to fulfil the requirements of the role. To support the YOT more broadly, they will also be expected to carry out weekday Office Duty and cover the weekly Out of Court Disposal Clinic via rota and respond to reasonable ad hoc requests.

**£18,274 per year** – The Commissioner’s contribution would contribute to a full time Team Leader post in Portsmouth YOT to support the operational delivery of youth justice services specifically with a focus on reducing the number of FTEs. The post holder would provide management oversight of the screening of C32s (Youth Community Resolutions) and involvement in and oversight of Triage/Pre-Triage Assessment/Youth Diversion delivery on a daily basis.

The remaining funding for the post will be sourced via the YOT partnership budget. The YOT Team Leader is employed to support the day to day operational management of the Portsmouth Youth Offending Team; however this funding will specifically provide oversight of processes to reduce the number of FTEs. Their role will include the recently improved processes to strengthen management oversight of the screening of C32s (Youth Community Resolutions) and involvement in and oversight of the recently introduced Triage/Pre-Triage Assessment/Youth Diversion delivery on a daily basis, reviewing and developing systems locally and in partnership with the other three YOTs in Hampshire, the supervision of

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staff and working with partners (statutory and non-statutory) in the identification and response to young people who have risk factors associated with offending behaviour and without support and intervention have a high risk of becoming FTEs in the Youth Justice System.

### **Southampton YOT £71,400 per year**

The Commissioner's contribution would fund a Youth Diversion Programme option for Children within Southampton. This means providing the Joint Decision Making Panel with an additional disposal option that can be considered when deciding the outcome for a child who has offended.

Children who have offended and have been referred to the joint decision making panel can be considered for this programme alongside other options currently open to the panel. Children will go through a pre triage assessment before a decision is made, with a comprehensive assessment and plan created to support the panel's decision. This includes all options from No further Action to a court hearing. It is recognised that Southampton has had high First Time Entrants and is an outlier to most parts of the country, there is also a growing body of evidence that suggests that bringing children into the Youth Justice System is counter-productive, and impacts life chances.

Diversion allows Southampton Youth Justice to offer an alternative, robust intervention offer (Youth Diversion Programme) to the child when appropriate that would be 'No further Action' on the police system but instead 'Outcome 22' which redirects to other appropriate services. This is on the condition that the child agrees to help produce a collaborative plan based on strengths which is aimed to reduce risk of re-offending.

If the child does not engage they would be referred back to the panel for further consideration.

The aim of this project is to divert children away from youth justice, positively engage them in constructive activities and provide a structured assessment. Diversion also allows a caveat to refer children back into panel should the YOT consider it necessary. This offer seeks to intervene, reduce first time entrants and reduce re-offending.

In addition to this Southampton Youth Justice is also aiming to reduce its disproportionate representation of black and ethnic minorities in the YOT cohort. Part of this is to recognise that often children of black or ethnic minority have a distrust of the Youth Justice System and are less likely to

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trust professionals. There is also a concern that those children are more likely to make 'no comment' interviews as a result of this distrust. Current processes means if a child does not admit guilt, they cannot be considered for an out of court disposal, and if they make a no comment interview they can only be considered for a Youth Condition Caution or court. This makes those children at higher risk of becoming a first time entrant.

The proposal enables a greater proportion of children to be considered for the Youth Diversion Programme, providing opportunities for those who continue to distrust the system and not unnecessarily bring them into the system. This is because an admission of guilt is not a requirement for the offer. The Youth Diversion Programme will run as per other YOT disposals with a pre triage assessment and plan, a decision made at panel and a time frame to work with a child once that child and parent/guardian have agreed to work with Southampton Youth Justice.

There is a greater emphasis of diversion away from youth justice into other community activities which facilitates a stronger connection between Youth Justice and Community Partners. This involves a collaboration between the dedicated Youth Justice Officers, Restorative Justice Officer and Out of Court Coordinator.

## **2 Options appraisal**

Option One - Do nothing – Nil contribution towards the YOTs

Option Two - Allocate funding with flexibility across the broad YOT remit

Option Three - Award funding for early intervention/prevention only. This is the preferred option supporting the Commissioner's priority of Preventing Young People from Committing Crime

## **3 Timescales**

Support would commence 1<sup>st</sup> April 2022. Subject to satisfactory performance, this would be on-going for three years.

## **4 Financial and resourcing implications**

<b>Total cost</b>	£1,071,000
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**Timeframe funding required for**

April 2022 to March 2025

**Table 1 - Funding allocation in each financial year**

	<b>2021-22</b>	<b>2022-23</b>	<b>2023-24</b>
<b>Capital</b>	£0	£0	£0
<b>Revenue</b>	£357,000	£357,000	£357,000

**Table 2 - Funding source - Capital and Revenue**

	<b>Capital</b> (insert 'Yes' if applicable)	<b>Revenue</b> (insert 'Yes' if applicable)
Transformation reserve		
Commissioner's reserve		
Commissioning budget		Yes
Approved capital programme		
General fund		

## **5 Communications and engagement implications**

Any publicity will make clear that funding has been made available by the Police and Crime Commissioner. Press releases will be jointly agreed between the Police and Crime Commissioner and the relevant Local Authority YOT. The Commissioning Team will work closely with the Communications and Engagement Team to identify opportunities to further promote this support.

## **6 Legal implications**

Under S.143 of the Anti-social Behaviour, Crime and Policing Act 2014, the PCC may provide or arrange for the provision of services to secure or contribute to securing crime and disorder reduction, or which help victims or witnesses of, or other persons affected by, offences and antisocial behaviour. These arrangements may include the making of grants subject to such conditions as the PCC thinks appropriate. Funding awards will be subject to a written agreement setting out the terms and conditions on which payment is made.

The Recipient has a statutory duty to provide a YOT which is governed by the Youth Justice Board with shared Key Performance Indicators (KPIs).

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## **7 Risks and mitigation**

There is a risk that Local Authorities reduce their funding towards the YOTs early intervention and prevention service. To mitigate this risk, the Commissioner's funding contribution is subject to Local Authorities maintaining their current commitment. If Local Authorities decide to reduce their funding in this area, they should inform the Commissioner who may decide to reduce her contribution and seek to support children and young people through an alternative arrangement.

## **8 Strategic policing requirement**

Young people supported by the YOTs may be connected with crimes which fall within the Strategic Policing Requirement.

## **9 Equalities**

All YOTs are asked to outline, and are assessed on, how their project will contribute towards the elimination of unlawful discrimination, the advancement of equality of opportunity for everyone, including those having a protected characteristic and the fostering of good relations between all including those having a protected characteristic. YOTs are asked to provide specific information on how their project worked with, or could be adapted to work with, people with protected characteristics and whether they excluded any particular groups. All YOT applications met the standard required in order to satisfy the Commissioner's public sector equality duty under s149 of the Equality Act 2010.

## **10 Data Protection implications**

The only General Data Protection Regulations (GDPR) implications associated with this decision request are that the Commissioning and Partnerships Team hold the information of the Local Authorities that applied for this funding. This includes names, addresses, phone numbers, email addresses and bank details for the successful applicants. This information is stored and will be destroyed according to the OPCC data security policy.

The OPCC would not hold any personal information of children and young people supported by the YOTs. This would be held by the Local Authorities providing support and each organisation funded complies with GDPR regulations as per their safeguarding form and grant agreement.

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## 11 Publication status

This report is suitable for publication with the exception of the YOT Funding Applications listed in Appendices.

## 12 Personnel consulted

The following personnel were consulted on the Decision Request.

**Table 3 - Personnel consulted**

<b>Role</b>	<b>Organisation</b>	<b>Confirmation of consultation</b> (insert 'Yes' if applicable)
Chief Executive	OPCC	Yes
Deputy Chief Executive / Criminal Justice Portfolio Lead	OPCC	Yes
Chief Finance Officer	OPCC (HCC)	Yes
OPCC/Hampshire Constabulary liaison	OPCC/HC	Yes
Head of Strategic Commissioning and Partnerships	OPCC	Yes
Head of Communication and Engagement	OPCC	Yes
Head of Performance and Information	OPCC	Yes
Head of Standards and Compliance	OPCC	Yes
Head of Estate, Operations and Support	OPCC	Yes
Programme Office Manager	OPCC	Yes
Accountant	OPCC (HCC)	Yes
Deputy Monitoring Officer	OPCC (HCC)	Yes
Head of Strategic Procurement	HCC	Yes
Commissioning and Partnerships Officer	OPCC	Yes
Data Protection Officer	OPCC	Yes

OPCC - Office of the Police and Crime Commissioner

HCC - Hampshire County Council

HC - Hampshire Constabulary

## 13 Appendices

Appendix A – List of Applications (to follow)

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## **14 Background papers**

YOT22001 Southampton Funding Application refers

YOT22002 Hampshire Funding Application refers

YOT22003 Isle of Wight Funding Application refers

YOT22004 Portsmouth Funding Application (Analyst) refers

YOT22005 Portsmouth Funding Application (Youth Justice Practitioner Triage) refers

YOT22006 Portsmouth Funding Application (Reducing First Time Entrants Team Leader) refers

YOT scoring sheet refers