

COMMUNITY JUSTICE FILES 36

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Youth Justice Board consults on in-year budget cuts

The Youth Justice Board (YJB) for England and Wales has been consulting the sector on its proposals to reduce its expenditure in 2015-16 by £13.5 million. This is a result of the Secretary of State for Justice's decision to reduce the YJB's allocation from the Ministry of Justice (MoJ) by £12m (or 5%) in the current financial year, 2015/16. The main way the YJB proposes to implement the savings is by reducing the Youth Justice Grant they currently provide to Youth Offending Teams (YOTs) by £9 million (10.6%). The proposal document includes an annex showing the financial implications for each YOT operating in England and Wales. The consultation ends on 16 September 2015. The Association of Youth Offending Team Managers (AYM) has publicly opposed the cuts.

Further information about the proposed cuts:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/456168/YJB_consultation.pdf

To read the response by the Association of YOT Managers:

http://www.aym.org.uk/mainpage_107/viewmorenews.aspx?sid=8816653234745533763820150903173026041&pageid=1766&itemid=184

Youth Offending Team 'Stocktake'

Deloitte was commissioned by the Youth Justice Policy Unit in the Ministry of Justice (MoJ) to collect and analyse data on the activities of YOTs in England and Wales (the 'YOT Stocktake'). The purpose of the research was to establish a picture of how the YOT model has evolved locally and nationally, including differences in organisational structures, funding arrangements and spending decisions, and ways of working. The Stocktake was also to consider how YOTs have responded to changing demand and the activities they undertake.' Headline were:

- The YOT system has a number of strengths: teams work closely and effectively with partner agencies and in a holistic manner to take account of young people's wider needs.

- There is a discrepancy between what YOTs do and what is measured by the MoJ, which makes assessment of performance and value for money very difficult.
- Early correlation analysis suggests that taking a narrow focus on reducing first time entrants, custody volumes or reoffending rates only suggests that current MoJ funding (via the Youth Justice Board) is poorly allocated and could be revised without affecting these specific youth justice outcomes as measured by the YJB (as currently defined).
- However, this risks undermining other outcomes around education, employment and training for young people that YOTs may positively influence.
- Both local and national oversight and accountability of YOTs could be improved, but given that the MoJ is not their main source of funding, YOTs' incentives and objectives will not necessarily align with it.

To read the Youth Offending Team stocktake:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/445641/yot-stocktake-report.pdf

Strategy proposed to help keep children out of prison

The Howard League for Penal Reform has written to Michael Gove, the Secretary of State for Justice, recommending eleven youth justice reforms that would help children and save the taxpayer money.

The recommendation for immediate action is to not renew the contracts for Medway and Rainsbrook secure training centres. Medium term reforms include the introduction of legislation to abolish the Detention and Training Order, addressing the over-representation of black and minority ethnic young people in prison, devolving the custody budget to local authorities, reviewing the use of remand, issuing guidance that encourages a flexible and proportionate response to breaches of statutory orders and building on and promoting evidence-based good practice and interventions that work. Longer term reforms proposed are closing prison places for children, revising the role of the youth courts, addressing the shortage of suitable secure accommodation in London and transforming the Youth Justice Board.

To read the recommendations for the Ministry of Justice:

<http://www.howardleague.org/reformingyouthjustice/>

To read the letter to Michael Gove in full:

https://d19ylpo4aovc7m.cloudfront.net/fileadmin/howard_league/user/pdf/Letters/Letter_to_Michael_Gove_-_youth_justice.pdf

Harris Review: *Changing Prisons, Saving Lives*

The report of the independent review into self-inflicted deaths in custody of 18-14 year olds (The Harris Review) was presented to Parliament by the Secretary of State for Justice in July.

The review included a detailed examination of the lives of the 87 young people (four children and 83 young adults aged from 18 to 24) who died in custody between April 2007 and December 2013. It concluded that all young adults in custody are vulnerable. Moreover, the separation of young people from their families and support networks is likely to lead to loneliness and to exacerbate vulnerabilities. This has wide implications for the way in which prisons and YOIs should operate.

The harsh environment of prison, '...the impoverished regimes (particularly with current staff shortages) and the restrictions placed on young adults because of their IEP status or because of local policies on the management of gangs, all combine to make the experience of being in prison particularly damaging to developing young adults.'

In practice, it is clear that young adults in prison are not sufficiently engaged in purposeful activity and their time is not spent in a constructive and valuable way.

There needs to be an inherent shift in the philosophy of prison in this country, and so we are recommending that the Ministry of Justice publishes a new statement on the purposes of prison, where the primary purpose is rehabilitation, and which acknowledges that all persons deprived of their liberty shall be treated with respect for their human rights.

In response to the Harris Review the Justice Committee has announced a review into young adults in the criminal justice system (including include the Crown Prosecution Service, the courts, the sentencing framework, youth offending teams, probation services and prisons, but not the police).

The review will:

- assess the implications of the findings of the Harris Review and selected recommendations for current policy and practice
- examine the evidence on what might constitute more effective or appropriate treatment of young adults throughout the criminal justice process
- review the impact of guidance to sentencers and prosecutors which advises that they consider the maturity of the offender in their decisions.

The Committee welcomes written submissions by 30 September 2015.

To find out more about the inquiry into the treatment of young adults in the criminal justice system:

<http://www.parliament.uk/business/committees/committees-a-z/commons-select/justice-committee/news-parliament-20151/young-adult-offenders-inquiry/>

To read a copy of the Harris Review:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/439859/moj-harris-review-web-accessible.pdf

Criminal justice responses for young adults need to account for maturity, not age

The Transition to Adulthood Alliance, in partnership with the Howard League for Penal Reform, has published a report on responding to young adults involved in the criminal justice system. *You Can't Put a Number On It* highlights advantages of responses that take account of maturity rather than more simplistic notions of age. The report makes the case for a young adult specific approach in the criminal justice system.

To read the report:

http://www.t2a.org.uk/wp-content/uploads/2015/07/HL-Report_lowerres-1.pdf

Secure College(s) scrapped

Plans to build a new network of Secure Colleges, including a 'pilot facility' at Glen Parva in Leicestershire were abandoned by the Ministry of Justice in July. The statement to cancel the advanced plans does not feature on the Ministry's website but was reported on quite widely.

To read more about the cancellation of the building of the Secure College:

<http://www.bbc.co.uk/news/uk-england-33480107>

Rainsbrook STC inspections

Earlier this year the overall effectiveness of Rainsbrook secure training centre (STC) to meet the needs of young people was judged by HM Inspector of Prisons, the Care Quality Commission and Ofsted to be inadequate following a joint inspection.

A subsequent independent report by Sir Martin Narey questioned the inspectorates' conclusion that Rainsbrook was an unsafe place for children. Ofsted responded immediately to Narey's report, standing by their original findings and recommendations: "It is encouraging that Sir Martin is able to paint such a positive picture of the centre on the basis of his own recent visit, commissioned by G4S. However, we are puzzled how he is able to conclude from this visit that Rainsbrook was not an inadequate and unsafe institution at the time of our joint inspection."

To read the original joint inspection report of Rainsbrook secure training centre:

<http://reports.ofsted.gov.uk/sites/default/files/documents/secure-training-centre-reports/rainsbrook/Rainsbrook%20STC%20Ofsted%20report%20February%202015%20%28PDF%29.pdf>

To read the subsequent report by Martin Narey:

<https://www.gov.uk/government/news/sir-martin-narey-publishes-new-report-on-rainsbrook-stc>

<http://www.slideshare.net/martinnarey/rainsbrook-report-for-publication>

To read Ofsted's response to Martin Narey's report:

<https://www.gov.uk/government/news/response-to-sir-martin-nareys-report-on-rainsbrook-stc>

Contract award announced for Rainsbrook and Medway secure training centres

A tendering exercise by the Youth Justice Board has identified companies to run Rainsbrook and Medway secure training centres (STCs) under new five year contracts. Both establishments provide custodial accommodation for children from London, the South East and from further afield. MTCnovo and G4S Care and Justice Services (UK) Limited (branded as Inspiring Futures) have been notified that they are to be awarded contracts to deliver the custodial service at Rainsbrook STC and Medway STC respectively.

To read the Youth Justice Board press release:

<https://www.gov.uk/government/news/contract-award-announced-for-rainsbrook-and-medway-secure-training-centres>

Revised inspection framework for secure training centres

Ofsted have published their new framework and evaluation schedule for secure training centres, which has taken effect from 1 September 2015. Inspectors will make their judgements on a four-point scale:

1. Outstanding
2. Good
3. Requires improvement
4. Inadequate.

The 'requires improvement' judgement replaces the previous grade descriptor of satisfactory. There is a new focus on health and leadership with 'health' appearing multiple times in the document. Safeguarding continues to be of prime importance:

'The judgement about the safety of young people is a key judgement. This means that a judgement of inadequate for the safety of young people will always result in a judgement of inadequate for overall effectiveness.' (bold emphasis in original, p.7).

Another change is that weekend inspections of the secure estate are now a possibility:

'Programmed inspections will usually take place over seven days, spread over two consecutive weeks. Inspectors may choose to visit the centre during a weekend if it is considered necessary. This may mean that an inspection commences during a weekend.' (p.5)

This is significant as the regime at weekends can be very different from that run in the week.

Read the new framework for inspections:

<https://www.gov.uk/government/publications/inspecting-secure-training-centres-framework>

National Strategy for the Policing of Children and Young People

The National Police Chief's Council (NPCC) has launched a National Strategy for the Policing of Children and Young People. The strategy focuses on the four key areas highlighted within the All Party Parliamentary Group for Children inquiry report, *It's all about Trust: Building Good Relationships between Children and the Police*. These are:

1. stop and search
2. looked-after children
3. detention, custody and criminalisation of children and young people
4. the relationship between young people and the police.

To read more about the strategy:

http://www.npcc.police.uk/documents/edhr/2015/CYP%20Strategy%202015_2017_August%202015.pdf

Private Members Bill

A private members bill to raise the minimum age of criminal responsibility in England and Wales from ten to twelve years had its first reading in the House of Lords in June. The second reading is yet to be scheduled. The bill is sponsored by Lord Dholakia.

To follow the passage of the bill:

<http://services.parliament.uk/bills/2015-16/ageofcriminalresponsibility.html>

Amendments to legislation concerning knife crime

A mandatory minimum sentence for knife crime was introduced on 17 July. It had previously been blocked by the Liberal Democrats last year. Adults convicted of being in possession of a blade for a second time will face a prison sentence between a minimum of six months and a maximum of four years. Young people aged 16 and 17 will face a minimum four-month detention and training order. The Impact Assessment by the Ministry of Justice concluded that the new measure would require an extra 350 prison places, at an estimated cost of £9m.

To read the Impact Assessment by the Ministry of Justice:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/441658/knife-possession.pdf

The Children's Rights Alliance for England (CRAE) and Just for Kids Law merge

The Children's Rights Alliance for England (CRAE) merged into Just for Kids Law at the beginning of August. Both charities share the same ambition to achieve the full realisation of the UN Convention on the Rights of the Child (CRC) which the UK ratified in 1991. Both charities are keeping their brands and identities. Just for Kids Law provides direct advocacy support and legal representation to children and undertakes precedent setting strategic litigation for children's rights (including successful interventions securing the rights of 17 year-olds in police custody). CRAE's membership includes over 150 organisations and individual members making it one of the biggest children's rights coalitions in the world.

To read the Just for Kids Law press release:

<http://www.justforkidslaw.org/news-events/two-of-the-uks-central-childrens-organisations-join-forces-to-strengthen-the-rights-of-children-and-young-people>

UN Convention of the Rights of the Child Evidence Hearing

On 23 May 2014, the Government submitted its fifth periodic report to the United Nations on its implementation of the UN Convention on the Rights of the Child (UNCRC). The UN Committee will hear evidence from NGOs and children (at the pre-sessional working group) in October 2015. They will then hear evidence from the UK Government in May 2016 and issue its concluding observations in the summer of 2016. The most recent set of Concluding Observations on the UK were issued by the UN Committee in October 2008.

On publication of the Government's fifth periodic report, a joint statement was issued by a coalition of charities, which expressed disappointment at some elements of the report and stated that in many areas the Government was failing to meet its commitment to assess fully the impact of its policies on the rights of all children.

The Joint Committee on Human Rights undertook an assessment of the Government's report against their own findings over this Parliament connected with children's rights issues. They concluded that:

'...aside from a few recent clear examples where good practice has been sustained outside the Department for Education, the momentum for spreading good practice and awareness throughout government concerning the Convention - and to encourage departments to take the articles of the Convention seriously - seems to have lessened over the course of this Parliament.'

To read the Joint Committee on Human Rights report on the UK's compliance with the UN Convention on the Rights of the Child (24 March 2015):

<http://www.publications.parliament.uk/pa/jt201415/jtselect/jtrights/144/144.pdf>

Local authority duties to receive children transferred from police custody

Earlier this year the Home Secretary and the Secretary of State for Education wrote to local authorities in England regarding their legal duties to under the Police and Criminal Evidence Act (PACE) and the Children Act. This letter requested local authorities to work with their police service to accommodate children charged with an offence and denied bail and to avoid children being detained in police stations pending appearance at court. In October 2015 this procedure is to be extended to 17 year olds.

To read the joint letter from Nicky Morgan and Theresa May to local authority children's services:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/401178/Joint_letter_from_the_Home_Secretary_the_Education_Secretary.pdf

Independent review of children in care

An independent review of children in care, chaired by the crossbench peer Lord Laming and established by the Prison Reform Trust, was launched at the end of June to consider the reasons behind, and how best to tackle, the over representation of looked after children in the criminal justice system in England and Wales.

To read the public briefing about the independent review:

<http://www.prisonreformtrust.org.uk/Portals/0/Documents/2%20Care%20review%20public%20briefing.pdf>

Weekly education hours in public sector YOIs doubled from 15 to 30

From Monday 17 August, under-18 public sector young offender institutions (YOIs) have been offering 30 hours of education to young people held there.

We will also be working with colleagues in the National Offender Management Service to monitor implementation of protected education. We have a duty to report to ministers on the implementation on a six-monthly basis.

Guidance on protected time for education in public sector under-18 young offender institutions:

<https://www.gov.uk/government/publications/protected-time-for-education-in-yois>

Youth Justice Annual Statistics 2014/15

The Youth Justice Annual Statistics 2014/15 will be published on [GOV.UK](http://gov.uk) at the end of January 2016. The YOT data sets to be published in the Annual Statistics are: offences, disposals, Youth Rehabilitation Orders and their requirements, young people sentenced, custody rates for young people sentenced and funding figures.

Registration for the Youth Justice Effective Practice Certificate

The Youth Justice Effective Practice Certificate (YJEP) is a professional development programme for those working in the youth justice sector. Registration is open for the next YJEP course until **2 October 2015** (course start date: **12 October 2015**).

To find out more about the Effective Practice Certificate:

<http://youthjusticeboard.newsweaver.co.uk/1oskhutl30a1d70jdzk441?email=true&a=1&p=49147365&t=21098815>

Youth Justice Event

The National Association for Youth Justice in partnership with Association of YOT Managers are holding a conference on the 'costs of youth justice' in **Liverpool on 14 October**.

Further information and bookings: <http://thenayj.org.uk>, @NAYJtweets.