

DUNDEE CITY COUNCIL

REPORT TO: SOCIAL WORK AND HEALTH COMMITTEE - 25TH JUNE 2012

REPORT ON: WHOLE SYSTEM APPROACH TO YOUTH JUSTICE

REPORT BY: DIRECTOR OF SOCIAL WORK

REPORT NO: 244 - 2012

1.0 PURPOSE OF REPORT

This report provides an update on progress made in implementing the Whole System Approach to Youth Justice over the last 12 months. A previous report was submitted which outlined the approach and an associated Programme Plan (Committee Report Number 284-2011). An update report was requested.

2.0 RECOMMENDATIONS

It is recommended that the Social Work and Health Committee:

- 2.1 Note the progress made in implementing the Whole System Approach in the first year of operation.
- 2.2 Instruct the Director of Social Work to provide a further review of the approach in 12 months.
- 2.3 Instruct the Director of Social Work to implement a plan to reduce the number of children and young people admitted to secure care and custody

3.0 FINANCIAL IMPLICATIONS

None.

4.0 MAIN TEXT

4.1 The Whole System Approach

Members are reminded that the Scottish Government Reducing Re-offending Programme aims to reduce re-offending and enhance public safety as well as reduce the prison population. An accompanying document on Preventing Offending by Young People provides guidance on children and young people aged 8 to 17 years. It promotes a staged framework to address youth crime, where young offenders are given timely, graduated, relevant and proportionate support at all stages of both the child and adult justice systems. There is an emphasis on identifying matters early and delivering support before patterns of offending behaviour become established. The framework consists of the following areas;

- Early and effective intervention
- Diversion from prosecution
- Community alternatives to secure care and custody
- Risk assessment and risk management
- Court processes
- Throughcare

- 4.2 As such, the approach is consistent with both Getting it Right for Every Child (GIRFEC) on preventative, holistic interventions with children and young people and the United Nations Convention on the Rights of the Child (UNCRC) on the limited use of custody. Research

indicates that community based, tailored support is more effective in reducing re-offending than unstructured support or restrictive measures alone, such as imprisonment. The approach also aims to reduce time and cost through the increased use of informal, voluntary measures before more expensive statutory measures at later stages of both systems are considered necessary.

4.3 **Progress in Dundee**

In the last 12 months, as part of Integrated Children's Services, the multi-agency Youth Justice Partnership has continued to co-ordinate services for all children and young people aged 8 to 17 years who offend. It was noted in the last report that there had been sustained success in reducing youth crime, including a 15% reduction in the number of offences committed by young offenders and a 30% reduction in the number of persistent young offenders in the preceding 12 months. The Partnership has sought to maintain the arrangements which contributed to these successes whilst focusing in particular on extending effective practice to older adolescents aged 16-17 years. To date, progress has included:

4.3.1 **Early and effective intervention** – following agreement with Tayside Police and the Crown Office Procurator Fiscal Service (COPFS), a multi-agency forum has extended its remit to include 16-17 year olds. Instead of immediate Police referral to COPFS, first time offenders with a low tariff offence in this age group are now referred to a weekly screening and support group, where their risks, needs and levels of required support are considered. To date, 25 in the age group have been referred and in 13 cases a Police Warning was considered to be a sufficient deterrent to re-offending. The remaining 12 were provided with informal, voluntary support from external agencies to address concerns. To increase referral numbers, Tayside Police have issued internal guidance stipulating automatic referrals for offenders meeting the criteria.

4.3.2 **Diversion from prosecution** - once referred by the Police to COPFS because the frequency or seriousness of the offending has escalated, there is a further opportunity to address matters but avoid prosecution through the use of formal diversion schemes. The criteria, referral, assessment and enforcement processes for SACRO and Youth Justice Team diversion schemes have therefore been standardised and the Criminal Justice Service has piloted a Fiscal Work Order. In the last 12 months, a total of 26 young people aged 16-17 years have been formally diverted from prosecution. Of these, 18 were referred to SACRO, 4 to the Youth Justice Team and 4 to Fiscal Work Orders. It represents a 20% increase from the previous year and work with COPFS is ongoing to ensure appropriate targeting.

4.3.3 **Community alternatives to secure care and custody** – in respect of secure care, a short life working group will consider if we have the correct range of resources to respond to the accommodation needs of young people at greatest risk from their own offending or risk taking behaviour. This will include an evaluation of The Elms Secure Unit. In the last year 17 young people were admitted to secure care against 16 in the previous year. This is a key priority and the aim is to ensure support is targeted early enough before risks escalate further, when only a secure placement can be justified to protect the child and/or community from harm.

In respect of custody, the Community Payback Order has been implemented as a sentencing option for both young and adult offenders in Court. The legislation stipulates that where any CPO requirement, such as unpaid work, is imposed on a 16-17 year old, it must also be imposed alongside a supervision requirement to provide additional support. All cases except a small minority already subject to a Children's Hearing supervision requirement are therefore now supervised by the Criminal Justice Service and a range of new interventions, including Venture Trust, Fairbridge and Tayside Council on Alcohol Mentoring, have been developed.

When comparing the 10 months before the CPO was introduced with the 10 months after, 59 Orders with an element of supervision were imposed against 53. This indicates that the earlier interventions for the age group are beginning to prove effective in reducing the number of young offenders requiring statutory support. In the same periods, the proportion of successfully completed Orders has increased from 51% to 57%. This indicates that the

new interventions are proving effective in promoting offender engagement and compliance. A total of 1,193 hours in unpaid work were completed by the age group in the last 12 months, compared with 1,118 in the year before. Projects have included garden maintenance, graffiti removal, restoration of local common ground and repairing park benches. It appears clear that 16-17 year old offenders have visibly paid back to the community.

There were 18 custodial sentences compared with 16 last year and analysis suggests this was due to offence seriousness, typically involving offences of violence. A total of 9 of the custodial sentences were for 18 months or more.

- 4.3.4 **Secure care and custody reintegration** – all young people placed in secure accommodation are supported through Care Planning. Young people placed in secure accommodation under Children's Hearing statutes are able to work through a system of earned privileges, based on positive behaviour, leading to planned home leaves, which help acclimatise the young person to a return to their home community. All returns are informed by Looked After and Accommodated Children's Reviews, where the supports necessary for a return to the community are identified and agreed. This can include intensive support from the Intensive Support and Monitoring Service and provision of the most appropriate educational resource, with young people returning from secure being an agreed priority for the extra support provided by the Offsite Educational Service.

In respect of custody, in partnership with the Scottish Prison Service (SPS) the resettlement of 16-17 year olds has been prioritised and new national guidance, which extends practice for younger children in secure care, has been implemented. The Criminal Justice Social Work Court Report is now forwarded to HMP Polmont when any 16-17 year old receives a custodial sentence, a Social Worker is immediately allocated the case, a prison planning meeting is held within 5 days, case reviews are held on a monthly basis, a pre-release plan approved at least 14 days before release and a minimum of weekly contact is offered to support a return to the community and minimise the risk of re-offending. In appropriate cases mentoring is offered.

There is a focus on avoiding secure care and custody where possible and on preventing repeat admissions and sentences for the same small group of children and young people.

- 4.3.5 **Risk assessment** – the standardised assessment of children and young people who offend is crucial in consistently determining types and levels of risk and need and informing relevant, proportionate responses. Offenders in both the Hearing and Court systems are therefore now assessed using ASSET, a tool designed specifically for offenders in this age group. Violent and sexual young offenders are respectively assessed using more specialist tools and frameworks. All children and young people subject to statutory supervision also have a single plan in accordance with GIRFEC.

4.4 **Summary and Next Steps**

Over the last 12 months, the Youth Justice Partnership has implemented almost every action of the Whole System Approach Programme Plan. This has resulted in a greater number of young people in the age group being dealt with at earlier stages of the system through approaches to early intervention and diversion; a smaller number are subject to statutory Court Orders; a greater number of those have engaged with and successfully completed Orders; a higher degree of support has been provided to those in secure care and custody; standardised assessments on the risk of re-offending and risk of harm have been developed; and single child's plans for young people who offend have been introduced. Whilst numbers at this early stage remain relatively small, multi-agency systems and processes have been developed and all partners are committed to building on early success. At the same time, there has been continued, further progress in youth crime as follows:

33% reduction in youth crime

45% reduction in the number of persistent young offenders

76% reduction in the number of serious offences committed by young people

The exception is the continued number of children and young people admitted to both secure care and custody. There is a clear need to review arrangements and ensure those at risk are identified and targeted with appropriate support before secure accommodation or imprisonment are considered to be the only necessary option. A new multi-agency group will regularly identify and screen such cases in order to determine whether current levels of support are sufficient. A dataset on the specific re-offending rates of both 8-15 year olds and 16-17 year olds is also in the process of being developed and commenced in December 2011.

5.0 POLICY IMPLICATIONS

- 5.1 This report has been screened for any policy implications in respect of Sustainability, Strategic Environmental Assessment, Anti-Poverty, Equality Impact Assessment and Risk Management. There are no major issues.
- 5.2 An Equality Impact Assessment has been carried out and will be made available on the Council website <http://www.dundee.gov.uk/equanddiv/equimpact/>.

6.0 CONSULTATIONS

The Chief Executive, Director of Corporate Services and Head of Democratic and Legal Services have been consulted in preparation of this report.

7.0 BACKGROUND PAPERS

Committee Report Number 284-2011 Whole System Approach to Youth Justice.

Equality Impact Assessment

Alan G Baird
Director of Social Work

DATE: 14th June 2012