

DECISION-MAKER:	CHILDREN AND LEARNING SCRUTINY PANEL
SUBJECT:	THE YOUTH JUSTICE SERVICE IN SOUTHAMPTON
DATE OF DECISION:	21 ST MARCH 2024
REPORT OF:	ROB HENDERSON, EXECUTIVE DIRECTOR OF CHILDREN AND LEARNING

<u>CONTACT DETAILS</u>			
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STATEMENT OF CONFIDENTIALITY

BRIEF SUMMARY
This report provides an overview of the performance of the Youth Justice system in the city. Additionally, the report provides summary outcomes of the Youth Justice Board's Bench Marking assurance visit in February 2024 and an overview of the HMIP Pilot inspection in February 2024.

RECOMMENDATIONS:	
(i)	That the Children and Families Scrutiny Panel continue to receive annual reports regarding the performance of the Youth Justice Service.
(ii)	An update report is considered by the Children and Families Scrutiny Panel in six months' time to measure progress in the following areas – <ul style="list-style-type: none"> • The number of children sentenced or remanded to custody • Improvements in education outcomes • Levels of Serious Youth Violence.

REASONS FOR REPORT RECOMMENDATIONS	
1.	To enable the Children and Families Scrutiny Panel to have oversight of the service improvement journey, including the Southampton Youth Justice Strategic Plan.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED	
2.	Not applicable

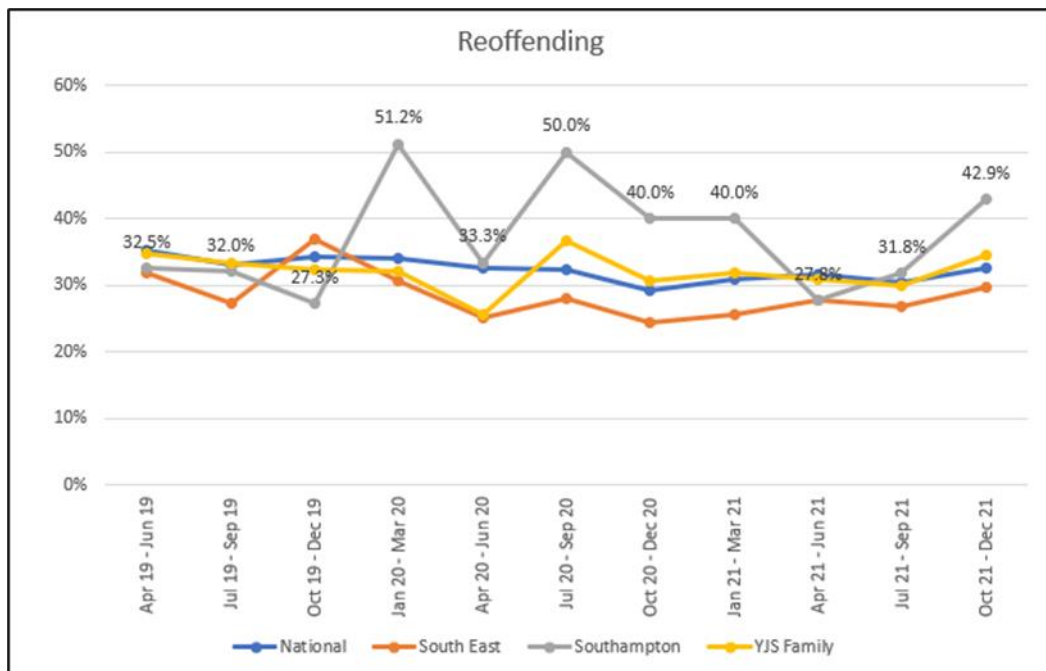
DETAIL (Including consultation carried out)	
	Summary of performance in the Southampton Youth Justice System.
3.	Within the following analysis comparator performance has been included wherever possible to add context to the Southampton YJS outcomes. The Youth

Justic Board identify a YJS Family for each Local Authority by assigning a group of 10 similar Local Authorities. This model is based on a similar approach to the DfE Children’s Services Statistical Neighbour Benchmarking Model but has been adapted for Youth Justice and expanded to include Wales. The Southampton YJS Family is therefore different to the DfE Statistical Neighbour Grouping and includes Bristol, Coventry, Derby, Newport, Peterborough, Plymouth, Portsmouth, Sheffield, Stoke-on-Trent and Wrexham.

Reoffending

4. The reoffending data below was published by the Youth Justic Board within YDS publication 116 and is the latest available National data that includes reoffending up until December 2021.

The Ministry of Justice changed the methodology for measuring reoffending in October 2017 to align the measure with that used for adult reoffending. Under the new methodology, a three-month cohort rather than a 12 month cohort is used. The cohort is still tracked over 12 months. Changing from 12-month cohorts to three month cohorts results in a greater proportion of prolific offenders and hence higher reoffending rates, though both measures show similar trends over time. More information on the new measure can be found in this [link](#).



5. In terms of the binary rate there is a mixed picture across the three years. This period includes the final lockdown which we know impacted on offending rates, however, overall there is a downward trend, with our peaks of reoffending decreasing. This is positive in the sense that over time we are seeing a reduction in the rates of reoffending. Shifting our focus to a child first approach, pushing to build on strengths and work on identify shift from ‘other’, or offender’ to someone who is a child, has skills to contribute to society and expand their opportunities to build on strength helps to impact on a reduction in reoffending.

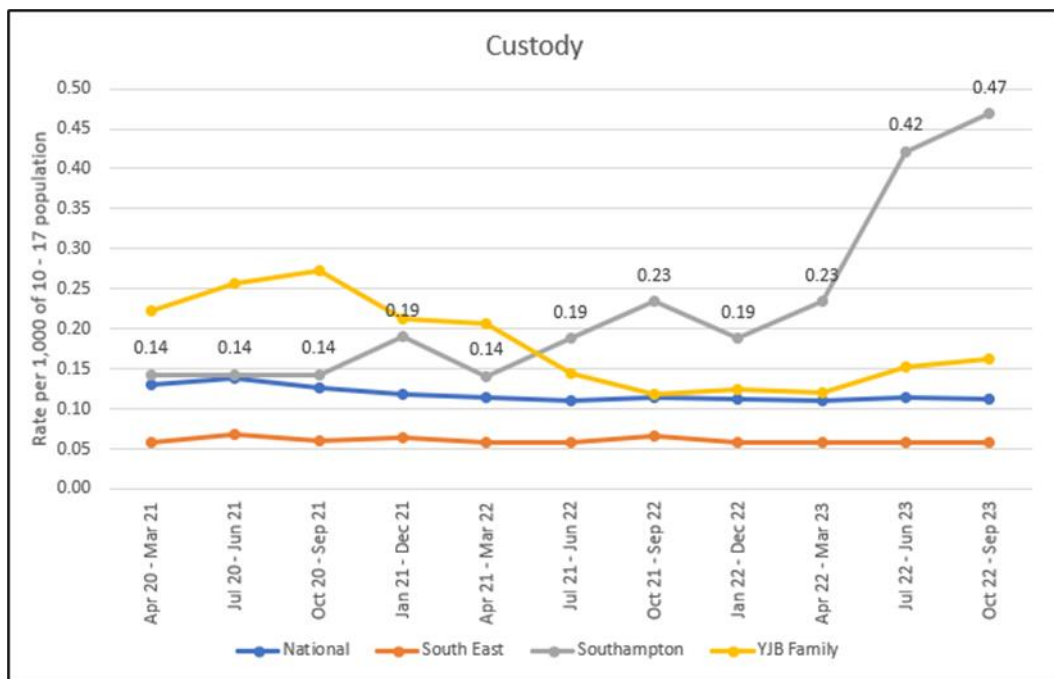
6. What this doesn’t show is our rate per child, which is high. This means that per child in the cohort the reoffending rates are higher. As the cohort gets smaller

(due to effective diversion at the lower end of the system), those that remain within the cohort are complex, have not been diverted, present with greater and more entrenched issues and behaviours and have high rates of reoffending. Those children are more isolated from communities, likely to be not attending school, likely to be presenting with behaviours that have precluded them from positive and constructive activities in the community. It is our role to support access to services, create opportunities in the hub as stepping stones into more structured use of time. Supporting both the child and services to wrap around the child. We need to continue to build on this offer so that all children have access to such opportunities.

Custody

7. The custody data below was published by the Youth Justice Board within YDS publication 116 and is the latest available National data that includes custody up until September 2023.

The indicator uses case level data from the YJ Application Framework (historic data – YJMIS) and is the number of custodial sentences in the period given to children with a local residence aged under 18 years on the date of their first hearing related to the outcome. Successfully appealed sentences are discounted. If a child was given the same type of custodial sentence on the same day to be served concurrently or consecutively, they will only be counted once. This data is also presented as a rate per 1,000 children in the 10 to 17 local general population.

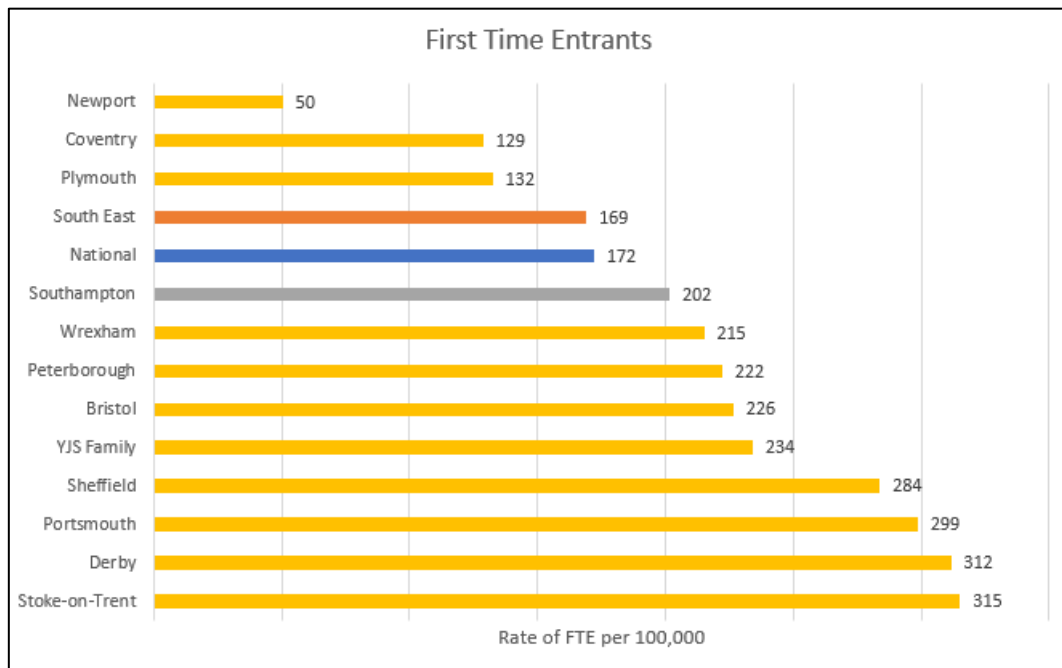


Please note that the counts of young people included within the dataset relate to small numbers and should be treated with caution when interpreting changes in trend. The Southampton July 22 – June 2023 and October 2022 – September 2023 periods relate to 9 and 10 custodial sentences.

8. Custodial sentences have been rising since 2022. In 2021 we were below our statistical neighbour average and over the last two years this has steadily increased to significantly above the national, and local averages.

9.	<p>These figures do not reflect remanded children, which has also steadily increased reflecting that most children who were remanded went on to receive a custodial sentence. These sentences were predominately in the Crown Court and were for very serious offences attracting lengthy sentences. Southampton has approximately 10 children in custody on average for over a year, is more than 10% of the YJS cohort and one of the highest in the country. This in the main reflected the level of violence in the city and the frequency of serious incidents that caused others serious harm. In the main these offences were against other peers.</p>
10.	<p>At the time of writing however, only three Southampton children are currently serving custodial sentences. This is due to children transitioning to Probation or being released on licence but its also because the service has successfully proposed alternatives to custody packages, with the service managing high levels of risk in the community. A significant amount of work has gone into raising the profile of alternative to custody packages, both internally in the council and with our partners. Such packages are only offered when it is assessed that risk can be effectively managed in the community.</p>
11.	<p>Whilst the most recently published data reflects what was a difficult picture in 2023, more recent data will show Southampton turning that curve. This is positive in the sense of a downward trend of children entering into the secure estate. To sustain this we need to effectively build resilience into the system to support such intensive packages in the community. A lot of this work is delivered by YJS and YPS (Young People's Service) staff but work is taking place to support other providers to work with children that represent the highest risks within the cohort. Our main area to unblock is education, training and employment opportunities for these children who tend to have been excluded from many types of provision by the time they enter the Youth Justice System. We are doing this by going into partnership with organisations such as the Princes Trust to deliver on site, bespoke and smaller group packages for YJS children.</p>
12.	<p>In addition, we need to evaluate the work delivered on alternative to custody packages and its effectiveness, to continue to drive quality of offer and provide assurances to partners on the effectiveness of this approach.</p>
13.	<p>To improve on the work already done we also need to continue to focus on addressing the causation of serious violence in the city which is in direct correlation with our custody rates. Partnership work such as the work across the council and police to address specific responses to an increase in violence in a specific area, and then our efforts to expand on this across the whole of the city reflects a preventative and proactive approach to dealing with knife enabled violence. The focus is to intervene, redirect, disrupt and offer alternatives with the aim of driving down incidences of violence in the youth cohort across the city.</p>
First Time Entrants to the Youth Justice System	
14.	<p>From Q1 2023/24, FTE data is being sourced from the quarterly case level data submissions, as MoJ have changed the quarterly data from the PNC to an annual publication.</p> <p>First Time Entrants are children who receive a youth caution or court conviction for the first time within the period. The measure counts the first caution or court</p>

sentence given to children aged between 10 and 17 inclusive on their date of arrest or offence OR date of first court hearing depending on whether the outcome was a caution or court sentence.



15. First time entrant data is important as it's a barometer of how we are doing as a system to address offending locally and compares Southampton to the national average.

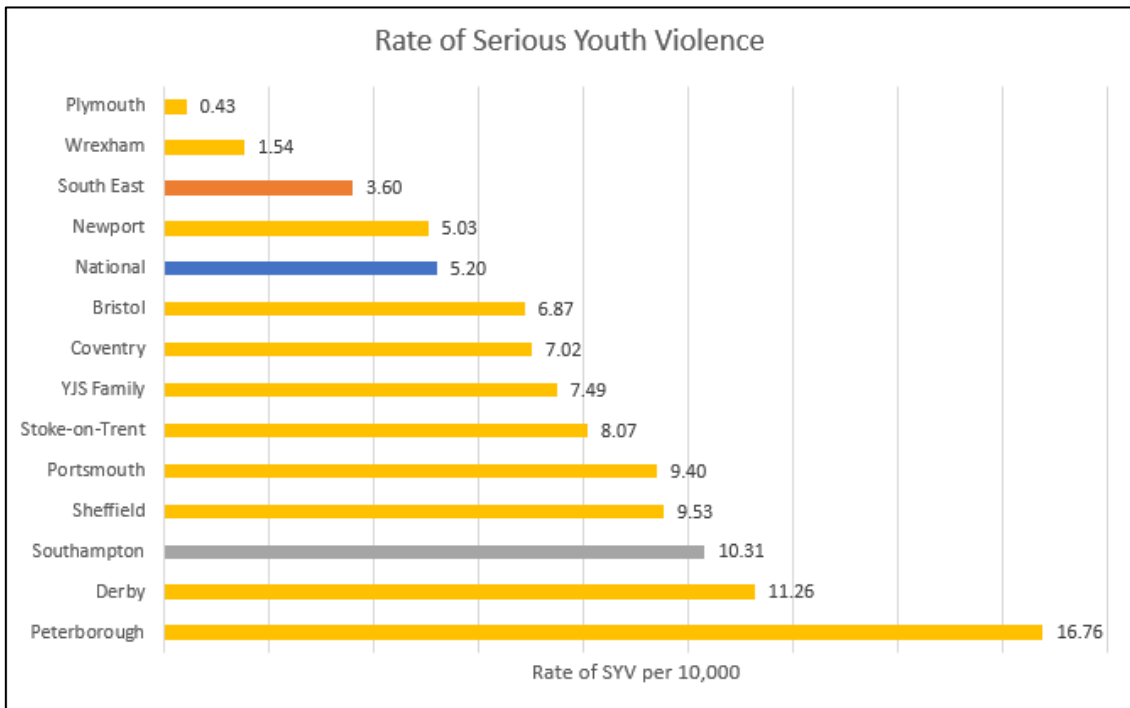
16. We are currently lower than our statistical neighbour average but higher than the national average in terms of rates of first-time entrants entering the system. This is a positive story in the sense that 3 years ago we were one of the highest in the country for FTE rates and we have over the 3 years seen a sharp decrease, and then more recently a steady maintenance of rates. This is positive as it shows a reduction and then a maintenance of the flow of children formally entering into the criminal justice system.

17. There are many reasons for this. Some being the Child First approach to Youth Justice work, with evidence suggesting alternatives to a formal sanction are more effective than bringing a child into the system (evidence suggests that labelling children and formalising their offending lengthens criminal careers rather than reducing it). There is a greater wrap around at the bottom end of the system which include a prevention of offending offer and a dedicated funding stream for children on the fringes of the system (Turnaround). In addition, locally we have a Youth Diversion Programme for those children who have committed an offence that warrants a formal outcome but considering trauma and needs an alternative offer is an option – providing the same offer and robust intervention, but without the formal police outcome. This is a partnership response to a child first approach to addressing children who are offending. This is positive as it offers a child another opportunity to address factors that led to their offending, without the formal sanction. This offer, and the assurance that the offer is a good one means it has become a more established alternative when Police/YJS are making decisions on outcomes for children.

18. To sustain or to continue to drive good performance in this area, the continued proactive preventative offer needs to remain in place, and the context of the wider work to make the city safer for children in Southampton also needs to be established and become increasingly resilient. The board needs to continue to have access to the wide ranging data to support their understanding of the causation of violence, offending in the city to effectively determine the direction of YJ services in the city. Trauma informed and child first approaches to working with children in the system to support a reduction in offending, endorsed by the Youth Justice Board and HMIP needs to continue at pace.

Serious Youth Violence

19. The Serious Youth Violence data below was published by the Youth Justice Board within the Serious Youth Violence Toolkit and is the latest available National data that includes Serious Youth Violence data up until quarter 4 2022/23.



Whilst serious violence data can be problematic as its it can fluctuate depending on outcomes (a reflection that the criminal justice system is often delayed and so offences committed in 2023, may not yet have received an outcome in 2024), it does reflect where the city is benchmarked in terms of the level of violence in the city.

20. In 2023 Southampton was above both the national average and the family average, which is also reflected in SYJS remand and custody data. This evidences that rates of serious violence are higher than our comparators based on the data from 2023. There is a mixed response needed for this issue as many children involved in such violence are not necessarily always open to the youth justice service and as such any work to address serious violence is at a partnership level across police, LA, education, health.

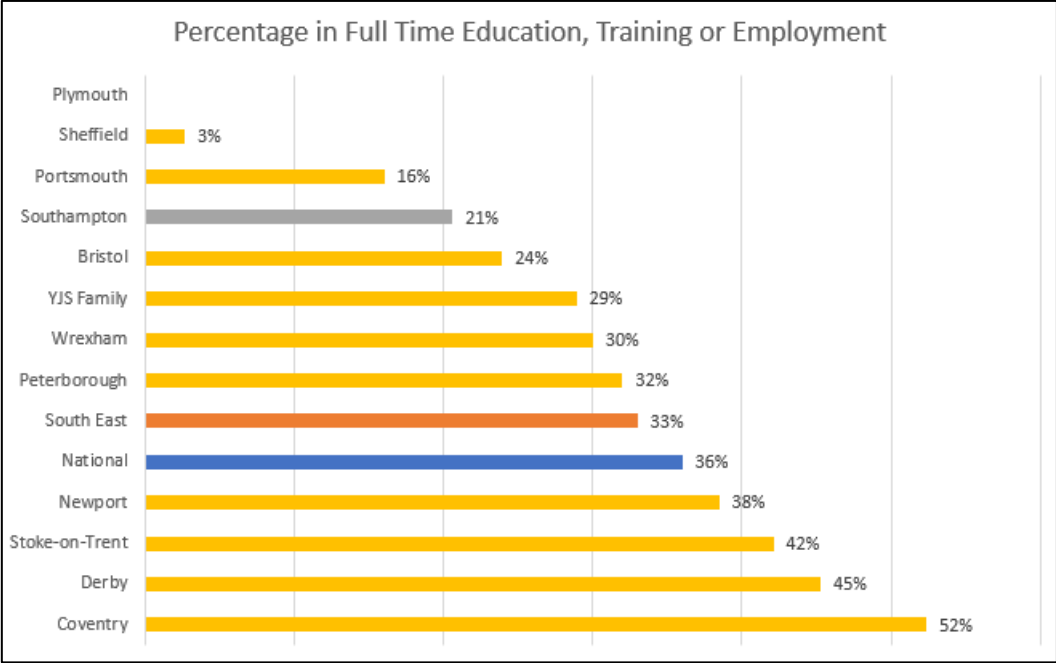
21. A number of workstreams, with Safe City partners, are taking place to respond to the levels of violence in our adolescent cohort. These involve responding to particular dates or periods in the year where we know there is a prevalence of violence (Halloween, summer holidays) and specific action as a result. In other

area it's a response to a series of high-level knife enabled assaults on other children, such as in the Thornhill area of the city in the early summer of 2023. This resulted in a partnership response called Operation Meero. This operation was successful and the partnership are building on the learning of that work to expand out to the whole of the city – with a specific focus on children at risk of committing a knife enabled offence. The reason it was successful was that offending dropped over the intervention period, and serious levels of knife enabled crime also fell. This was due to a partnership response of working with a set group of children at risk of offending, and working with police, the third sector, LA, education to tackle any risks with a collective response.

22. In addition to this we are working closely with the Violence Reduction Unit to develop a local Focus Deterrence response to serious violence which is an evidence based preventative approach to tackling risks of violence. HMIP (HM Inspectorate of Probation) pilot feedback reflected that the work to tackle serious violence in the city was a very positive example of partnership working and the city needs to build on operation Meero with a long term, more resilient solution to tackling serious violence.

Education, Training and Employment

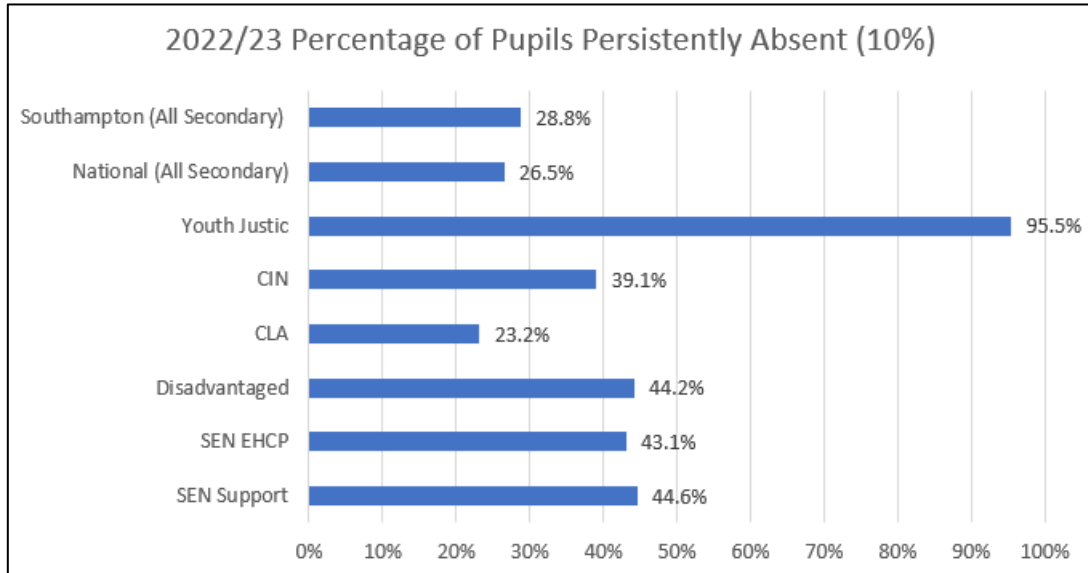
23. The Education, Training and Employment data below was published by the Youth Justic Board within YDS publication 116 and is the latest available National data that includes Education, Training and Employment data April - September 2023 for children on Referral Orders, YROs (Youth Rehabilitation Orders) or on DTO (Detention and Training Order) Licence. Please note that the Plymouth data was suppressed for this measure.



24. Whilst this shows a reasonably positive picture in the sense of being above both the regional and national average for children in full-time education, this does not necessarily provide the full picture of the challenges. Whilst children may be offered a full-time education, the picture currently is that only 3 children are attending school above 97%, the others are either absent, or not attending. Several children are offered part time timetables, which may be appropriate to their needs, however, it also means that those children can be out of structured

	<p>education for large parts of the day. A part time timetable can vary from half of a school week, to one or two hours per week. In terms of post 16 provision currently 55% of the cohort who are post 16 are also NEET. We have 6 children attending full-time college courses and 6 who are in paid employment, but the majority of our children have limited structure, hope and aspirations for the future. As we know, the less structure, the greater the level of risk of further offending.</p>																		
	<p>Key Stage 4 Attainment 8</p>																		
25.	<p>Key Stage 4 Attainment 8 outcomes were matched against adolescent young people open to Youth Justice within Quarter 2 2023/24. To provide context to this performance pupil groups from Education and Social Care have been included using 2023 performance outcomes.</p>																		
26.	<p>Attainment 8 is a way of measuring how well pupils do in key stage 4, which they usually finish when they are 16 years old. The 8 subjects which make up Attainment 8 are: English maths 3 subjects from qualifications that count towards the English Baccalaureate (EBacc), like sciences, language and history 3 more GCSE qualifications (including EBacc subjects) or technical awards from a list approved by the Department for Education. Each grade a pupil gets is assigned a point score from 9 (the highest) to 1 (the lowest). Each pupil's Attainment 8 score is calculated by adding up the points for their 8 subjects, with English and maths counted twice.</p> <div data-bbox="300 1032 1386 1608" data-label="Figure"> <table border="1"> <caption>2023 Key Stage 4 Attainment 8</caption> <thead> <tr> <th>Group</th> <th>Score</th> </tr> </thead> <tbody> <tr> <td>Southampton (All Pupils)</td> <td>42.8</td> </tr> <tr> <td>National (All Pupils)</td> <td>46.5</td> </tr> <tr> <td>Youth Justic</td> <td>9.9</td> </tr> <tr> <td>CIN</td> <td>23.1</td> </tr> <tr> <td>CLA</td> <td>18.2</td> </tr> <tr> <td>Disadvantaged</td> <td>32.1</td> </tr> <tr> <td>SEN EHCP</td> <td>9.9</td> </tr> <tr> <td>SEN Support</td> <td>29.4</td> </tr> </tbody> </table> </div>	Group	Score	Southampton (All Pupils)	42.8	National (All Pupils)	46.5	Youth Justic	9.9	CIN	23.1	CLA	18.2	Disadvantaged	32.1	SEN EHCP	9.9	SEN Support	29.4
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27.	<p>This data shows a significant gap between the national and local average. It also shows a significant gap between other local vulnerable groups. YJS cohort is comparable with those children with EHCPs, and against all other marks they all well below expected attainment. The HMIP Education, training and employment thematic review published in 2022 challenged services and partnership to have a greater level of aspiration for children in the cohort, as this reflects a national picture. Children who are within the cohort tend not to be in school, have low attendance, have unmet need, have high school moves and high exclusion rates.</p>																		
	<p>Persistent Absence (10%)</p>																		
28.	<p>The proportion of adolescent young people open to Youth Justice within</p>																		

Quarter 2 2023/24 who could be matched to school absence data and were Persistently Absent (10%) during the 2022/23 Academic year has been calculated. To provide context to this performance, pupil groups from Education and Social Care have been included using full academic year absence 2022/23 performance outcomes.



29. High proportions of the YJS cohort are persistently absent from school which means attendance at lower than 90%.

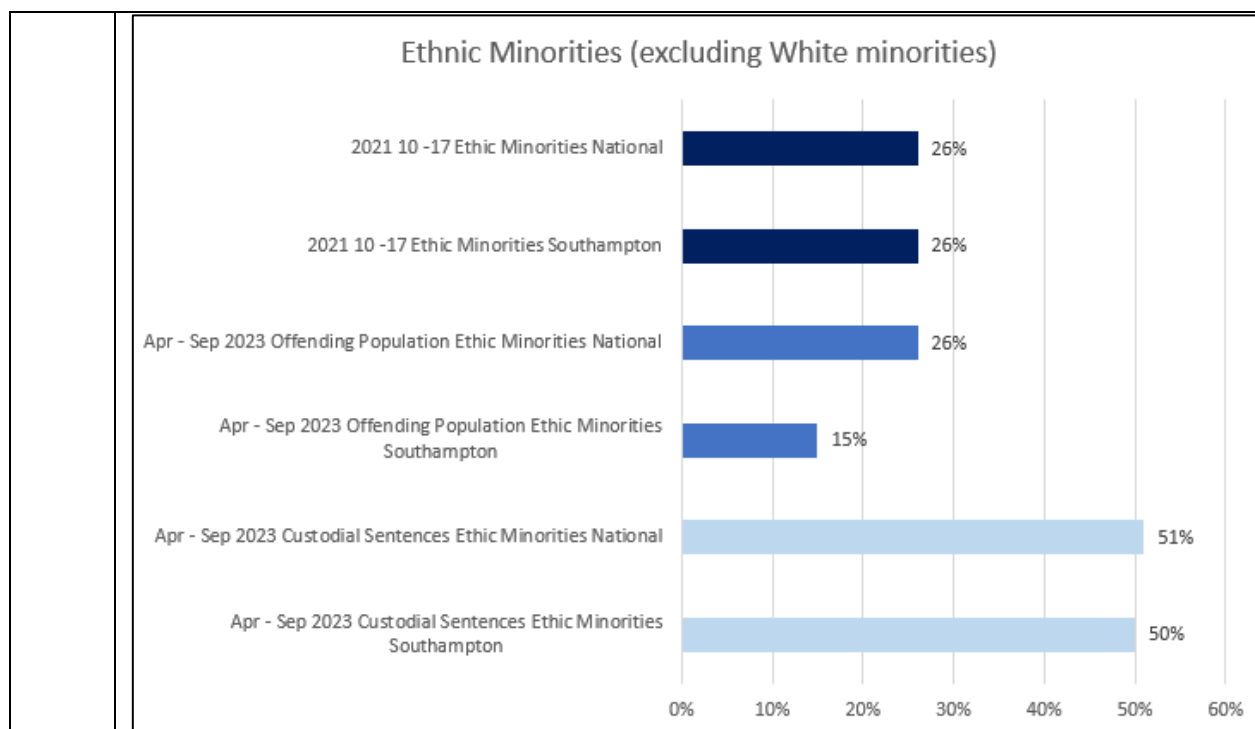
30. A huge amount of work has gone in to tackling the problem locally, with an increase in specialist input into the team (speech and language, educational psychology) and development of a skills and identity focus so that we can maximise every opportunity we can to offer children options, skills and accreditations.

31. We recognise that our children tend to have difficult experiences at school and so often by the time they enter the youth justice system have entrenched behaviours linked to formal education (not attending, poor behaviour leading to exclusions, often on part time timetable, refusing to attend school are examples), are not used to working in groups, and can be heightened in learning environments, have had experience of different settings that may not have been successful and are fearful of failure and rejection.

32. Recently we delivered a CSCS card course in partnership with Princes Trust at the young people’s hub. Six children successfully completed the course. YJS staff were in the room supporting the delivery. These children were all NEET and marked a hugely successful example of positive outcomes with tangible benefits for the future. We want to build on this and maximise every opportunity to support children in stepping back into education, training and employment in a way that achieves positive outcomes.

Ethnic Minority

33. Ethnic Minority data below was published by the Youth Justic Board within YDS publication 116 and is the latest available National data that includes 2021 10-17 year old Ethnic Minority data, the offending population that are an Ethnic Minority and Custodial Sentence Ethnic Minority data for Southampton and National for April to September 2023.



34. Whilst the graph shows that the YJS cohort is on par with the national population, what it doesn't reflect is the differences within each disposal type. The higher up the system you go, the greater levels of disproportionality there is. Southampton's custody and remanded data indicates that there is a significantly disproportionate number of children who are mixed heritage who are remanded and who receive custodial sentences. Those children don't feature in the lower ends of the system but are more likely to go to court and more likely to be remanded/sentenced to custody. What we know about this group of children in custody is they tend to be some of the most vulnerable children in our communities with high levels of additional needs and exposure to trauma in their childhood. Audits of this group of children also indicate high proportions of children not engaged in education, training or employment, who have experienced high levels of poverty and deprivation.

35. The Hampshire-wide decision to introduce a youth diversion programme was an acknowledgment that often children are expediated into the system due to their distrust of services and organisations and often make 'no comment' interviews in police custody. Work internally is about upskilling staff on unconscious bias and cultural competency. Externally it is a wider problem of identifying and acknowledging the experience of these children that means they feel more disenfranchised and isolated from communities, lack opportunities and hope and are more vulnerable therefore to exploitation.

36. At board level there is a disproportionality action plan to address as a partnership the issues of disproportionality in the system. This also involves the oversight and analysis of data including school exclusions and stop and search to understand the wider local issues needed to address this very complex issue.

37. Work to deliver an alternative to custody package is also relevant here, so to is ensuring that interventions offered meet the needs of all our children in the cohort. A good example of this is the barbering and hair workshops and ensuring it meets all hair types and engage all our children in intervention that

	is relevant to them. HMIP inspection for the experiences of black boys in the system indicates that this is vital to successful diversion of boys in the system from black or mixed heritage backgrounds.
	HMIP Pilot Inspection of Southampton's Youth Justice Service
38.	Southampton's Youth Service was last subjected to external inspection in 2019 and within this inspection they were graded good by the HIMP. Our own reflection is that this grade was overly positive and requires improvement would have been a more accurate judgement.
39.	In the Service the individual casework is self-assessed to be strong and the team is stable and experienced. In 2019 HIMP Inspection rated the direct work with young people as Outstanding. Our current self-assessment confirms that the direct work remains of this high standard. Maximising community resources such as the Saints Foundation, SOCO Music Project and No Limits for this group of young people is a real strength and opens up wide range of positive experiences for our young people. However, the city has significant challenges around youth violence and positive education outcomes for this cohort of young people. In 2023 Southampton was 3rd highest in our statistical neighbour group for serious violence outcomes and sits higher than the family average for frequency of serious violence offences. Southampton youth justice has one of the highest rates of custodial sentences within our statistical neighbour group and all of these have been for serious violence offences involving weapons and connected to post code hostilities (bar one serious sexual offence). SYJS currently have four children remanded to the care of the Local Authority with alternative to custody packages being delivered in the community. All of those children met threshold for remand due to the seriousness of those offences and it is positive that the Courts are developing assurances that we can respond effectively to those children and manage them in the community in a way that manages risks but prevents remand into youth detention.
40.	A peer review of the Youth Justice Service in the early part of 2022 highlighted a need for an increased focus on the better use of data, tackling disproportionality and for the Youth Justice Board in Southampton to hold to account all partner agencies around the key issues in the city such as serious youth violence, education outcomes and tackling disproportionality.
41.	In response to the peer review a significant amount of work has been undertaken to improve data quality. The council has increased investment in education in the Youth Justice Service including an Education Lead, Speech and Language Therapist and ring-fenced Education Psychologist capacity. A reorganisation of the Youth Justice Board was undertaken to create a Vulnerable Adolescents Board (VAB) which is accountable to the Children's Safeguarding Partnership and is tackling a wide range of adolescent outcomes. A disproportionality action plan has been developed for the Youth Justice Service and VAB.
	Pilot Inspection – February to March 2024
42.	Southampton Youth Justice Service was selected by HMIP to be part of their pilot for its new inspection framework, following their external consultation regarding changes to the current inspection framework. This was a positive for Southampton, and recognises the positive relationship Southampton has established with the inspectorate. As this is a pilot inspection there will be no

	published report or change in our 'good' rating but inspectors have provided feedback.
43.	<p>A team of five HMIP inspectors arrived on site on Tuesday 20th February and were with us for three days. The Head of Youth Inspection Programme was one of the lead inspectors on site with us. The new inspection guidelines can be viewed here. The pilot inspection only focused on "Domain 2 – Work with Children", the details are as follows:</p> <p>Domain Two: Assessing; planning; delivery.</p> <ul style="list-style-type: none"> • Resettlement • Community sentences • Out-of-court disposals • Bail supervision and support • Remand
44.	In order to assess the quality of work with children, the inspection team looked at a sample of cases. They read the case records and interviewed case managers where they were available. There was one day dedicated for us to showcase our work, including areas of positive work and projects, programmes or pieces of work we were especially proud of.
	Initial Feedback
45.	<p>Inspectors fed back that:</p> <ul style="list-style-type: none"> • The staff team are so committed and wrapped around the children. The Lead Inspector, who has been an inspector for 10 years, said the commitment is as strong as she has seen anywhere. Indicating our staff are delightful to talk to. • The workers are really dedicated / persistent and "won't engage" is not in their vista. Unusual things happen in Southampton – giving the example of a boy in Hastings still being supported by Southampton because it is the right thing to do. • ROTH (Risk Outside the Home) framework is strong and staff felt held within the process. • HELP Pathway is positive and held in positive regard by colleagues. Inspectors suggested Physical Health input into HELP pathway. • The Saints Foundation provide amazing opportunities for the Youth Justice young people. • The Hub is a great resource – noted managing safety is challenging in terms of the mix of young people using the hub. • Operation Meero, and the work around serious youth violence, is a very good example of partnership work. • 'You know there is work to be done to prevent young people staying in Police Custody overnight. This is an important piece of work to complete.' • 'It would be positive if you can find a way of reaching the young people who come through Joint Decision-Making Panel earlier.' • The three days have provided a positive picture of Youth Justice in Southampton.

Youth Justice Board Validation Visit - February 2024	
46.	The Youth Justice Board visited Southampton in February 2024 to validate a benchmarking exercise focused on YJS court work. Southampton had in November 2023 self-assessed itself in this area of work as Good. The outcome was that we provided an accurate account of our work, knew ourselves and what we needed to improve on, but overall were impressed with the positive work being delivered and the vision for the future.
47.	The YJB reflected on the strong working relationship across children services colleagues and how that impacted on day to day work, that reports to courts were balanced and impartial and that the service took into account victim impact.
48.	The ratings given in self-assessment completed by the service was broadly concordant with the evidence reviewed during the validation visit. The service has a clear vision of what needs to happen to provide the best outcomes for children in Southampton and the strategic placement of the service within the wider children's services will support this.
49.	The validation visit has provided assurance that the service is doing some good work with children in courts but also knows where it needs to develop areas of practice to continue to improve. It was clear to see the service wants to continue to innovate and improve practice.
RESOURCE IMPLICATIONS	
<u>Capital/Revenue</u>	
50.	Not applicable
<u>Property/Other</u>	
51.	Not applicable
LEGAL IMPLICATIONS	
<u>Statutory power to undertake proposals in the report:</u>	
52.	Children Act 1989
53.	Legal Aid, Sentencing and Punishment of Offenders Act, 2012
<u>Other Legal Implications:</u>	
54.	Not applicable
RISK MANAGEMENT IMPLICATIONS	
55.	Not applicable
POLICY FRAMEWORK IMPLICATIONS	
56.	Not applicable

KEY DECISION?	No
WARDS/COMMUNITIES AFFECTED:	All
<u>SUPPORTING DOCUMENTATION</u>	

Appendices	
1.	None
Documents In Members' Rooms	
1.	None
Equality Impact Assessment	
Do the implications/subject of the report require an Equality and Safety Impact Assessment (ESIA) to be carried out?	No
Data Protection Impact Assessment	
Do the implications/subject of the report require a Data Protection Impact Assessment (DPIA) to be carried out?	No
Other Background Documents	
Other Background documents available for inspection at:	
Title of Background Paper(s)	Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)
1.	None