

Safeguarding the Future

A review of the Youth Justice Board's
Governance and Operating Arrangements

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“The foundation
of every state
is the education
of its youth”

Diogenes

“Youth is the
trustee of
prosperity”

Benjamin Disraeli

“It is easier
to build
strong children
than to repair
broken men”

Frederick Douglas

“In youth
we learn;
in age we
understand”

Marie von
Ebsner-Eshenbach

“The interests
of childhood
and youth
are the
interests
of mankind”

Edmund
Storer James

“We cannot always
build the future for
our youth, but we
can build our youth
for the future”

Franklin D Roosevelt

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Foreword by Dame Sue Street



I am grateful to have had the opportunity to conduct this review of the Youth Justice Board which has proved to be both fascinating and challenging.

The reforms of 1998 are amongst the most significant ever made to the criminal justice system because they created a distinct youth justice strand, recognising the opportunity to change the behaviour of young people. This remains important and right today in moral, social and economic terms. The progress that has been made since then is good, and recent trends in relation to reducing youth crime are encouraging.

The Youth Justice Board deserves credit for its part in this progress. But we still lock up more children than any other Western European country, public confidence in the system is low, individual cases cause understandable public and media concern, and reoffending rates are high. After twelve years, the YJB now needs to build on its success, take a firmer grip of its responsibilities, and provide clearer direction and leadership. The current leadership has already grasped the scale of this challenge with the full support of the board. Those in the field will welcome it.

We do not make machinery of government recommendations but I should like to see far greater Home Office involvement, particularly because the police play a crucial role in deciding whether and when a young person enters the youth justice system.

My personal main messages are that public protection must be a top priority, entirely consistent with supporting young people, and communicated more effectively, that the workforce in all custodial settings must be well trained and qualified to work with young people, that only the most cost effective programmes whether in custody or in the community should be funded, and that the YJB should have a clearer role in advising Ministers, including the Home Secretary, on matters related to its expertise.

I should also like to see more accountability by local authorities for prevention work with children at risk of criminality, particularly children in care, children of offenders, and children excluded from school, as well as for stable resettlement arrangements following a custodial sentence.

Our report contains many other recommendations and I hope Ministers will feel able to accept them all in the spirit in which they are offered. This has been a collaborative exercise. Bringing an independent view, I have worked with the Chair of the YJB, Frances Done, and with a steering group of officials who have focused on making sure that our recommendations are sufficiently bold and hard hitting to make a difference. To the extent that they are, this is a tribute to the highly constructive approach and professionalism demonstrated by all those involved.

We have sought written evidence and I have undertaken a full programme of visits and interviews. My thanks go to everyone who offered me their views. I want to record how impressed I have been with the remarkable dedication and motivation of the front line workers dealing day-to-day with disadvantaged, damaged, and sometimes dangerous young people.

Special appreciation is due to the small secretariat, led by Abigail Plenty, with talent and tact in equal measure.

We are confident that our recommendations will deliver better value for money. And the prize of a more effective YJB is invaluable. Strong leadership, an excellent board and a highly professional organisation with clear strategic direction from government, will help protect citizens and reduce the damage caused by young offenders to themselves and to others. I know that this is achievable.

A handwritten signature in black ink, appearing to read 'Sue Street', with a long horizontal flourish extending to the right.

Dame Sue Street

Executive Summary

Introduction

1. The Youth Justice Board was created in 1998 to drive and oversee the significant reforms made to the youth justice system.¹ Its founding legislation gave it the functions, and necessary powers, to monitor the operation and performance of the youth justice system, advise the government on this and identify and disseminate good practice. The additional role of commissioning and purchasing custodial places was granted in 2000, giving the YJB a wide remit over the provision of youth justice services. Since then, major improvements have been made in the approach to preventing crime, dealing with young offenders in custody and the community and reducing reoffending.

Progress and challenges

2. The YJB has played its part in these achievements, overseeing the rollout of the local delivery of youth justice through youth offending teams (YOTs), raising standards of provision in the secure estate, establishing targeted prevention programmes and providing a much needed overall coherence to the system. Much has been achieved, particularly in recent years with encouraging falls in the number of young people entering the criminal justice system for the first time, reductions in the number of young people in custody and improvements in the reduced frequency and seriousness of reoffending. And much has changed. The policy and delivery environment in which the YJB operates is now very different to that which existed twelve years ago. For example, the policy approach has seen a greater focus on prevention, while the creation of Children's Trusts in England, means that the delivery system has changed significantly. This means the YJB now operates in a very different landscape. Coupled with the significant challenges that remain, including high numbers of young people in custody and the fact that youth crime remains a major source of concern, now is a good time to review the role of the YJB and the impact it has had, and can have on improving outcomes.
3. In the twelve years since it was set up, as the landscape in which it was established has changed, so has the YJB itself, evolving from an organisation that took a top-down approach to establishing a distinct focus on youth justice, to one that enabled local innovation and a diverse approach. But along the way its role became uncertain, its voice fragmented and its role within government and with stakeholders strained.

1 The YJB was established by the Crime and Disorder Act 1998, Section 41

4. To make future progress, build on its success, and adapt to the changing world in which it operates, the YJB needs to take a firm grip of its responsibilities, provide clearer leadership and direction on the delivery of youth justice and prioritise public protection alongside the welfare of young people. This means having a strong YJB with clarity of role and relationships, delivering better outcomes for young people and their communities, using its unique position between central and local government to provide trusted and expert advice to Ministers. The current leadership of the YJB is well placed to rise to this challenge.
5. This reports sets out a series of recommendations, addressing the YJB's role, relationships, powers and levers, the part it plays in the key stages a young person goes through as they journey through the criminal justice system and how all this can be delivered in a way that maximises value for money to the taxpayer.

Roles, relationships, powers and levers

6. Making further progress depends on having a clear role and strong relationships with local partners, ensuring that they play their part in reducing youth crime. The YJB's objectives are preventing offending, reducing reoffending, increasing victim and public confidence and ensuring the safe and effective use of custody. It has substantial powers to drive and incentivise improvements across these areas and to hold local authorities and providers of custodial and community sentences to account for their part. This means leading and monitoring the local delivery of youth justice services, through YOTs, including specifying the top 20 most cost effective interventions to be used in the community and publishing league tables on the performance of comparable YOTs. The YJB has a crucial link to the front line through YOTs but the value of this relationship is not currently being exploited to its full potential. The YJB also needs to strengthen its relationship with local services beyond YOTs. This means working closely with local authority children's services who have an important role to play in preventing young people from becoming involved in crime, and helping those who do to get back on track.
7. The YJB has a statutory function to advise Ministers, and a board which is keen to do so. As the lead on the operation and local delivery of youth justice, the YJB should be well placed to provide expert and trusted advice to Ministers. This could work better than it does at present. The YJB is currently jointly sponsored by the Department of Children, Schools and Families (DCSF) and the Ministry of Justice (MoJ), through its sponsor unit, the Joint Youth Justice Unit (JYJU). The Home Office should also play a greater part given its lead on youth crime and the agenda set out in the Youth Crime Action Plan. Work is now in hand to give greater clarity in the respective roles and responsibilities of the YJB and its sponsoring unit. We believe that the YJB should lead on operational policy and local delivery of youth justice, contributing its expertise on youth justice issues to the development of the wider strategic framework on which the JYJU should

lead. This should help achieve a more constructive relationship between all parties, and ensure that Ministers are served effectively.

Public protection and confidence

8. Public protection is the first duty of government to its citizens. The public want to know that they will be protected from those who may cause them harm, and that those who do so will face consequences for their actions. This is essential for public confidence in the criminal justice system. Public protection must be a top priority for the YJB. We believe it should further emphasise and publicise its role in protecting the public from youth crime. This is entirely consistent with supporting young people, whether offenders or victims.
9. Communications play a strong part in building public confidence in the criminal justice system, by providing accurate information and clear messages. We recommend that the YJB and its sponsoring departments work together to develop a compelling communication strategy to build public confidence. By focusing on its local delivery networks, the YJB can help build confidence at a local level, while its sponsoring departments ensure that messages on youth justice are consistent with the government's broader objectives around crime and justice.

Secure accommodation

10. Commissioning places in secure accommodation is one of the YJB's main roles, and much progress has been made in improving the placement and provision for young offenders. Coupled with this, recent trends have seen a fall in the number of young people entering custody. The secure estate consists of three different types of provision, young offender institutions, secure training centres and secure children's homes. There are currently understandable differences in the intake and regime of each, and stark differences in the annual cost per place. We believe there is merit in examining this further to see if a more appropriate spectrum of secure regimes, which are demonstrably cost effective, can be delivered. As the commissioner of provision, the YJB should clearly specify the service required and the outcomes to be achieved and ensure that these are met. This must include making sure that those who work with young people in custody are appropriately trained and qualified to do so, ensuring that interventions delivered in custody are known to be effective, and that the value of inspections of secure training centres and young offender institutions by HM Inspectorate of Prisons and Ofsted, are maximised by being carried out and reported jointly.

Reducing reoffending

11. Despite progress in reducing the frequency and seriousness of reoffending, rates remain high, particularly for those leaving custody. Young offenders, who often lead complex and chaotic lives, need support from a wide range of services to address the issues that led to their offending. This can include support to find housing, employment or training and address any health problems. Making further progress on this requires the YJB holding its partners, including local mainstream services, to account for carrying out their responsibilities to young people.

Resources

12. In a tight fiscal climate, public bodies must show how they can deliver better value for money. Cost effectiveness has been one of the principles governing the review and, assuming the numbers of first time entrants to the system, reoffending rates and the number of young people in custody all continue to fall, we are confident that the YJB should be able to operate at a significantly lower cost.

Conclusion

13. Overall, the YJB earns its place as a crucial part of a system which aims to tackle one of the most serious social policy issues in this country. The report's recommendations are aimed at offering affordable and significant ways for it to contribute even more effectively to reducing youth crime.

Introduction

1. The youth justice system has changed significantly in the last twelve years. The reforms made in 1998 by the Crime and Disorder Act were amongst the most significant ever made to the criminal justice system. They included having a distinct strand of the criminal justice system for young people which we believe is right – morally, socially and financially. While young people can and do commit offences that need to be punished, they are still young people, physically and emotionally different from adults, and still growing up. This presents challenges, but also opportunities to change behaviours and attitudes and prevent further offending in the future.

The rationale for a distinct youth strand of the criminal justice system²

“Young people’s offending behaviour is different to that of adults. Maturity gives adults the core value functions of reason, judgement and impulse control. This is not the case with young people who are still developing. The reasons why young people commit crime are often predicated by social need, vulnerability and a lack of maturity, which can often lead them to feel that they can “get away with it” when committing a crime. Although some of these issues can also relate to adults, often the levels of social need are greatest amongst young people and particularly those involved in crime.

During adolescence social bonds are at their weakest as young people move away from family and adopt and define their identities. Identifying the risk factors often present in the lives of the young people whose behaviour is problematic and that we know draw young people into crime and other risky behaviour is critical. Risk factors include family conflict, dropping out of school, transient neighbourhoods with little community cohesion and having friends that are involved with problem behaviour.

Young people are more likely to adopt socially responsible and healthy behaviour when adults set clear standards of what is expected, apply those standards consistently and set out clear consequences for unacceptable behaviour. Strong attachment to positive role models motivates young people to adopt those standards for themselves but many young people don’t have this socialisation at an early age.

2 Evidence submitted to the review by Joyce Moseley, Chief Executive, Catch22

Young people, more so than adult offenders, need support-based interventions to enable them to mature into healthy adults with the ability to form relationships, to think about consequences and the effects on others, to be able to trust and to behave in socially appropriate ways. The criminal justice system needs to help young people mature and change their behaviour. This means having a system that has a clear focus on underpinning the principle of care, support and rehabilitation for young offenders. This is a different and separate approach from the adult system.”

2. Youth crime is an emotive issue. Individual cases can be enormously distressing and understandably cause great public and media interest. Positions are taken which suggest either that all young people are innocent and vulnerable, needing only care and support, or that young offenders are intrinsically bad and, almost because of their youth, more morally depraved than adults. In a sense, one can say that some who hear the term ‘young offender’ only hear the ‘young’ while others only hear ‘offender’ and this can lead to polarised responses. In reality, delivering public protection and improving the outcomes of young people are inextricably linked and we do not believe that it is sensible, or right in principle, to seek to achieve one without the other. We reflect this both in our approach to the review, and in the recommendations we make.
3. This review is the first time that the governance and operating arrangements of the Youth Justice Board (YJB) have been examined since the board was set up in 1998.³ Since then, the policy and delivery landscape in which the YJB operates has changed significantly. Progress has been made across a number of areas but further improvements in outcomes are needed and to achieve this, the YJB needs to respond to the changed environment in which it operates.
4. Fewer young people are entering the youth justice system for the first time. Preventive activity including working with young people at risk of becoming involved in crime through youth inclusion programmes (YIPs) and the development of innovative prevention programmes has contributed to this success. The YJB’s 2009 stakeholder survey found that “respondents recognised that the YJB historically has been a powerful change agent that has brought about major improvements in youth justice.”⁴ But the confidence of the public has not improved at the same rate, the number of young people in custody is high and, despite progress, reoffending rates remain a cause for concern. Youth crime is an issue of public concern. There are no signs as yet that the economic downturn and changes in the labour market are having consequences for crime. But work must continue to ensure that any longer term consequences are mitigated so that the gains made in reducing the number of young people from entering the

3 The YJB was established by the Crime and Disorder Act 1998, Section 41

4 YJB Stakeholder Survey 2009

youth justice system, reoffending and the number of incidences where a custodial sentence is necessary, are maintained.

5. Public confidence in the system's ability to deal with youth crime is low. Evidence from the British Crime Survey shows that only 25% of people are confident that the criminal justice system will deal with young people accused of crime.⁵ It needs to be a central objective of the YJB to help build public confidence in the youth justice system. This is discussed further in chapter 2.
6. A significant change that has occurred over the past twelve years is the extent to which local, universal and targeted services work together in partnership for children and young people. Youth offending teams (YOTs) led the way with the principle of working in multi-agency teams to prevent crime and the YJB now oversees a national network of YOTs, with, in the main, well motivated and dedicated practitioners. Multi-agency approaches are used internationally, including in France where teams bring together different agencies to work with young offenders and their families and assist the courts in their decision making.⁶ The multi-agency approach has become widely recognised as a good model of public service delivery and for having a positive impact on outcomes. A recent inquiry into the local delivery of criminal justice services found that "the local arrangements for tackling youth offending are widely seen as significantly more successful than the arrangements for adults."⁷ But the local delivery landscape has changed, including through the creation of Children's Trusts in England, and all local agencies have a role to play in preventing young people from becoming involved in crime and ensuring that those who do can be resettled into a stable context. Where formerly YOTs were the main focus for agencies to come together to plan services for young people at risk of crime, now all local partners collaborate at a strategic level in statutory Children's Trusts and Crime and Disorder Reduction Partnerships (CDRPs). The YJB needs to respond to this changed landscape building strong relationships with and beyond YOTs, to improve outcomes for young people. We discuss in more detail how this should be done in chapters 1, 3 and 4.
7. As the commissioner of secure accommodation, the YJB has set standards in the secure estate, developing arrangements so that young people are separate from adults and commissioning new facilities including dedicated girls' units and provision for more vulnerable young people. There has been significant investment in education and substance misuse services in custody. The YJB has established and operated a placement service that has effectively managed placements for young people remanded or sentenced to custody even in times of higher demand. But, while recent

5 *Crime in England and Wales 2007/8 – Findings from the British Crime Survey in England and Wales 2007/8* Home Office (2008)

6 *The French Juvenile Justice System*, Anne Wyvekens in *International Handbook of Juvenile Justice*, J. Junger-Tas and S. H. Decker (2006)

7 *Primary Justice: An inquiry into justice in communities*, All Party Parliamentary Local Government Group and the Local Government Information Unit (2009)

trends in the number of young people in custody show reductions, we lock up a greater proportion of children than our European neighbours.⁸ To further improve outcomes, the role and expectations of the YJB as a commissioner need to become even more rigorous. This is discussed further in chapter 5.

8. Within a tough climate on public spending, the youth justice system needs to secure better value for money and demonstrate how it can operate with fewer resources. Achieving better value for less has been a principle of the review throughout and chapter 6 discusses how this might be achieved.

Approach to the review

9. The terms of reference for the review are very broad and we have taken a thematic approach to addressing them, examining the role, relationships, powers and levers of the YJB; the part it plays in delivering public protection and confidence; and its role in offenders' journeys through the system. We have also examined how the YJB can and should achieve better value for money. The report has a chapter on each of these issues.
10. We have sought views from a wide range of stakeholders across the youth justice system to inform the development of our recommendations. This has included carrying out a range of visits to YOTs and secure establishments where we met front line practitioners and young people who shared their views with us.
11. In co-chairing the review with Frances Done, we have been supported by a steering group of senior officials from the Ministry of Justice, Department for Children, Schools and Families, the Home Office, the Welsh Assembly Government and the YJB.⁹ This considered a large number of issues, drawing on the expertise and resources of the bodies represented, as well as the individual knowledge and experience of steering group members. We are very grateful for their time and great personal commitment. We also record our great appreciation of, and thanks to, the small Review Secretariat team led by Abigail Plenty. Their professionalism, talent and sheer hard work have been invaluable. Full details of the methodology the review followed are set out at Annex B.
12. At the start of the review we established a number of underlying principles. These are set out below.

8 *Cross-national comparison of youth justice*, Neal Hazel, The University of Salford (2008)

9 See Annex H

Principles guiding the review

Ethical	Rooted in the values of a fair and effective youth justice system
Bold	Prepared to challenge existing thinking and propose substantial change if necessary
Cost effective	Achieving better value for less
Practical	Acceptable and workable solutions
Simple	Reducing duplication in functions, spend and responsibilities

- 13.** The subject of youth justice is fascinating and vast. Responsibility for it lies across many parts of government and beyond. The policy on youth justice is complex and continually developing and as such there are many issues that the review was not able to examine in detail. The box below sets out some of the issues that we were not able to look at in detail.

Examples of issues not covered by the review

- *Transition between the youth and adult system*
Many stakeholders raised the issues that arise when young people approach 18 and move between the youth and adult systems. This is an important, and complex challenge but one that was not specifically within our terms of reference.
- *NDPB versus Executive Agency status*
Non-departmental public bodies (NDPBs) and executive agencies fulfil different functions. NDPBs carry out duties where government has a legitimate public interest in fields where it is not necessary, or appropriate, for Ministers to intervene directly. Executive agencies are usually part of a department carrying out a well defined executive role that is sufficiently close to the business of government for it to be part of the department.¹⁰ As the YJB is entirely able to carry out its functions as an NDPB and as any change in status would be unlikely to yield significant cost savings, but would certainly cause disruption, the review did not consider in detail the case for a change of status.
- *Specific policy issues*
The subject of crime and justice encompasses a wide range of areas with specific and crucial issues relating to young people, for example knife crime. Policy development in these areas is described in the Youth Crime Action Plan, so it was not examined as part of the review.
- *Views of parents and young people*
There is much existing data and research on the attitudes of young people towards crime and offending, and while we attach great importance to these, and have spoken to young offenders in custodial settings during our visits, we have not specifically sought the views of parents and young people as part of the review.

14. The review has made a number of recommendations for improving the effectiveness of the YJB, both as an organisation in its own right, and also as a player in the wider youth justice system. In making our recommendations, we have sought to set out *what* should happen, *why* and *when*, but on the advice of the steering group we have not explored the detail of *how* they should be implemented. While we are confident that all of our recommendations are achievable and affordable, we rely on the significant expertise of those in the YJB and its sponsoring departments to set out the detail of implementation. We have, however, suggested timescales to try to ensure that momentum is maintained.

10 *Public Bodies: A guide for departments and Executive Agencies: A guide for departments*, Cabinet Office (2007)

Wales

15. The operation of the youth justice system in Wales involves a combination of reserved and devolved powers and authorities with implications for the work of the YJB. Of the five statutory partners in the YOT, three have accountability to the Welsh Assembly Government. The local government structures, partnerships, processes and performance frameworks within which YOTs operate are mainly devolved and therefore differ from those in England.
16. These differences have operational and policy implications for the youth justice system in Wales. Agencies safeguarding children and meeting their needs work to different standards and guidance including to the Assembly Government's approach to children's rights and the UN Convention on the Rights of the Child. There are substantially different structural and statutory planning arrangements at local strategic partnership level. Furthermore, major policies produced by the UK Government that are related to youth justice, especially interventions intended to divert young people from offending by mainstream services such as education, health and housing, do not apply to Wales.
17. Any lack of clarity around respective responsibilities for youth justice can lead to confusion among local partnerships and risks a disengagement from youth justice and YOTs by devolved local services. This means there could be a 'leverage gap' for the YJB around aspects of youth justice delivery that fall outside the tightly defined reserved elements of criminal justice and 'enforcement'.
18. The YJB has responded well to the additional challenges and complexities of operating within a devolved administration and the YJB's stakeholder survey found that respondents based in Wales were generally positive in their feedback about their communication and relationship with the YJB in Wales.¹¹ In each of the main sections of the report, where relevant, issues related to Wales are highlighted including some of the challenges and the ways in which the YJB has responded. We also point to the ways in which devolution will influence how the recommendations in later chapters are considered in respect of Wales.

Structure of the report

19. The report is structured along the key lines of inquiry that were covered by the review, namely role, relationships, powers and levers; public protection and confidence; prevention; secure accommodation; reducing reoffending; and resources. Each chapter considers the progress that has been made over the past twelve years, the challenges that remain, and the recommendations we make for addressing them.

11 YJB Stakeholder Survey 2009

Roles, relationships, powers and levers

This chapter sets out a review of the role and capacity of the YJB, and its relationship with Government and the front line. It examines how the existing powers and levers of the YJB could be better used to deliver improved outcomes in the youth justice system.

Origin of the Youth Justice Board

- 1.1 The YJB was established in 1998 under the Crime and Disorder Act, as part of the broader reforms of the youth justice system. Set up as a Non-Departmental Public Body (NDPB) the aim of the board was to “monitor the delivery of youth justice services and help raise standards” across England and Wales.¹²
- 1.2 The legislation gave the YJB a number of statutory functions, to:
 - **Monitor** the operation and performance of the youth justice system, including the youth courts, the work of youth offending teams and the delivery of secure accommodation;
 - **Advise** the government on the operation of the youth justice system and the provision of youth justice services; and
 - **Identify and disseminate good practice** including commissioning research and providing financial assistance for developing new approaches.
- 1.3 In April 2000, the YJB was given the additional statutory functions of commissioner and purchaser of custodial places and to exercise general operational oversight of the secure estate.¹³ This led to a considerable increase in the size and budget of the organisation and this has become a significant role.
- 1.4 The YJB’s responsibilities link to the Government’s wider aims to have an effective youth justice system that prevents offending and reoffending while earning the confidence of the public and victims. Its objectives are to:
 - Prevent offending by young people;
 - Reduce reoffending by young people;
 - Increase victim and public confidence; and

12 *No More Excuses White Paper* Home Office (1997)

13 Youth Justice Board for England and Wales Order 2000

- Ensure safe and effective use of custody.

- 1.5** These link to the statutory functions given to the YJB and the expectations on it to contribute to the government's Public Service Agreement (PSA) targets. These include PSA 14, to increase the number of children and young people on the path to success; PSA 23, to make communities safer and PSA 24, to have a more effective, transparent and responsive criminal justice system for victims and the public.
- 1.6** The YJB has a range of powers and levers available to deliver its responsibilities and could use these more rigorously. Analysis of the law which established the Board and its legal powers shows that its statutory levers are significant. These include the power to require local authorities to publish information, and the ability to issue guidance which, as a matter of public law, local authorities and others to whom guidance may be addressed, have to have regard in exercising their functions in relation to youth justice.¹⁴ It is also the case that local authorities have clear statutory responsibilities in this area and it is open to the YJB to emphasise these where necessary. Legislation currently before parliament would further extend the powers to intervene where an inspection or other evidence reveals a significant failing in a YOT. In addition, the YJB also has strong financial levers through its ability to give grants to YOTs and in its role as a commissioner and purchaser of secure accommodation.

	Prevent offending	Reduce reoffending	Increase public and victim confidence	Ensure safe and effective use of custody
Financial levers	<ul style="list-style-type: none"> • YOT grants for targeted prevention programmes 	<ul style="list-style-type: none"> • YOT effective practice grant • Other ring-fenced YOT grants for specific programmes 	<ul style="list-style-type: none"> • Indirectly through YOT effective practice grant 	<ul style="list-style-type: none"> • Commissioning secure accommodation (arrangements vary in the three sectors)
Performance management	<ul style="list-style-type: none"> • YOT performance improvement framework and links to local government performance frameworks 	<ul style="list-style-type: none"> • YOT performance improvement framework and links to local government performance frameworks 	<ul style="list-style-type: none"> • YOT performance improvement framework 	<ul style="list-style-type: none"> • Secure monitoring including contract compliance
Influence	<ul style="list-style-type: none"> • Involvement in central governance arrangements and advisory role including PSA14 arrangements • Strategic partnerships • Effective and emerging practice dissemination 	<ul style="list-style-type: none"> • Involvement in central governance arrangements and advisory role including PSA14 arrangements and oversight of Reducing Youth Reoffending Delivery Plan • Strategic partnerships • Effective and emerging practice dissemination 	<ul style="list-style-type: none"> • Involvement in central governance arrangements and advisory role including PSA24 arrangements • Communications including supporting youth justice services 	<ul style="list-style-type: none"> • Strategic partnerships • Effective and emerging practice dissemination

- 1.7** We believe that the YJB has substantial legal powers and other levers to hold local authorities and providers of custodial and community sentences to account. It should take full advantage of these, with legal advice as needed, to ensure that its service level standards are set, and met.

The evolution of the Youth Justice Board

- 1.8** In the twelve years since it was set up the role, leadership and political landscape within which the YJB operates, have all changed. Starting with a fanfare in 1998, the YJB was driven strongly by a forceful Chairman. Leading from the top, the YJB succeeded in establishing itself as the definitive voice on youth justice and in getting the local delivery system, through YOTs, up, running and delivering. The arrival of a new Chairman in 2004 saw a change in approach with a deliberate phase of ‘letting go’ at the centre, encouraging local innovation and a diversity of approach which YOTs welcomed. But the YJB’s voice on youth justice became fragmented and its relationship with government, strained.
- 1.9** While many commented to the review that the YJB seems to have “lost its way”, the reality is more that the organisation has undergone significant and rapid changes, moving quickly from a centralist to a locally driven approach, whilst taking on major additional responsibilities. Combined with significant machinery of government changes impacting the YJB’s sponsoring departments, this has contributed to uncertainty and a lack of clarity on its role, both inside the YJB and also among sponsoring departments and stakeholders. The current leadership is well placed to resolve this, and have begun to grip the issues, as noted by the report by William Roe Associates which commented that ‘much has been achieved in terms of leadership and governance’ since their appointments.¹⁵

The future role of the Youth Justice Board

- 1.10** The YJB has had many successes in delivering its responsibilities. It has contributed to a recent reduction in the number of young people entering the criminal justice system and reductions in the frequency and severity of juvenile re-offending. Over the last year there has also been a significant fall in the number of young people in custody. There have also been a number of other, perhaps less easy to measure but no less important successes including:
- the setting up and recognised continued importance of a distinct youth strand of the criminal justice system;
 - a strong record on appropriate and timely placing of young people sentenced to custody,
 - significant improvements in the quality of secure accommodation and young people’s experience of it¹⁶;
 - support provided to YOTs, that are widely recognised as a successful model of multi-agency co-operation to deliver public services;

15 Annex D – *Review of the Effectiveness of the Board of the YJB and the relationship between the YJB and its Civil Service sponsor unit*. William Roe Associates (2010)

16 *Children and young people in custody 2008–9* showed that perceptions of safety had improved

- the introduction of a range of new youth justice services, including prevention programmes and intensive community programmes for more serious and persistent young offenders;
- investment in research and evaluation to inform practice;
- a committed field of front line practitioners with improved youth justice training and development opportunities; and
- building a range of partnerships at national and local level to better prevent and respond to youth crime

1.11 While these achievements are to be recognised, there is more to do to ensure that the YJB responds to the continually changing policy and delivery landscape to ensure that further improvements in outcomes can be made. **We recommend that the Youth Justice Board should now build on its strengths and re-invigorate its role, having contributed to encouraging reductions in youth crime.**

1.12 In order to succeed against this backdrop it is vital that the YJB has clarity of role and strong relationships at national and local level to drive effective, efficient delivery. To make further progress on the desired outcomes for young people and the communities they live in, we need a YJB that:

- Has a strong **relationship with local partners** – this means understanding where practice is strong and where improvement is needed. The YJB should use its existing powers and the potential new levers currently before parliament, to drive and incentivise improvements in prevention of crime, reduced reoffending and better public protection.¹⁷ This includes specifying the top 20 most cost effective interventions for use in the community, informed by best practice and rigorous evidence that is widely shared;
- Is a **more effective commissioner of custodial services** – this means commissioning services that will help to improve outcomes, driving down reoffending rates and provide best value for money by setting a clearer specification of the service required and the outcomes to be achieved and ensuring such standards are met; and
- Uses its **expertise to advise ministers and government departments** – this includes advising on what is working well on the ground and what might need to change to deliver further improvements in prevention, reducing reoffending and public protection. The YJB should be a trusted partner of the government, that both informs policy, ensures it is delivered and communicates it effectively.

¹⁷ These powers are proposed in the *Children's, Schools and Families Bill*, currently before Parliament

Relationship with local partners

- 1.13** The YJB has a statutory responsibility to monitor the youth justice system and the provision of services.¹⁸ It does this largely through its relationship with YOTs. There are currently 157 YOTs in England and Wales, providing the frontline delivery of youth justice in local communities. Under the Crime and Disorder Act 1998, local authorities must establish, in co-operation with partner agencies, one or more YOTs for their area. A YOT must include, among others, representatives from the local authority and the partner agencies. YOTs are also partners in Children's Trusts. It is the duty of the YOT to co-ordinate the provision of youth justice services for all those in the local authorities' area who need them and under the guidance on Children's Trusts, youth justice issues must be included in the local strategic planning for children and young people.¹⁹
- 1.14** The YJB cannot lead the youth justice system in a silo separate from the leadership roles that other agencies exert to improve outcomes for young people. Leadership on youth justice can't happen in isolation. Reforms to improve youth justice need to be seen in the context of changes at the local level where YOTs and their partners operate. The *Every Child Matters* reforms to wider Children's Services have helped to increase the focus on outcomes we want for young people and how local areas can best go about delivering them. Children's Trusts, now on a new statutory basis, have changed the strategic relationship of local agencies working for young people.²⁰
- 1.15** While we make no specific recommendation on the optimum number of YOTs, to ensure best value for money we think this deserves further examination. There are already a number of YOTs that operate across more than one local authority particularly where numbers of young offenders are small. We believe there may be significant benefits from closer working between YOTs operating in neighbouring areas, for example in large cities, where working together may help to address issues such as resettlement and prevention. This in itself should also deliver increased value for money, particularly in areas where YOTs work together to collectively commission services.
- 1.16** The YJB, as the monitor and part financier of YOTs, is in a unique position both to access the skills and expertise of the front line, and also to influence the delivery of services, ensuring that practitioners are achieving the right outcomes, including value for money. The YJB's stakeholder survey found "there is a need for more rigorous testing of interventions to identify those that can be considered good practice and the conditions under which they are effective."²¹ At the moment the true value of this role is not being exploited.

18 Annex C

19 *ibid*

20 For Wales, references to Children's Trusts should be read as Children and Young People's Partnerships

21 YJB Stakeholder Survey 2009

- 1.17** To effectively lead the local delivery of youth justice, the YJB needs to have a much better grip on YOT performance with the ability to intervene where performance is not satisfactory. Over the years the YJB has established a range of measures, resources and drivers to improve YOT performance. The Youth Justice Performance Framework requires YOT partnerships to undertake an annual self-assessment against key outcomes which inform the YJB's overall judgement of the YOTs' performance and prospects for improvement.
- 1.18** Several stakeholders raised the issue of performance monitoring. The Magistrates Association argued that "the YJB should have much more of a regulatory, supervisory and quality assurance role and be able to hold other services to account".²² While this may be said to be against the trend of increasing localism, we believe that the importance of safeguarding young people and public protection justifies providing a framework for local performance accountability that sets clear standards and expectations. However, there may also be merit in allowing greater freedoms for high performing local authorities, including through the possibility of devolving local custody budgets, as described in chapter 4.
- 1.19** The powers and levers at the YJB's disposal, including in relation to YOTs that are failing, are already substantial. Where poor performance is identified, the YJB has an 'escalation' process in place which can include agreeing an action plan and targets for improvement with the YOT Management Board and meeting with the local authority Chief Executive and local lead member. These powers will be strengthened by legislation currently before Parliament which will increase the YJB's leverage over YOT performance, and ultimately will enable the Secretary of State to intervene to direct the YOT or the local authority to improve YOT performance.²³ The YJB is also issuing revised guidance to YOT management boards and there are other areas where existing levers could be used more effectively to incentivise or sanction performance.
- 1.20** The YJB also has the power of publication and could make much better use of this in holding YOTs to account. Evidence shows that effective presentation of national and local statistics and information can have a positive impact on public confidence. As the recent *Smarter Government* report shows, making such information available can have a beneficial effect, both on users of the service and on performance.²⁴ We believe that improvements in outcomes could be made by making public more information on the performance of YOTs, including publishing the YJB's overall assessment and particularly comparing relative performance of YOTs in similar areas or circumstances. **We recommend that the YJB should publish league tables on the performance of comparable YOTs including indicators such as the reoffending rates of young offenders.** This should take account of the challenges YOTs face in different areas,

22 Evidence submitted by the Magistrates Association

23 These powers are proposed in the *Children's, Schools and Families Bill*, currently before Parliament

24 *Putting the front line first: Smarter Government*, HM Treasury (2009)

for example urban and rural communities and those with different crime rates, to ensure that comparisons are meaningful.

- 1.21** One of the YJB's statutory functions is to identify and disseminate effective practice and we believe it should be much more assertive in doing this. As part of the evidence gathered for the review, many YOT managers and workers, as well as magistrates, told us they would like more guidance and clarity from the YJB on the interventions and approaches that are known to be successful in preventing and addressing offending behaviour. Many stakeholders see this as an important and valuable role for the YJB and believe it "should have a role in promoting and critically evaluating innovations in practice".²⁵ As the National Youth Agency told us, "the role of identifying and highlighting good practice is vital and should be expanded".²⁶ Without such guidance, many YOTs will try to identify success for themselves, which is inefficient and unnecessary. A recent report by the Policy Exchange think tank noted "as well as identifying programmes that are proven to reduce risk factors for offending and victimisation, it is also important to register those that do not work, or that may even make matters worse." The report highlighted an example from the United States where the Justice Department commissioned the University of Colorado's Center for the Study and Prevention of Violence to review hundreds of prevention programmes operating across the country, focusing on the evidence base, sustainability, value for money and local applicability. The researchers identified the top 11 model programmes, which became known as 'blueprints'.²⁷
- 1.22** While guidance is currently provided on the key features of effective practice the YJB does not at present advise YOTs on what the most effective interventions are for addressing prevention, reoffending or public protection. This results in significant differences across YOTs both in terms of the number and type of interventions offered. While innovation and responding to local circumstances can be beneficial, there are enough commonalities between young offenders in different areas to merit a far more standardised and cost effective approach to identifying and delivering 'what works' and it should be the YJB's role to do this. Such a role should involve specifying the top 20 most cost effective programmes for YOTs to use. Similar models are used in other sectors, such as health, where the National Institute for Clinical Excellence provides guidance on the use of new and existing medicines, treatments and procedures within the NHS.²⁸ There will be circumstances, such as when new types of offending develop, when areas will need to innovate and develop interventions and when this happens the YJB should play a clear role, both in identifying successful innovations and in sharing them with other YOTs. **We recommend that the YJB should provide clearer leadership to YOTs, including specifying**

25 Evidence submitted to the review by Professor Roger Smith

26 Evidence submitted to the review by the National Youth Agency

27 *Less Crime, Lower Costs: Implementing effective early crime reduction programmes in England and Wales*, Policy Exchange (2009)

28 www.nice.org.uk

the 20 most cost effective interventions for addressing offending, reoffending and public protection in the community. A similar approach should be taken in respect of programmes in custody. The YJB should retain a separate budget for testing and evaluating new approaches.

1.23 To ensure that the YJB is well placed to advise YOTs on the cost-effectiveness of interventions, the YJB will need to have access to research to identify what works in preventing offending, reducing reoffending and protecting the public. The YJB currently has a research budget of £1m which is spent on a range of different types of research from identifying effective practice, to large scale public surveys. For the youth justice system as a whole to be effective, the key partners in the YJB and across government need a shared understanding of trends in youth offending and strong evidence on what works and is worth investing in to reduce youth crime. Much progress has been made with a range of programmes evaluated and an important juvenile cohort study under way. But there is also some duplication in responsibility and gaps in knowledge. Three core elements have been identified for an effective research and analysis programme, namely:

- Strategic analysis of trends in youth justice and impact of changes in the wider environment;
- Research studies and evaluation of major programmes; and
- Operational research and management information.

1.24 The YJB should participate in a coordinated research and analysis programme led by the Ministry of Justice, with input from the DCSF and the Home Office, which improves understanding of trends in youth justice, evaluates interventions, proposes what is worth investing in and shares effective practice. **We therefore recommend a more strategic approach to youth justice research and analysis that improves both quality and value for money, enabling a 50% reduction in the YJB's research budget.**

1.25 To have effective relationships with local partners, the YJB needs to have a strong relationship with local authorities beyond the confines of the YOT. The interaction of the YOT with its local partners, both within and beyond the local authority, is key to preventing and reducing offending by young people. The YJB has a legitimate role in ensuring that the local authority fulfils its responsibilities to those at risk of offending and to young offenders leaving custody, who may need accommodation, education, training and support. **We recommend that the YJB works with central and local government to clarify the role of local authority children's services in preventing youth crime. They have a vital role to play in preventing young people most at risk, for example children in care, children of offenders and children excluded from school, from being drawn into the criminal justice system, and ensuring effective resettlement for those leaving custody.**

Effective commissioner of efficient custodial services

- 1.26** The commissioning of places for young people in secure accommodation is one of the main functions of the YJB. Ensuring the safe and effective use of custody is a statutory function and commands the lion's share of the YJB's budget. As the commissioner, its role is to buy places from providers, specifying the standards of provision that should be met, and ensuring that they are delivered. The secure estate is made up of three main types of secure accommodation, each with their own leadership, providers and regimes:
- Secure children's homes (which provide welfare places as well as places for young people who have been sentenced to custody)
 - Secure training centres
 - Young offender institutions
- 1.27** Significant improvements have been made to the secure estate over the past ten years, including raising the standards and quality of provision and working hard to meet the needs of vulnerable young offenders. But for further improvements to be made, the YJB should strengthen its commissioning role to ensure that the services delivered meet standards designed to improve outcomes. We discuss the YJB's role in delivering further progress on secure accommodation in chapter 4.

Governance

- 1.28** Put simply, we take governance to mean the system by which the YJB is directed and controlled. We welcome the report on the effectiveness of the YJB board produced by William Roe Associates that has informed this review.²⁹ We are grateful for, and endorse the recommendations in that report and add some broader points here.
- 1.29** We distinguish between two layers of governance for the YJB: Ministerial oversight and oversight by the YJB's board itself. But we believe that ultimately good governance is as much about good relationships and the continual earning of trust, as it is about technical powers and structures.

Ministerial oversight

- 1.30** We have been told that it is sometimes difficult for the YJB to make its advice and influence felt strongly in government, partly because when it has adopted a high profile campaigning role in the past, criticising government where it feels strongly on an issue, this has damaged trust. This is a very sensitive issue but we are clear that Ministers deserve and expect the YJB to give its advice frankly, but also without springing surprises by taking up public positions on issues which are for Ministers to decide. To advise Ministers effectively, we believe the YJB should be closer to government, providing authoritative, fearless and specialist expertise

²⁹ Annex D – *Review of the Effectiveness of the Board of the YJB and the relationship between the YJB and its Civil Service sponsor unit*. William Roe Associates (2010)

on youth justice matters. As a trusted adviser, the YJB should have no independent advocacy or campaigning role but must have clear access to Ministers and as such **we recommend that the Chair and Chief Executive strengthen their influence with Ministers through regular meetings, and are able to provide direct advice, where the Chair decides this is necessary.**

- 1.31** As discussed earlier, the YJB is currently overseen by two departments, the Ministry of Justice and the DCSF. It is also clear to us that the Home Office has a major interest, which deserves more explicit recognition, given its lead responsibility for youth crime, and for the police, who often take the critical decisions on whether, or when, a young person enters the youth justice system.
- 1.32** Some stakeholders have suggested the arrangements for oversight make things difficult for the YJB and that a single departmental lead would be better. Others have argued that a stronger Home Office role could be achieved as one of three sponsoring departments.

“Since its inception, the YJB and ACPO have worked closely together on issues related to children and young people. ACPO’s focus on children and young people through its new ‘business area’ and children and young people’s strategy, provide opportunities for the two to adopt a more visible leadership role. The police act as the ‘gatekeepers’ to the youth justice system and, often have contact with children, young people and their families at the earliest stages of criminality. This allows them to act as an ‘alert’ to other partner agencies and to play their key role in raising public confidence and reducing the fear of crime.

Very often, the areas that are most effective at tackling youth crime are those where the police and partners see children and young people’s issues as a priority, with clear strategies and resources for this work.

The closer working between the children’s agenda and youth justice through the joint sponsorship of the YJB by the Secretary of State for Justice and the Secretary of State for Children, Schools and Families, is welcomed but the close involvement of the Home Secretary is critical if the role and importance of the police in preventing, reducing and enforcing youth crime is to be realised in the future.”³⁰

- 1.33** In considering these views, we are conscious that there is no magic machinery of government solution to those policy areas, sometimes described as the ‘wicked issues’ that cut across departmental boundaries. We also note that changes to the machinery of government are outside our terms of reference. What matters, as the recent Institute for Government

30 Evidence submitted to the review by Ian McPherson, Head of the Association of Chief Police Officers (ACPO) Business Area for Children and Young People, and Charles Clark, former Deputy Chief Constable, Essex Police and currently a board member of the YJB

report says, is that: “collaboration must be a priority of Government, backed by the allocation of budgets to cross cutting goals.”³¹

- 1.34** The YJB and the officials in the Joint Youth Justice Unit are in a position to help Ministers to align their public statements and their decisions on youth crime so that the front line knows what the priorities are and what resources are available. Indeed, the YJB can be a lynchpin for the rational flow of money and messages to and from the front line about what works. But whether one, two or three departments are the sponsors, the YJB has the right to ask for agreed priorities and clarity of role. **We recommend that officials in the sponsoring departments and the Home Office should ensure that their Ministers’ strategic priorities for the YJB are clear and consistent, helping to resolve ambiguities if necessary.**
- 1.35** Ministers in all departments need to co-operate closely and to demonstrate to the public and to their officials that there is no inconsistency in their aims to make communities safer and to work effectively with young people before, during or after they are involved in crime. We believe this is the current position, but note that it requires continual goodwill and good communication between departments at both official and Ministerial levels, to sustain it. **We note that the YJB is currently sponsored jointly by the MoJ and the DCSF. We recommend more significant Home Office involvement in the current arrangements. Any machinery of government decisions for the future should help departments with an interest to join up policies and provide clarity and direction to the YJB.**
- 1.36** The YJB and its sponsor unit, the Joint Youth Justice Unit, have different roles to play and bring different skills and expertise in dealing with youth justice. There is currently confusion over respective roles and responsibilities which can result in both performing the same, or very similar functions in some areas with little or no added value. The YJB’s stakeholder survey found that “responsibilities of and relationships between the YJB and other government and statutory bodies are not clear to stakeholders and need to be clarified.”³² This point was also made by William Roe Associates who note, “there is a need to bring real clarity and mutual understanding about the respective roles, responsibilities and accountabilities of both organisations in their relationship with the other”.³³ At consultative events held as part of the review, staff from both organisations also raised this issue.
- 1.37** We believe that this should be achieved through clear respective roles, with the YJB leading on operational policy and local delivery of youth justice and contributing its expertise on youth justice issues to the development of the wider strategic framework on which the Joint Youth Justice Unit should lead. The YJB’s expertise and relationship with YOTs means that they are well placed to lead on the operation of the local delivery system

31 *Shaping Up: A Whitehall for the Future*, Institute for Government (2010)

32 YJB Stakeholder Survey 2009

33 Annex D – *Review of the effectiveness of the Board of the YJB and the relationship between the YJB and its Civil Service sponsor unit*. William Roe Associates (2010)

and the practicality of youth justice policies. In contrast, members of the Joint Unit should lead on the strategic framework, advising Ministers on wider issues, representing youth justice issues across government and in navigating Whitehall, pulling in resources to assist the development of youth justice strategy. Playing to their respective strengths, with clear roles and responsibilities should mean that the YJB and the Joint Unit can together be a powerful resource for Ministers. Greater clarity of respective roles would also aid engagement and relationships with the Welsh Assembly Government on youth justice issues. **We recommend that the departmental sponsor unit and the YJB should strive for a highly constructive relationship led by the Head of the Unit and the Chief Executive of the YJB, and underpinned by a written compact setting out their respective roles and responsibilities. This should recognise the YJB's lead on the operation of the local delivery of youth justice and the Joint Unit's lead on the wider strategic framework.**

Board oversight

- 1.38** Under the legislation that set up the YJB, it is mandated to have a governance board, at least some members of which have recent experience of youth justice. The board must consist of 10 to 12 members appointed by the Secretary of State.³⁴ There are currently 10 board members including the Chair. The board, shapes and steers the direction of the organisation and holds its executive to account. In addition to the board, there are three standing committees that cover Audit and Risk; Secure Accommodation and Reducing Offending.
- 1.39** To inform the review, as noted above, work was commissioned to examine the effectiveness of the board in line with best practice for public bodies. This work looked at how the board performs against the six principles of good governance. It concluded that the board is a good and competent board, but that “there are several areas where further improvements could strengthen its effectiveness, enabling it to become a truly high-performing board”.³⁵ In particular, this report found that board members feel that they could contribute more fully to discussion of strategic issues and options than they are currently able to.³⁶
- 1.40** The board is currently wholly composed of members with a breadth and depth of knowledge of young people and the youth justice system. While the vast experience of the youth justice system that the current members bring is invaluable, the board could benefit from the approach now commonly taken on boards across public and private sector bodies, to attract members from other sectors to provide challenge and an external perspective, as well as specific functional skills such as marketing or communications expertise. The issues facing the YJB are wide ranging and would benefit from expertise in areas, such as governance and finance, that require little knowledge of youth justice. William Roe Associates

34 Annex C

35 *ibid*

36 *ibid*

suggest it would be useful to conduct a skills audit of the existing board, together with an analysis of the skills that would be most valuable.³⁷

- 1.41** To be effective, the YJB has to be able to operate powerfully both within the local government world and within the wider Whitehall context, influencing stakeholders within government and negotiating on policy development to ensure its experience of the local delivery of youth justice is taken into account. The current leadership has strong experience of local government, but to ensure it can work effectively with central government, we believe the YJB would benefit from greater access to Whitehall expertise both at staff and board level. The YJB also needs to have good channels with core stakeholder groups that are not directly represented on the Board, such as the twice yearly meetings that are now held between the YJB and the Magistrates Association, chaired alternately by the YJB Chair and the Chair of the Magistrates Association Youth Court Committee. **We recommend that the YJB board should build on its considerable strength to fill vacancies with members from more varied backgrounds, for example marketing, communications, finance and governance. All board members should be actively involved in contributing their individual expertise.**

Roles, relationships, powers and levers in Wales

- 1.42** As devolution has matured, the YJB has had to continue to ensure that its approach remains appropriate to Wales creating “parallel and equivalent” arrangements and relationships to those in England. While in England there are clear lines of governance between the department responsible for education and children’s services, through the Joint Youth Justice Unit to the YJB, in Wales the youth justice portfolio sits with the Deputy Minister for Children. To address the issue of different accountability and delivery arrangements in Wales the Welsh Assembly Government and YJB published the All Wales Youth Offending Strategy (AWYOS) and accompanying delivery plan.³⁸
- 1.43** The strategy and delivery plan have established governance and accountability lines that describe the relationship between devolved and reserved fields within youth justice. The delivery plan is organised around six priority areas, three dealing with reserved subjects and three with those that are devolved. These sit alongside a complementary set of performance indicators. Each priority and indicator is overseen by a cross-departmental stakeholder group chaired by a senior YJB or Welsh Assembly Government official. These groups report to the joint Youth Justice Committee for Wales which in turn reports to the Welsh Ministers and the board of the YJB. We were told by stakeholders that these arrangements have done much to align the youth justice system with local strategic priorities in Wales.
- 1.44** Where devolution means that different priorities and performance management frameworks apply in Wales, the YJB has worked to ensure

37 Annex D – *Review of the Effectiveness of the Board of the YJB and the relationship between the YJB and its Civil Service sponsor unit*, William Roe, 2010

38 <http://wales.gov.uk/topics/childrenyoungpeople/publications/youthoffending/?lang=en>

that performance is still appropriately monitored and priorities agreed. For example PSA 14 does not apply to Wales. Through its activity under the AWYOS Delivery Plan, the YJB has responded to this by working with the Welsh Assembly Government's Department of Social Justice and Local Government to include the three devolved indicators in the Welsh local government performance management framework.

- 1.45** As discussed earlier, new powers of intervention in relation to YOTs are currently before parliament. In Wales these powers will be implemented in consultation with Welsh Ministers. Working with the Welsh Assembly Government, the YJB will be required to develop escalation and intervention procedures appropriate to this arrangement.

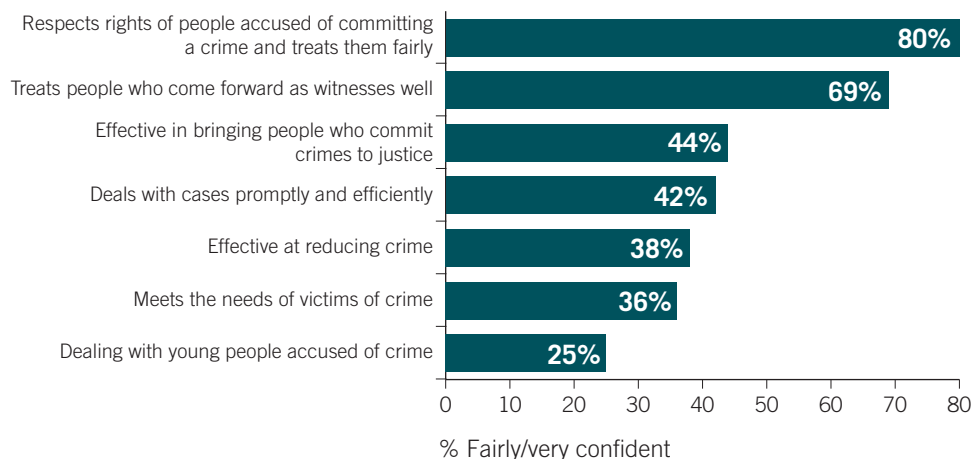
Public protection and confidence

This chapter sets out the role of the YJB and others in ensuring that the public are protected from harm and have confidence in the youth justice system. It assesses the current position on public protection and confidence, the issues and challenges this gives rise to and makes recommendations for improvements in this area.

Where we are now

- 2.1** The first duty of government is to keep its citizens safe. Public services dealing with youth crime and justice seek to achieve this by preventing people offending in the first place, punishing them appropriately when they do commit crime, and stopping them reoffending.
- 2.2** Public confidence that the criminal justice system will deal effectively with offenders is critical.³⁹ Recent years have seen an increase in public confidence but data shows that only 38% of people think the criminal justice system as a whole is effective.⁴⁰ This is a particular issue for the youth justice system where only 25% of people report being fairly, or very, confident that the system will deal with young people accused of crime.

Public confidence in the criminal justice system⁴¹



³⁹ Singer (2009)

⁴⁰ *Crime in England and Wales 2008/9: Findings from the British Crime Survey and police recorded crime*, Home Office Statistical Bulletin (2009)

⁴¹ *Crime in England and Wales 2007/08: Findings from the British Crime Survey and police recorded crime*, Home Office Statistical Bulletin (2008)

- 2.3** Public confidence is affected by a number of factors that influence people's views on crime, the criminal justice system and the response to crime. Although crime has gone down significantly in recent years and the chances of being a victim are at their lowest since the British Crime Survey began in 1981, this is not necessarily reflected in people's perceptions. The British Crime Survey shows that there is a disparity between people's perceived likelihood of becoming a victim of crime and their actual risk. For example, 16% of people thought they were fairly or very likely to be a victim of burglary, compared to an actual risk of 2%.⁴² However, people tend to feel more confident that crime has gone down in their local area than nationally, and they tend to be more fearful in high crime areas.⁴³
- 2.4** It is crucial to overall public confidence and to the confidence of individuals that the system is fair to those who are the victims of crime and witnesses of crime, and that it is perceived to be so. Sara Payne's report *Redefining Justice* highlights the varying needs and expectations of victims and witnesses and the importance of considering the total impact of the crime committed against them and their individual needs arising from this impact.⁴⁴ Young people are often the victims as well as the perpetrators of youth crime which can be overlooked. Data suggest that around a quarter of young people had experienced personal victimisation in the past 12 months.⁴⁵
- 2.5** More generally, people's confidence is affected by what they see and experience in their local area. This extends from perceptions of young people "hanging around" and engaging in anti-social behaviour to concerns over serious and violent crime. 17% of people surveyed for the British Crime Survey perceived a high level of anti-social behaviour in their area, and 30% perceived teenagers "hanging around" on the streets as a problem.⁴⁶
- 2.6** Other drivers of public confidence include personal background, beliefs and characteristics – which can affect people's views and how safe they feel. For example, compared with the overall figure of 59%, 72% of Asian or Asian British people surveyed believe the criminal justice system as a whole to be fair, while only 57% of white people agree. Similarly, 54% of 16–24 year-olds believe the criminal justice system to be effective, compared with 31% of 55–64 year-olds.⁴⁷ Societal factors, including economic prosperity, demographics, community relations, religion and family structures also play a part. Media representation, including what

42 *Crime in England and Wales 2008/09 – Volume 1: Findings from the British Crime Survey and police recorded crime*, Home Office Statistical Bulletin (2009)

43 *ibid*

44 *Redefining Justice – addressing the individual needs of victims and witnesses*, Sara Payne (2009)

45 *Offending, Crime and Justice Survey*, Home Office Statistical Bulletin (2006). 'Personal victimisation' was defined as including robbery, theft from the person, other personal thefts, assault without injury and assault resulting in injury.

46 *Crime in England and Wales 2008/09 – Volume 1: Findings from the British Crime Survey and police recorded crime*, Home Office Statistical Bulletin (2009)

47 *ibid*

is reported and how, is also enormously important as it impacts what people know about crime and the response to it.⁴⁸ This goes some way to explaining the differences in perceptions at a local and national level. The British Crime Survey shows that perceptions of increases in national crime are much higher than perceptions of increases in local crime.⁴⁹

Issues and challenges

- 2.7** The public need to have confidence that young offenders who commit crime, whether that is anti-social behaviour, acquisitive crime such as theft and burglary or serious, violent offences will face consequences for their actions and that the public will be protected from harm. The YJB has an objective to increase victim and public confidence. In order to achieve this, it is important that it communicates how the system prevents and responds to offending from the least to the most serious. It is also particularly important to provide clear leadership to YOTs in respect of public protection.
- 2.8** Through its oversight of YOTs, the YJB can set standards for public protection and help to ensure that these are met, taking action when they are not. It is especially important to emphasise the YJB and YOT role in respect of reducing the risk of serious harm. Serious crimes are rare, but young people do and will occasionally commit offences which cause serious harm to the public. In most cases these young people have not previously committed a serious offence. Sometimes, however, they are already within the system, most commonly under YOT supervision for a much less serious offence. Or their age may mean that they are at the transition point between the youth and adult system. Individuals are responsible for their behaviour and it is not always possible to predict who will offend. But those who work with young people can and do play a key part in minimising the risk of harm through effective assessment and management and the public has a right to expect this.
- 2.9** Much work has been done on this in the past twelve years, including the development and use of specialist tools to identify those who might pose a risk to the public, such as Asset; effectively managing risk through the guidance to YOTs on how to use multi-agency public protection arrangements (MAPPA) for those under 18; and monitoring the performance of YOTs in managing the risk of serious harm.
- 2.10** More widely, however, challenges remain in respect of emphasising the role of the youth justice system in public safety. The fact that the offenders are young, and often from difficult backgrounds, can divide opinion between those who prioritise the risk to the public and the need for young offenders to be punished and those who feel it is the state's duty to protect young offenders and address the reasons why they offend. It is overly simple to describe these views as opposite ends of the spectrum as the reality is more complex. Public protection and addressing the problems facing

48 *ibid*

49 *ibid*

young people are not mutually exclusive, but rather two sides of the same coin. As Andrew Bridges, Her Majesty's Chief Inspector of Probation has said, public protection and safeguarding can be seen as "two opposite things that fit together to make a unified whole".⁵⁰ The more we can address the reasons why young people offend, through early intervention and prevention services, the greater the chance of reducing the number of such offences and protecting the public from harm. But there must also be consequences for those that do offend and efforts to stop them reoffending.

- 2.11** The Government's Youth Crime Action Plan is helpful in recognising these different aspects of youth crime and justice. It sets out a 'triple track' of early intervention and prevention to tackle problems before they become serious; support to address the underlying causes of poor behaviour; and enforcement when behaviour is unacceptable or illegal.⁵¹ A year and a half into implementation, this approach appears to be making a difference.

Making further progress

- 2.12** In spite of progress achieved on prevention, punishment and reducing reoffending, there remains a sense that some involved in the system see themselves as protecting young offenders rather than the wider public. A totally 'child centred' approach can be counter productive to public confidence.
- 2.13** Improving public confidence means protecting the public from those who commit crime, ensuring that those who do are dealt with appropriately, and that clear messages are communicated to the public so that they understand the action that is being taken. We believe that **the YJB needs to further emphasise and publicise its role in protecting the public from youth crime. This is entirely consistent with safeguarding and supporting vulnerable young people, whether offenders or victims.**
- 2.14** On its specific role in respect of serious crime, the YJB has a clear leadership role to play in working with YOTs to ensure that action is taken at a local level to identify and manage those at risk of committing a serious offence, and to set and communicate clear expectations of the system's role in protecting the public.

Improving victim satisfaction

- 2.15** The confidence of victims of crime throughout the system is crucial. One intervention that has been shown to improve victim satisfaction and confidence in the criminal justice system is restorative justice. In this process all the parties with a stake in a particular offence come together to resolve collectively how to deal with the aftermath of the offence and its implications for the future. Findings from the Crime Reduction Programme Restorative Justice Pilots established between 2001 and 2004 in London, Northumbria and Thames Valley showed that there are exceptionally strong benefits for victims that choose to participate, with 85% reporting being

⁵⁰ *Public Protection and Safeguarding – an inspectorate perspective*, HMIP (2009)

⁵¹ *Youth Crime Action Plan*, HM Government (2008)

satisfied with restorative justice.⁵² Restorative justice is already available, and being used increasingly, in a wide variety of circumstances in the youth justice system. The YJB has recently revised its National Standards which sets out YOT managers' responsibilities for maximising victim involvement through using restorative justice and integrating restorative processes across all YOT interventions. Restorative justice is used internationally in a wide range of jurisdictions and has received approval from the United Nations and Council for Europe⁵³. The approach is used extensively in Northern Ireland where it has had encouraging results.

Restorative justice in Northern Ireland

Since the establishment of the Youth Justice Agency of Northern Ireland in 2003, restorative justice has become a distinctive feature of the criminal justice system in relation to young people, with 5,500 referrals made to the service. The approach uses structured meetings, known as 'Youth Conferences' where offenders and victims are helped to discuss the offence and its repercussions and to agree on an action plan for the offender. This can include activities such as making an apology, undertaking reparation to the victim or community to make up for the harm caused, unpaid work or paying compensation to the victim or a charity. A distinctive feature of the system in Northern Ireland is that, subject to certain restrictions, a court must refer a young person to a youth conference which means that it is used for the vast majority of young offenders. This approach has had a positive impact on victims, with 89% expressing satisfaction with the outcome of their conference.⁵⁶

Increasing public confidence through communication

2.16 Communications can have a significant impact on improving public confidence.⁵⁵ Lack of knowledge of the criminal justice system can lead the public to overestimate the incidence of offending and underestimate the punishment given. A recent study by the Institute of Public Policy Research reported that, "according to a national survey carried out by Kings College London, 42% of those polled believed that half of all crimes were committed by young people. This compares with official statistics that suggest that the percentage of crime committed by young people is more likely to be somewhere between 10% and 20%."⁵⁶

52 *Restorative Justice: the views of victims and offenders. The third report from the evaluation of three schemes.* Shapland et al (2007)

53 *Comparative Youth Justice*, Muncie, J. and Goldson, B (2006)

54 *Making Amends, Restorative Justice in Northern Ireland*, Jacobson, J. and Gibbs, P. (2009)

55 *Crime in England and Wales 2008/09 – Volume 1: Findings from the British Crime Survey and police recorded crime*, Home Office Statistical Bulletin (2009)

56 *Towards a Popular, Preventative Youth Justice System*, Institute for Public Policy Research (2009)

- 2.17** Communicating effectively with the public can strengthen confidence by providing information which helps to improve understanding of what is being done to respond to crime and anti-social behaviour, encouraging the public to engage in a dialogue around crime, seeking the public's views on issues that matter to them, and giving clear and consistent messages on crime. Getting clear messages across to the public on youth justice requires communications at a national and local level. Perceptions of the fear of crime and levels of crime vary nationally and locally.⁵⁷ Confidence is also affected by local experiences and the characteristics of different communities.
- 2.18** Often faced with difficult messages, communications on youth justice need to strike a fine balance between public protection and the welfare of children and young people. This means having a coherent overall communications strategy with measurable objectives, a clear evidence base, segmented target audiences, compelling and co-ordinated messages, appropriate channel strategy, and effective evaluation which works to deliver the government's objectives for youth justice and is delivered consistently by all those involved. As youth justice involves a number of different government departments, as well as the YJB, clarity of responsibilities is needed.
- 2.19** The YJB needs to communicate clear messages to deliver its objective to increase victim and public confidence. The audience for such messages should be those delivering youth justice on the front line, namely YOTs, practitioners and local authorities. Communications need to be clear, persuasive and timely. The YJB should reinforce the importance of public protection and the need to build public confidence and share best practice on how this can be done, building on the more assertive role in specifying the most effective interventions for YOTs to deliver recommended in this review.
- 2.20** The YJB's communication activity has focused on building public confidence by working at a local level with YOTs. This has included supporting the communication of success stories, promoting prevention and reparation activity and using its website and publications to share information that promotes confidence in the youth justice system. The recent 'Making Good' campaign focuses directly on building confidence by engaging the public in suggesting youth reparation activities across England and Wales. The YJB's stakeholder survey found there was widespread commendation for the quality of the YJB's communications among practitioners.⁵⁸

57 *Crime in England and Wales 2008/9 Volume 1: Findings from the British Crime Survey and police recorded crime*, Home Office Statistical Bulletin (2009)

58 Annex F

Making Good

The use of reparation for children and young people who offend has become firmly established in the youth justice system. Reparation can help prevent reoffending by getting young people to understand the consequences of their offending and take responsibility for their behaviour. It allows the young person to make amends for their offence, either to the victim or to the wider community, and repair some of the harm caused. Reparation work can involve a range of activities including clearing public spaces, renovating community gardens and helping at local day centres. Where possible, the activity should relate to the offence committed and equip the young person with new skills.

Building on the range of good work that has been developed by practitioners, the *Youth Crime Action Plan* (YCAP) highlighted the importance of reparation work and made clear that it should form a fundamental part of community sentences. In line with commitments in *YCAP – One Year On* to raise the profile of reparation work, the YJB has recently piloted the *Making Good* scheme in the North West of England. This gives the public the chance to have their say in the type of reparation activities undertaken in their local areas. Members of the public made suggestions via the *Making Good* website, some of which are being taken forward by the local YOTs, such as cleaning up an old railway line in Salford and decorating a community centre in Burnley. *Making Good* is currently being extended to the North East of England and will rollout regionally across England and Wales throughout 2010. By allowing members of the public to see the direct benefits of reparation work, it is hoped *Making Good* will increase public confidence in the youth justice system.

- 2.21** We are keen that the YJB further emphasises and publicises its role in protecting the public from youth crime with these key practitioner and stakeholder audiences. One way in which this should be done is through the YJB's relationship with YOTs, by enabling them to play a bigger role in building confidence at a local level. This could happen through better promotion of action taken with young offenders to the police, local authorities and members of the public. The YJB must play its role in promoting this agenda and supporting YOTs to make it happen.

2.22 Communicating the government's wider messages on youth justice should be the role of government departments who routinely communicate directly with the public. As the expert on the local delivery of youth justice, the YJB will have a contribution to make, but we understand that the lead role for presenting the government's communication strategy on youth justice sits with the Ministry of Justice, in partnership with the DCSF and Home Office. These departments must work to ensure that messages on youth justice are consistent with the government's broader objectives around crime and justice, are rooted in audience insight, and that the different bodies involved in communicating messages to the public follow a co-ordinated approach. **We recommend that the YJB and its sponsoring departments should work together to develop a compelling communication strategy, based on firm evidence, to build public confidence in the youth justice system.**

Prevention

This chapter sets out the current approach to preventing young people from entering the youth justice system. It discusses the issues and challenges facing the YJB and others working on prevention and makes recommendations for improving outcomes in this area.

The current approach to prevention

- 3.1** The principal aim of the youth justice system is to prevent offending and this is a core responsibility of the YJB, working with others across government and in local areas.⁵⁹
- 3.2** Recent progress on this has been encouraging with a reduction in the number of young people entering the criminal justice system for the first time, suggesting that investment in crime prevention and partnership approaches to diverting young people from trouble are starting to pay off.

Number of young people aged 10–17 receiving their first reprimand, warning or conviction (England and Wales), 2000/01 to 2008/9⁶⁰



⁵⁹ Crime and Disorder Act 1998, section 37(1)

⁶⁰ DCSF Statistical Release *Youth Crime: Young people aged 10–17 receiving their first reprimand, warning or conviction, in England, 2000/01 – 2008/09* (2009)

- 3.3** The factors associated with offending, and how effective prevention is at addressing those factors, are increasingly understood. These risk factors can be evident right from early childhood in four main areas⁶¹:
- **Family** – including poor parental supervision and discipline, conflict, a history of criminal activity, parental attitudes that condone anti-social and criminal behaviour, low income and poor housing;
 - **School** – including low achievement beginning in primary school, aggressive behaviour (including bullying) and lack of commitment (including truancy);
 - **Community** – including living in a disadvantaged neighbourhood, disorganisation and neglect, the availability of drugs, high population turnover, and lack of neighbourhood attachment; and
 - **Personal** – including hyperactivity and impulsivity, low intelligence and cognitive impairment, alienation and lack of social commitment, attitudes that condone offending and drug misuse, early involvement in crime and drug misuse and friendships with peers involved in crime and drug misuse
- 3.4** Risk factors are not themselves causes of youth crime, but the incidence of multiple risk factors is a good predictor of later criminal behaviour and other poor outcomes. Evidence suggests that the greater the number of risk factors to which a child is exposed, the greater the risk of future offending behaviour.⁶² A recent survey of young people in custody showed that significant proportions had been in care and almost 90% had been excluded from school.⁶³ Children of prisoners have three times the risk of anti-social and delinquent behaviour as their peers and 65% of boys with a convicted parent go on to offend.⁶⁴ The small minority of young people who are responsible for the majority of youth offending will mostly have been subject to many of these risk factors.
- 3.5** Similarly the protective factors which help to prevent offending or give young offenders the resilience not to reoffend once they have committed a crime are also increasingly well known and understood. Young people need a stable lifestyle, with supportive parents and peer groups. As well as stable surroundings, young people also need to be able to improve their life chances by carrying on with education or getting a job.⁶⁵
- 3.6** These risk factors that are linked to youth crime are also clearly those associated with a range of other negative and damaging outcomes for young people that prevent them from achieving their potential. Low

61 *Risk and Protective Factors*, Youth Justice Board (2005)

62 Farrington, D.P. (1997) 'Early prediction of violent and non-violent youthful offending', in *European Journal on Criminal Policy and Research*, vol. 5, pp. 51–66.

63 *Children and young people in custody 2008–9*, HMIP and YJB (2009)

64 *Children of offenders review* Department for Children Schools and Families and Ministry of Justice (2007)

65 *Young People and Crime*, Graham and Bowling (1999); *Youth Offending in Transition*, Barry (2007)

achievement beginning in primary school can be associated with teenage pregnancy as much as youth offending. And the negative outcomes are closely intertwined.⁶⁶ The young person with a record of drug misuse is more likely to be involved in criminal behaviour.

- 3.7** So action to address any of these risk factors will tend to improve a range of other outcomes. Considered in that way every service that works with children, young people and their families and which responds to their vulnerabilities and additional needs plays an important part in preventing offending. Preventive services extend from the universal to the specific, provided at a family, school and community level. Universal settings, including Sure Start Children's Centres, schools and GPs, provide support to individuals and families to stop problems from developing. More targeted services are provided through family intervention projects, Pupil Referral Units and targeted youth support, to help young people identified as being at risk. And for those who become involved with the criminal justice system, the wide range of interventions available such as intensive supervision and surveillance, parenting orders and reparation activities are increasingly designed around a specific need or set of circumstances.
- 3.8** The YJB leads on and is involved with many of these interventions through YOTs. Youth inclusion programmes (YIPs) are one of the most widely used targeted prevention programmes developed and supported by the YJB. There are over 100 YIPs operating across England and Wales, offering young people help and support to avoid offending behaviour. The effectiveness of the YIP model in tackling crime and anti-social behaviour has been recognised by Canada's National Crime Prevention Centre (NCPC) which is currently trialling the programme across Canada. The NCPC has also adapted the YJB's assessment tool, Onset, for use by the programmes.⁶⁷

66 *Risk and protective factors*. Youth Justice Board (2005)

67 Further information available at <http://www.yjb.gov.uk/en-gb/News/CanadiancounterparttrialYJBpreventionprogramme.htm?area=AllNewsEvents>

Youth Inclusion Programmes

Callum* and his family had been referred to a social service initiative, The Families Project, by his local YOT who could see Callum's mum needed support to deal with his involvement in crime and anti-social behaviour. Callum, who suffers from ADHD and Aspergers syndrome, had been arrested for theft and had been involved with a gang and causing anti-social behaviour. Callum had also come to the attention of the local Young Peoples Group which uses a multi-agency approach to deal with young people's involvement in crime and anti-social behaviour. The group, which is made up of the YOT, police, schools, social services, youth agencies, Connexions service, housing, outreach teams and other agencies, referred Callum to the Youth Inclusion Programme (YIP).

Callum has built a good relationship with his YIP worker and attended multi-agency meetings which drew up an action plan for diverting him away from anti-social behaviour and re-integrating him into school. Callum attends three one-on-one sessions a week with his key worker, who helped him complete coursework set by his school, and is currently attending a certificated course on motorcycle maintenance. Since engaging with the YIP, Callum has had no further arrests and is now seen as at low risk of anti-social behaviour.

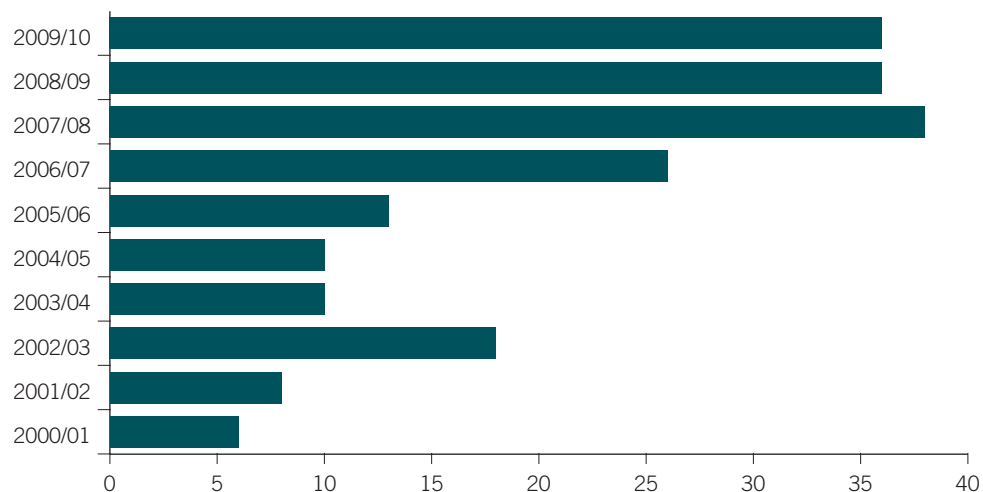
When asked if the YIP has helped him, Callum said

"My behaviour is better at home and I am not in trouble with the police as much. The YIP gives me something to do rather than hang about the streets."

** names have been changed*

- 3.9** For YOTs' key contribution to preventing youth crime they received funding from the YJB's core prevention grant of £31m in 2009/10. This is not YOTs' only source of funding for prevention since they secure other funding at the local level and, as such, we were told that it is difficult to identify exactly how much they spend on prevention activity. But what is clear is that YOT prevention funding forms only a small proportion of the total preventive expenditure at the local level within the wider expenditure on targeted and universal services.

YJB prevention spend, 2000/01 to 2009/10 (£m)⁶⁸



3.10 Because the risk and protective factors associated with youth crime are increasingly understood there is also a stronger confidence on “what works” in preventing crime. However the effectiveness of some initiatives is often difficult to assess in isolation given the interrelationship with other services and influences on young people’s progress. It has also been noted that “the merit and value of early prevention is sometimes overlooked because the full rewards are not realised for many years.”⁶⁹

Issues and challenges

3.11 There are a number of issues on prevention that need to be addressed. The first is the complexity of the prevention landscape at the local level where there are differences in the extent, and strength, of links made between universal services and services provided specifically for those at risk of becoming, or who are already, engaged with the criminal justice system. The YJB is an important player in promoting and supporting integrated work at the local level and it has a key responsibility for those who deliver local services to share their analysis of needs and to plan interventions more coherently. There can be a tension between YOTs seeing themselves in a delivery system overseen by the YJB at a national level, and an increasingly locally driven agenda. It is important that such a central relationship does not weaken the part that YOTs can play as statutory partners in the crucial prevention partnerships at the local level, in particular Crime and Disorder Reduction Partnerships⁷⁰ and Children’s Trusts⁷¹, where the necessary join up in planning and service delivery

68 YJB data – as well as the core prevention grant, the totals include spending on other support for prevention

69 *Less crime, lower costs*, Policy Exchange (2009)

70 For Wales, references to Crime and Disorder Reduction Partnerships should be read as Community Safety Partnerships

71 For Wales, references to Children’s Trusts should be read as Children and Young People’s Partnerships

needs to happen. The recent move towards YJB conditions of grant ensuring local partnership involvement in the commissioning and delivery of services is to be welcomed, as is the work on revising the YJB's guidance on YOTs, *Sustaining the Success*, which will examine and give guidance on these issues.⁷²

- 3.12** The second issue is that, in an increasingly difficult financial climate it is important that the money spent on prevention secures the best return, both in terms of the effectiveness of interventions and the identification of young people to be targeted. While the difficulty of evaluating individual prevention programmes separate from the wider landscape is recognised, important questions have been raised over consistency of local YOT programmes and the effective sharing of best practice, especially since some programmes are locally developed.
- 3.13** The third set of issues is around the early identification of risks and sharing of information for multi-agency working, which could be much improved. The assessment tool used (Onset or the Common Assessment Framework) varies depending on which service engages with the young person and whether what is being assessed is the level or risk, or need. Relationships with important partners such as schools are inconsistent and the wider, universal workforce, such as anti-social behaviour teams and community wardens, do not always refer young people to the help and support that is available. The work currently taking place between the Youth Taskforce and the YJB to produce joint guidance on respective and mutual roles should help ensure more effective targeting and delivery of services.

Improving outcomes

- 3.14** Improving the approach to prevention increasingly lies in the strength of local strategic partnership working and the underpinning of accountability for the prevention of youth crime within the overlapping responsibilities of Children's Trusts and Crime and Disorder Reduction Partnerships. Effective approaches to prevention are as much to do with the role of universal services such as schools and the health service as they are the youth justice system. We recognise that the drive for better local determination of services must continue but **we recommend more joint commissioning of prevention programmes across children's and youth justice services for young people, targeted at those most at risk of youth crime.** Whilst the direct and ring-fenced funding for YOTs ensures that they have a place in local strategic partnerships, a move towards greater alignment of funding within Children's Trust partnership would greatly assist this process. Youth justice planning should formally inform wider Children's Trust needs assessment and planning so that they fully recognise the impact of local services for preventing youth crime and are accountable for progress in reducing youth crime.
- 3.15** As discussed in chapter 1, we recommend that the YJB takes a more assertive role in specifying the most cost effective interventions, including

72 *Sustaining the Success*, YJB (2004)

setting the top 20 interventions that YOTs should use to reduce youth crime in the community and protect the public. This should include interventions aimed at preventing young people from entering the youth justice system.

- 3.16** The YJB's regional structure provides a good opportunity to support local management, both to follow the advice on delivering what works, and also to ensure programmes are targeting those most at risk. In this it is also essential that DCSF and Home Office research and evaluations, especially around YCAP delivery, are built into this wider evidence base.
- 3.17** Work is underway to embed the Common Assessment Framework for young people, including through the national eCAF, the secure IT system for storing and accessing that information. As work on the Common Assessment Framework progresses, it is important to clarify the relationship at the local level with YOTs' own assessment tools. **We recommend that the work underway to review the different tools for assessing risk and need, are prioritised by the YJB with a view to completing the design phase by April 2011.**

Prevention and Wales

- 3.18** As noted in the introduction, prevention of offending is one of the areas where devolution has the greatest impact. Differences, however, are practical rather than theoretical. The Welsh Assembly Government has also set out an approach to early intervention and targeted prevention through the All Wales Youth Offending Strategy and the joint publication of strategic guidance for prevention services with the YJB. This fits with the Assembly Government's aspiration to keep as many children as possible out of the criminal justice system.
- 3.19** The challenge remains for the YJB to ensure that it can continue to adapt to the very different delivery mechanisms and local government performance management in Wales. We endorse its efforts to do so.

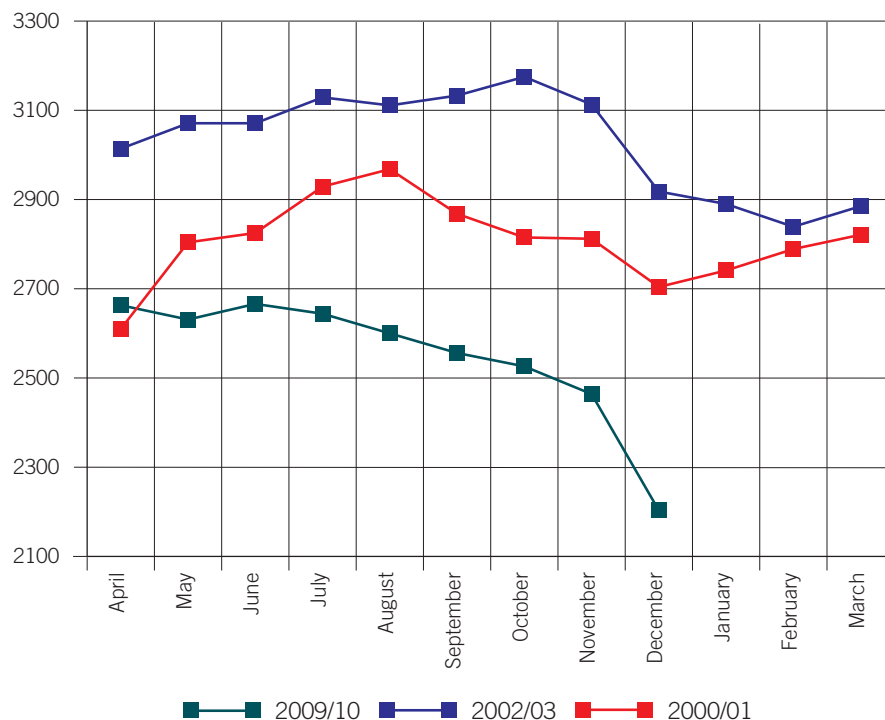
Secure accommodation

This chapter sets out the current approach to secure accommodation. It discusses the issues and challenges involved in putting young people in custody and sets out how outcomes could be further improved through distinctive custodial provision.

The current approach to secure accommodation

- 4.1** In December 2009 there were 2,203 under 18 year olds held in secure accommodation in England and Wales.⁷³ Of these, 94% were male and 6% female. The majority were aged 16 (30%) and 17 (47%). It is an important part of the YJB's role to use its influence to try to ensure that young people are only sentenced to custody when a community sentence would not be appropriate. In the last eighteen months a significant reduction in the numbers in custody has been achieved and the current number of young people in custody is the lowest since the YJB gained responsibility for commissioning and placing young people in secure accommodation in 2000.

Comparison of under 18 secure population 2000/01 to 2009/10⁷⁴



⁷³ YJB custody data available at www.yjb.gov.uk

⁷⁴ *ibid*

- 4.2** There are several factors that are likely to have contributed to the recent reduction in numbers of young people in custody. The general fall in the number of teenagers in the population will have played a part but is unlikely to have been responsible for more than a tenth of the reduction in the last year. A number of developments are likely to have had an impact including Government funded targeted prevention work, supplemented by new programmes involving parenting support, family intervention programmes and other programmes funded through the Youth Crime Action Plan and successful local partnership working, including with the police.
- 4.3** Another significant factor has been the success of alternatives to custody, such as the Intensive Supervision and Surveillance Programme (ISSP). The ISSP is a robust community sentence including the option of electronic monitoring which has gradually proved more attractive to sentencers as the schemes have become established and proved to be successful. Another alternative to custody, Intensive Fostering, is being piloted in three areas of England. The approach taken by the pilots is set out below.

Intensive Fostering

Intensive Fostering is a promising alternative to custody for children and young people whose home life is felt to have contributed significantly to their offending behaviour. Intensive Fostering aims to hold a young person to account for their crime while ensuring they get support to address the factors that may have contributed to their offending. Based on the Multi-dimensional Treatment Foster Care model which has shown success in working with juveniles in the USA, the programme provides highly intensive support for up to 12 months for each individual, as well as a comprehensive programme of support for their family. Intensive Fostering pilots began in 2005 and have showed promising results. As of January 2010, 71 children have received Intensive Fostering as part of their sentence, with 35 children having completed the programme to date.⁷⁵ Since the pilots began, the Criminal Justice and Immigration Act 2008 has placed Intensive Fostering on a statutory footing, allowing it to be delivered as an attachment to a Youth Rehabilitation Order as a direct alternative to a custodial sentence. An evaluation of the pilot scheme is due to be published shortly.

- 4.4** For children and young people sentenced to custody, establishments in all three sectors are placing an increasing focus on behaviour management programmes which challenge young people to face up to the nature and consequences (for their victims, for society, for themselves) of their behaviour. The evidence is that the frequency of reoffending amongst

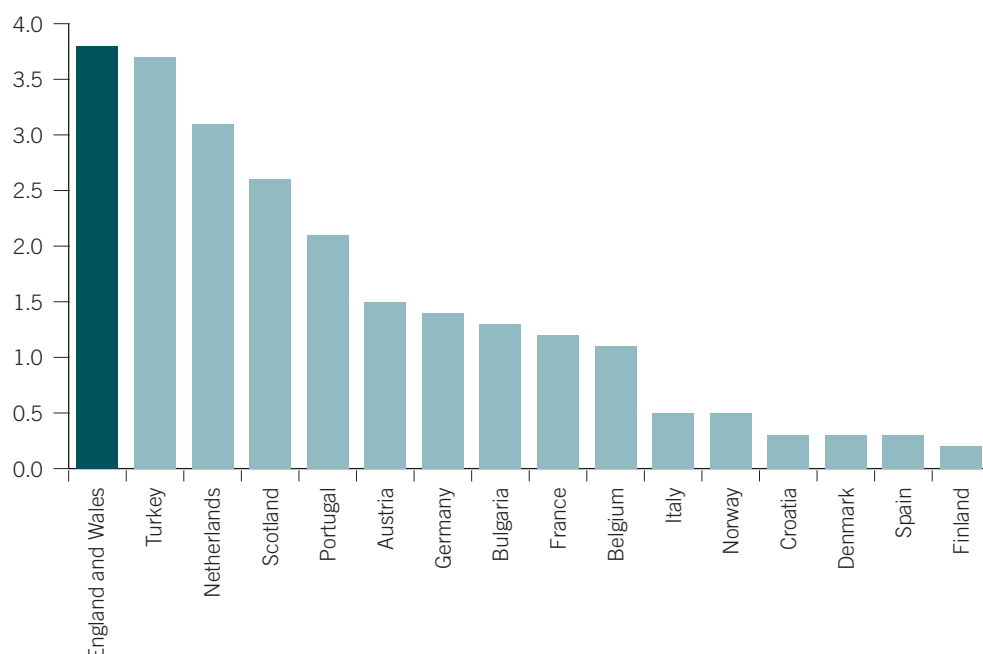
⁷⁵ YJB Management Information

young people who have been in custody, while still unacceptably high, is falling more quickly than for any other group of young people.⁷⁶

- 4.5** The YJB has also increased awareness of custody rates among senior players in local authorities and among magistrates, based on a new national performance indicator. In particular joint initiatives with the Magistrates Association have led to much better information sharing between the local youth court and YOTs in many local areas with the aim of promoting more confidence in the work of YOTs and the credibility of community sentences.
- 4.6** There has also been a programme of focused work with specific “high custody” local authorities and the work by the Prison Reform Trust in this area has also been helpful in raising the profile of the issue and supporting improvements in practice.
- 4.7** This progress is enabling the YJB to decommission YOI places and achieve reductions in cost, as discussed in chapter 6. There is scope to reduce numbers in custody further but this will require a continued focus by YOTs and local authorities, supported by the YJB, on providing robust alternatives to custodial remand and in delivering much better resettlement support for young people leaving custody.
- 4.8** Of course, there is always a risk that changes in sentencing policy or other developments bring more young people into the justice system or increase the likelihood of a custodial sentence and create upward pressure on the numbers of young people in custody. Commissioning plans must take account of this potential to ensure that a suitable placement is always available for every young person sentenced or remanded to custody by the courts.
- 4.9** Despite the progress made, England and Wales has the highest number of children as a proportion of the overall custodial population in custody in Western Europe, including high levels of remand.

⁷⁶ Offenders released from custody have seen a 25.5% reduction in the frequency rate of reoffending, see *Reoffending of juveniles: results from the 2007 cohort*, Ministry of Justice (2009)

Proportion of prison population aged under 18, by country⁷⁷



4.10 A recent report claimed that 75% of under-18 year-olds remanded in custody are subsequently acquitted or given a community sentence, and that one third of young people remanded to custody are charged with non-violent offences.⁷⁸ The level of remands has remained relatively stable since 2004/05, with an average of 609 young people in custody on remand at any given time in 2007/08.⁷⁹

4.11 Recent reductions in the number of young people in custody have not been fully matched by a corresponding decline in the number of remanded young people. The reasons for this high use of custodial remands for under-18s are complex but are influenced by young people's lack of access to suitable accommodation, the presence of a parent or guardian in court, the quality of the YOTs' pre-sentence report and actions in court, and lack of bail support packages. We have been assured that the YJB recognises these issues and is working on developing a toolkit for YOTs to help address these problems. It is also engaging partners to try to increase young people's access to these services and encourage the greater use of alternatives to custody. But this is an area in which the YJB needs to hold local authorities to account for delivering their responsibilities.

4.12 Disproportionate representation of black and minority ethnic young people in the criminal justice system, and especially in custody, continues to be a real concern. Black young people account for 13.6% of young people in custody, but only 2.9% of the 10–17 year-old general population.⁸⁰

⁷⁷ *Cross-national comparison of youth justice*, Neal Hazel, The University of Salford (2008)

⁷⁸ *Children: Innocent until proven guilty*, Prison Reform Trust (2009)

⁷⁹ YJB Annual Workload Data 2007/08

⁸⁰ YJB Annual Workload Data 2007/08

Research commissioned by the YJB has also shown that black and minority ethnic young people can receive different outcomes in the youth justice system that cannot necessarily be explained by their different case characteristics.⁸¹

- 4.13** In addition to the national indicator measure on the ethnic composition of young offenders, YOTs must complete annual self-assessments that include a strong focus on race disproportionality and the steps being taken to address it. But results show that disproportionality continues to be a challenge for many YOT partnerships. Action is being taken to address this by strengthening links between YOTs and Local Criminal Justice Boards to identified and address issues of disproportionality. The YJB has also commissioned a study to explore the specific needs of black and minority ethnic young people in the youth justice system and the levels of current service provision. The YJB must also ensure that actions to reduce the use of custody for young people take into account issues of race and ethnicity.
- 4.14** As commissioner and purchaser of custodial places for children and young people, the YJB is responsible for ensuring that those aged 10 to 17 who are given a custodial sentence by the court, are placed in an appropriate setting. There are three different types of secure accommodation for young people, each have a different leadership, unit cost and regime. Currently, around 84% of young offenders are placed in young offender institutions, 10% in secure training centres and 7% in secure children's homes.⁸² As well as providing places for young people sentenced to custody, secure children's homes also provide welfare places and are regulated and inspected by Ofsted.

81 *Difference or Discrimination: Minority ethnic young people in the youth justice system*, Youth Justice Board, (2004)

82 YJB custody data available at www.yjb.gov.uk

Secure Children's Homes	Secure Training Centres	Young Offenders Institutions
All currently managed by local authorities in line with standards set by the DCSF and the YJB	Run by private operators under contracts which set detailed operational requirements	Run by both the prison service and the private sector
For young people aged 10 to 14, girls up to the age of 16, and 15 to 16 year-old boys who are assessed as vulnerable	Cater for young people aged 12 to 14, girls up to the age of 16, and 15 to 16-year-old boys who are assessed as vulnerable	Can accommodate 15 to 21 year olds in a combination of split and dedicated sites. YOIs cater for boys aged 15 to 17 and 17 year old girls
Typically have between 4 and 34 beds	Tend to have between 58 to 87 places with a maximum of 8 per house	Tend to have between 110 to 400 young people, each wing having 30 to 60 places
One member of staff for every 0.5 to 1.5 young people	One member of staff for every 2.6 young people	One member of staff for every 15 young people
Average annual cost per place is £215,000	Average annual cost per place is £160,000	Average annual cost per place is £60,000
Purpose built with education, activities, sports facilities and provide a therapeutic environment. Intensive regime with 30 hours of education and offending behaviour work and enrichment	Purpose built with education, activities, sports facilities and provide a therapeutic environment. Intensive regime with 30 hours of education, 8 hours of offending behaviour work and enrichment	Facilities are inherited from the prison service but improvements are being made. Expected to provide 25 hours of education, training and meaningful activity
Managers must be a qualified social worker and most staff hold NVQ level 3 or higher in child care	Some qualified social workers in each. Contracts require all staff to complete a nine week training programme	Prison officer candidates are tested on their suitability to work with young people and those who do so receive 7 days specific training on the Juvenile Awareness Staff Programme

4.15 The YJB's objectives for secure commissioning are to deliver regimes that safeguard young people and reduce the likelihood of reoffending, and arrangements that maximise value for money. These objectives need to be delivered in the context of a wider youth justice system that seeks to minimise the number of young people in custody and effectively resettle and reintegrate young people after their involvement in the youth justice system, ensuring throughout that they are safeguarded effectively.

4.16 Although some people believe passionately that it has no place at all in the youth justice system, we accept that custody is necessary to protect the public from serious crime and ensure that young people face consequences for the offences they have committed. Where custody is necessary, the best regimes can also provide a structured environment in which to address the reasons why young people offend and to seek to change behaviour. But we strongly believe that custody should only be used where courts consider that other robust sentences are not appropriate. This means that sentencers must have options for community disposals which are rigorous, constructive and earn the confidence of the public. Community sentences which are not perceived to have any punitive elements for young offenders can fuel the public's demand for custody. There is a real risk that interventions which are intended to be supportive but not punitive are perceived only as what has been termed to us as 'goodies for baddies'. Those responsible for sentencing policy need to try to avoid increasing demand for custody because alternatives are perceived to be too lenient. The Youth Rehabilitation Order is a useful development in this context.

- 4.17** Where appropriate, custody can offer an opportunity for the young offender to address the reasons why they have offended and try to make sure that they do not offend again. This can be exceptionally challenging. Children and young people in custody demonstrate some of the most difficult behaviours of any young people in society. This raises challenges for those who work with them who face the day to day risks of trying to keep them safe from harm, whether caused by themselves or by others. While deaths in custody are rare, every case is a tragedy. Incidents of self harm are significant, with 430 cases reported for young offenders aged 15–17 in 2008.⁸³ Keeping young people in custody safe is paramount.
- 4.18** Young people in custody are often vulnerable, dependent and still developing. As Dame Anne Owers, Her Majesty's Chief Inspector of Prisons told us, "we mustn't forget that custody is a place where young people are growing up". Most young people in custody have experienced some combination of education exclusion and low achievement, behavioural and mental health problems, drug and alcohol abuse and disrupted family lives, with significant numbers having been in care. As noted in chapter 3, a recent survey shows that a quarter of young men and nearly a half of young women in custody had been in care and almost 90% of young men and women had been excluded from school.⁸⁴ Mental health issues are very prevalent with figures estimating that as many as 95% of young offenders in custody, aged 15–21, suffer from a mental disorder.⁸⁵
- 4.19** Used constructively, custody can provide structure and discipline, sometimes for the first time in young people's lives. And education and training can provide skills and qualifications to give young people a better chance for the future. But a period in custody can also disrupt the very things that might stop someone getting involved in crime, such as having a stable home, good family relationships and a job or education. However effective custody might be in providing punishment, protection to the public and the chance to address the reasons for offending, without the right support on release, reoffending is all too likely. While the secure estate has its role to play in addressing offending behaviour, it cannot be expected to turn the lives of young people around without the cooperation of partner agencies, families and the young people themselves, especially for those whose lives before entering custody may have been very chaotic and for those who may only be in custody for a very short period. Resettlement is discussed in more detail in chapter 5.

Issues and challenges

- 4.20** There has been major progress over the last twelve years in reforming the secure estate for under 18s. A more distinct secure estate for children and young people has now been established, with young people housed separately from adults. This has been a significant step forward from the

⁸³ Response to Parliamentary Question reported in Hansard, 3rd November 2009

⁸⁴ *Children and Young People in Custody 2008–9: experiences of 15–18 year olds in prison*, HMIP and YJB (2009)

⁸⁵ *Reducing re-offending by ex-prisoners*, Social Exclusion Unit (2002)

regime that existed before the creation of the YJB. The reforms allowed the UK to remove its remaining reservation from the UN Convention on the Rights of the Child which specifies that children should not be held in custody with adults. The quality of provision has also increased with the establishment of specialist units including the four recently commissioned units for girls, and vulnerable young people, notably the Keppel Unit at Wetherby YOI. There have also been reductions in the numbers of children and young people held on ‘split sites’ with young people aged 18–21.

The Keppel Unit at Wetherby YOI

Operational capacity	Staff: offender ratio	Cost per place	Site description
48 beds in 4 units of 12	1:4.5 (core day) 1:6 (evenings and weekends)	£74,000 per year	Keppel houses vulnerable young men aged 15–17 who are unable to cope in the mainstream under-18 estate

Keppel houses vulnerable young men aged 15–17 who are unable to cope in the mainstream under-18 estate

Regime and interventions: Many of the young people housed in the Keppel Unit have mental health problems and have been socially excluded from a young age. The unit’s dedicated workforce receives an 8-week training programme which includes mental health awareness, pro-social modelling, behaviour management, child protection training, sex offender training, and suicide, self-harm, and resilience training. Young people can access an enhanced range of programmes and services such as: education and development courses; substance misuse work; bereavement counselling; sex offender treatment; and anger management. There are regular care plan reviews to identify priorities for interventions and plan for their release. For young people on short sentences, the process also engages the relevant agencies what needs to happen in the community once the young person is released. All young people are required to engage in the units activities which include shared meal times, gym sessions and visits to the library. Other activities include music and media projects and the chance to learn how to care for animals.

The critical view: “The Keppel Unit is among the most impressive custodial facilities to have opened in recent years. In a very short time, a committed group of staff have established a safe, supported and purposeful unit in which the risks and needs posed by some very damaged and complex young people are effectively addressed.” Dame Anne Owers, HM Chief Inspector of Prisons

- 4.21** Standards of care and regimes have been improved through stronger contractual arrangements with providers and investment in priority areas such as education and training and substance misuse services. Other developments include:
- Improving the approach to safety following safeguarding reviews, including using independent advocates and other safeguarding initiatives in YOIs;
 - Developing resettlement arrangements including investment in new models of continuing support such as the Resettlement Aftercare Provision and more recently, the Integrated Resettlement Services; and
 - Robust performance management resulting in both challenge to and support of providers.
- 4.22** The YJB's national, strategic approach to a previously fragmented system has contributed significantly to these improvements. Since taking on its role as purchaser of places it has developed reasonably well as a commissioning body. It has established a national placement system, essential when coping with population pressures and securing the best placement for individual needs. The YJB's role as national commissioner has allowed it to focus on children and young people's needs across the estate, while its position within the youth justice system has helped it to be responsive to change, with a mandate to take tough decisions based on long term priorities
- 4.23** The secure estate is a costly resource and a commitment to value for money is imperative. YJB has used its commissioning levers to introduce contestability to the estate, with over half of the secure estate programme budget and a third of all beds – including all STCs and SCHs and two privately run YOIs – now having been subject to competition.
- 4.24** But there is much more that could be done, both to improve the effectiveness of custody and the experience of it for children and young people. There are opportunities that should provide greater value for money and improved outcomes for young people in custody. These include the potential commissioning of one new establishment and re-commissioning of STCs and escort suppliers over the next five years. The YJB must take the lead in creating a strong provider market and further driving value for money.

Delivering further improvements in outcomes

- 4.25** We believe that further progress could be made in the efficient delivery of better outcomes by moving towards distinctive custodial provision. The key features of a distinctive custodial estate for young people include:
- A clear specification of the provision that is expected for young people and, as far as possible, the outcomes that providers are expected to work towards and best value for money in delivering these;

- A workforce with appropriate training and efforts to attract staff who want to work with young people;
- Sites that are physically separate to those accommodating adults; and
- A coherent inspection regime

- 4.26** A number of stakeholders have stressed the importance of distinctive provision, including Catch22 who told us “there is a need for separate juvenile secure estate provision...which is independent but overseen by the YJB”.⁸⁶ **We recommend that there should be distinctive custodial provision for young offenders across the whole estate with standards set by the YJB and open to provision by the public, private and voluntary sectors.**
- 4.27** To drive further improvement the YJB needs to provide leadership in specifying what it wants to commission, ensuring this is purchased at the best price and delivers the best outcomes. Much progress has been made towards delivering these outcomes but significant challenges and barriers remain and there is still more to achieve. The three sectors of the secure estate each have different regimes, workforce training requirements and regulatory frameworks. While the secure estate is at the core of the YJB’s work, it is often only at the margins of its co-commissioning partner’s work, such as the Department for Health and local authorities.
- 4.28** There are currently significant differences in the cost of places across the three establishments, ranging from £60,000 per place per year in a young offending institution to £215,000 per place per year in secure children’s homes.⁸⁷ Much of the variation in cost is explained by the different ratios of staff to young people which are designed to address the different needs of young people across establishments. But we need to better understand whether these cost difference can be fully justified in terms of the outcomes that are delivered. As the commissioner and purchaser of places, the YJB takes the lead role in specifying these outcomes and should work with MoJ, the National Offender Management Service (NOMS), DCSF, local authorities, and the third and private sectors, to ensure that they can be delivered most efficiently. **We recommend that the differences in the types and costs of different custodial settings should be scrutinised with a view to delivering an appropriate spectrum of secure regimes which are demonstrably cost effective. This is not straightforward but deserves examination.**
- 4.29** Distinctive custodial provision also needs a workforce suitably trained to meet the needs of young people. This is essential to maximising the impact that custody can have when the young person is released. As Dame Anne Owers, Her Majesty’s Chief Inspector of Prisons told us, “all staff working with young people should have the right training”. We recognise that NOMS has taken steps to address this by using an induction package for managers, succession planning and ensuring there are Governors who

⁸⁶ Evidence submitted to the review by Catch22

⁸⁷ Response to Parliamentary Question reported in Hansard 15th October 2009

want to work with young people. However, we note that the seven day Juvenile Awareness Staff Programme (JASP) training it is able to offer within current resources may not be enough. We believe that a trained workforce should be a priority whatever decisions are taken about the future of the secure estate. There are good examples of the positive impact that more comprehensive training can have, such as the Keppel Unit within Wetherby YOI, that provides custodial places for particularly vulnerable young people. This provides an eight week training programme with staff recruited specifically to work on the unit that has proved to be very successful, and which we believe could be a model built on for more staff in youth custodial estate. HM Inspectorate of Prisons commented very favourably about relations between staff and young people after their inspection of the Keppel Unit, noting that young people were very positive about staff.⁸⁸ **Standards of custodial provision must include a workforce that is appropriately trained and qualified to work with young people.**

- 4.30** Having distinctive provision also requires a coherent regulatory and inspection framework. There are currently different inspection regimes in the three sectors of the secure estate involving both Her Majesty's Inspector of Prisons (HMIP) and Ofsted.⁸⁹ Ofsted inspects secure children's homes and secure training centres, in the latter case with occasional HMIP involvement. HMIP inspects YOIs, with Ofsted involvement in relation to the education provision. Inspections currently take place and report on different cycles. As secure children's homes also provide for children and young people who are not sentenced to custody, the current arrangements for their inspection seem appropriate. **However for STCs and YOIs we believe that the value and impact of inspections would be increased if they were carried out and reported jointly. We therefore recommend joint inspections between Her Majesty's Inspector of Prisons and Ofsted for these two sectors.**
- 4.31** While custody should only be used where appropriate, it can nonetheless help to address offending behaviour, and secure establishments need to provide access to programmes and interventions that are known to work. We discussed in chapter 1, the importance of the YJB providing clearer specification of the most cost- effective interventions and we recommend that this should apply in custody as well as in the community.
- 4.32** In moving towards distinct provision that offers best value, the YJB will need to ensure that there is a sufficient and competitive market in providing places for young people sentenced to custody. This would have to involve ongoing competitive pressure on existing establishments to improve outcomes for young people and achieve value for money.
- 4.33** This approach would deliver greater flexibility within and between the sectors meaning that instead of three distinct sectors of secure children's

88 *Report on announced inspection of HMY01 Wetherby – The Keppel Unit*, HM Inspectorate of Prisons (2009)

89 For institutions in Wales, the Care and Social Services Inspectorate for Wales and Estyn would substitute for Ofsted

homes, secure training centres and young offender institutions, each with different cultures and discrepancies in training and qualifications, a more coherent culture and approach to the workforce could be developed over time, led by the YJB.

Secure accommodation and Wales

- 4.34** It is the policy of the Welsh Assembly Government to have all Welsh children and young people held in custody to serve their sentence in Wales. They would prefer that they are held close to home in small units that can attend to their needs and vulnerabilities. There is also concern that young offenders from Wales who are held in English establishments have not always had ready access to the Welsh curriculum, careers advice, the health service or the ability to learn in their first language if this is Welsh. As noted in chapter 5, continuity of access to these services is widely recognised as fundamental to successful resettlement.
- 4.35** The YJB has recognised these additional needs and worked with the Welsh Assembly Government to expand the juvenile secure estate in Wales. The YJB fully recognises the benefit of seeking to place Welsh children in secure accommodation within Wales and is committed to achieving these where possible. While it is still necessary to place young people from Wales in English establishments, the number of places in Wales has increased and whereas in June 2001 only 5% of young people from Wales were in Welsh establishments, in June 2008 the figure was 41% and at the start of this year it stood at just over 50%.⁹⁰ This change has been achieved predominantly by an expansion in the number of places commissioned at Parc YOI alongside investment to improve facilities and there are plans in place to increase the number of places at Hillside Secure Children's Home.
- 4.36** The YJB is working with the Assembly Government to establish in-reach services so that Welsh children held in England can maintain links and access services from organisations such as Careers Wales. The YJB is also working with the Department for Children, Education, Lifelong Learning and Skills, to ensure an appropriate education is delivered to all young people held in secure accommodation in Wales and implement the YJB's Welsh Language action plan to improve the identification of first language needs and provision of appropriate services.
- 4.37** The most pressing concern for the Welsh Assembly Government has been the lack of secure provision in North Wales. The Welsh Assembly Government has offered to fund the construction of a new juvenile secure facility in North Wales and the YJB remains committed to exploring all options, however further provision is dependant on sufficient revenue funding to commission new places.
- 4.38** With regard to the recommendations made in this chapter on the secure estate and its workforce, the YJB must take into account both the current differences and the increasing powers the Welsh Assembly Government

90 YJB management information

has to legislate with regard to the wellbeing and safeguarding of vulnerable children. This will place increased demands upon the YJB to adapt to working in a devolved context.

Better use of resources

- 4.39** Much has been achieved at local level in reducing the need for and the use of custody. But custody rates vary considerably across the country, ranging from 1.6% to 20.2% of all court sentences passed.⁹¹ The use of remand is significant, reoffending rates for young people leaving custody are high at around 75%, and the secure estate is costly to society. There are also differences in the extent to which young people can and do access services that address their offending behaviour. It is at local level that the connections between services and agencies are best understood and most need to be made, and that information needs to be shared, for example between criminal justice agencies, sentencers and wider children's services. And it is in local communities that young people live and must be encouraged to make a positive contribution to society.
- 4.40** The new sentencing framework for young people, including the introduction of the Youth Rehabilitation Order, provides greater flexibility and clarity in community sentencing.⁹² It also provides the opportunity to test new ways of working with local partners to further reduce the use of custody, and to incentivise investment in programmes and interventions in the community to prevent reoffending. These programmes should ensure young people face tough consequences for breaking the law and stop them committing further crimes. In the medium to longer term, as the number of young people coming into the system falls, and the number who merit a custodial placement goes down, there may be opportunities for further "justice reinvestment", in which resources are invested further in preventing the most at risk young people from getting into trouble and having lengthy criminal careers, while still making savings in the youth justice system and for society as a whole.
- 4.41** The YJB has been considering the potential for improving outcomes through the devolution of youth custody budgets to local authorities. Many commentators have suggested that this would better align the budget responsibility with the statutory responsibility of children's services and key partners such as health, to provide the services which contribute to minimising the use of custody. The Government is considering a broad range of options for improving local incentives to invest in prevention and resettlement which will take account of the YJB's work in this area.

⁹¹ YJB management information

⁹² The new Youth Rehabilitation Order came into effect on 30th November 2009 as part of the Criminal Justice and Immigration Act 2008

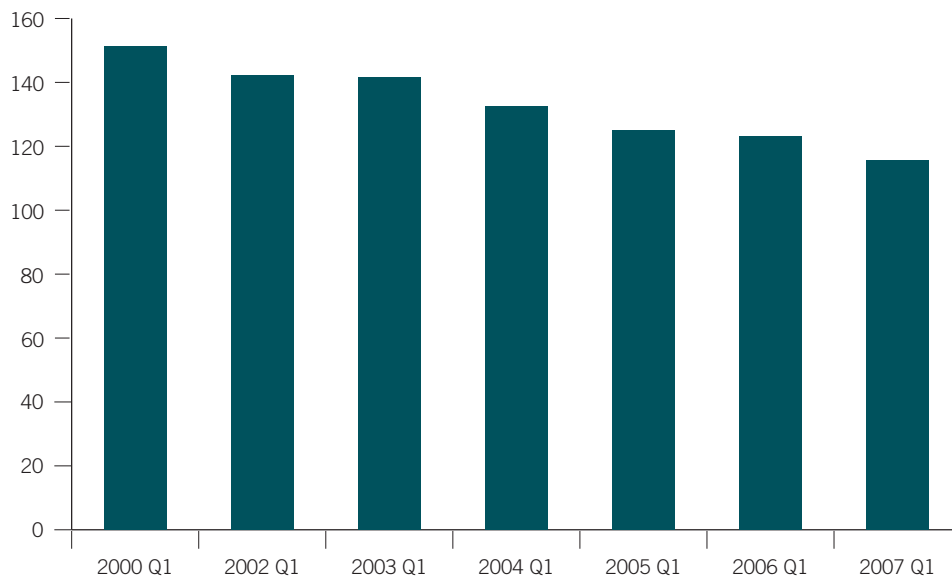
Reducing reoffending

This chapter examines the current position on reducing reoffending, the issues and challenges involved in making further progress and recommendations for how these could be addressed.

Where we are now

- 5.1** Reducing reoffending by young people is one of the YJB's primary purposes. It is also responsible for contributing to the wider government objective to reduce reoffending, as set out in Public Service Agreement 23.⁹³
- 5.2** Every year around 88,000 young people are sentenced for an offence with around 5,500 receiving a custodial sentence.⁹⁴ There have been encouraging reductions in both the frequency and severity of reoffending with the former down by 23.6% between 2000 and 2007 and the latter, falling 19.5% since 2005.⁹⁵ But reoffending rates remain high, especially post custody.

Frequency of reoffending 2000, 2002 to 2007⁹⁶



⁹³ PSA 23 is to 'Make communities safer'

⁹⁴ *Sentencing Statistics: England and Wales 2008, a statistics bulletin*, Ministry of Justice (2010) shows that 88,375 young people aged 10–17 were sentenced in 2008. Of these, 60,043 young people were sentenced to community sentences and 5,498 were sentenced to immediate custody

⁹⁵ *Reoffending of juveniles: results from 2007 cohorts (England and Wales)*, Ministry of Justice Statistics Bulletin (2009)

⁹⁶ *ibid.* Note that this shows the number of offences per 100 offenders. Data is not available for 2001.

Issues and challenges

- 5.3** Young people leaving custody are often vulnerable, and many have complex and wide ranging problems which require intensive support and access to services which can directly address the reasons why they offend and help to break the cycle of offending. As discussed in chapter 3, young offenders often face challenges which derive from earlier problems including issues with drugs and alcohol, mental health problems or family breakdown. For example, data suggests that 86% of young offenders reported using drugs in the last year, 40% have a diagnosed mental health disorder and 44% have had previous experience of the care system.⁹⁷ Young offenders often lead complicated and chaotic lives and custody can intensify their problems by dislocating them from their families and communities and from mainstream support services.
- 5.4** Intensive ‘wrap around’ support addressing the causes of offending behaviour and delivered by the full range of children’s and mainstream services is likely to have a significant impact on reducing reoffending. While most young offenders will receive some resettlement support from their YOT, this is dependent on access to mainstream services, such as accommodation, and many will continue to need support from wider services once the period of YOT supervision has ended. Current provision by wider mainstream services for this group is mixed, leaving many young offenders without access to the services they need. Young people in the community do not face the same challenges of resettlement, but it is nonetheless essential that they can access the services they need in the community. For young people with multiple issues, the range of community options boosted and unified through the Youth Rehabilitation Order can make a significant contribution.
- 5.5** Sorting out the difficult issue of ensuring young people receive support to stop offending is not in the gift of one body as it requires input from different partners. While many of the levers that are needed lie outside the direct control of the YJB, it needs to exert more influence on mainstream providers, ensuring that local authorities meet their obligations to the young people in their area. As part of this approach, given the multi-agency and cross cutting nature of work to reduce youth offending, the YJB and government departments have a clear interest in closely following the progress of the Total Place initiative and identifying where lessons can be learnt from the pilot areas for the efficient delivery of services to prevent youth offending and reoffending. Total Place is the current initiative looking at how a “whole area” approach to public services can lead to better services at lower cost. The pilots in Bradford, which is looking at supporting people back into independence, including young offenders leaving prison, and Lewisham and Worcestershire which are both looking at reoffending, are of particular interest.⁹⁸

97 *Consultation on the education of youth offenders: background paper* DSCF (2007)

98 <http://www.localleadership.gov.uk/totalplace/>

5.6 Tackling reoffending can be made more complex by the fact that many young offenders are on the cusp of adulthood and the transition from children to adult services. The current economic climate also poses risks to making progress on reoffending. The proportion of 16–18 year olds who are not in education, training or employment (NEET) has increased to 10.3% at the end of 2008 reflecting lower employment amongst the age group.⁹⁹ Being NEET is associated with a range of negative outcomes, including involvement in the criminal justice system. Data shows that around three quarters of males aged 16 and 17 who are charged and appear in a youth court are NEET.¹⁰⁰ Difficult economic conditions are often linked to an increase in crime and, coupled with fiscal constraints, there will be pressure to deliver results with fewer resources. The recession is likely to affect young people in the youth justice system more severely than the youth population as a whole. The YJB, therefore, must continue to work with partners and watch crime trends closely to avoid young people being further marginalised by the recession.

Making further progress

5.7 A range of new initiatives have been designed by the YJB to address reoffending. These include the regional resettlement consortia based in Greater Manchester and the South West of England which are working to strengthen links between the secure estate, YOTS and local authorities to improve resettlement outcomes for young people. Specialised units, such as the Heron Unit within HMYOI Feltham, are working specifically on resettlement, and Integrated Resettlement Support provided by the YJB is delivering resettlement support to an additional 50 YOTs. The YJB has commissioned a cost-benefit evaluation of the regional consortia which is due to report interim results later this year. This may help to convince local authorities of the benefits that can be delivered if they take responsibility for resettlement, as well as providing a useful means of sharing learning from different areas.

5.8 Better multi-agency working around the needs of young people will only have real impact if individual responsibilities are clear. Where those responsibilities are not agreed there is a risk of ineffective support, or worse, a lack of accountability for the welfare of the young person or public protection. Over recent years local agencies for vulnerable young people have been expected to remodel their services within the principles of Targeted Youth Support (TYS). Central to the multi-agency approach is the identification of a **lead professional**, who will:

- provide a single, trusted point of contact for the young person and, where appropriate, their family or carers, to support them and help them navigate the system;

99 *Statistical First Release: Participation in Education, Training and Employment by 16–18 year olds in England*, Department for Children, Schools and Families (2009)

100 *Estimating the cost of not being in education, employment or training at age 16–18*, Godfrey et al (2008)

- ensure support is co-ordinated and centred around the young person's needs; and
- reduce overlap and inconsistency of provision to ensure better outcomes.

5.9 The identification of the lead professional cannot be mandated from the centre. The role can be taken on by whichever practitioner is best placed to work with a particular young person, be it a youth worker, a Connexions Personal Adviser or a social worker. And it may change over time, especially as the balance of responsibility alters from the point of early intervention to deal with emerging problems, to more formal interventions of the youth justice system. But there has to be a referral and case-management system within the local authority which ensures a lead professional is identified. YOTs' central involvement in local authority TYS structures should facilitate this. The vast majority of local authorities have implemented TYS reforms and the priority is now to ensure that the structures are properly embedded and effective. There are examples of effective practice where this approach works particularly well to help prevent young people being drawn into crime or to rehabilitate offenders. The DCSF and the YJB are currently working on guidance for local practitioners, based on recent experience, to support the approach of TYS for youth justice outcomes. That guidance will be ready by the end of March 2010. **We are strongly in favour of the lead professional approach and recommend that every young person at risk should have a single, trusted individual to turn to.**

5.10 In Wales resettlement is integrated into the All Wales Youth Offending Strategy Delivery Plan 2009–11, which all partners in Wales are signed up to. This includes encouraging the expansion of resettlement programmes to every YOT in Wales and defining an expected package of support for children and young people leaving custody. Additional funding has been allocated for six pilot resettlement panels in areas with high custody rates.

5.11 Under the Children's Act 1989, local authorities have a duty to reduce offending and reoffending by young people. However it has been suggested that "on far too many occasions local authorities fail to fulfil their duties towards these young people."¹⁰¹ YCAP clearly sets out that local authorities and mainstream service providers should take more responsibility in this area with an emphasis on the provision of more effective resettlement support. Following a commitment in YCAP, the Apprenticeships, Skills, Children and Learning Act 2009 makes provision for local authorities to take on responsibility for education and training in youth custody, which will help foster joined-up arrangements between custody and the community. The new duties on local authorities will be phased in from September 2010. The Act also amends the Education Act 1996 to bring young people in custody under education legislation for the first time.

101 *Less Crime, Lower Costs*, Policy Exchange (2009)

- 5.12** The focus of future action should be on ensuring that local authorities actively take responsibility for young people finishing custodial or community sentences, to ensure they can access the services they need to get back on track. **We recommend that the YJB makes greater use of existing levers to hold local authorities and mainstream services to account for carrying out their responsibilities to young people.** This includes clearly communicating local authority responsibilities, for example through forthcoming statutory guidance on Children's Trusts and recently revised statutory guidance for lead members and Directors of Children's Services. This emphasises the role of local leaders in helping to prevent offending and reoffending, in particular ensuring effective services to support young people leaving custody. Local authorities must have regard to this guidance and act upon the obligations it places upon them.¹⁰²

Effective resettlement

Jamie*, 16, was sentenced to an 18 month Detention and Training Order in a YOI for a violent offence. Before he was sentenced, Jamie was assessed using *Asset* which identified a range of issues that needed to be addressed including alcohol use, attitudes towards offending, thinking and behaviour, education needs and motivation to change.

Within 10 days of arriving at the YOI, a sentence planning meeting with Jamie, his mum, personal officer, YOT workers and YOI keyworker, set a number of goals for Jamie to work towards. By tailoring his sentence plan and targeting small successes, Jamie understood how he could achieve long-term changes and came away from the meeting motivated to change. But the adjustment to custody was hard and Jamie got involved in two fights which meant losing some of his privileges. His YOI keyworker started to see Jamie more regularly, helping him discuss the problems he was having and making sure he was supported on the residential wing.

Under his sentence plan, Jamie attended alcohol awareness and education sessions and worked with the Connexions service to look at options for training or employment on release. A gym studies course sparked Jamie's interest in this as a potential future employment route. Jamie's behaviour began to change and he became more focused on his early release. He was well supported by his YOT worker and got extra help from a Connexions worker who helped put plans in place for his release.

Jamie got early release and went onto community licence with electronic curfew and support from the Resettlement and Aftercare Programme (now Integrated Resettlement Support). His first few weeks back in the community were very busy as he took part in a training course, worked with a substance misuse worker, got a voluntary placement in a local gym and started a Sports and Fitness course in a local college. Jamie completed this course and was offered a post at the local gym.

** names have been changed*

- 5.13** Another potential option for improving the system is through closer alignment of funding and incentives at the local level to encourage local areas to take more responsibility for their young offenders and their reintegration into the community. As set out in chapter 4, the new sentencing framework provides an opportunity to test new ways of working with local partners to increase their incentives, and accountability for providing alternatives to custody that, amongst other things, help to reduce reoffending. Local authorities hold the key to many of the ingredients of effective resettlement such as housing and education provision which can make the difference to whether a young person reoffends.
- 5.14** YOTs work with young offenders in the community and custody to address the reasons why they offend and ensure they can access services to help them move on with their lives. As discussed in chapter 1, the YJB has an important role to play in identifying and sharing best practice and this applies to interventions that reduce reoffending and help resettlement. But it must also hold YOTs to account for their performance, including, as discussed in chapter 1, through the publication of league tables, comparing the performance of similar YOTs on indicators such as reoffending rates. This should help ensure that YOTs are delivering effective interventions that will help reduce reoffending and provide best value for money.

Resources

This chapter sets out how the principle of cost effectiveness has been considered by the review, examining the YJB's sources of funding, how this funding is spent and the opportunities for making significant cost savings.

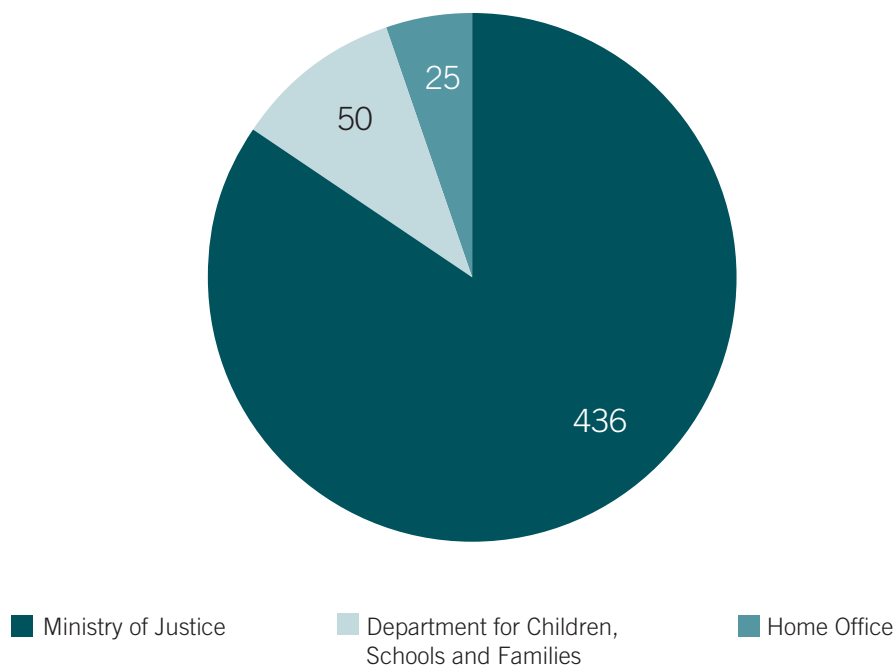
Introduction

- 6.1** One of the underlying principles guiding the review is cost effectiveness and the need to achieve better value for less. In the current fiscal climate, all public bodies are facing the challenge of delivering quality public services with fewer resources. This challenge applies to the YJB and its sponsoring departments, which need to show how savings can be made.

The YJB's budget

- 6.2** The YJB is funded by government, in the form of allocations from each of its sponsoring departments and the Home Office. The YJB's provisional indicative budget for 2010–11 is £511m, with the majority of this provided by the Ministry of Justice.¹⁰³

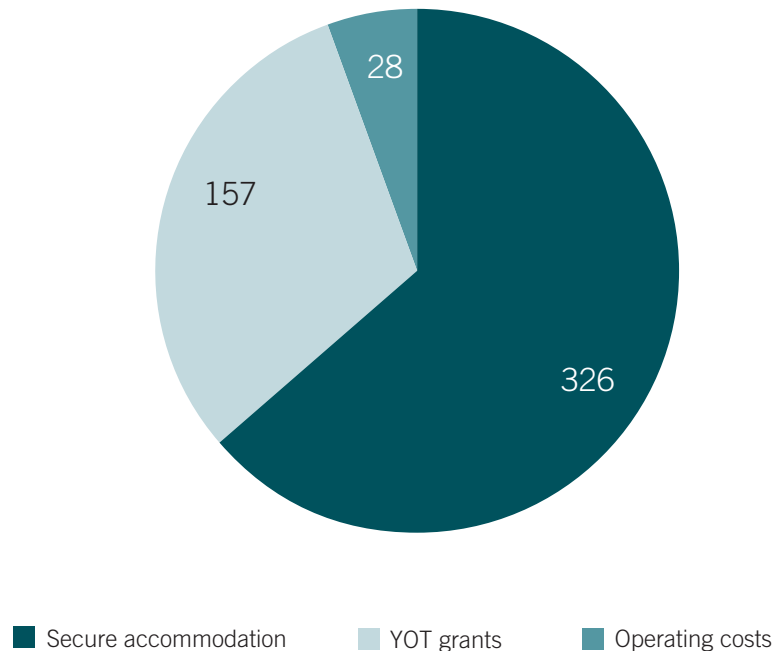
Sources of YJB funding (£m) 2010–11



¹⁰³ YJB Figures based on indicative budget provided to the YJB by departments in Spring 2009

- 6.3** The YJB spends its budget in three main areas, namely commissioning secure accommodation, supporting YOTs through grants and its own internal operating costs. As the graph below shows, the majority of the budget is spent on secure accommodation.

Allocation of YJB's budget (£m) 2010–11¹⁰⁴



Achieving savings

- 6.4** In considering how the YJB could deliver its functions with fewer resources, we examined the YJB's three main areas of expenditure, with the help of external experts. We conclude that it is possible to make significant savings over the next three years in two of these three areas, namely secure accommodation and the YJB's internal operating costs. This is discussed in more detail below. There may be a case for a "justice reinvestment" approach with some of these savings.

Savings from secure accommodation

- 6.5** The YJB has a statutory duty to commission secure accommodation for those young people who are sentenced to custody by the courts. In recent years, there has been encouraging progress in reducing the number of first time entrants, rates of reoffending and numbers in custody, which fell by 19% between December 2008 and December 2009. This has resulted in fewer places being occupied in the secure estate. As discussed in chapter 4, a number of developments have contributed to this including government-funded targeted prevention work, new programmes, including parenting support and family interventions programmes and other

¹⁰⁴ YJB Figures based on indicative budget provided to the YJB by departments in Spring 2009 – note that figures are rounded to the nearest million

programmes funded through YCAP and successful local partnership working, including with the police.

- 6.6** Predicting the demand for custody is difficult, and is subject to a range of factors including future policy decisions and demographics, but there are good reasons to be optimistic that the reduction in demand will be sustained and that demand will continue to fall albeit at a reducing rate. Given this there is scope to make substantial savings in the secure estate budget. The level of potential savings will depend on the extent to which the demand for custody falls. The table below sets out two scenarios for reductions in demand for custody. Scenario A assumes that demand will continue to fall, but at a declining rate than has been achieved recently. Scenario B assumes the demand for custody falls at a steady rate over the next three years.

Potential reductions in the demand for custody

	Actual			Planned		
	2007–08	2008–09	2009–10	2010–11	2011–12	2012–13
<i>Scenario A</i>						
Custodial places required	3,338	3,145	2,827	2,686	2,619	2,584
Custodial places commissioned	3,613	3,500	3,503	3,159	2,839	2,779
Utilisation of operating capacity	92%	90%	81%	85%	92%	93%
Rate of reduction of custodial demand		5.8%	10.1%	5.0%	2.5%	1.3%
<i>Scenario B</i>						
Custodial places required	3,338	3,145	2,827	2,686	2,551	2,424
Custodial places commissioned	3,613	3,500	3,503	3,159	2,839	2,609
Utilisation of operating capacity	92%	90%	81%	85%	90%	93%
Rate of reduction of custodial demand		5.8%	10.1%	5.0%	5.0%	5.0%

- 6.7** Under scenario B, falling custody rates would reduce the number of places required at any one time to 2,424 by 2012–13 compared to 2,827 in 2009–10. Assuming that the YJB continues to commission enough places to operate the secure estate at an occupancy rate of 93% (which allows fluctuations in the demand to be managed safely and appropriately, retaining a choice of placements), savings of up to £66m a year by 2012–13 could be generated. This equates to a 20% saving on the secure accommodation budget over three years. If numbers continue to fall but at a reduced rate as set out in scenario A, the savings will be smaller, at up to £44m but still significant.

- 6.8** The secure estate is an expensive resource. As chapter 4 shows, the average annual cost per place can be as much as £215,000 in secure children's homes. Operating at the optimal capacity rate is important to ensure that the estate is being used cost effectively. The YJB believes that a 93% capacity rate is optimal. Operating at 93% of capacity means that the YJB would always be able to accommodate fluctuations in demand; cope with unexpected reductions in supply, for example through losing a wing or several beds in a unit; dealing with routine damage or making improvements; and ensuring some level of placement choice to meet the needs of young people. The secure estate is currently operating at a capacity rate of 81%, considerably below the optimal level. This has significant cost implications as resources are being spent on unfilled places.
- 6.9** It is important to emphasise that reducing capacity in the secure estate is not straightforward. Decommissioning places cannot be done on an individual place-by-place basis as supply is based on block places, for example in dedicated establishments, wings or units. There has to be sufficient confidence that places can be decommissioned en masse, in the tens, if not hundreds, at one time. There are also risks associated with under-estimating demand, and the cost of recommissioning places is expensive, so a certain level of confidence is required that any reductions in demand are going to be sustainable. However, spare capacity is not cost free but represents a considerable cost to resources. The YJB recognises this and has started to decommission places with the announcement that it would no longer be commissioning places at Brinsford or Castington YOIs.¹⁰⁵ The YJB should reduce excess capacity as quickly as possible while ensuring that the custodial estate is not destabilised in the process.
- 6.10** In addition to the savings that can be made from any continued fall in the demand for custody, there is scope for further savings from the secure estate. The YJB estimates that around £4 million a year could be saved from 2012–13 through supplier efficiencies arising from the renegotiation of service contracts. We are keen that the potential for service efficiencies from contract negotiations is strongly pursued. Additional savings may be achieved from the YJB providing greater specification of interventions to be used in custody and the community. This is discussed in paragraph 6.19 below.

YJB operating and other costs

- 6.11** The indicative baseline budget of £511 million for 2010–11 consists of £28.3 million for YJB costs other than for secure commissioning and YOT grants, £16.2 million of which is the YJB's core operating costs and £1m of which is for its research programme. The additional costs within the £28.3m are YJB ICT (£1.4 million), the Wiring Up Youth Justice programme (£4.9 million) and non cash charges (£4.8 million).

¹⁰⁵ Cost savings from decommissioning Brinsford and Castington YOIs are included in the estimates in para 6.7

- 6.12** The YJB's core operating costs cover its staff resource and activities such as finance, facilities management and communications. The YJB believes it is possible to achieve a total cost saving of around £4 million per annum by 2012–13 through a reduction in core operating costs and a reduced research programme. The YJB does not underestimate the challenge in achieving savings at this level but understands the importance of so doing.
- 6.13** The potential reductions from core operating costs would be generated principally by reductions in staff costs from restructuring, with a greater expectation that staff work flexibly to deliver the core business of the YJB; increased outsourcing and shared corporate services; process improvements and reductions in travel and subsistence budgets. We believe that securing savings of this level will represent a significant challenge to the management and board of the YJB but they are feasible and should be pursued.
- 6.14** The YJB's research budget could be reduced by £0.5m. As discussed in chapter 1, the YJB has an annual research budget of £1m that is spent on a range of activities from identifying effective practice on the frontline, to carrying out large scale public surveys. Chapter 1 sets out the rationale for a greater strategic alignment of youth justice research and evaluation. Our recommendation that the YJB works with its sponsoring departments to develop a plan to improve the strategic co-ordination and quality of youth justice evidence to achieve better value for money, should result in a 50% reduction in the YJB's research budget. In total the £4m savings would represent 23% of the YJB's core operating costs, including the research programme.
- 6.15** Given the potential for savings from the secure estate and the YJB's operating costs, **we recommend that the overall cost of the YJB should decrease significantly, assuming a continuing reduction in custodial sentences for young offenders.**

Financial support to Youth Offending Teams

- 6.16** Of the three main areas to which the YJB allocates funding, we do not believe that immediate significant savings are achievable from the financial support given to YOTs, although the YJB must rigorously account for their value for money. While the majority of YOT funding is provided by local partners, the YJB provides funding direct to YOTs in the form of the general grant (primarily for effective practice) or ring-fenced grants for specific services, including targeted prevention programmes. The YJB's indicative budget for 2010–11 for its contribution to YOT funding is £157m.
- 6.17** One of the recommendations made in chapter 1 is for the YJB to play a greater role in specifying to YOTs the most cost effective interventions to be used in custody and the community. We believe this would deliver cost savings from a greater standardisation in approach across YOTs and in a greater focus on interventions that demonstrate value for money.
- 6.18** The YJB is only one contributor to overall YOT funding. The majority is received from partner organisations to help them achieve their objectives

of preventing offending and reoffending and protecting the public. This activity plays an important role in the efforts to reduce the number of first time entrants to the criminal justice system, and the frequency and seriousness of reoffending, all of which have seen encouraging reductions in recent years. For that reason, and to avoid the risk that any reduction in YJB contributions may be matched by other contributors, we believe that the money allocated to YOTs should remain at the indicative budget level for 2010–11. Decisions about future years will be subject to government spending review decisions.

Delivering best value for money across government

6.19 There is a large number of officials engaged in related youth crime and justice policy areas across the Ministry of Justice, DCSF and the Home Office. This may not give best value for money. We believe it is important that these departments review their strategies and structures to avoid duplication and increase clarity, and work to deliver further reductions in offending for maximum value.

6.20 Cost savings have been identified from the Joint Youth Justice Unit by scaling back planned activities from £2.2m, to £1.7m. These savings would be achieved through reducing programme funding by £165,000, reducing duplication with the YJB and using staff more flexibly across the department. We believe these reductions are feasible and should be pursued.

Recommendations

6.21 We believe the majority of the recommendations in this report to be cost neutral, or to generate cost savings. The one recommendation that has been estimated to have a significant positive cost is the recommendation on standards of custodial provision for young offenders to include an appropriately trained and qualified workforce, as discussed in Chapter 4. The detail of how this recommendation would be implemented will be subject to the ongoing development of the YJB's workforce development programme and partnerships with providers, in particular NOMS. However, as an indication of the cost, an enhanced level of training for new YOI staff, based on the model used at the Keppel Unit at Wetherby YOI, would cost in the region of £1m per year. We believe that the funding for this recommendation should be made available from the savings identified in this chapter, including from reduced secure commissioning.

Summary of recommendations and proposed timetable

The review's recommendations are summarised below. We have suggested an indicative timeframe for when these should be carried out. Those classified as 'immediate' should be done straightaway, those 'medium term' within three to six months and those 'longer term', within the next two years.

Recommendation	Timeframe
1. The Youth Justice Board should now build on its strengths and re-invigorate its role, having contributed to encouraging reductions in youth crime.	Immediately
2. The YJB needs to further emphasise and publicise its role in protecting the public from youth crime. This is entirely consistent with safeguarding and supporting vulnerable young people, whether offenders or victims.	Medium term
3. The YJB has substantial legal powers and other levers to hold local authorities and providers of custodial and community sentences to account. It should take full advantage of these, with legal advice as needed, to ensure that its service level standards are set, and met.	Immediately
4. We note that the YJB is currently sponsored jointly by the MoJ and the DCSF. We recommend more significant Home Office involvement in the current arrangements. Any machinery of government decisions for the future should help departments with an interest to join up policies and provide clarity and direction to the YJB.	Immediately
5. We recommend that the Chair and Chief Executive strengthen their influence with Ministers through regular meetings, and are able to provide direct advice where the Chair decides this is necessary.	Immediately
6. Officials in the sponsoring departments and the Home Office should ensure that their Ministers' strategic priorities for the YJB are clear and consistent, helping to resolve ambiguities if necessary.	Immediately
7. The departmental sponsor unit and the YJB should strive for a highly constructive relationship led by the Head of the Unit and the Chief Executive of the YJB, and underpinned by a written compact setting out their respective roles and responsibilities. This should recognise the YJB's lead on the operation of the local delivery of youth justice and the Joint Unit's lead on the wider strategic framework.	Immediately
8. We recommend that there should be more joint commissioning of prevention programmes across children's and youth justice services for young people, targeted at those most at risk of youth crime.	Longer term

Recommendation	Timeframe
9. We recommend that the work underway to review the different tools for assessing risk and need are prioritised by the YJB with a view to completing the design phase by April 2011.	Longer term
10. The YJB should publish league tables on the performance of comparable YOTs including indicators such as the reoffending rates of young offenders.	Longer term
11. The YJB should provide clearer leadership to YOTs, including specifying the 20 most cost effective interventions for addressing offending, reoffending and public protection and the community. A similar approach should be taken in custody. The YJB should retain a separate budget for testing and evaluating new approaches.	Longer term
12. The YJB board should build on its considerable strength to fill vacancies with members from more varied backgrounds, for example marketing, communications, finance and governance. All board members should be actively involved in contributing their individual expertise.	Medium term
13. The YJB and its sponsoring departments should work together to develop a compelling communication strategy, based on firm evidence, to build public confidence in the youth justice system	Medium term
14. We recommend that the YJB works with central and local government to clarify the role of local authority children's services in preventing youth crime. They have a vital role to play in preventing young people most at risk, for example children in care, children of offenders and children excluded from school, from being drawn into the criminal justice system, and ensuring effective resettlement for those leaving custody.	Longer term
15. We recommend a more strategic approach to youth justice research and analysis that improves both quality and value for money, enabling a 50% reduction in the YJB's research budget.	Medium term
16. The differences in the types and costs of different custodial settings should be scrutinised with a view to delivering an appropriate spectrum of secure regimes which are demonstrably cost effective. This is not straightforward but deserves examination.	Longer term
17. There should be distinctive custodial provision for young offenders across the whole estate with standards set by the YJB and open to provision by the public, private and voluntary sectors.	Longer term

Recommendation	Timeframe
18. Standards of custodial provision must include a workforce that is appropriately trained and qualified to work with young people.	Longer term
19. We recommend joint inspections between Her Majesty's Inspector of Prisons and Ofsted for secure training centres and young offender institutions.	Longer term
20. We are strongly in favour of the lead professional approach and recommend that every young person at risk should have a single, trusted individual to turn to.	Longer term
21. We recommend that the YJB makes greater use of existing levers to hold local authorities and mainstream services to account for carrying out their responsibilities to young people.	Longer term
22. The overall cost of the YJB should decrease significantly, assuming a continuing reduction in custodial sentences for young offenders.	Longer term

Terms of Reference

1. The purpose of the review is to examine the YJB's governance and operating arrangements to determine whether it has the appropriate powers, levers, accountabilities and capacity to:
 - exercise its functions and meet its statutory responsibilities as effectively as possible
 - deliver the expectations on it to contribute to government objectives as set out in Public Service Agreements; and
 - fulfil the relevant deliverables set out in the Government's Youth Crime Action Plan and the All Wales Youth Offending Strategy.
2. The review will focus on the strategic objectives outlined in the YJB Corporate Plan 2009–10 and will consider the arrangements which are in place to deliver them including:
 - the role of the YJB Board and corporate governance arrangements;
 - executive management arrangements including co-ordination and oversight of major programmes;
 - the arrangements for ensuring value for money and service efficiencies;
 - internal corporate support services;
 - strategic communications;
 - the monitoring of the youth justice system and planning framework;
 - the identification and promotion of effective practice in the youth justice system;
 - the commissioning of research and publications;
 - secure estate commissioning and placement;
 - the relationship, including respective roles and reporting arrangements, between the YJB and its sponsor unit and departments in relation to the exercise of its functions. This will include consideration of the extent to which relationships and accountabilities in respect of sponsoring departments are clear, but will not include consideration of machinery of government issues. It will also include the relationship with other delivery arms of those departments;
 - whether the appropriate levers exist to enable the YJB to monitor and support local authorities' and their partners' delivery of the services required to achieve its objectives in relation to reducing offending; and

- whether there is potential for improved working with other parts of the public sector, voluntary and community and private sectors on particular activities relating to its functions.

Relevant considerations for the review

3. The review will draw on previous and current related work to examine the role of the YJB including:
 - an internal service efficiencies review of the YJB;
 - a stocktake of the YJB's key change programmes;
 - the updating of current governance documentation; and
 - the examination of stakeholder relationships and the role of board members in relation to stakeholder management.
4. The review should take account of value for money issues and resource considerations in any recommendations. Recommendations should be costed and regard should be had to affordability.

Governance of the review

5. The review will be jointly conducted by the Chair of the Youth Justice Board and a senior independent person who will be approved by the Secretaries of State of the sponsor departments. The steering group for the review will comprise:
 - the Independent Chair;
 - the YJB Chair;
 - the YJB Chief Executive;
 - a nominated representative from each of the YJB's sponsor departments and the Home Office; and
 - a representative from the Welsh Assembly Government

Outcome of the review

6. The review will commence in September 2009 and will be completed by February 2010.
7. The outcome of the review will be reported to Ministers and the YJB board.

Review methodology

1. The review was co-chaired by Dame Sue Street and Frances Done, Chair of the YJB. It was supported by a steering group comprising senior officials from the Ministry of Justice, Department for Children, Schools and Families, Home Office, Welsh Assembly Government and YJB. The review was administered by a secretariat comprising Joint Youth Justice Unit and YJB secondees and drawing on independent financial analysts. Details of the members of the steering group and secretariat are set out at Annex H.

Terms of reference

2. The terms of reference for the review were set by the Secretary of State for Children, Schools and Families and the Justice Secretary. These are set out in full at Annex A. As the terms of reference are very broad, a thematic approach was taken to the review, covering five lines of inquiry:
 - Roles, relationships, powers and levers;
 - Public protection;
 - Prevention;
 - Reducing reoffending; and
 - Resources and delivering value for money.

Steering group

3. The review steering group held seven meetings during the course of the review, agreeing the principles for the review, establishing key lines of inquiry, providing evidence and information and undertaking discussion of the key themes as set out in the report. Steering group members drew both on the knowledge and resources within their respective organisations and their personal expertise and experience, to inform these discussions.
4. As set out in the report, the focus of the review was on the “what”, “why” and “when” of recommendations. While recommendations were tested for feasibility and affordability where possible, decisions about implementation will be for the YJB and respective government departments.

Stakeholder consultation

5. As well as drawing on expertise from within government departments and the Welsh Assembly Government, the review involved extensive stakeholder consultation.
6. A Call for Evidence was issued at the start of the review with an open invitation to interested parties to make written submissions. A summary of the evidence received is set out at Annex E.
7. In addition to the written evidence received, Dame Sue met with a wide range of stakeholders to seek their views. These meetings were carried out in addition to the regular and wide ranging meetings undertaken by Frances Done in her capacity as YJB Chair. Dame Sue also undertook a series of visits to youth justice services and attended and spoke at the Youth Justice Annual Convention held in Southport in November 2009. Details of meetings and visits are set out in Annex F.
8. The YJB and Joint Youth Justice Unit staff were invited to an open meeting at the launch of the review with the co-chairs and to consultation meetings with the review secretariat during the course of the review.
9. The review was able to draw on the findings of the biannual YJB stakeholder research which was undertaken by independent consultants and timed in order to inform the review. Findings from the stakeholder survey are set out at Annex F.
10. Stakeholder consultation provided a valuable source of information and evidence, helping to inform the development and iteration of recommendations throughout the review.

Board effectiveness review

11. An independent assessment of the effectiveness of the YJB governing board was undertaken during the course of the review. The issues examined included the clarity of the governing board's role and functions, its decision making processes and the exercise of its challenge and risk management responsibilities. At Dame Sue's request, the remit of the work was extended to include an assessment of the relationship between the YJB and its sponsor unit, the Joint Youth Justice Unit. The findings of this work are set out at Annex D.

Financial analysis

12. Financial analysts supporting the review investigated the historic and current budget and spend of the YJB and provided an independent assessment of the exemplification of potential budget reductions that was drawn up by YJB officials. The exemplification exercise was undertaken to test the YJB's current budget and to inform an assessment of priorities and value for money.
13. The review also drew on independent financial analysis to support the costing of the recommendations made.

Legal advice

14. At the start of the review, Ministry of Justice legal advisers were consulted to advise on the legislation that established the YJB, the YJB's current statutory footing and the powers available to it. Advice was provided and this is summarised in Annex C.

The role of local authorities, youth offending teams and the Youth Justice Board in the youth justice system in England and Wales

1. Part III of the Crime and Disorder Act 1998 (“the 1998 Act”) sets out the statutory framework for parts of the youth justice system in England and Wales. Section 37(1) of that Act provides that it shall be the principal aim of the youth justice system to prevent offending by children and young persons. All persons and bodies carrying out functions in relation to the youth justice system are under a duty to have regard to that aim. “The youth justice system” is defined as the system of criminal justice in so far as it relates to children and young persons (the latter term relates to those aged between 10 years of age and under 18).

Local authorities and youth offending teams

2. It is the duty of local authorities, under section 38 of the 1998 Act, acting in co-operation with the partner agencies listed below to secure that, to such extent as is appropriate for their area, all youth justice services are available there. This obliges local authorities to assess what level of services is appropriate for their area and then to take steps to secure that that level is available. The partner agencies are:
 - chief officer of police or police authority any part of whose police area lies within the local authority’s area;
 - the Secretary of State in relation to his functions under sections 2 and 3 of the Offender Management Act 2007;
 - every provider of probation services that is required by arrangements under section 3(2) of the Offender Management Act 2007 to carry out the duty under this subsection in relation to the local authority; and
 - every local probation board, Strategic Health Authority, Local Health Board or Primary Care Trust any part of whose area lies within that area.

All these bodies are required to act in accordance with any guidance given by the Secretary of State.

3. Local authorities must also, after consultation with the partner agencies¹⁰⁶ formulate and implement for each year *a youth justice plan* setting out:
 - (a) how youth justice services in their area are to be provided and funded; and
 - (b) how the YOTs are to be composed and funded, how they are to operate, and what functions they are to carry out.¹⁰⁷

The youth justice plan has to be submitted to the YJB and published in accordance with directions of the Secretary of State.
4. In addition, local authorities must establish, in cooperation with partner agencies, one or more YOTs for their areas. A YOT must include, among others, representatives from the local authority and the partner agencies. Under section 39(7) of the 1998 Act it is the duty of the YOT to
 - (a) co-ordinate the provision of youth justice services for all those in the authority's area who need them; and
 - (b) carry out such functions as are assigned to the team or teams in the youth justice plan formulated by the authority under section 40(1) below."
5. In practice a good deal of the local authorities functions in relation to the provision of youth justice services in their area will be assigned to the YOT. These may also include the function under paragraph 7(b) of Schedule 2 to the Children Act 1989 – the local authority's duty to take reasonable steps designed to encourage children and young persons not to commit offences.
6. Like any other public body, a local authority would be potentially liable to a judicial review by an interested party should it fail to comply with its statutory duties.

The Youth Justice Board and its role in relation to local authorities and YOTs

7. The Youth Justice Board for England and Wales was established by section 41 of the Crime and Disorder Act 1998 ("the 1998 Act")¹⁰⁸. It is a statutory body that does not form part of the Crown. As such it may only do that which it is expressly given the powers to do or that which is reasonably incidental to the powers explicitly granted.
8. The board must consist of 10 to 12 members appointed by the Secretary of State and under section 41(4) of the 1998 Act the membership of the board must include persons who appear to the Secretary of State to have

¹⁰⁶ If the local authority is a county council they must also consult any district councils whose districts form part of its area

¹⁰⁷ Section 40 of the 1998 Act. However, the effect of the Local Authorities' Plans and Strategies (Disapplication) (England) Order 2005/157, which effectively provides that a youth justice plan need not be made by a local authority categorised as an "excellent authority".

¹⁰⁸ The Act has been amended several times and subsequent references to it are to the Act, as amended.

extensive recent experience of the youth justice system. While the board must therefore include at least two members with this sort of experience, there may be a wide range of other skills and experience which members have or may need to ensure the board is able to discharge its statutory functions.

9. Schedule 2 to the 1998 Act makes further provision for the board dealing with things such as membership, the payment of employees, the procedure of the board and makes provision for reports and accounts by the board.
10. The board's functions can be found in section 41(5) of the 1998 Act and in the Youth Justice Board for England and Wales Order 2000¹⁰⁹, as amended.¹¹⁰ Among the board's functions are monitoring the operation of the youth justice system, advising the Secretary of State on matters connected to the youth justice system and entering into agreements for the provision and/or running of youth detention accommodation. The latter includes entering into contracts for the provision and/ or running of secure training centres and young offender institutions. However, while these functions are obviously vital to the work of the board they are not discussed further in this note as they are not directly relevant to the board's powers in respect of local authorities and YOTs.
11. The function of providing advice to the Secretary of State, contained in section 41(5)(b) of the 1998 Act, is written in general terms. Advice may be provided direct to the Secretary of State via officials working in the government department(s) responsible for youth justice.
12. Section 41(6) of the 1998 Act provides that the Secretary of State may by order—
 - (a) amend subsection (5) above so as to add to, subtract from or alter any of the functions of the Board; or
 - (b) provide that any function of his which is exercisable in relation to the youth justice system shall be exercisable concurrently with the Board. Where powers may be exercised concurrently either the Secretary of State or the Board might exercise such functions.
13. The order making power is subject to the affirmative resolution procedure.¹¹¹ This means that any order is laid in draft before both Houses of Parliament and considered by the Joint Committee on Statutory Instruments and the House of Lords Merits Committee. The draft Order then has to be approved by resolution of each House. The debate in the House of Lords is generally taken on the floor of the House, although it can take place in Grand Committee. Debates in the House of Commons generally take place in Committee.

109 SI 2000/1160

110 It was amended by the Youth Justice Board for England and Wales (Amendment) Order 2008 SI 2008/3155

111 See section 114(3) of the 1998 Act.

14. The Youth Justice Board for England and Wales Order 2000, and the Order which amended it in 2008,¹¹² both went through this process.
15. Section 41(7) of the 1998 Act provides that in carrying out their functions, the board shall comply with any directions given by the Secretary of State and act in accordance with any guidance given by him. Similar powers of direction can be found in the legislation setting up other Non-Departmental Public Bodies.
16. Section 42(3) of the 1998 Act requires local authorities (and the other named authorities) to act in accordance with any guidance given by the Secretary of State. The board at present does not have an express statutory power to issue guidance but one is not needed to issue guidance. Local authorities, and others to whom the board may address any guidance, need, as a matter of public law, to have regard to the guidance in exercising their functions in relation to the youth justice system but could depart from that guidance where they had good reasons for doing so. That is not the case in respect of any statutory guidance issued by the Secretary of State
17. Clause 31 of the Children, Schools and Families Bill, currently before Parliament, would amend sections 41 and 42 of the 1998 Act and concerns the exercise by youth offending teams and local authorities of their youth justice functions. The clause provides that YOTs would be under a duty to co-operate with the board for the purpose of enabling the latter to assess the performance of the YOT in the exercise of its functions. It also requires the YOT to have regard to any recommendations made to it by the board. Should these powers prove insufficient there are new powers for the Secretary of State to intervene and give directions to a YOT. In respect of local authorities not only must they act in accordance with any guidance issued by the Secretary of State but must also comply with any directions from the Secretary of State.

¹¹² See earlier references

Review of the Effectiveness of the Board of the YJB and the relationship between the YJB and its Civil Service sponsor unit

Report by William Roe Associates

1 Introduction

Background and context

- 1.1** In October 2009 the Youth Justice Board for England and Wales (YJB) commissioned William Roe Associates to carry out a contract to deliver a review of:
- The effectiveness of the board of the YJB, in line with best governance practice for public bodies; and
 - The relationship between the YJB corporately and its sponsor unit, the Joint Youth Justice Unit.
- 1.2** It was made clear at the start of the work that the findings would be used also to inform a wider review of the YJB's governance and operating arrangements that had been announced by Ministers.
- 1.3** The work began in early November and was completed in late December. The findings were discussed at three meetings on 14/15 December. The first of these meetings was with John Drew, Chief Executive of the YJB and Rachel Atkinson, Head of the Joint Youth Justice Unit (JYJU) to discuss part two of the review. The second was with Frances Done, Chair of the YJB and John Drew to discuss both parts of the review. The third was with the Steering Group of the wider review, which was chaired by Frances Done, co-chair of the Steering Group.
- 1.4** This is the report of the review conducted by William Roe.

The process of the review

- 1.5** The review was undertaken using a process agreed with the YJB. It consisted of the following stages:
- Study of documentation about the status and work of the YJB and its relationship with the JYJU;
 - Introductory interviews with the YJB project manager, Steve Bradford and the YJB Chair, Frances Done;

- Administration of a self-assessment questionnaire about board effectiveness in NDPBs to all board members and all members of the Executive Management Group (EMG);
- One-to-one interviews, typically of 60–90 minutes duration, and mainly face-to-face, though some were conducted by telephone. The 25 interviews included:
 - the Chair and all board members of the YJB
 - the Chief Executive of the YJB and all EMG members
 - the appropriate Directors-General and Directors in the Ministry of Justice (MoJ) and the Department for Children Schools and Families (DCSF)
 - the Head and former head of the Joint Youth Justice Unit
 - Dame Sue Street, independent co-chair of the Governance and Operating Arrangements Review of the YJB
 - Other members of staff in the Joint Youth Justice Unit
- Liaison meetings with Dame Sue Street and Abigail Plenty from the YJB Governance and Operating Review secretariat
- Production of an interim report in early December
- Preparation of findings and emerging recommendations, discussed at meetings on 14 and 15 December
- Production of this final report of the review, completed after consultation with the key interests, on 5 February 2010.

Appreciation of YJB and JYJU support

- 1.6** William Roe would like to record his appreciation of the professional and timely support provided by Steve Bradford, project manager of this review, Rowena Finnegan, PA to Frances Done, and Michael Robinson of the JYJU throughout November, December and January, without which it would not have been possible to conduct the review in the timescale required.

Part One – Board Effectiveness Review

2 Results of the questionnaire

The survey method

- 2.1** In the course of the review of the board's effectiveness, a questionnaire was completed by all board members and all members of the Executive Management Group. The survey form, which is included as an annexe to the report, was created by the National School of Government for use by NDPBs and Executive Agencies. Its purpose is to focus boards' attention on the six principles of good governance and the twenty-five indicators of board performance. The survey invited respondents to assess the YJB board's performance against each of the 25 indicators, scoring it at one of four levels:
1. exceeds expectations
 2. meets expectations
 3. partially meets expectations
 4. does not meet expectations
- 2.2** The survey results have been analysed by William Roe and are described in outline below. The full survey results are included as an annex. In considering the analysis of the survey outcomes, it should be noted that the numeric scores are based on the above four-level scale, meaning that **the lower the number, the better the result**. Thus, a final score of 1.0 for any indicator would be the best possible result, obtainable if all respondents scored a particular indicator as 'exceeding expectations'. Similarly a final score of 4.0 for any indicator would be the worst possible result, obtainable if all respondents scored a particular indicator as 'does not meet expectations'.
- 2.3** The six principles of good governance included in the survey are as follows:
1. good governance means focusing on the organisation's purpose and on outcomes for citizens and service users;
 2. good governance means performing effectively in clearly defined functions and roles;
 3. good governance means promoting values for the whole organisation and demonstrating the values of good governance through behaviour;
 4. good governance means taking informed transparent decisions and managing risk;
 5. good governance means developing the capacity and capability of the governing body to be effective;
 6. good governance means engaging stakeholders and making accountability real.

The overall results

2.4 The overall results show the following scores

	<i>Board</i>	<i>EMG</i>	<i>All</i>
<i>Principle 1</i>	<i>2.35</i>	<i>2.30</i>	<i>2.32</i>
<i>Principle 2</i>	<i>2.15</i>	<i>2.32</i>	<i>2.23</i>
<i>Principle 3</i>	<i>1.90</i>	<i>2.05</i>	<i>1.97</i>
<i>Principle 4</i>	<i>1.75</i>	<i>2.00</i>	<i>1.87</i>
<i>Principle 5</i>	<i>1.95</i>	<i>1.85</i>	<i>1.90</i>
<i>Principle 6</i>	<i>1.93</i>	<i>2.00</i>	<i>1.96</i>

2.5 A score of 2.0 or less indicates that all, or nearly all respondents believe that the organisation meets or exceeds their expectations of it. A score of 2.2 or above is a cause for some concern, and suggests the need for some remedial action. The detailed results provide a more granular analysis and a sharper focus on where such action should be taken.

2.6 The next section examines those aspects of the YJB board's performance which attracted the best scores and those which gained the poorest scores. The results have been compiled separately in respect of the board members and the EMG members to indicate the areas in which the perspectives of the two groups broadly coincide, along with the areas where there are significant differences of view. Out of the 25 indicators, 9 scored above the 2.2 threshold when the scores of the board and EMG are combined.

Indicators of best board performance

- 2.7** The five indicators of board performance (out of 25) that attained the best scores are shown below (best first):

Indicator	Board	EMG	All
<i>Board has put in place procedures for dealing effectively with risk management, and is supported by a properly constituted Audit Committee</i>	1.4	1.4	1.4
<i>The board acknowledges its responsibility for ensuring that the body operates the highest standards of governance appropriate to a public body, including regularity, propriety and value for money</i>	1.4	1.6	1.5
<i>Financial management – the board effectively oversees financial reporting and compliance</i>	1.4	1.8	1.5
<i>The board's performance is actively monitored and improved through objective assessment</i>	1.8	1.6	1.7
<i>All board members are regularly appraised against their personal objectives ensuring all members continue to develop and add value</i>	1.7	1.8	1.75

- 2.8** In addition to the above 5 best overall scores, EMG members gave two other indicators a score of 1.6, but board members scored these more poorly, such that these two indicators did not reach the top five overall. These two indicators are:

- *Formal governance : whistle blowing arrangements, procedures for managing conflicts of interest, and codes of conduct are in place and are regularly reviewed along with other aspects of governance, by the audit committee*
- *Development of board members is ongoing and fit for purpose.*

Indicators of poorest board performance

- 2.9** The five indicators of board performance (out of 25) that attained the poorest scores are shown below (worst first):

Indicator	Board	EMG	All
<i>The board is actively involved in strategic planning and policy decisions</i>	2.9	2.6	2.75
<i>Partner organisations are aware of the board's values and the behaviour of key partners reflects the board's standards</i>	2.2	2.8	2.5
<i>The board has developed and communicated a shared understanding of its mission, vision, remit and strategic priorities</i>	2.3	2.6	2.45
<i>The board has a clear relationship with its executive team and sponsor department</i>	2.5	2.4	2.45
<i>There is agreement on the distinction between board level and operational management decisions</i>	2.4	2.2	2.3

- 2.10** In addition to the above 5 worst overall scores, EMG members scored three other indicators at 2.5 or 2.4, but board members scored these better, with the result that these three indicators did not reach the worst five overall. These three indicators are:

- *Respective roles of the Chair, board members and Chief Executive are clearly defined*
- *The board promotes a culture of performance delivery and is actively involved in monitoring organisational and financial performance, holding the executive to account whilst remaining independent*
- *The board is composed of the right level of skills, knowledge and aptitudes in order to enable it to meet its objectives, manage change and deal with unexpected events.*

- 2.11** These indicators and scores provide valuable insights, derived from the most senior players in the YJB, on some of the areas where the board's effectiveness can be significantly improved in the coming year.

Differences between Board and EMG perspectives

- 2.12** Of the 25 indicators used in the study, there are six where there is a significant difference between the collective views of the board and the collective views of the EMG. For each of the six indicators, the statistical difference is at least 0.5 (using the scoring system described above). For five of the six, the board members scored the board better than did the EMG; the opposite applies for the sixth indicator. The indicators for which the board members gave better scores than did the EMG were:

Indicator	Board	EMG
<i>Respective roles of the Chair, board members and Chief Executive are clearly defined</i>	2.0	2.5
<i>All board members take collective responsibility for decisions</i>	1.7	2.2
<i>Partner organisations are aware of the board's values, and the behaviour of key partners reflects the board's standards</i>	2.2	2.8
<i>The board promotes a culture of performance delivery and is actively involved in monitoring organisational and financial performance, holding the executive to account whilst remaining independent</i>	1.9	2.4
<i>Effectiveness of board meetings</i>	1.7	2.2

- 2.13** The one indicator where the EMG gave a significantly better score than did the board was:

Indicator	Board	EMG
<i>Development of board members is ongoing and fit for the board's purpose</i>	2.2	1.6

The range of individual scores for each indicator

- 2.14** All of the scores described above were derived by adding together and averaging the views of the individual board members, and separately adding together and averaging the views of the individual EMG members. As a guarantee of anonymity was given in advance to all respondents, no personal scores will be provided for any individual.

- 2.15** It may, however, be useful to note those indicators where respondents expressed widely divergent views. For two (out of the 25) indicators, the range of individual scores recorded was as wide as the system allowed for, namely 1 to 4. These indicators were:
- *The board has developed and communicated a shared understanding of its mission, vision, remit and strategic priorities*
 - *The board is actively involved in strategic planning and policy decisions.*
- 2.16** It will be noted that these two indicators are also included in the ‘worst 5’ list above. Further, these two indicators are the only ones (out of 25) that attracted the score of 4 (worst) from any respondent.

3 Further insights and issues about the effectiveness of the board of YJB

- 3.1** The individual interviews with 25 practitioners in the YJB and JYJU provided a range of insights beyond the results of the questionnaire, which was completed only by YJB board and EMG members. This section reports on the most significant issues that have arisen in the course of the review in relation to the effectiveness of the board.

Chair and Chief Executive

- 3.2** There is wide and positive recognition of the value that has been added to the YJB by the appointments of Frances Done and John Drew. Much has been achieved in terms of leadership and governance since their respective appointments, but the journey they have embarked on is far from complete. While the Chair and Chief Executive are both clear about their respective roles and functions, internally and externally, it is evident from the results of the questionnaire and from wider discussions, that the communication of these roles needs to be further clarified or reinforced.
- 3.3** The fact that both the Chair and Chief Executive have substantial experience of leadership at local government level in England is unusual at the top of national government agencies. In the case of the YJB, this is widely valued as it is recognised that the YJB’s work has its biggest impact at local community levels in England and Wales. Two issues have, however, been raised in the course of the review, both of which are already being addressed:
- How can the Chair and Chief Executive be most effective in influencing attitudes and expectations, and in building confidence about YJB with the Civil Service, Ministers, other relevant government departments and interests – especially in the period around a General Election?
 - How can the relationship between YJB and the YOTs become most productive and effective, drawing on the regional and local experience of the Chair and Chief Executive, and indeed other board members?

Board members' roles and responsibilities

- 3.4** The board has a full complement of 12 members. It currently consists of 10 members, including the chair, some of whom are now in their second term of office, while some are in the early stages of their first term. Each board member has a written agreement with the Chair, defining their responsibilities and objectives for a period of 12–18 months ahead. These agreements define the committee responsibilities and stakeholder relationship responsibilities of each board member. Within the area of stakeholder relationships, the agreements identify the principal groups with whom each board member has responsibility, a stakeholder development plan, specific objectives for the period ahead, and the key relationships with YJB directors/senior managers.
- 3.5** The YJB board holds six business meetings a year, two of which also include regional visits and stakeholder meetings. The board holds two further meetings in June and September, which have a more strategic focus and are held in a workshop style. In addition there is an away-day in July.
- 3.6** The Committee structure below the board includes three standing committees:
- Audit and Risk Committee, chaired by Alan Billings
 - Secure Accommodation Committee, chaired by Graham Robb
 - Reducing Offending Committee, chaired by Bob Reitemeier
- 3.7** Most board members serve on either one or two of these committees. In addition, John Wrangham co-chairs the Youth Justice Committee for Wales, and several board members perform additional functions beyond the formal committee structure.
- 3.8** In addition to the formal committee system, there exists a Chair's informal committee which brings together the Chair, Chief Executive and the Chairs of the 3 standing committees on a monthly basis. This committee is not a formal part of the board structure. Views are mixed about the value and impact of this arrangement.
- 3.9** From the evidence gathered it is clear that there are several areas of the board's operations where further improvements could strengthen its effectiveness, enabling it to become a truly high-performing board. These areas include the following:

Information

- Over the course of a year, does the board consider papers that enable it to discharge its full range of responsibilities (strategic leadership, policy advice, scrutiny and improvement of operations, oversight of risk) and make effective decisions in all areas?
- Are board members sufficiently aware of what is happening in the organisation?

- Do board members have appropriate input to, and foresight about the board's future agenda?

Relationships and ways of working

- Are relationships between the board and the executive productive enough?
- Does the board make decisions effectively enough?
- Is the board sufficiently effective at challenging and scrutinising the work of the executive?

Capabilities

- Are the expertise, experience and skills of the board members used to the full extent, particularly in relation to strategic planning and youth justice policy issues?
- Does the board require additional capabilities, beyond those it currently has, so that it can be fully effective?

Risk Management

- How confident are all board members that they understand, and have an effective overview of the key risks within the organisation and in the extended enterprise, including both the dangers to be mitigated and the opportunities not to be missed?

Governance

- How clearly articulated and disseminated are the mission, remit and strategic priorities of the board?
- Does the board structure support the delivery of the board's responsibilities well enough?

Proposals for improvement

Information

- 3.10** It is not clear that the board's agenda and papers are always pitched at the appropriate level. Board members feel that they are not as actively involved as they would like to be in strategic planning and policy advice. This may be caused in part by the different levels of understanding within the board about the respective roles of the JYJU and the YJB, but it may also be that the board members feel that they could contribute more fully to discussion of strategic issues and options than they are currently able to do. This could be tackled by the EMG developing a consistently clear and high standard of papers for presentation to the board. It could also be tackled

by engaging board members in policy / delivery option debates at an early stage, some weeks or months before final decisions are required.

- 3.11** A regular system for logging decisions and actions from board and committee meetings, and ensuring that they are followed through, would be a useful tool for board members and executive managers. Such a log would be made available to board members quickly following each meeting and used as a means of scrutinising progress month by month.
- 3.12** An enhanced system of forward planning of board agendas for a year ahead could be a useful way of engaging board members in strategic thinking about the future of the organisation's role in the youth justice system. Clearly, the quarterly reporting cycle shapes the agenda for some meetings, but others have more uncommitted space. Board members could be actively encouraged to offer ideas about issues they would like to see considered by the board and the committees. Access to creating future agendas can be a useful way to more fully engage board members who do not have committee leadership roles.

Relationships and ways of working

- 3.13** It is clear that board members as a whole feel that the nature of board meetings has been on an upward trajectory for some time now – in terms of the way issues are presented and dealt with, the effectiveness of pre-board preparatory work and the leadership exerted by the chair. More recently appointed board members feel they are still on a learning curve and sometimes find difficulty in contributing as fully as they would like in main board discussions. On the next occasion when board member appraisals are carried out, there would be value in the chair discussing with each member how they feel that their personal contributions at board meetings could be optimised.
- 3.14** The two reviews currently underway, and imminent senior management appointments, will create an opportunity for the board and the executive management group to review how the two groups interact, and whether and how they may need to change in future. It is clear that the relationship between the Chair and the Chief Executive has given the YJB more unified, strategic leadership than was previously the case. But it is not so clear that the board is currently always performing its challenge functions in the most effective way.
- 3.15** A careful study of all the YJB board meeting minutes since October 2008 does not indicate that board members often use the occasion of board meetings to question or challenge the EMG members on performance or policy issues. Some interviewees have suggested to me that board meetings are not the only occasion on which board members can challenge the executive, adding that committee meetings, informal and ad-hoc meetings are an equally valid place to exert challenge and subject the executive to scrutiny. We would suggest that an early opportunity be taken by the board and EMG to revisit the ways in which the board exerts its challenge function, with the aim of developing a shared understanding of the scope

(and limits) of this role, and the most effective ways to embed the function routinely within the governance of the YJB. Such a discussion may, of course, reveal that the real issue is not about the board's effectiveness in scrutiny and challenge, but in the way that debates within the board are minuted. In that event, it would be advisable to adapt the style of the board's minutes so that there is a clear audit trail that demonstrates that the board performs its scrutiny and challenge functions effectively.

- 3.16** The relationship between the YJB and its sponsor departments (Department for Children Schools and Families and the Ministry of Justice) is not as good, strong, consistent and trusting as it needs to be if the organisation is to flourish. Very significant work has been done by the Chair and Chief Executive since their respective appointments, and the positive impact they have made has been widely acknowledged. The framework within which YJB operates is defined in the Management Statement and Financial Memorandum. At present the sponsor departments (through the Joint Youth Justice Unit) have a need for greater assurance and confidence in the organisation's capabilities and consistency. This is a matter that is addressed in the second part of this report and is also being considered by the wider YJB review co-chaired by Dame Sue Street and Frances Done.

Capabilities of the board

- 3.17** The board of the YJB consists of a group of highly committed individuals, each of whom brings to the table rich, deep and current knowledge and expertise in different aspects of youth justice. All board members are people with a wide range of relevant skills and capabilities, gained in most cases from substantial careers in the public and voluntary sectors. Some board members expressed a view that their specialist expertise and practical experience in the youth justice system and related areas were not being fully exploited. The engagement of board members in contributing to strategic planning and policy development is an area that that Chair and other board members could usefully work on together.
- 3.18** It is arguable, however, that in addition to the expertise, knowledge and skills currently available, the board of the YJB needs other kinds of skills to enable it to fulfil its functions truly effectively. Suggestions of relevant skills that could be valuable to the board include:
- Business management
 - Financial management
 - Commissioning and supply chain management
 - Integrated service design and delivery
 - Technology enabled change
 - Influencing and marketing
 - Innovation systems

- 3.19** At an appropriate point in the coming year, it would be useful to conduct a skills audit of the existing board, together with an analysis of the skills that would be most valuable to have on the board when the opportunity arises for the appointment of additional or replacement board members.

Risk management

- 3.20** The YJB Risk Management System was reviewed most recently in late 2008 and early 2009 and presented to the YJB board at its meeting in March 2009, having previously been approved by the Audit and Risk Committee. The agenda for the meeting indicates that 5 minutes were allocated for consideration of the item. The minute of the board meeting records the discussion as follows:

'HK explained the context of the system within the YJB's overall risk management and corporate governance arrangements, and outlined how it will be further refined once adopted by the board. Members agreed to adopt the system, Frances Done observing the importance of the board retaining an overall oversight of risk management supported by the Audit and Risk Committee'.

- 3.21** The Chair's remarks, quoted above, confirm her position that the board as a whole has the responsibility for oversight of the risk management system and the key risks facing the agency at any time, and that the Audit and Risk Committee's role is there to support the board's consideration of risk. It is clear from the survey results that both the EMG and the board members score the agency well in its management of risk. The evidence available from the agenda and minutes, however, does not in itself indicate that the board as a whole is regularly actively engaged in considering the key risks facing the agency, and approving or adjusting the mitigation plan for each of the top risks.
- 3.22** We believe that current best practice in the UK public sector expects the full board of an agency to consider key risks at each board meeting, albeit supported by the scrutinising preparatory work undertaken by the Audit and Risk Committee. The paper presented to the board in March 2009 contains a full description of the risk management arrangements in place for YJB and for the 'extended enterprise'. This includes clear definitions of the roles of the Chief Executive and the members of the Executive Management Group and the supporting infrastructure in Corporate Services. In addition the board receives quarterly performance reports that contain a detailed section on risk for consideration.
- 3.23** Our experience elsewhere indicates that an agency board would normally only delegate management of specific risks (such as financial risks to the Audit and Risk Committee or pension risks to the Remuneration Committee), retaining to itself responsibility for over-seeing other key risks. In some agencies the board does a 'deep dive' into one red risk at each meeting, as well as seeking assurance from the Chief Executive about the effectiveness of the regular risk management processes. We think that some fine-tuning of how the board of the YJB performs its functions in relation to risk, and a fuller minute of board discussions on risk,

would further enhance what is clearly regarded by senior staff and board members as a fundamentally sound system.

Governance

- 3.24** The board members all have individual statements defining their roles and responsibilities. These are reviewed annually with the Chair. When next reviewed, the content should be checked to ensure that they fit with the high level responsibilities agreed with the JYJU in the Management Statement and Financial Memorandum.
- 3.25** The board has three standing committees as noted earlier in this report. They each have terms of reference and report to the board through their minutes four times a year. It is noted that the Chair of the Audit and Risk Committee reaches the end of his current term of office in September 2010.
- 3.26** As noted in section 2 above, the questionnaire on good governance revealed a wide range of scores on the 25 indicators of board performance, as well as significant differences of view on some issues between the board (as a group) and the EMG (as a group). Recommendations flowing from the results of the questionnaire are included in section 5 of this report.

Part Two – relations between the YJB and JYJU

Introduction

- 4.1** The second part of the brief involved exploring the nature of the relationships between the YJB and the JYJU, and offering recommendations about how these relationships could be improved. The approach to this part of the work involved William Roe conducting one-to-one interviews, mainly face-to-face, with two Directors-General in DCSF and MoJ, two Directors who work with them, and the deputy director in the JYJU. Two meetings were held also with Dame Sue Street to enable each of the reviews to be informed by insights from the other. William Roe's interviews with YJB board members and EMG members also provided opportunities to gain their insights into the relationships.
- 4.2** Having provided a guarantee of confidentiality to all interviewees, we do not propose here to provide detailed feedback on the content of these interviews. However, the issues that have emerged are fairly clear and provide a good evidence base from which to draw conclusions and frame recommendations. William Roe has had experience over 15 years in working with sponsor departments and NDPBs in both England and Scotland in different capacities, including that of independent analyst and adviser. The issues that are currently impeding the YJB and JYJU from having a really good relationship are not uncommon in our experience, though the circumstances and personalities involved are always unique.

High-level insights

- 4.3** Before embarking on a more detailed examination of the issues that need to be tackled, it is important to record at this stage a few high-level insights:
- the relationship between the JYJU and YJB (at board and EMG levels) is critically important to both organisations and needs to improve significantly and quickly;
 - there is evidence of real willingness on the part of both departments in the JYJU and the Chair and Chief Executive of YJB to work hard over the coming six months to understand what is impeding a really good relationship and to implement a plan of action to improve it significantly;
 - the current level of trust and confidence (in both directions) is a barrier to improvement, so both parties need to commit to spend time to work together on a series of measures that can make a difference to this fundamental obstacle;
 - none of the barriers constraining the development of a really good two-way relationship are irresolvable, but some changes of mindset are needed in both the YJB and JYJU, and also at senior levels in DCSF and MoJ, to create the pre-conditions on which sustainable improvements can be built;

- the next 6 months – February to July 2010 – present the YJB and JYJU with an unrivalled opportunity to transform their relationships in preparation for the arrival of a new Government, of whatever complexion. We propose that the period to 31 March be used to fix what is wrong in the relationship, so that the two organisations are in good shape by Easter to anticipate and then respond to the requirements and priorities of the new Government.

Issues to be addressed

- 4.4** There is a need to bring real **clarity and mutual understanding about the respective roles, responsibilities and accountabilities of both organisations** in their relationship with the other.
- The **Management Statement** would be a good place to start, as it defines, in a formal sense, the current relationship. It may require to be reviewed and updated;
 - The **system of forward planning** between the two organisations is less well developed, robust and transparent than would be expected; there are too many surprises for each party;
 - Government does not routinely provide **specialist training for Deputy Directors at the point when they assume the sponsorship responsibility** for an NDPB; we think it should;
 - While there is a need to bring clarity to the roles of the YJB and JYJU, we would caution against a theoretical division into JYJU's role as exclusively strategic, and the YJB's role as exclusively operational. The neatness of such a division may seem attractive on the surface, but it can easily divide, instead of harmonise. Rather than start by writing role definitions for each organisation, we recommend that **both bodies should work together to gain a better understanding of the system in which they collectively operate**, and thereby develop a deeper shared appreciation of their inter-dependencies. Each party needs the other to be highly effective if they are jointly to deliver success to their Ministers.
 - The **perception among some people in JYJU that the YJB is not a pro-active, can-do, innovative organisation** is an important issue to consider and understand. If it is only a perception, how can the misunderstanding be corrected? If it has a good measure of substance to it, what kind of changes will be needed so that the organisation becomes more pro-active and innovative?

- 4.5** There is evidence that some people see the **YJB as an ‘independent’ or ‘autonomous’ organisation**, while that is not a perception shared by others. Something as fundamental as this should be addressed with a view to building a clear and robust understanding that can be consistently communicated internally and externally.
- The **development of policy advice for Ministers** is an area of particular difficulty as the two organisations do not, at this point, share a common view of how this should be handled.
 - Both the YJB and the Ministry of Justice have **research budgets and programmes related to youth justice**, and protocols are in place for signing off the YJB’s investments in this area. There are separate issues about DCSF and Home Office work on youth crime and integration. Taking an ‘eco-system’ view of youth justice, there may be value to be derived by government from more planning and sharing of priorities for the use of these budgets, especially in a time of tight public resources.
 - Within the YJB some concerns have been expressed about the perception that there has been **constant growth in the size of the JYJU since it was created, to the extent that Unit staff are now matched to all YJB functions**. Whilst JYJU may not accept this perspective as accurate, it would nevertheless be helpful if both organisations could work together to understand better the roles that each party plays and the value that each adds.
 - **How will both organisations cope with reductions in running costs which could potentially be around 20%?** How can the youth justice system be sustained and enhanced without much closer working and interdependence between the two organisations and a sharper focus on productivity and effectiveness across the board?

- 4.6 Communications and media relations** are often a difficult territory for government departments and NDPBs. In an area of policy and practice such as youth justice, which is of such sustained public interest, it is easy for things to go wrong. Yet both parties should have a broadly common interest in ensuring consistency of key messages, and for building public confidence in the system of youth justice.
- The opportunity of the **appointment of a new head of communications** in the YJB should be used to make a fresh start in building greater confidence between the YJB and JYJU in this field. It would probably be beneficial to staff who work on communications in the YJB to be offered professional development opportunities in government communications, with a view to enhancing mutual understanding about the handling of what are often contentious issues of significant media interest.

- It would be worth confirming to all parties in the YJB / JYJU family that the Chair, Chief Executive and board of YJB do not regard it as a **campaigning** or **lobbying** organisation. Rather, it works in a different part of the spectrum, seeking to use sound evidence and argument to **influence** policy and practice in youth justice, and to **advise** government in appropriate areas.
- The YJB and JYJU could both benefit from **co-creating some joint tools to assist transparency in the forward planning of communications and media events**, including publications, speeches, partnership events and other influencing opportunities. A 24 or 36-month dynamic forward planning process could help both organisations maximise the impact of their work and serve to blend the two teams together in an important area of activity.

4.7 One of the **functions of a sponsor unit is to create and cultivate the conditions in which an NDPB can have the best chance of succeeding and flourishing**. These conditions include ensuring there are strategic objectives and high-level targets in place for the body (which there are). At this time, however, there are some differences of view between the JYJU and YJB, and within the YJB, about what success looks like, beyond the achievement of the objectives and targets. The issues are not fundamental or threatening, but they are impeding the organisation in building a consistently high reputation for itself. Achieving common understanding on these issues would best be built through joint workshops where differences of opinion and perception can be explored, tested, challenged and resolved. Once the direction and priorities of the new Government are clear in relation to youth justice, it would be important for the YJB's distinctive contribution to past and future success to be refreshed and promoted.

- The YJB looks to the **JYJU as the key player in Whitehall that can enable the YJB to gain appropriate access to, and ultimately influence with, other government departments and NDPBs** (including other parts of DCSF and MoJ) which have a part to play in the youth justice system. In recent times, it does not appear to the YJB that this role of the JYJU has been fulfilled to the level of its expectations. We have not had the opportunity in this short study to explore this perception from other angles but it would be important to open it up for mutual discussion, especially as 2010 may possibly bring changes in the structure of government departments and NDPBs.

4.8 The **relationship between the YJB and the 157 YOTs** in England and Wales has arisen many times in the course of our review though it has not been an explicit focus of the work. We have studied the report submitted to the board of the YJB in September 2009 on 'Performance Management and Improvement of Youth Offending Partnerships' and we are aware of the work being done by the wider YJB Governance and Operating review on increasing oversight of YOT Performance.

- In addition to the new legislative powers in draft – the duty to co-operate and the power to intervene – and the revised guidance to YOT Management Boards, we have considered whether there are other **techniques that the YJB might appropriately use to assist the spreading and adoption of successful YOT practice across the country.** In this regard, the model developed by the Primary Care Collaborative Programme (PCC) in England is certainly worth examining as it operated on a wide scale and was mainly successful. The essential elements of the PCC Programme are known to the YJB Chief Executive and we would be happy to provide more information about the design of the programme if required.

5 Recommendations

Recommendation 1

The key issues arising from the Governance Survey of Board Effectiveness are outlined in the main text of the report. Priority attention should be focused on the indicators in paragraph 2.9 where the ‘worst five indicators’ are listed with the scores; and in paragraph 2.10 where three additional indicators are listed that received poor scores from EMG members. Initially we recommend that the board and the EMG should consider the results of the survey at the March board meeting. Action plans to tackle these issues should be discussed in the workshops we propose (see recommendation below) and should be held in the late winter and spring of 2010.

Recommendation 2

The key differences between the perspectives of the board and the EMG arising from the survey are listed in paragraph 2.12 and 2.13. These issues are all important for the YJB and the reasons for such large variances in perspective should also be discussed by the board and EMG at an early board meeting. Action plans to tackle the variances should be discussed in the workshops we propose in late winter and spring 2010.

Recommendation 3

The same survey should be repeated in 12 months time and comparisons made between the 2009 and 2010 results, hopefully revealing the beneficial impact of the remedial actions implemented during 2010 as a result of recommendations 1 and 2 above.

Recommendation 4

The roles of the Chair and Chief Executive (paragraphs 3.2 and 3.3) in relation to influencing upwards are likely to be of particular significance in 2010. We recommend that a meeting take place between the Chair, Chief Executive, the two Directors-General and Directors in MoJ and DCSF and the Head of the JYJU to discuss this particular issue (externally facilitated if judged desirable). As a result, a plan should be prepared for 2010 to cover both sides of the election, for approval at a second meeting of the above group.

Recommendation 5

This recommendation is about ways in which the relationship between the YJB and YOTs can become most effective and value-adding. It draws on the substantial understanding and experience of the Chair and Chief Executive at local government level. It also relates to paragraph 4.8 about the transfer of good YOT practice. We recommend that the Chair and Chief Executive consider this in the context of the ‘increasing grip’ agenda and bring forward their proposal to the wider YJB review co-chaired by Dame Sue Street and Frances Done. We also recommend that some quick practical research is done to distil the experience from the PCC Programme and identify potentially transferable practices / techniques for youth justice.

Recommendation 6

The key proposals for improvement in board performance are contained in paragraphs 3.10 to 3.25. We recommend that they be considered first by the Chair and Chief Executive, and subsequently by the board, and that the issues raised be included, as appropriate, in the programme for the workshops to be held in late winter and spring 2010.

Recommendation 7

This recommendation concerns part two of the report about relationships between YJB and JYJU. The Head of the JYJU and the Chief Executive of the YJB are already in dialogue about these recommendations, following informal discussion with us in mid-December to preview the report. All of the issues arising from this part of the report should be considered first by Rachel Atkinson and John Drew, to allow them jointly to consider how best they would like to take them forward. Our recommendation, of which they are already aware, is that they should proceed principally through a series of structured dialogues in late winter and spring, bringing people together in small workshops to co-create improvements and solutions. In this way, issues will be able to be jointly addressed, conflicts of view confronted and resolved, and improvement plans created that are jointly owned and therefore more likely to be implemented. We would be happy to help with the design and facilitation of such dialogues if desired.

Recommendation 8

We recommend that both the YJB and JYJU should commit themselves to spend time and resource on these improvement plans in late winter and spring, not waiting for the completion of the wider YJB Governance and Operating review, in areas where early progress can be made. Then from April to July, the two organisations should prepare together for the incoming government and its policies and priorities. The aim should be that by the summer, the level of mutual trust, respect and confidence between the two organisations has been substantially enhanced, thus allowing Ministers to gain confidence that these two elements of the youth justice system are in good shape for the future.

*William Roe Associates
5 February 2010*

Summary of submissions received by the review

Interested parties were invited, via the YJB's website, to submit responses to the review between 16 September and 11 November 2009. 25 responses were received, representing a range of sectors including YOTs, local authorities, national stakeholder organisations, service providers and sentencers. We are very grateful to all those who took the time to submit evidence to the review. The principal issues raised by respondents are summarised below along the themes covered by the review.

The role, relationships, powers and levers of the YJB

The main issue raised by respondents regarding the YJB's role was in relation to **monitoring YOTs** and working to improve their performance, and the **performance of the youth justice system** as a whole. Some respondents welcomed the YJB's achievements in this area and the culture of performance working that has been established, while others felt the YJB could be more effective and 'hands on' in helping YOTs to meet standards and improve their performance. Other respondents felt that monitoring arrangements could be simplified and that the YJB should take a step back from its performance improvement role.

"The Youth Justice Board has led the way...to raise the standards and importance of performance monitoring and developing the culture of performance working."

Derby Youth Offending Service

"The YJB should have much more of a regulatory, supervisory and quality assurance role and be able to hold other services to account."

The Magistrates Association

"The task of inspecting and measuring the performance of YOTs should be left to the Inspectorate and local government performance system."

Prison Reform Trust

The YJB's **relationship with government departments**, the merits of **joint sponsorship arrangements** between the Ministry of Justice and DCSF and the **role and value of the Joint Youth Justice Unit** were raised by a number of respondents, some of whom felt that sponsorship and reporting arrangements have become increasingly complex over time.

"The repositioning of the YJB and joint sponsorship arrangements with the MOJ and DCSF have...resulted in a much more coherent integration of the children's and community safety agendas."

Oxfordshire YOS Board

“There are limits on what the YJB can do to exert pressure on government ministries.”

The Howard League for Penal Reform

A number of comments about the YJB's structure were received, with some respondents citing a lack of understanding and need for **greater clarification of internal arrangements**. However respondents were generally positive about the **YJB's regional structure** and felt the regional teams have a key role to play.

“The role the regional team play in interpreting, advising and supporting YOTs to make sense of the national direction has been essential.”

Nottinghamshire YOT

Some respondents felt the YJB could have a stronger voice within the youth justice system and questioned its **visibility and leadership in national debates**. In line with this, it was suggested that the YJB should act as a “champion” or “national voice” for children and young people in contact with the youth justice system. However others commented on their perception that the **YJB's size and remit** have grown over the years, resulting in some of the original focus of its work being lost.

The YJB “must be able and willing to initiate and take part in debates on sensitive and controversial subjects.”

Young Offenders Academy Project

“It should take a lead in raising public awareness of young people in contact with the youth justice system.”

The Howard League for Penal Reform

“The YJB has achieved many good things over the past ten years. There are, however, some strategic issues where renewed focus would be helpful even if they may be politically challenging.”

Rebound Children's Services

A number of respondents also highlighted the need to adequately consider the devolved context in Wales as part of the review and the differences in service delivery that exist. While some respondents felt the YJB has made significant improvements to the way it operates in Wales, others felt the devolved landscape is not always fully considered and that more could be done to improve services for children and young people in Wales.

“The way in which the YJB operates in Wales and how it links with the Welsh Assembly Government (WAG) has improved significantly.”

Welsh Local Government Association

“It is vitally important that the review pays adequate attention to the difference between the delivery of services by YOTs in England and Wales.”

YOT Managers Cymru

“The devolved context in Wales has not always been sufficiently recognised or acknowledged when YJB policy is developed.”

Welsh Local Government Association

Respondents therefore provided a range of opinions about the role the YJB should fulfil with different perceptions of its value and effectiveness.

Use of resources

The YJB's role in **commissioning secure accommodation for under 18s** was raised by several respondents: while some felt the current role is unsatisfactory and skews emphasis within the youth justice system, others felt it is important for the YJB to maintain this responsibility. The **value for money** of the secure estate was also raised, and a number of suggestions made for changes to the current arrangements.

"It is essential that the YJB has a strategic role in commissioning the secure estate and determining where young people are placed within it. The juvenile secure estate is likely to become fragmented, unfocused and not provide value for money unless the YJB continues to provide a central commissioning function."

Rebound Children's Services

"The YJB should be able to exercise more control over Young Offender Institutions, including over recruitment of staff and over training."

Prison Reform Trust

Prevention

Respondents agreed on the importance of preventive work to divert young people away from the criminal justice system. However there was no clear consensus on where *primary* responsibility for preventing youth crime should sit. While some respondents welcomed the **YJB's focus on prevention** and argued that more could still be done, others argued that the issue of preventing offending extends beyond the remit of the criminal justice system and therefore should be a core activity of a wider range of services.

"Crime prevention work should be seen in the wider context of creating a safer society, and therefore is not a primary function of the YJB."

The Howard League for Penal Reform

The YJB "should play a much more effective and positive role in the prevention of youth crime and reduction of unacceptable levels of reoffending."

Young Offender Academy Project

Reducing reoffending

The task of **identifying, disseminating and promoting effective practice** in the youth justice system was welcomed by a range of respondents, who had varied opinions about how well the YJB is currently performing this function. Respondents acknowledged the YJB's Directory of Emerging Practice but some felt that it is currently underused by practitioners and that there is a perception that evidence is sometimes directed upwards towards central Government rather than disseminated locally. Alternative models for the YJB's role in identifying effective practice were put forward by some practitioners, including an increased role in standard setting and accreditation. Some respondents also suggested that the YJB should be remodelled as a national body of excellence, along the lines of the National Institute of Clinical Excellence (NICE.)

Respondents acknowledged that identifying and disseminating effective practice is a key function within the youth justice system and that practitioners value robust information and guidance on “what works”. However respondents did not agree on a clear mandate for the YJB within this function.

“The YJB’s key role should be to support their (YOTs) work, through evaluating and spreading best practice and through acting as their advocate with central Government”

Prison Reform Trust

“Whilst the role of the YJB to promote good practice has largely been seen as positive locally, this has sometimes come across as ‘one size fits all’.”

East Sussex County Council

“It could have the capacity to act as a repository of good practice (along the lines of SCIE or NICE).”

Professor Roger Smith

The issue of **reallocating resources** within the youth justice system through locally devolved custody budgets was raised by a number of respondents, some of whom put forward alternative suggestions for ways to reduce the number of young people in custody. The majority of respondents who commented on this issue, however, argued for the retention of a national body to set standards and place young people in suitable accommodation.

“The devolution of budgets requires the continuation of a central body that can provide leadership, set standards and give direction from the centre where necessary.”

Catch22

“The local authority could be mandated to provide the same budgetary allocation equivalent to the cost of their weekly accommodation in custody for the period of time they are under supervision in the community.”

Rebound Children’s Services

Other comments

A number of respondents raised the issue of the **use of custody for children and young people** in principle. There was a perception among some that the YJB’s oversight of the secure estate and perceived emphasis on custodial sentences have skewed the priorities of the youth justice system and that other issues have suffered as a result.

“There is a need for separate juvenile secure estate provision, away from the prison service, which is independent but overseen by the YJB.”

Catch22

“The current focus on custodial responses to youth crime is universally recognised as ‘skewing’ the whole culture and ideology of the YJB system in the wrong direction.”

National Youth Agency

Respondents also commented on a range of specific policy issues relevant to their areas of interest, including YOT funding arrangements and the potential for the YJB to place greater emphasis on embedding a “participation approach” in its working practice, and across the youth justice system as a whole.

Findings from a survey of the stakeholders of the Youth Justice Board

The following are extracts from a stakeholder survey which took place during the summer of 2009. The survey was carried out via an online questionnaire which was completed by over 1,100 respondents and through further in-depth, qualitative, conversations with almost 70 core stakeholders.

The report was prepared for the YJB by Analytica Consulting. This extract includes the executive summaries of the survey and consultation reports and the overall recommendations.

Report on questionnaire survey of stakeholders: executive summary

About this report

This report presents findings from a survey of the stakeholders of the YJB. The survey forms part of a wider stakeholder consultation to collect information that will inform the YJB's communications strategy. A separate report is being prepared on face-to-face consultations and recommendations based on both the quantitative and qualitative research.

Perceptions of the YJB

The survey sample comprised 1164 respondents who were involved with youth justice at national and local levels. They included individuals from national government, national statutory bodies, the secure estate, sentencers, local authorities, police, voluntary sector organisations, various local boards concerned with children and young people and YOTs (who made up more than half the total).

Most respondents demonstrated a good awareness of the YJB's corporate objectives and around half felt that the YJB was fulfilling three out of the four objectives at least 'quite well'. The one objective where this dipped to 'neutral/quite well' was with regard to increasing victim and public confidence in the youth justice system.

A high proportion of stakeholders linked the YJB to a range of positive attributes. The strongest association was with the YJB being 'child-focused', but there was also wide agreement that it is 'a strategic partner', 'influential' and 'credible'. There was weaker affirmation that it is 'supportive', 'collaborative', 'effective' and 'responsive'.

Respondents also agreed with several statements describing positive behaviours by the YJB. Most perceived that it keeps stakeholders well-informed, that it effectively identifies and promotes good practice. A majority concurred that the

YJB deals openly and honestly with its partners and that its staff were experts in their field. Three areas identified as opportunities to improve were confidence in the YJB's leadership, that the YJB is an independent voice and that the YJB makes realistic claims about its work.

Well over half of respondents see the YJB as promoting its four key messages 'quite' or 'very strongly'. Of these, audiences felt that custody should be a last resort is being delivered most effectively. Communications about children not being demonised, about the importance of victims' needs and about having confidence in the youth justice system were not rated as highly. All four key messages were perceived as well communicated by more than double the number of people who saw them as poorly communicated.

Respondents acknowledged that the YJB is a substantial influence on how they do their job.

Communications from the YJB

As would be expected from their different content and target audiences, the use of YJB's information sources (publications, websites and events) is extremely variable. The quality of these resources is seen by most to be high and to have improved on the past two years. Most respondents also felt they received 'about the right amount' of information. Around a quarter would like more.

Contacts with YJB staff

Face-to-face contacts are important to stakeholders and, although almost half are content with the frequency of their contacts, about a third would like them to be more often.

Although contacting regional staff was generally perceived to be easy, communicating to the YJB was nevertheless problematical. A majority did not feel that their views were actively sought or welcomed, that it was easy to contact the London office, or that the YJB responded constructively when views were expressed.

Other comments and suggestions

The questionnaire invited suggestions for improvements in communications and more than 300 respondents submitted comments on communications and many other topics. This was a deliberate effort to see honest feedback and inevitably responses focused on things that were not as good as stakeholders would have liked, rather than those that were. The number of critical comments does not mean that stakeholders only had negative views. Indeed, many respondents were very keen to give out plaudits too. The main views expressed were that:

- the YJB should be more independent on the subject of young people and youth justice, less influenced by events and politics;
- the YJB should be a more visible and louder voice advocating for young people and the efficacy of the youth justice system;

- responsibilities of and relationships between the YJB and other government and statutory bodies are not clear to stakeholders and need to be clarified;
- links with voluntary and community sector organisations should be developed, to prevent missing opportunities to enhance the YJB's effectiveness;
- communications to stakeholders, especially with regard to guidance on new developments, are often received too late for effective planning;
- there should be more opportunities for practitioner inputs to policy and planning, and when practitioners do offer inputs they should be able to see where they've made a difference;
- making contact with the London office is problematic because it is difficult to locate the right person and messages are often not answered;
- the placements team is seen by some as excellent but should improve areas of its performance – primarily around responsiveness and understanding YOT priorities;
- links with sentencers, especially magistrates, should be improved and the YJB should do more to raise their awareness of its work;
- YJB communications generally, and particularly the website, are thought to be of a high standard and useful;
- although communication on the Scaled Approach was applauded by some, more felt that support in the form of training and advice should have been better and earlier;
- relationships between stakeholders and the YJB teams in Wales and the English Regions are generally good – mostly reflecting a positive and open relationship
- stakeholders in rural areas can feel their situation is not properly considered in decision making, while northern stakeholders feel there are not enough northern events.

Variations in response between sectors and geographical areas

There were significant differences in the responses of stakeholders working in different sectors. Those in national or regional government were generally less approving of the YJB, although the voluntary and community sector organisations were least convinced of performance against objectives. Stakeholders linked to courts have a lower level of awareness of the YJB. Most working outside national government want the YJB to be more independent and proactive in its communications. Conversely, stakeholders in YOTs tended to be better informed and generally had a more positive impression of the YJB.

Whilst there were geographic differences in responses, these can be explained by differences in sample composition. After allowing for these, there were very few significant differences between respondents in different locations.

Report on consultations with stakeholders: executive summary

About this report

This report presents findings from consultations with stakeholders of the YJB. These consultations formed part of a wider stakeholder research project that included a large online survey, the results of which are presented in a separate document. The purpose of the research was to inform the YJB's communications strategy and recommendations related to this are presented at the end of this report.

The consultees comprised 67 individuals drawn from across the YJB's main stakeholder groups, which included central and local government officials, sentencers, inspectors, members of boards, senior staff in the secure estate, YOT managers and directors of national voluntary organisations. About half were nominated by the YJB because their views were particularly important, the remainder selected by the researchers.

The consultation questions were specifically designed to focus on where the YJB needed to improve, or even alter, its communications and how it could engage better with different stakeholder groups. Responses reflect this invitation to examine the YJB's work critically.

Awareness of the YJB and stakeholder liaison

Several strategic stakeholders acknowledged having only limited awareness of the YJB's responsibilities and uncertainty about the roles of the various other statutory actors involved in youth justice, which include government departments, the Joint Youth Justice Unit and NOMS.

Stakeholders in senior positions in government, other statutory bodies and voluntary organisations indicated that they relied heavily on personal contacts with individual YJB staff for information. Voluntary sector consultees valued highly the periodic briefings and discussions that were held regularly in the past and would welcome their reintroduction.

Most senior stakeholders made little use of the YJB publications that did not focus on their core interests, and some were unaware of what else was available. Even those publications on relevant topics were perceived to be targeted at practitioners rather than those involved more strategically. Some publications were seen to be more about public relations than providing quality information to specialists.

Personal contacts were considered vital for identifying who was responsible for a particular issue, since the organisational structure, departmental names, staff turnover and job titles made it difficult to find out who did what. Locating contacts' details was also problematical.

YOT managers felt that too many forms of communications were used to convey important information, which led to duplication and increased risk of significant items being missed. The YJBulletin-YOTs was specifically mentioned in this context. Stakeholders requested changes to make communication more efficient.

Consultees in the secure estate commented that neither YJB communications nor the annual convention covered their interests well. Moreover, although most governors had good personal contacts, other members of senior management teams generally did not and felt disconnected from the YJB. They tended to use other information sources to keep up to date with relevant youth justice developments.

Magistrates and their representatives felt that the relationship between the YJB and courts needed to be strengthened. Awareness of the YJB was low amongst sentencers and there was insufficient relevant communication. More publications targeted specifically at those involved in court work, to increase understanding of what happens outside the court, would be a useful start to rectifying this. Members of local safeguarding children boards consulted would also like to see more communications with content that they feel is relevant to their role.

Consultees would like the YJB to improve the accuracy and completeness of its contacts database to ensure stakeholders receive the communications intended for them. However, several consultees in the voluntary sector with a broader interest in children and young people favoured non-YJB information sources to keep abreast of latest developments.

Most stakeholders do not perceive there is significant inconsistency in messages they receive from the YJB. Of more concern was inconsistency between strategic objectives and operational imperatives and between the sometimes conflicting requirements of different agencies, especially those affecting the secure estate.

Dissemination of good and promising practice

Consultees across the stakeholder groups believed there is a need to improve dissemination of good and promising practice across the youth justice system as a whole and wanted the YJB to play a central role in this. Making this information more accessible and facilitating knowledge exchange through a 'Community of Practice' was seen as a logical way forward.

Dissemination was perceived to be only one element in a process leading to the ultimate objective: implementation of effective practice. Also required, therefore, is a process for identifying such practices and a process for driving the transfer of knowledge into action. The YJB, it was argued, needed to significantly improve these processes and adopt a robust approach to accrediting effective interventions and quality improvement.

Consultees suggested that the YJB should adopt a variety of approaches for spreading good and promising practice that reflected different learning styles and avoided over-reliance on a technological solution and academic research reports. They stressed that many practitioners do not have workplace access to the internet and may be best empowered by documented case studies, networking events, personal contacts with YJB personnel and other activities.

Given that many agencies and organisations have a contribution to make in identifying and disseminating good and promising practice, stakeholders wanted to see the YJB working collaboratively to achieve this. However, some were conscious that competition amongst them for contracts and resources was resulting in some stakeholders ‘protecting’ rather than sharing their knowledge.

It was suggested that the YJB could strengthen its position as a central source of good practice information by making the website a ‘honeypot’ for professionals. One practical suggestion for achieving this was to make it *the* place to advertise youth justice posts by offering such a service at no cost.

Raising public and victim confidence in the youth justice system

The YJB was seen by consultees to be active in promoting public and victim confidence in the youth justice system. They wanted it to be more proactive though in engaging the media and have a much higher profile than at present, leading a public-facing debate about youth crime and young people, promoting positive messages about youth and presenting convincing evidence about the effectiveness of non-custodial interventions.

To achieve this, consultees suggested, requires a more robust evidence base than is currently available, pointing towards the need for more rigorous evaluation. They also felt it was important for actors involved in youth justice to collaborate more on this issue and to develop communications locally, since communities find local media more believable.

Stakeholders perceived that building confidence was not just about communicating appropriate messages. They saw a need for a more effective youth justice system and one which is embedded in local communities. Such increased effectiveness and local connectivity were seen as critical to achieving a significant increase in public confidence, in their view.

Conclusions

The YJB can do more to fill the stakeholders’ gaps in awareness and understanding of its work and how it fits into the machinery of government. To do this, and to strengthen relationships, the YJB needs to consider how to customise communications further to meet the needs and interests of individuals, taking account of their specialisms and preferred communication channels.

This may be partially achieved through improvements in the use and distribution of publications and online information resources; doing more for certain groups, such as sentencers and secure estate staff; ensuring distributed information content is appropriate to the audience; and better management of a contacts database. What stakeholders value most, though, is personal contact with appropriate YJB personnel, whether in collaborative projects, telephone links, one-to-one meetings or at networking events. This is likely to be mutually beneficial but challenging within existing resources, and requires changes in culture and attitude, as well as practical action to make contacts more easily identifiable.

Whilst stakeholders recognised that communicating information about good practice is an important role for the YJB, they also saw as a priority the improvement of processes to rigorously identify such practice and actively support its transfer into action. Spreading good practice should, therefore, not be considered as just a communications matter, but an issue the YJB needs to consider at a strategic level and in a wider context.

An online portal and facilitation of a 'Community of Practice' were seen as appropriate tools to information sharing, but views were divided about whether the YJB or another part of government should be leading this, or whether it would be better done by the third sector. Consideration also needs to be given to overcoming the barriers to information sharing that result from competition between stakeholders.

Most stakeholders want the YJB to make a greater contribution to public debate about the youth justice system, seeing its current media profile as disappointingly low and largely reactive. This is a key issue that requires consideration at the highest level to assess whether a strategic change is warranted. Or to consider if the YJB should explain *why* it appears to be silent on major issues – often there may be good reason and this may not be understood by stakeholders with a vested interest in the subject. It is an issue that should not be addressed in isolation, but in collaboration with other national and local partners to facilitate communication of consistent messages. Such a change, however, is not expected to build public confidence in the youth justice system significantly, unless accompanied by improvements to its effectiveness and stronger linkages to local communities. This too highlights the need for communication issues to be considered by the YJB alongside other strategic developments.

Stakeholder research 2009: recommendations for communications

The following list presents recommendations relating to the YJB's future communications strategy and work programme. It is based on the results of both the online stakeholder survey (detailed in a separate report) and the face-to-face consultations (detailed in this report). The recommendations have been prepared in the knowledge that a new communications strategy is required for implementation from April 2010, but that this is expected to be a 'refresh' of the current strategy, rather than one involving radical change.

1. The YJB should consider developing a more visible media profile and becoming more proactive at national levels in communicating positive messages about young people; understanding of why young people offend; the benefits of early intervention, prevention and non-custodial sanctions; and the work being done by the youth justice system.
2. The YJB should further develop its capacity and processes to support communications work by YOTs and other local stakeholders to promote positive messages about young people and the youth justice system.
3. The YJB should find ways to increase awareness amongst national stakeholders of its role, priorities, organisational structure and relationships

to remove confusion, dispel misconceptions and fill knowledge gaps possibly through a series of targeted briefings or meetings.

4. The YJB needs to increase awareness amongst local stakeholders of its role, priorities, organisational structure and relationships to remove confusion, dispel misconceptions and fill knowledge gaps, possibly through regional networks of features in publications.
5. Consideration should be given to increasing and improving communication with sentencers, local authority 'leads' and chairs of boards, possibly through customised publications, expansion of face-to-face contacts and more complete or accurate distribution lists.
6. The channels used to communicate important information to YOTs should be reviewed and consideration given to agreement of a communications protocol to clarify how this can be best done in future.
7. Consideration should be given to using non-YJB communication channels to increase YJB awareness amongst professionals, such as through supplements to *Children and Young People Now*, which is used by both the National Children's Society and National Youth Agency.
8. A concerted effort should be made to communicate to all stakeholder groups the future direction of the YJB, as soon as this is practicable.
9. Specific efforts should be made to clarify for stakeholders the relationship between the YJB and YOTs and the extent to which the YJB is or is not an organisation that can speak independently about young people and youth justice.
10. More attention should be given to ensuring a meaningful dialogue with relevant stakeholders, especially practitioners, in the development of programmes, practices or guidance, which should include feedback on their inputs.
11. More consideration should be given to the timeliness of communications from the YJB, ensuring that practitioners are given sufficient notice to take required action, respond to consultations, advise other affected parties or attend events, possibly by adopting a protocol that includes minimum standards.
12. When stakeholders, especially practitioners, are asked to provide information to the YJB, they should always be informed about why such information is needed and, if possible, the results of any subsequent analysis should be shared with them.
13. Consideration should be given to re-introducing a quarterly/half-yearly meeting between a senior YJB staff member and leaders of key voluntary sector organisations for a two-way exchange of views and news.
14. Consideration should be given to the accessibility of information about communications distributed by the YJB to ensure that it is easy for stakeholders quickly to ascertain what is available, what each covers, who it is aimed at and how to request inclusion in mailings.

15. Given the level of support for a 'Community of Practice', this idea should be progressed, whilst also responding to the varying opinions about the YJB's role and alternative technological solutions.
16. Consideration should be given to producing a youth justice news bulletin, similar to that distributed weekly to Criminal Justice Group, providing extremely brief synopses of stories with links to more detailed online sources for circulation to YOTs, local authorities, sentencers, secure estate staff and interested voluntary sector organisations.
17. The purpose and target audience of YJ magazine should be reviewed to assess whether these are appropriate; whether they match the current content and current readership; and whether any changes are needed to ensure that recipients are aware of what it contains and who it is aimed at.
18. Consideration should be given to providing a more consistent level of support, especially for YOTs, from regional and Wales staff, possibly by setting some indicative standards for the number of visits or face-to-face contacts per year.
19. The YJB should develop a way to communicate information about practices so that practitioners can determine where they fit along the scale between 'interesting' or 'promising' at one end and 'proven effective through rigorous evaluation' at the other.
20. As well as improving accessibility of practice information, attention should be given to the demand for a more rigorous approach to identification of effective practice and increased support for its implementation.
21. Consideration should be given to greater use of inspiring case studies and good practice awards, both to recognise achievement and promote good practice.
22. Although considerable progress has been made to improve the quality of contact lists, this work needs to continue to ensure all members of key stakeholder groups are included and to establish a process for ongoing data management and maintenance.
23. The number of regional events, especially in northern regions, should be sustained and, if possible, increased to facilitate communication between the YJB and practitioners; to encourage networking; and to create opportunities to promote good practice.
24. The feasibility of developing the YJB website as the place to advertise (for free), and look, for youth justice employment opportunities should be explored, since this might be a valued service to other stakeholders and a means to increase awareness and use of the website.
25. Action should be taken to help stakeholders 'navigate' the YJB, including making available and maintaining online an organogram and appropriate contact details for personnel.

- 26.** Action should be given to improving the ‘customer experience’ of individuals trying to contact staff in the London office, which might require changes in individual responsiveness or a more radical change in the ‘interface’ between the YJB and callers/emailers.
- 27.** Efforts should be made to improve the ‘customer care’ of practitioners who contact the placements team.

Summary of stakeholders met, and visits made, by Dame Sue Street

There are a large number of organisations and individuals that help shape and inform the youth justice agenda. It was acknowledged from the outset that the review must consult widely to understand the YJB within the broader context of the youth justice landscape.

As chair of the YJB, Frances Done meets regularly with many organisations across the sector and officials from government departments. As part of the review, Dame Sue Street met, or spoke with, a wide range of stakeholders, and made a number of visits to gather views on the YJB. These are set out below.

Stakeholder meetings

Lord Victor Adebawale	Turning Point
Naomi Alleyne	Welsh Local Government Association
Sue Berelowitz	Deputy Children's Commissioner for England
Sir Michael Richard	Institute for Government
Andrew Bridges	HM Chief Inspector of Probation
Shami Chakrabarti	Liberty
Frances Crook and colleagues	The Howard League for Penal Reform
Ceryl Davies	YOT Manager – (Gwynedd & Ynys Mon)
Mary Duff	Magistrates Association
Andrew Gwynn	YOT Manager – (Rhondda Cynon Taff)
Lorna Hadley	Standing Committee on Youth Justice
Dr Sohail Hussain	Analytica
Liz King	YOT Manager – (Pembrokeshire)
Juliet Lyon and colleagues	Prison Reform Trust
Sir Ian Magee	Legal Services Commission Review
Ian McPherson	Association of Chief Police Officers
Rachel Morgan	Welsh Local Government Association
Professor Rod Morgan	Former Chair, Youth Justice Board
Joyce Moseley	Catch22
Martin Narey	Barnardo's

Mary O'Grady	YOT Manager – (Powys)
Dame Anne Owers	HM Chief Inspector of Prisons
William Roe	William Roe Associates
Mike Thomas	Association of YOT Managers
Dame Clare Tickell	Action 4 Children
Lord Norman Warner	Former Chair, Youth Justice Board
Steve Williams	Welsh Local Government Association

In addition, Dame Sue met with over 25 others including civil servants, ministers and YJB board members, and addressed over 800 delegates at the Youth Justice Annual Convention.

Visits

Ashfield young offender institution
 Brinsford young offender institution
 Placements and Casework Team YJB
 Rainsbrook secure training centre
 Vinney Green secure children's home
 Welsh Local Government Association
 Westminster YOT

Meetings attended

YJB Board Meetings
 Youth Justice Annual Convention
 YJB Senior Managers Meeting
 YJB Regional Stakeholder Meeting

Membership of the steering group and secretariat

The co-chairs were supported by a steering group made up of officials from the sponsoring government departments of the YJB, Home Office, Welsh Assembly Government and the YJB. Membership is set out below.

Co-chairs

Dame Sue Street	Independent co-chair
Frances Done	Youth Justice Board

Review steering group

Rachel Atkinson	Joint Youth Justice Unit
John Drew	Youth Justice Board
Joanna Jordan	Welsh Assembly Government
Helen Judge	Ministry of Justice
Andrew McCully	Department for Children, Schools and Families
Jaee Samant	Home Office

Secretariat to the review

Abigail Plenty	Joint Youth Justice Unit
Michael Robinson	Joint Youth Justice Unit
Steve Bradford	Youth Justice Board
Claire Seaman	Youth Justice Board

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