

**Report for:** Cabinet – 13 December 2016

**Item number:**

**Title:** Scrutiny Review on Disproportionality within the Youth Justice System



**Report** Jon Abbey

**Authorised by:** Director of Children's Services

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**Ward(s) affected:** ALL

**Report for Key/**

**Non Key Decision:** N/A

## **1. Describe the issue under consideration**

- 1.1 Under the agreed terms of reference, scrutiny panels can assist the Council and the Cabinet in its budgetary and policy framework through conducting in-depth analysis of local policy issues and can make recommendations for service development or improvement. The panels may:
- Review the performance of the Council in relation to its policy objectives, performance targets and/or particular service areas;
  - Conduct research to assist in specific investigations. This may involve surveys, focus groups, public meetings and/or site visits;
  - Make reports and recommendations, on issues affecting the authority's area, to Full Council, its Committees or Sub-Committees, the Executive, or to other appropriate external bodies.
- 1.2 In response to panel members concerns regarding the disproportionate number of young people from black and ethnic minority communities within Haringey's Youth Justice System, the Children and Young People's Scrutiny Panel agreed at its meeting 16 November 2015 to set up a review project to look at disproportionality of young people from BAME within Haringey's Youth Justice System. The issues considered by panel include the following:
- Over representation of specific ethnic minority groups within the youth justice system and the reasons for this;
  - How support services work together to prevent and divert young people from over represented communities entering the youth justice system;
  - The support that young people receive once they enter the youth justice system and its effectiveness in preventing young people from re-offending; and

- Successful action undertaken by similar London boroughs to address the issue.
- 1.3 The final report of the second part of this review is attached at Appendix 1. This outlines the conclusions and recommendations of the Panel, which were approved by the Overview and Scrutiny Committee on 17 October 2016.
- 1.4 The report is significant due to the cross cutting nature of it in a number of the Council agendas and priorities. It also however, highlights the role and responsibility of key stakeholder organisations in this issue, and their engagement being critical in implementation of the recommendations made. This is likely to involve organisations in challenge and support of each other in sharing this accountability. Over-representation of BAME young people in Youth Justice is not the sole responsibility of the Council. Partnership working will be essential if we are to put in place the actions required to achieve the step changes necessary in delivery of services to improve the outcomes for this vulnerable group of young people.

## 2. Cabinet Member Introduction

This review of over representation of Black and Minority Ethnic Young People in Haringey's Youth Justice system provides a powerful set of evidence and a steer for how Haringey Council and its partners can enhance and develop the range of services they provide, or facilitate, for young people.

Some groups of young people are more likely to get into trouble than others. This is an issue not just in Haringey but nationally too. An aspect of this review was how young people viewed the way they are treated as being influenced by their race and ethnicity. Negative stereotyping is having a detrimental impact in the life chances of young people in the borough and still drives the responses of many agencies. With a different approach by agencies many young people could turn away from crime. Agencies need to accept current arrangements are failing some groups of young people.

The recommendations of this scrutiny review help to set out a way of supporting young people to make effective choices and so improve their lives.

## 3. Recommendations

- 3.1 That Cabinet consider the Scrutiny Review Report in **Appendix 1** and approve the responses to the Scrutiny recommendations as outlined in **Appendix 2** of this report.
- 3.2 That Cabinet agrees proposals for an additional recommendation in the report: that the role of the wider voluntary sector is also considered and consulted with for its contribution in addressing the needs identified of this vulnerable group of young people.

#### **4. Reasons for decision**

- 4.1 The evidence supporting the Panels' recommendations is outlined in the main body of the report (**Appendix 1**).

#### **5. Alternative options considered**

- 5.1 The evidence supporting the Panels' recommendations is outlined in the main body of the report (**Appendix 1**). The Cabinet could choose not to accept the recommended response by officers to them, as outlined in Appendix 2. The potential implications of alternative courses of action are referred to within this, as appropriate.

#### **6. Background information**

- 6.1 The Children and Young People's Scrutiny Panel has undertaken a piece of in-depth work regarding the reasons for the over representation of black and minority ethnic young people in the Youth Justice System. It began this work in February 2016 and completed its evidence gathering in July 2016. The final report of the review is attached as Appendix 1 and outlines the outcome of this work and the findings, conclusions and recommendations that the Panel has made, which were approved by the Overview and Scrutiny Committee on 17 October 2016.

#### **7. Contribution to strategic outcomes**

- 7.1 The work undertaken by the Panel will contribute to Priority 1 of the Corporate Plan – "Enable every child and young person to have the best start in life, with high quality education" It is particularly relevant to Objective 5; "Children and families who need extra help will get the right support at the right time to tackle issues before they escalate". It also relates to Corporate Plan Priority 3 – "A clean, well maintained and safe Borough where people are proud to live and work." It has particular relevance to Objective 5: "To work with partners to prevent and reduce more serious crime, in particular youth crime and gang activity."

#### **Statutory Officers comments (Chief Finance Officer (including procurement), Assistant Director of Corporate Governance, Equalities)**

##### **Finance**

- This report deals with how available resources for youth justice across Haringey's partnerships can be used to best effect to implement its recommendations.

##### **Procurement**

- The Head of Procurement notes the content of the report and the Scrutiny Panel's review of the disproportionality of young people from BAME communities in the criminal justice system which is both a local and national issue.
  - The review has identified possible reasons, including racial and ethnic stereotyping by agencies called upon to manage them, as well as, the disaffection and adverse life outcomes this often leads to
  - The recommendations are welcome and should go some way to tackling the inequalities outlined in the report and support these young people to improve their life chances
  - Reference to procurement may be required should purchasing of external services become necessary.

## **Legal**

- Under Section 9F Local Government Act 2000 ("LGA"), Overview and Scrutiny Committee have the powers to review or scrutinise decisions made or other action taken in connection with the discharge of any of Cabinet's functions and to make reports or recommendations to Cabinet with respect to the discharge of those functions. Overview and Scrutiny also have the powers to make reports or recommendations to Cabinet on matters which affect the Council's area or the inhabitants of its area. The Constitution provides that the Scrutiny Review Panels must refer their findings/recommendations in the form of a written report to the Overview and Scrutiny Committee for approval and afterwards, final reports and recommendations will be presented to the next available Cabinet meeting together with an officer report where appropriate.
- Under Section 9FE of the LGA, there is a duty on Cabinet to consider and respond to the recommendations indicating what if any action Cabinet proposes to take and to publish its response.

## **Equality**

The Council has a public sector equality duty under the Equalities Act (2010) to have due regard to:

- tackle discrimination and victimisation of persons that share the characteristics protected under S4 of the Act. These include the characteristics of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex (formerly gender) and sexual orientation;
- advance equality of opportunity between people who share those protected characteristics and people who do not;
- foster good relations between people who share those characteristics and people who do not.

The Scrutiny Review illustrates the significant over-representation of black and minority ethnic groups in Haringey's local youth justice system. It finds evidence of negative stereotyping and a common perception held by young people that their

treatment is unduly influenced by race, ethnicity, where they live, social class and family background.

The Council's response will take forward the essence of the recommendations of the Scrutiny Review report, demonstrating a strong commitment to tackling disproportionality and inequality within the youth justice system.

This includes ensuring that disproportionality and tackling discrimination is prominent within our forthcoming local response to the Government's Review into the Youth Justice System, and ensuring that we integrate these considerations into our own governance and performance framework.

The Scrutiny Review also places a strong focus on improving our prevention work. Our response includes leveraging the Early Help Partnership Board and the BME Steering Group to work with schools to tackle behaviour issues and exclusions that can lead young people into a path into crime.

## **8. Use of Appendices**

Appendix 1 – Report of Scrutiny Panel

Appendix 2 – Response by the Children's Service to recommendations

## **9. Local Government (Access to Information) Act 1985**