

**Report for:** Environment and Community Safety Scrutiny Panel -11<sup>th</sup> March

**Title:** Reducing the criminalisation of Children

**Report authorised by:** Gill Gibson  
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**Ward(s) affected:** All

**Report for Key/  
Non Key Decision:** Non Key Decision

**1. Describe the issue under consideration**

1.1. This report seeks approval to provide an update to members of the panel with information about work taking place to reduce the criminalisation of Young People in LBOH council departments specifically the Children's and Young People Services, working collaboratively and in partnership with a range of stakeholder organisations to address the complexity of this significant issue..

**2. Cabinet Member Introduction**

2.1. Not Applicable

**3. Recommendations**

3.1. That the Panel note the contents of this report for information.

**4. Background information**

**Haringey Youth Justice Service**

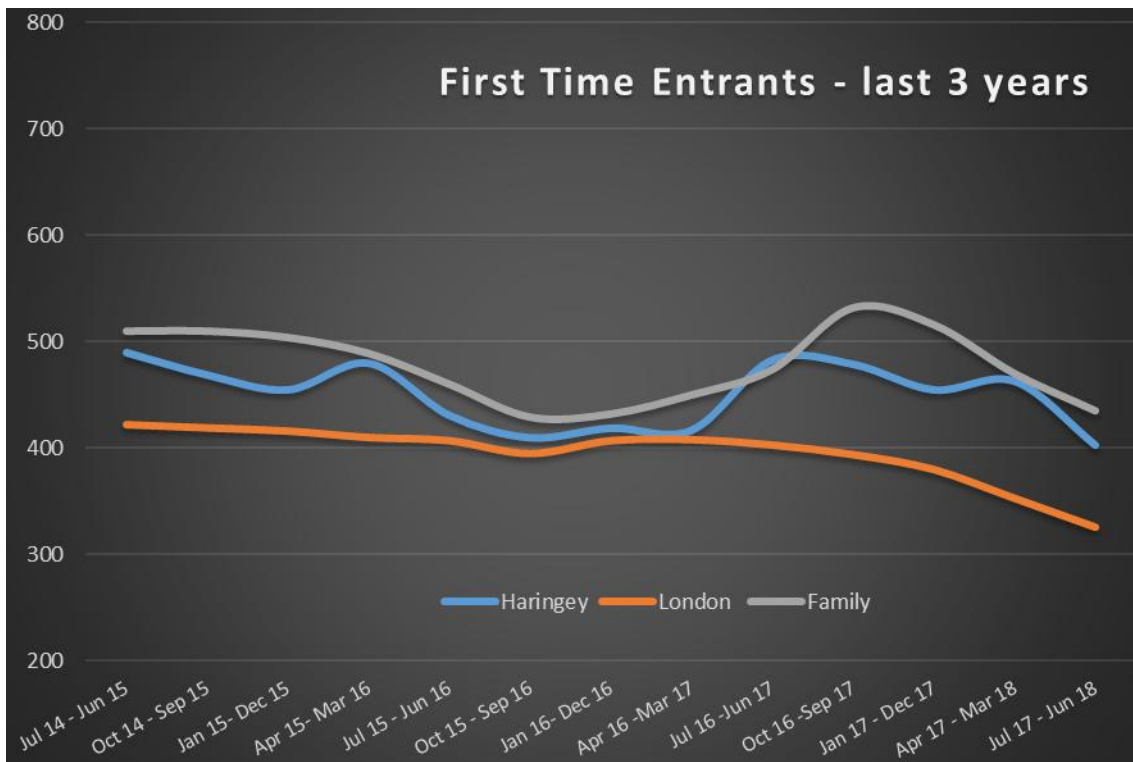
Haringey Youth Justice Service (YJS) works with young people and their families when either referred, by the Police, for an Out of Court disposal or sentenced to a Court ordered disposal in criminal matters.

In the last decade, the number of young people as first-time entrants to the youth justice system nationally has dropped by 85%.<sup>1</sup>

The work of Youth Ofending Teams have made significant strides in reducing the criminalisation of children and young people.

**First Time entrants**

## 1. Quarter 2 2018/19 First time Entrants (FTE's)



In quarter 2 2018/19, LBOH Youth Justice Service performance reported 100 first time entrants in the last year. This compared to 121 in the previous year and 119 in 14/15. This marks a decrease of 17% since last year and a decrease of 16% since 15/16.

Recent analysis undertaken by the service reports evidence findings of the lowest level of First Time entrants to the Youth Justice system. The overall number of offences by young people are reduced, however offences and sentences for Violence & Drugs offences types are not reducing to the same degree. Numbers of knife-related offences remain high.

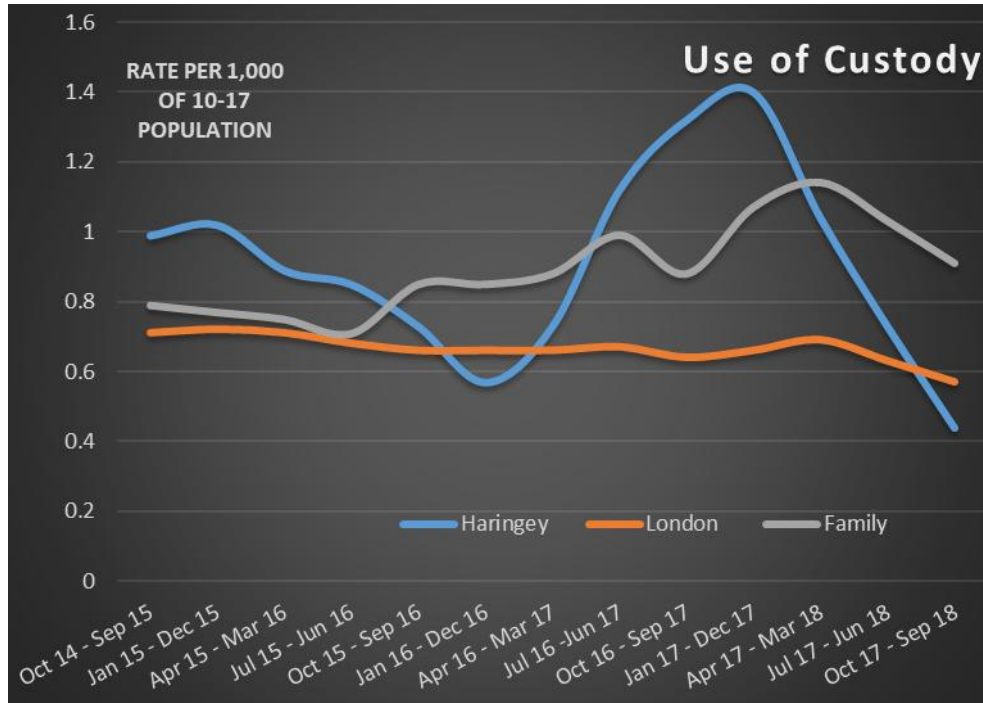
Currently the number of stop and searches across MET are at their lowest. More diversionary programmes and interventions are being utilised, Police and the Crown Prosecution Service are less likely to prosecute, and magistrates have more confidence in the triage/caution process.

In 2017/18 Haringey Youth Justice service introduced a new induction and intervention process for young people subject to Triage and Out of Court Disposals in order to enable less complex cases to be dealt with more appropriately. This has led to an improvement in reoffending rates for those subject to triage (12.8% from 20% in the previous year) and Cautions with conditions (22% from 61%). The overall reoffending rate for those receiving a

YJS intervention as part of the out of court disposal process is 15% across a total of 165 young people.

The service has recently noted higher than average number of reported Police Merlins where there seems to be no outcome for young people engaged in offending,. The service is currently working with Police colleagues to establish Community Panel for support and interventions for this group of young people to address this issue.

## 2. Quarter 2 2018/19 Use of custody



Performance reporting highlights significant reduction of numbers for custody sentences. There were 11 custodial sentences in the last year compared to 33 in the previous year and 24 three years ago. This marks an decrease of 67% and 54% respectively.

The overall decline in use of custody in sentencing includes; district judges/judges being less inclined to sentence to custody, limitations in placement availability, custody panels, government targets to reduce use of custody, introduction of Intensive Supervision Surveillance, robust community sentences with plans for intervention that increase desistance from crime by young people in crime, and the reduction of the numbers of young people entering the youth justice system.

The service expects an increase in the use of custody due to serious recent incidents, with 4 young people remanded to custody for allegations of involvement in murder.

## **Operation Harkime**

In February 2018 **Operation Harkime** was established in the borough. A Police led, multi-agency initiative it sought to identify vulnerable people at risk of criminal exploitation.

Its focus was identification of individuals (children and vulnerable adults) either at risk of gang exploitation, or actively being exploited by gangs, to implement multi-agency plans in respect of these individuals including safety and enforcement measures.

The operation benefits included targeting those responsible for exploitation and bringing about prosecutions. It has been successful in diversion of children away from criminal exploitations, and reducing their risk of harm from vulnerabilities.

## **Children and Young People's Service - CCSE Panel**

Child Sexual Exploitation (CSE) Child criminal Exploitation (CCE), County Lines and Girls and Gangs population has increased over the past year in the borough. This resulted in the collaboration between key stakeholder partners engaged in working with young vulnerable adolescents at risks of Missing/CSE and Gangs to form the CSECCEGG Panel from January 2018.

Its membership comprises partners from Social Care, and Early Help, Youth Justice, The Gangs Unit, Health, Education, Housing and also has representation from neighbouring local authorities in Enfield and Barnet, in recognition of the issue across boundaries of neighbouring authorities. The panel uses a 'contextual safeguarding' approach that establishes safety plans for our most vulnerable at risk young people involved in child criminal exploitation.

The panel's purpose, along with Operation Harkime/Trident who are 'in situ' in Haringey, is steering Haringey's young people away from criminalisation – using a 'victim focused' approach wherever possible, including use of the National Referral Mechanism. (Appendix 1)

Haringey has recently secured partnership with the MOPAC funded 'Out there' Rescue and Response Research programme in partnership with the University of Bedfordshire, focusing on 'A contextual safeguarding evaluation of a pan-London safeguarding response to 'county lines'.' The Rescue and Response Team will also be operating from the Haringey exploitation panel – and this three year programme will underpin, inform and develop further our response to CCE.

## **Ministry of Justice, Youth Justice Board – Reducing the Criminilisation of young people Protocol**

On November 27, 2018, the Ministry of Justice, Youth Justice Board published its protocol setting out best practice for avoiding the criminalisation of looked after children and care leavers up to the age of 25. (Appendix 2)

Looked after children are over-represented in the criminal justice system, and are vulnerable often the victims of trauma and exploitation. Its recommendations include training for all professionals working with looked after children on the 'impact of trauma and abuse on development, and their effect on emotional and behavioural development and self-regulation.

Key points in the protocol include:

- Restorative and diversionary approaches in response, whether the behaviour occurs in a child's placement or the wider community.
- Professionals focused on a child-centred approach providing an integrated, co-ordinated and pro-active response to preventing and addressing challenging or offending behaviour.
- Children and young people on remand or custodial sentence are often vulnerable with multiple complex needs, requiring multi-agency oversight and support.

Police and CYPS Youth Service colleagues are exploring ways of working with a children's residential establishment in the Bruce Grove area in piloting approaches to reduce criminalisation of young people who are looked after, currently in development phase, the final plan will be presented to Haringey's Youth Justice Partnership board

Restorative Justice is an approach endorsed by the Youth Justice Board (Ministry of Justice), to underpin work undertaken by the Youth Offending Services. In work with children and young people, restorative processes are used to work with groups and gangs, and also to enable the involvement of victims in reparation work with young people, including an apology to them for the crime.

Focusses on prevention and repair of harm. Restorative Approaches It allows for the effective communication in a range of situations for example in Youth Justice facilitating understanding of both perpetrator and victim perspectives enabling both parties to develop a way forward toward a positive outcome.

Police forces are increasingly using the approach proactively to repair and build relationships with specific groups within communities. LBOH YJS, and Police staff have benefited from training in its approach.

In summer Haringey's Children and Young People's Scrutiny Panel completed a review on the issue of Restorative Justice as approach for local response to concerns about worrying trends in levels of serious youth violence and exclusions in the borough.

The final report recommendations included piloting the approach in specific areas of Children and Young People's Services and to consider its to expansion into schools, The approach is being rolled out across specific areas in CYPS. (Appendix 3)

During 2017 Haringey's Youth Justice partnership undertook a piece of research into 20 cases of young people that had reached the age of 18 with a history of involvement with Haringey youth justice and multi agency organisations.

This research revealed high levels of trauma dating back to a young age and impacting upon the children's lives in a multiplicity of ways. Funding in 2018/19 from Haringey CCG enabled commissioning of training for all YJS staff in trauma based approaches which was completed at the end of December 2018. Evaluations of the training is planned for completion in February 2019, for impact of learning, and further follow up in summer 2019 for its effectiveness on practice which will inform discussions for further roll out of training professionals system wide and funding arrangements for this to take place. The Anchor Project delivery in schools embeds trauma informed approaches in its work with primary aged children.

In March, Cabinet will consider Haringey's Young People at Risk Strategy. Its overarching aim is to reduce serious youth violence in the borough. The strategy will reflect the administration's priorities to ensure that all young people can grow up safely in the borough and to reduce numbers of young people enter the criminal justice system through taking an early intervention and preventative approach to addressing risk factors that are pre-cursory factors to young people's involvement in risky behaviours including serious youth violence.

The strategy aims to ensure that fewer young people become victims and perpetrators of violent crime. The strategy provides a framework for developing, with partnerships a "Think Family", child centred and in non-punitive ways and thereby diverting young people from a pathway that may lead into the criminal justice system.

## **5. Contribution to strategic outcomes**

- 5.1. The provision of Haringey's Child Sexual Exploitation Service contributes to Priority 1 of Haringey's Corporate Plan: "Enable every child and young person to have the best start in life, with high quality education".
- 5.2. Preventing and reducing childsexual exploitation is a priority for Haringey's Safeguarding Children and Young People's Board and the wider department. The Safer London Child Sexual Exploitation service is delivered in line with the London Protocol on CSE (2017) and London Child Protection procedures.

5.3. First Time entrants (FTE's), Use of Custody and Re-offending rates are a condition of grant and also a statutory requirement for reporting performance to the Ministry of Justice, Youth Justice Board.

5.4. The provision of the service contributes to Priority 1 of Haringey's Corporate Plan Enable every child and young person to have the best start in life, with high quality education".

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

6.1. Finance

N/A

6.2. Procurement

N/A

6.3. Legal

6.4. Equality

6.4.1. Not Applicable

**7. Use of Appendices**

7.1. Appendix 1 – Haringey CYPS CCSE Panel Presentation 2019

Appendix 2 – Restorative Justice Scrutiny Report

[https://www.haringey.gov.uk/sites/haringeygovuk/files/cyp\\_sp\\_rj\\_report\\_2.docx](https://www.haringey.gov.uk/sites/haringeygovuk/files/cyp_sp_rj_report_2.docx)

Appendix 3- Cabinet Response to Restorative Justice Scrutiny Report

[https://www.haringey.gov.uk/sites/haringeygovuk/files/14d\\_restorative\\_justice\\_appendix\\_2\\_docx.pdf](https://www.haringey.gov.uk/sites/haringeygovuk/files/14d_restorative_justice_appendix_2_docx.pdf)

Appendix 4 – Youth Justice Board Protocol – Reducing Criminilisation of Young People Looked After

<https://yjlc.uk/protocol-on-reducing-the-criminalisation-of-looked-after-children/>

**8. Local Government (Access to Information) Act 1985**

Not applicable