Youth Justice Board

Surveying the changes across the youth justice sector

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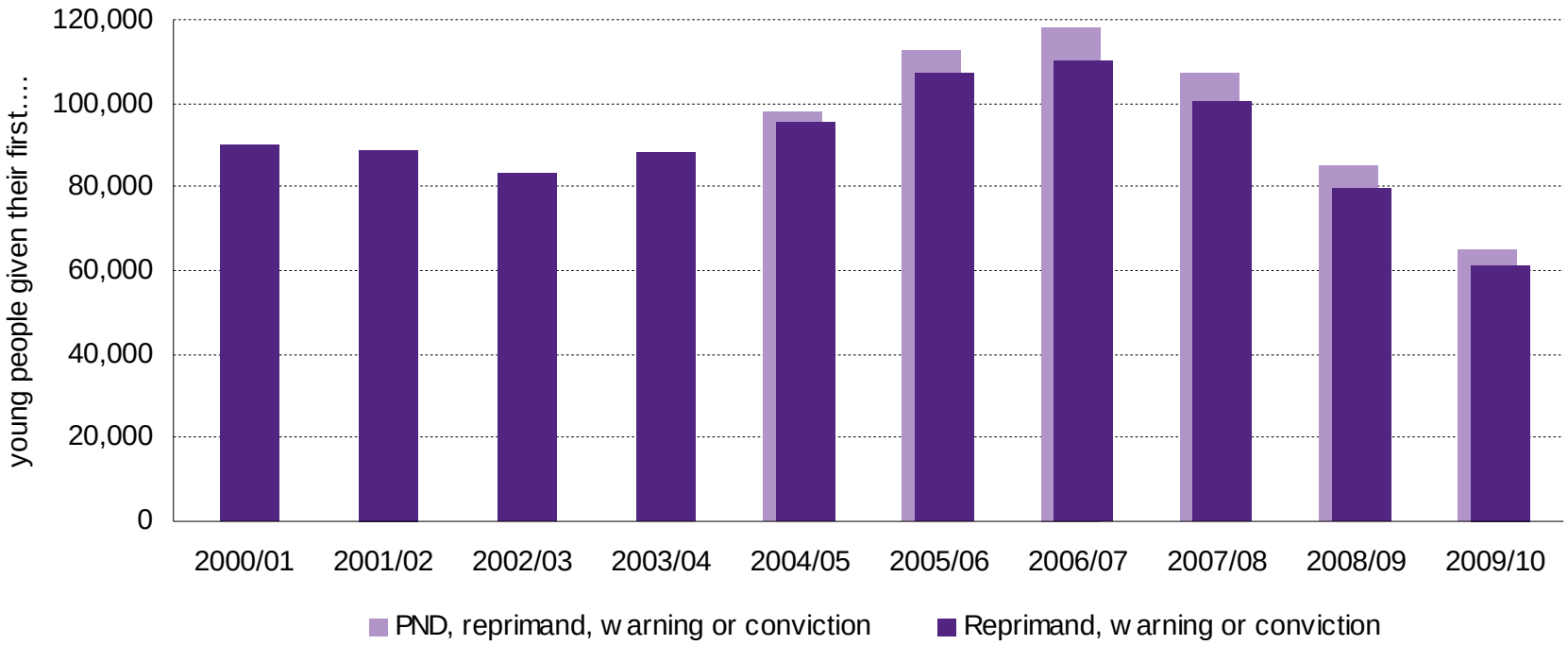
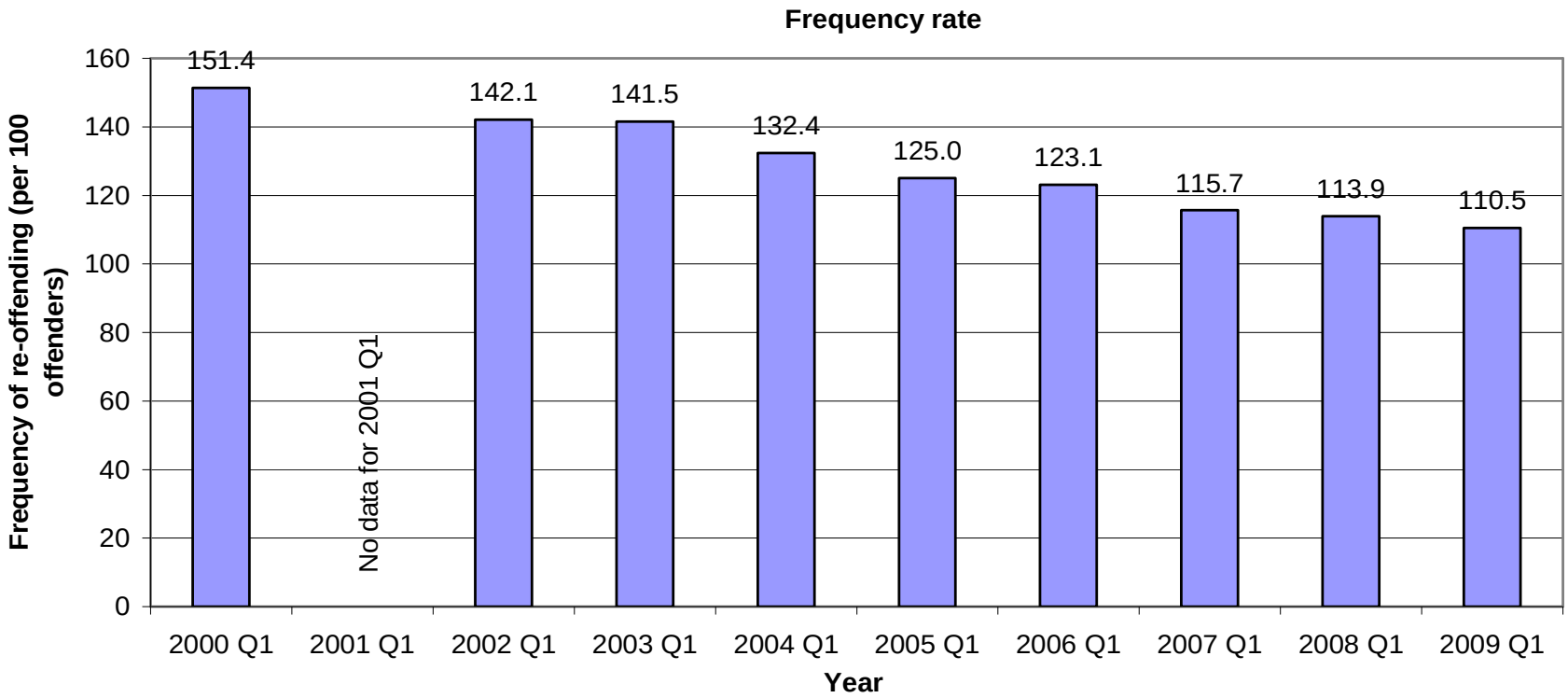
14 April 2011

First time entrants to the youth justice system



The number of first-time entrants in England and Wales receiving their first reprimand, warning or conviction was 61,422 in 2009/10; this was 23% lower than in 2008/09 (79,851) and 44% lower than in 2006/07 (110,188).

Re-offending by young people



Between 2000 and 2009 the re-offending rate (binary) fell 3.3 percentage points from 40.2% to 36.9%.

The frequency of re-offending by juveniles has also fallen – by 27.0% since 2000, and 3.0% since 2008.

Changes since May 2010 and implications for youth justice

- New government means new priorities
- Recession means budget cuts and belt tightening
- New localism agenda means ring fences are removed and LAs are expected to make smarter decisions about their spending on the basis that they have more autonomy.
- Public Bodies Bill

Keeping Young People Engaged (KYPE)

•Initially piloted from 2002

•Rolled out nationally (to all English and Welsh YOTs) from 2006: ringfenced grant funding to promote the engagement of high end offenders in ETE

•Since 2006 ETE engagement of the youth justice cohort has steadily improved, while nationally engagement has remained static.

•From 2011/12 KYPE funding has been added to the non-ringfenced Youth Justice Grant, and subject to the same reductions as other government funding streams.

•Helped achieve considerable improvements in ETE engagement between 2004-2011

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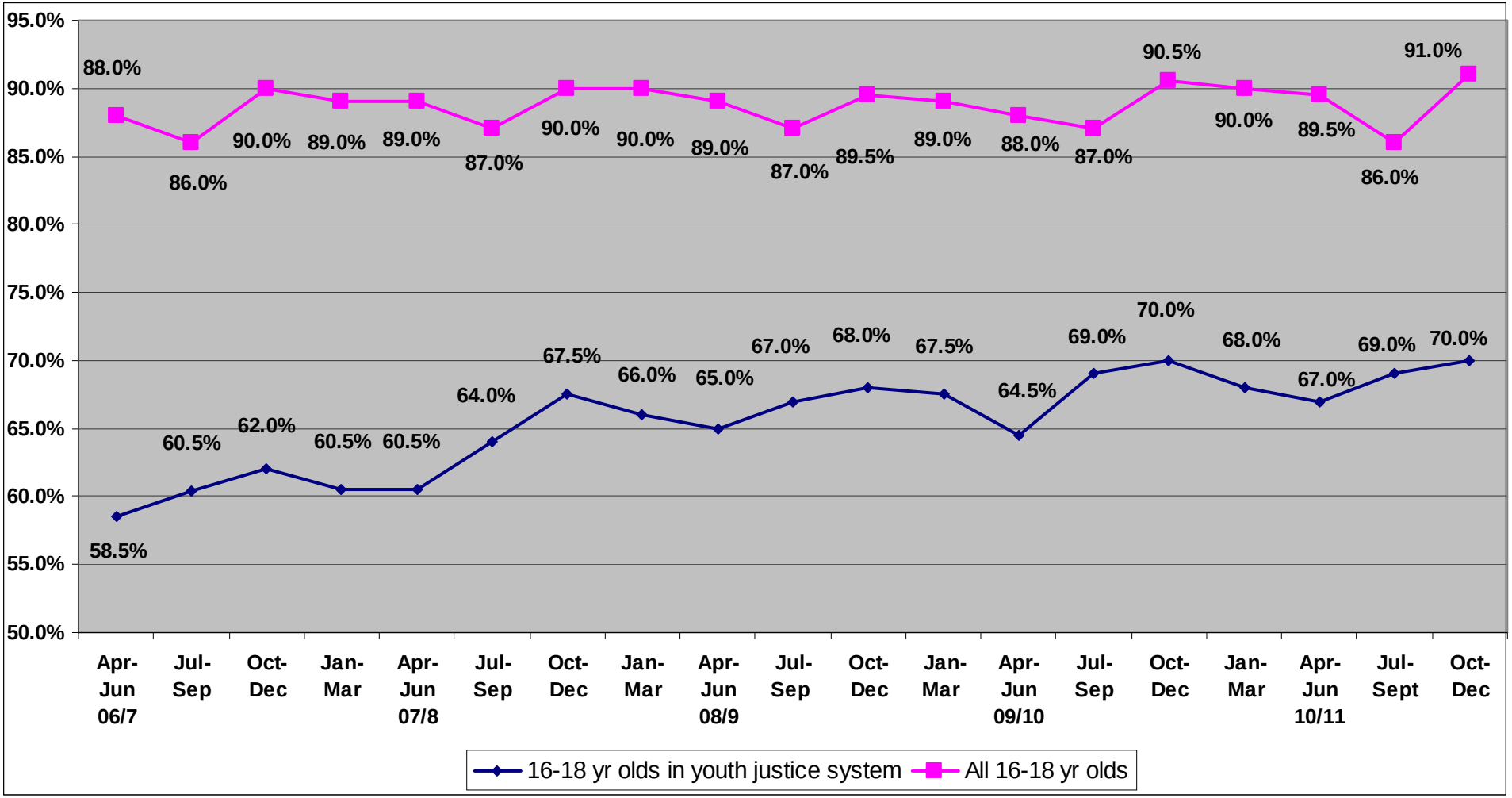
Graph 1

Comparison of 16 – 18 young people NEET (national) v Youth Justice System: Apr - Jun 06/07 to Jul - Sept 10/11 (England)



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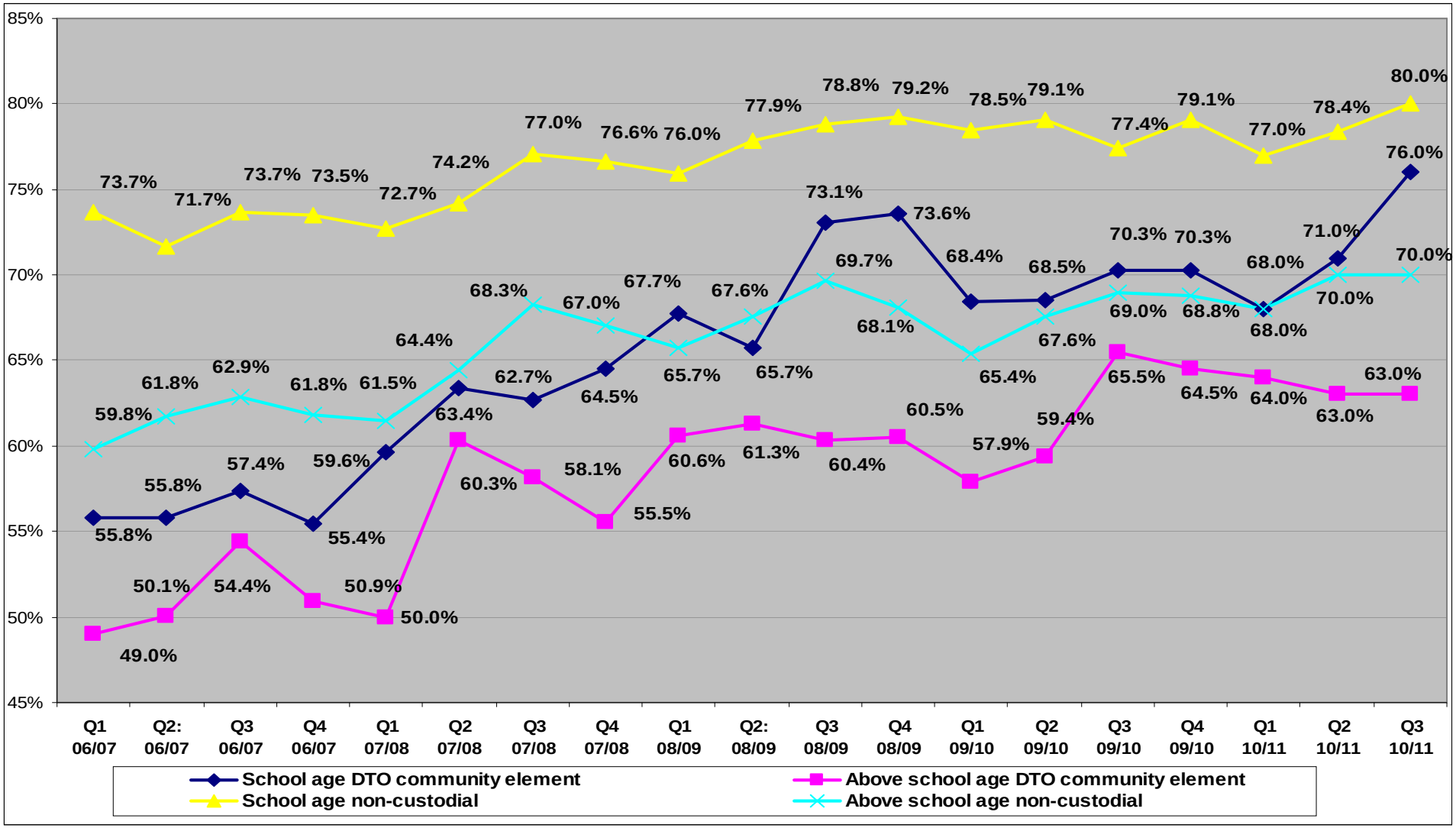
Graph 2

YJ (YOT) ETE indicator performance trend: By age and sentence (England)

(There has been a change in the method of measuring ETE engagement for statutory school age in English YOTs since 2008/9)

Apr – Jun (Q1) 2006/7 to Oct – Dec (Q3) 2010/11



Apprenticeships, Skills, Children and Learning Act 2009

- Important provisions to ‘mainstream’ offender learning, establishing a statutory entitlement for young people in custody to receive education (and have any special educational need (SEN) met)
- Scrapped pre-existing legislation denying any entitlement.
- Designed to make local authorities responsible for the education of young people in secure accommodation:
- ‘Home’ local authorities (LA where a young person was normally resident prior to detention) have responsibility to promote the educational fulfilment of young people.
- ‘Host’ local authorities (LA which has a secure establishment with it’s borders) must secure education and training for young people detained within the secure establishment (at present this applies only to prison run YOIs).

ASCL Act continued

- September 2010 host LAs became responsible for ‘securing’ education within prison run YOIs
- The responsibilities in relation to ‘home’ LAs also came into effect on this date.
- Responsibility for the funding of young offender education still currently rests with the YPLA
- OLASS contracts, agreed by education providers and the YPLA to deliver young offender education came into force in Autumn 2009 and were for three years (with an option to extend).
- This means that nothing has changed in relation to provision of YO education. Yet.
- A decision was taken in March 2011 to postpone the transfer of funding to LAs until April 2012, pending further developments in mainstream education provision and agreement of the remit of the Education Funding Agency (EFA)

The Importance of Teaching – White paper

- Introduced the idea of schools retaining responsibility for excluded children: ensuring that they pay for more appropriate provision
- Set out the government's plans for ensuring that parents/children can influence school provision by making it easier to set up an academy or free school
- Proposed opening up the provision of alternative education to third sector organisations
- Made proposals to simplify the exclusion procedure – so that schools couldn't be compelled to take back excluded children if there were found to have been procedural irregularities

The Importance of Teaching - continued

- Proposed a number of new strategies to give power back to teachers
  - Removing the requirement to give 24 hours notice of an after school detention
  - Increasing teachers powers to search children for banned items
  - Disciplining children for behaviour which occurred outside school
- Set out plans to overhaul initial teacher training, the entry requirements to train as a teacher and professional development.
- Proposed to set up a number of teaching schools
- Announced the government's intention to abolish the YPLA

Behaviour and Discipline – House of Commons Education Committee

First report of session 1 2010/11

Explored issues raised in the DfE White Paper ‘The Importance of Teaching

Set out that “A good school behaviour policy, agreed and communicated to all staff, governors, pupils, parents and carers, consistently applied, is the basis of and effective approach to managing behaviour”

Advocates early identification and provision for additional needs, so that behaviour doesn’t become a problem

Sets out a requirement for better cohesion between services (CAMHS, children’s services, schools etc)

Called for a national curriculum which meets the needs of all pupils and contains a mix of academic and vocational subjects which are differentiated and enjoyable as well as stressing the importance of reading, communication and comprehension.

Support and Aspiration: A new approach to special educational needs and disability

SEN Green Paper

- Earlier identification of need – in early years settings
- A new single assessment process and ‘Education, Health and Care plan’
- Increase transparency of services available – enhancing parental choice
- Personal budgets
- Greater independence around assessment of need (explore how voluntary and community sector can assess need)

SLCN/SEN/LLDD in the CJS

- The Berkow review in 2008 identified problems with the identification and treatment of speech, language and communication needs for 0-19year olds
- Estimated 60% of young people in the CJS have SLCN
- Includes ‘traditional’ problems: dyslexia, ADHD, Autistic spectrum disorders, as well as those which are less readily given a name
- Problems can range from not understanding what people are saying/complex sentences to not being able to explain oneself coherently to not understanding the implications of actions.
- Can prevent young people understanding the conditions of their sentence, or from expressing themselves in court/at police interview

The Communication Trust

- Last year the Communication Trust developed a programme of awareness raising training for YOT staff.
- The have rolled the training out to a number of English YOTs
- We have provided them with a grant to enable them to train more YOTs – in both England and Wales
- Initial feedback shows that staff awareness of SLCN has greatly improved following the training, and YOT workers feel more confident about identifying and assisting young offenders with SLCN
- One YOT which employs an SLT has seen its reoffending and custody rates drop following the integration of the SLT into the team, and the raising of SLCN awareness.
- The Communication Trust are developing a programme of awareness raising training for Magistrates, Police, and secure estate staff