

## CORE OFFER BUDGET FOR YOUTH OFFENDING & ASB

### WHY DOES THE COUNCIL HAVE TO PROVIDE THIS SERVICE AND WHAT DOES IT NEED TO COVER?

#### Youth Offending

##### *Legislative framework*

The aim of the Youth Offending Service (YOS) is to prevent children and young people from offending. Youth Offending teams were set up following the 1998 Crime and Disorder Act with the intention of reducing the risk of young people offending and re-offending, and to provide counsel and rehabilitation to those who do offend.

Under the Act, it is the responsibility of each Local Authority to ensure that Youth Justice Services are available in their area. Section 39 (1) of the Crime and Disorder Act 1998 requires the co-operation of the named statutory partners to form a YOS. Section 38 (1, 2) identifies the statutory partners and places upon them a duty to co-operate in order to secure youth justice services appropriate to their area. These statutory partners are: the local authority; police; probation; health.

The Crime and Disorder Act does not prescribe how services are delivered, but sets out two principal statutory functions assigned to each YOS in Section 39 (7): to co-ordinate the provision of youth justice services for all those in the authority's area who need them; to carry out such functions assigned in the statutory youth justice plan formulated by the Local Authority. In addition, by providing the youth justice services outlined at Section 38 (4) of the Act, the Local Authority also addresses its duty, under paragraph 7(b) of Schedule 2 of the Children Act 1989, to take reasonable steps designed to encourage children and young people within the area not to commit offences.

The Crime and Disorder Act 1998 not only places a duty upon the statutory partners to co-operate in securing appropriate youth justice services, it also creates a power to enable partners to fund youth justice services at Section 38 (3)(a) and (b): by making payments directly, or by contributing to a fund, established and maintained by the Local Authority, out of which payments may be made.

Section 40 of the Crime and Disorder Act 1998 sets out responsibilities in relation to the production of an annual youth justice plan. It states that it is the duty of each local authority, after consultation with the partner agencies, to formulate and implement an annual youth justice plan setting out: how youth justice services in their area are to be provided and funded; how the YOS will be composed and funded, how it will operate, and what functions it will carry out. The statutory youth justice plan must be submitted to the YJB and published in accordance with the directions of the Secretary of State.

##### *The service*

The rationale behind having a comprehensive team of professionals is to be able to assist young offenders across all areas of their lives. The service identifies and

manages the risks young people pose to themselves and to other people, and works towards reducing the likelihood of them re-offending in the future and engaging them in positive activities, including education and training.

There are three national priorities:

- reducing first time entrants
- reducing the use of custody
- reduction in re-offending.

Youth justice services delivered include:

- Supervision of children and young people who are subject to out of court disposals issued by Police and those subject to both community and custodial sentences imposed by the courts
- Preventative work to reduce the number of young people in the criminal justice system
- Professional advice and the preparation of reports for court
- Assessment and supervision of young offenders
- Support for parents of young offenders
- Restorative work between offenders and the victims of youth crime.

The YOS model in Darlington has focused on preventative interventions that lessen the requirement for statutory orders. This has been very successful and recognised as a model of good practice. Not only is it more cost effective to be pro-active in crime prevention, but it is also much more beneficial for the young person in question. Often a variety of factors will need to be addressed, such as disengagement from education, trouble at home, having parents or other family members who have offended, and drug and alcohol misuse.

### **Anti Social Behaviour**

Anti-social behaviour covers any kind of nuisance, unreasonable behaviour or harassment. It also includes serious criminal activity. It has been defined as: 'any conduct of a manner that caused/was likely to cause harassment, alarm or distress to one or more people, who do not live in the same house as the person who carried out the behaviour.'

The Crime and Disorder Act (1998) requires the Local Authority to provide a response to reports of ASB. There is no set way to deliver this but the police in this area do not pick up this. The Darlington ASB team is aligned with the YOS and locality social work teams and work very closely on preventative agenda.

Under the ASB & Crime & Policing Act 2014 there must be a response to Community Triggers (made by members of the public). There has to be a co-ordinated multi agency response of community remedies which is led by the team. The police refer low level crime/ASB for low level/preventative type interventions to the ASB team who will work with individuals and their families alongside other agencies who are actively involved such as Children's Social Care. Where it is appropriate referrals may be made to partner agencies to ensure a holistic response to the presenting issues and any other issues that may be having an impact on the behaviours.

The Police and Crime Commissioner has as one of his priorities early intervention and community engagement with a particular emphasis on talking anti-social behaviour.

### **HOW DOES THE CORE OFFER BUDGET MEET THE COUNCIL'S OBLIGATIONS?**

The statutory element of providing services for young offenders will continue to be met although the service delivery model will require some remodelling.

The core offer will include delivery of statutory court order including youth cautions, referral orders, youth rehabilitation orders, intensive supervision and surveillance and custody. Interventions will be via individual and group work. Court attendance, PACE interviews, custody visits and victim liaison will also be undertaken. The statutory annual plan and running of the YOS board will also be undertaken.

The significant reduction of funding for the Anti-Social Behaviour team means that statutory responsibilities for tackling ASB will be delivered through the reduced YOS in partnership with the Police and partner agencies. The details of this aspect of the service will be developed over the next few months. Partner agencies have yet to indicate what their future contributions to the YOS will be which does have an impact on the level of service that is delivered. A reduction in the range of services, removing non-statutory services is very likely to have an impact on the levels of criminality that lead to statutory involvement by the criminal justice system including the YOS.

### **DOES THIS DIFFER FROM THE CURRENT SERVICE?**

This represents a significant reduction to the ASB services. As the YOS picks up additional ASB responsibilities there will be an impact on YOS the delivery of preventative programmes in education settings, pre-court restorative justice, bail to court schemes and non-statutory reparation work with the ASB team.

### **WHAT IS THE CORE BUDGET MADE UP OF?**

#### **2019/20 - £220,564 (Net of income and grants)**

Budget Shown is net DBC Contribution of £200,000.

Gross budget for the service is £480,000 based on YJB grant of £240,000 and Partner contributions of £40,000. YJB grant and Partner contributions subject to further reduction.