

West Midlands Police and Crime Panel

Panel Scrutiny Inquiry

Supporting the PCC's Wider Criminal Justice Remit – Case Study of Partnership Working in the Youth Justice System

20th March 2017, 2pm, Dudley Council House

A Introduction

At the January 2017 meeting, the panel undertook to explore the relationships within partners in the criminal justice system, and how co-ordination between the different bodies is achieved to support common aims. Given the potential breadth and depth of this work, it was agreed that it would be sensible to focus on one area, to use as a case-study for exploring relationships. This could potentially set the scene for a wider piece of work in 2017/18 which would explore other relationships within the criminal justice system.

The aim of the session is:

To explore how the Police and Crime Commissioner (PCC) and other criminal justice agencies are co-operating to reduce youth re-offending (under 18s).

B Background

B.1 Legislative Basis

- The Police and Social Responsibility Act 2011 sets out a duty of co-operation. The PCC and criminal justice bodies (including the police, the Crown Prosecution Service (CPS), youth offending teams and probation) must make arrangements to provide an "efficient and effective criminal justice system for the police area."¹
- The Crime and Disorder Act 1998 (as amended)² sets out the aim of the youth justice system as being to prevent offending by children and young people. The duty to achieve this and ensure that all appropriate youth justice services are available is the local authority's acting in co-operation with other bodies. These bodies include the PCC, police, probation and health.
- The Youth Justice Board for England and Wales oversees the youth justice system including:

¹ Section 10

² Section 37 and 38 Crime and Disorder Act 1998 amended by Section 235 of the Police and Social Responsibility Act

- the placing of children and young people remanded or sentenced to custody;
- providing a 'secure estate' for children and young people, with young offender institutions, secure training centres and secure children's homes; and
- making grants to local authorities or other bodies for the development of plans that support our targets.

B.2 Background

A 2015 Criminal Justice Joint Inspection (with Her Majesty's Inspectorate of Constabulary) concluded:

"We ... recommend that steps are taken by the leaders of the criminal justice agencies to provide greater clarity and direction, pace and purpose to inter-agency working at local, regional and national level."

As noted the 2011 Police Reform and Social Responsibility Act placed on certain criminal justice bodies a responsibility to co-operate on criminal justice matters. This enabling legislation set up the duty but gave little guidance on how it was to be exercised.

The criminal justice bodies included within this duty are the Chief Constable, Courts and Tribunal Service, CPS, the Probation Service and prison providers. The statutory duty is flexible to allow working arrangements to develop in a way that is most meaningful locally, and to leave room for innovation. The Explanatory Note under this section states:

"It is anticipated that these arrangements will involve the agreement of a protocol or memorandum of understanding between the various bodies setting out the matters in respect of which they will co-operate and the means by which they will do so."

In January 2017, the PCC reported to the panel that this agreement has not happened, and whilst there are good bilateral relations with each of the partners, there is little joint ordination or planning. The Commissioner suggested that there would be support, as his was the only role with a democratic mandate, for him to take a co-ordination role (recognising that he would not have authority over these bodies).

As he states in the 2016/20 Police and Crime Plan:

I have a democratic mandate to ensure improved partnership working and overcome 'barriers' between Police, Community Rehabilitation Companies, National Probation Service (NPS), the Crown Prosecution Service and the Courts Service. I will review current partnership arrangements and bring agencies together to ensure joined-up thinking in relation to outcomes.

The West Midlands Police and Crime Plan 2016-20 says:

“My focus on offender management remains a professional approach, based on well-trained staff, understanding what delivers success, and strong partnership networks. To improve outcomes I will further develop our approach to domestic abuse, relationships with Youth Offending Teams and West Midlands Police’s contribution to other preventative schemes such as Early Help.”

“I also want to play a greater role in contributing towards reductions in youth offending. I will work with local partners to work towards having greater control over the delivery of youth justice services in order to pool resources, integrate functions and commission services more strategically and effectively.”

C Attendance

C.1 The following people have been invited:

- David Jamieson, West Midlands Police and Crime Commissioner
- West Midlands Police TBC
- Peter Ashplant, Head of the Midlands Region, Youth Justice Board
- Claire Dhami, Walsall Youth Justice Service / Public Service Reform lead for Criminal Justice
- Youth Offending Team Managers (confirmed to date):
 - Michael Botham, Manager, Sandwell Targeted Youth Support
 - Georgina Kell, Service Manager, Youth Offending Services, Coventry City Council
- Other partners to be confirmed

D Suggested Format

D.1 The following format is suggested for the discussion – One and three quarter hours have been allocated:

1. **Introductions:** Each witness asked to introduce themselves.
2. **Presentations**

Witnesses asked to make some introductory statements (suggested timings in brackets):

- Overview from Peter Ashplant and Claire Dhami (10 mins)
- Key issues PCC (5 mins)
- Other partners (5 mins)

3. **Questions:** To follow the Lines of Enquiry in section E, and other key issues for Panel Members.
4. **Conclusions and Recommendations:** Panel Chair and Members to sum up and decide if there is further work they wish to do on this topic; or if they wish to make any recommendations to the PCC.

E Suggested Lines of Enquiry

E.1 Key lines of enquiry are:

- What are roles and responsibilities for delivering an effective youth justice system?
- What role does your organisation play in youth offending?
- What is the PCC's role within this?
- What can the PCC do further to support other partners in the youth justice system?
- What are the challenges and barriers, successes and good practice?
- Is there anything else partners can do to support the PCC's role?
- What funding for youth justice comes through the Office for Police and Crime Commissioner?
- If the PCC's funding for Community Safety Partnerships changes what would be the best way of ensuring the best outcomes for young people?
- How can the PCC and West Midlands Police further support the prevention agenda including early help?
- What lessons can be learnt from partnership working for youth justice services for the wider criminal justice system?

E.2 In conclusion:

- In the light of the discussion what recommendations (for the PCC or other parties) would help to strengthen the youth justice system?

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