



Report to Scrutiny

Item Number: 5

Contains Confidential or Exempt Information

No

Subject of Report: *Youth Justice Service dealing with Knife Crime and Engagement*

Meeting: *Scrutiny Review Panel 2. Knife Crime and Youth Engagement
11th July 2018*

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Brief: *To consider an overview of knife crime and youth engagement in the borough and identify items for further review accordingly.*

Recommendations: *The Panel is recommended to:*

- consider and comment on the overview of knife crime and youth engagement in the borough;
- identify items for further scrutiny over the year; and
- make suggestions for improvements accordingly.

1. Youth Justice and Youth Engagement

Introduction

This report identifies, follows the process of young people through the Criminal Justice system after they have been found in possession of a knife or sharp pointed blade. It highlights the role of the Youth Justice Service (YJS) in the decision-making processes affecting the young person whether it is through the Out of Court (OOC) early intervention process or following conviction in the YJS post court team. It also highlights the preventative and diversionary programmes which young people engage in, to reduce any further offending.

In addition, there are wide and varied engagement programmes taking place across Ealing in youth clubs, on housing estates, in schools either as group sessions or more bespoke 1:1 sessions. All programmes are intended to provide learning opportunities, and these will be highlighted in the second part of this report.

Youth Justice Service (YJS)

Ealing YJS is divided into two succinct parts and areas of responsibility, the early intervention OOC team to work with young people and partners to reduce the likelihood of a young person appearing at Court, and the post court team who work with young people who have been found guilty in a youth court and are awaiting sentence or who have been sentenced. All the policies relating to the YJS are National policies directed from the Youth Justice Board (YJB) of England and Wales, with some local interpretation available on practice. Decisions affecting young people are dealt with by the YJS in the area they reside and not the area they were arrested, and any decision must comply with the National Standards set out by the YJB.

Out of Court Team

The OOC team in Ealing is extremely well regarded for its early intervention work and Ealing's approach has seen the number of First Time Entrants (FTE) appearing at court fall from 312 in 2009/10 to 92 in 2017/18 while the number of young people being seen by the OOC team was 467 in 2017 and 478 in 2016. These numbers include young people who are referred because their case has been discontinued by the police but they are referred for additional support from the YJS e.g. Health. The team has an average case load of approximately 17 challenging young people all the time.

All cases referred to the OOC team are referred as there is a statutory responsibility on the police to consult on the most appropriate outcome, or disposal decision for a young person who has committed an offence, unless the offence is significantly serious in nature where the police can seek authority to charge the young person from the Crown Prosecution Service. In addition, all cases referred for a disposal decision must be capable of being proved in court, and the young person must admit their role in the offence.

The disposal decisions which are consulted over, once an initial assessment has taken place which involves the young person, their family, their school and with other partners input are to; take the case no further (NFA), offer diversionary programmes, caution the young person, conditionally caution a young person or charge them. There is a real emphasis on Safeguarding and welfare support in this process for the young person so

the decision making reflects the findings of the assessment and the risks that have been identified.

If a young person is arrested they have an initial assessment by the OOC team, but any second or subsequent referral requires an in-depth assessment of their needs. The assessment tools have been devised by the YJB and assessments should address:

- the risk of reoffending, risk to the public and any safeguarding needs;
- whether an intervention is appropriate and which agency is best placed to meet identified needs;
- the young person's attitude to interventions, and their motivation to participate and engage with an intervention programme;
- the extent to which the young person is able and willing to engage with restorative justice interventions or apologise to their victim;
- the likelihood of the young person receiving support from their family/carers, how the family/carers could be involved in any intervention, and whether a referral to support family/carers is necessary.

Following the decision being made on the best outcome for the young person for the offence, all young people are encouraged to take part in intervention activities or programmes which are either punitive, reparatory, and restorative, within 3 months of the decision being made. This approach allows the YJS to support the young person and their family in a way which addresses any risks identified in the assessment. Voluntary participation is encouraged for all outcomes except for a conditional caution outcome where there is a statutory requirement that the young person engages with the activities. If a young person does not comply with their statutory activities, they could be charged with the original offence and appear at Court.

There is also an imperative in the YJS and Integrated Youth Service (IYS) to ensure all young people are in some form of education, training or employment (ETE) opportunity which varies according to their age. In 2017 83% of young people completing their order were in ETE.

Police policy/guidance

The National Police Chiefs' Council (NPCC) has also published their guidance to police officers who are dealing with young people found in possession of a knife or sharp pointed weapon. Their guidance states [The Starting point for police will be an expectation to charge 16 and 17-year olds (unless there are exceptional circumstances) in all cases.] It goes on to say that [When dealing with youth offenders forces must ensure that action taken follows the requirements in both the Youth Cautions Guidance for Police Officers and Youth Offending Teams, and the Director of Public Prosecutions (DPPs) Guidance on Conditional Cautions for Youths].

NPCC states in the case of any young person aged 15 or under in the cases of simple possession with no aggravating factors, the starting point will be the issuing of a Youth Conditional Caution. A young person aged 16 or over will normally be charged. Forces should ensure that, in relation to offences involving a knife, a second caution is not

issued to a young person. Forces should also ensure compliance with the most up to date version of the Association of Chief Police Officers (ACPO) Youth Gravity Score Matrix when considering the disposal of knife related offences. A second arrest for a young person aged 15 or under for simple possession of a knife or sharp pointed blade will result in a charge unless exceptional circumstances apply.

The offence of threatening a person in public or on school premises will result in a youth aged 16 or over being charged as this offence carries a minimum sentence of a 4 months detention and training order and therefore should not be dealt with using an out of court disposal.

NPCC states discretion does exist to deviate from the normal response, as set out above, but only if the circumstances justify this, and the reasons for such action would need to be fully recorded by the decision maker. It is recommended that forces consider delegating this decision to the rank of at least an Inspector. The circumstances surrounding the offence should always be taken into account in determining the most appropriate response. The three factors that will support the decision to charge for all knife-crime offences are:

- Weapon used or violence threatened during commission of offence.
- The offence, though minor, is prevalent, in the local area – as identified in the local crime audit, specified in the youth justice plan or specifically agreed with the CPS to warrant more serious response.
- The offence is part of a hate crime incident where the motivating factor is prejudice or hostility based upon the victims actual or perceived disability, race, religion or belief, sexual orientation, transgender identity.

There is a strong working relationship between partners in the YJS as part of the decision-making process for all young people arrested for a knife or sharp pointed blade.

Intervention / engagement programmes for OOC

Intervention programmes are proportionate to the offence, and when a young person is referred through the OOC process for a knife offence then these young people are required to take part in a knife awareness programme which is presently run by the London Ambulance Service (LAS). This programme identifies the risks and consequences from a health point of view of knife crime. It also offers rudimentary first aid advice and guidance to young people.

In 2015/16 there were 2 young people, who are male, who referred to the OOC team for a disposal decision relating to possession of a knife or sharp pointed article. In 2016/17 there were 12 young people, who are male, referred with the youngest being 13 years old where a knife was found on them in school, and in 2017/18 there 10 young people referred of which 8 are male and 3 females with 4 12 year olds being referred after knives were found on them in school.

The YJS delivers group programmes within the community which are reparatory. Programmes involve young people working, helping: in the Foodbank, making beds for the homeless in church halls, working in Hanwell Zoo with the staff and animals, and the Summer Arts College.

Post Court Team

The post court team is responsible for supporting young people through the criminal justice system from the moment they appear in court, or if they are remanded into youth detention accommodation. The number of bed nights occupied by young people on remand has fallen from 2525 in 2009/10 to 331 in 2017/18, and the number of young people sentenced to custody following their court appearance has fallen from 38 in 2009/10 to 7 in 2017/18. The number of young people being dealt with by the post court team in 2017 was 218 from 268 in 2016. Most members of the team have caseloads of about 18 very challenging young people to work with.

Young people who have been charged in compliance with the NPCC policy either by age, or gravity factors appear at court, and the Youth Bench in Ealing Magistrates Court determine the sanctions based on a pre-sentence report (PSR) completed by the YJS post court team if the young person is found guilty. This report is compiled following an assessed interview with the young person and their family, and explores the reasons behind the offending. Following the assessment, the PSR is completed which highlights options for Magistrates to consider when sentencing the young person. These options are varied and can include: Conditional Discharge, Fine, Referral Order, Youth Referral Order, Youth Referral Order with Intensive Supervision and Support and a final recommendation of a custodial sentence.

Section 28 of and Schedule 5 to the Criminal Justice and Courts Act 2015 create a minimum custodial sentence for those aged 16 and over convicted of a second or subsequent offence of possession of a knife or offensive weapon. This guidance was refreshed in June 2018 to re-enforce the significance of knife crime and its impact in local communities. According to the Mayor's Office for Policing and Crime (MOPAC) there were 62 people who sustained knife crime injuries in Ealing in 2017 which did not relate to Domestic Abuse. In addition, there has been 292 instances of Serious Youth Violence in Ealing in 2017.

In 2015/16 there were 11 young people who appeared at Court for knife or sharp pointed article offences, and all 11 are male. In 2016/17 this number had risen to 39 of which 35 are male and in 2017/18 the number was 37 young people who appeared at Court and 35 are male.

Following the sentencing of the young person the Post Court Team has the responsibility to ensure the sentence is carried out as it was intended. In order for this to happen a comprehensive assessment (ASSET) is completed on the young person which reviews a wide range of factors impacting on a young person's life, the risks they pose to themselves and others and from this assessment a plan is drawn together which is implemented. A key part of the plan is the engagement with the young person and their family to ensure there are no further instances of re-offending. An intervention plan will look at a young person's education provision, their housing, the friendship circle, where they visit, their health, the offence committed and draw together bespoke interventions for the young person to engage in for the duration of their order. This is a legal requirement and the young person must comply. If there is noncompliance, then there is a process to follow before a young person can be returned to court.

Any young person who turns 18 during their order is transferred to the National Probation Service, who will manage them through the remainder of their order.

Engagement Activities with Youth People

The Integrated Youth Service (IYS) teams all work together to focus interventions and engagement opportunities towards young people who are in the YJS or who are not in Education, Training or Employment, as well as providing open access opportunities in the youth clubs for all young people aged 13–19 and up to 25 for children with disabilities.

This part of the report highlights some of the many programmes that are taking place this year to engage with young people across the Borough.

The main areas of engagement of young people are through the three youth clubs situated in Ealing; Young Adult Centre (YAC), Bollo Youth Club and Westside. The amount of engagement is determined by the number of contacts made, their participation, the outcomes achieved and accredited outcomes.

| Locations | Contacts | Participants | Recorded Outcomes | Accredited Outcomes |
|--|----------|--------------|-------------------|---------------------|
| Bollo – Open Access – 5 sessions a week | 936 | 471 | 54 | 15 |
| Westside – Open Access – 3 sessions a week | 114 | 81 | | |
| YAC – Open Access – 3 sessions a week | 501 | 312 | 10 | |

The youth clubs provide learning environments for young people e.g. tutors teach young people music, and they are centres where young people keep fit as they have fully operational gyms. Other tutors provide gender specific activities e.g. art for girls. There are active tutors who provide sports and gymnastics teaching for young people. Debating clubs take place in Bollo for young people where current topical matters are discussed. Cooking programmes also take place in the centres to encourage young people to cook for themselves. The local police in Acton have worked in Bollo with young people on repairing bicycles where local officers and young people work together repairing bikes.

Running in parallel to activities in the youth clubs there are neighbourhood programmes in both Acton, Acton Vale and APPLE and Northolt in Islip, Lime Trees, Northolt Park and Rectory Park Children’s Centres. These engagement programmes are designed to provide local activities for young people aged 13 – 19 in the area they live. The range is more limited than those programmes in the youth clubs as they are delivered through children’s centres but there is very active young person participation.

| Locations | Contacts | Participants |
|-----------|----------|--------------|
| Acton | 806 | 452 |
| Northolt | 703 | 480 |

Westside runs programmes for young people with disabilities as the building itself is fully compliant of equalities legislation. There is extensive engagement with Mencap who provide staff for programmes for young people on a Tuesday and Thursday evening after school. Local schools, Belvue and Springhallow bring students to the centre after school for engagement activities.

| Units | Contacts | Participants |
|--------------------------------------|----------|--------------|
| Westside – CWD sessions – 2 per week | 105 | 78 |

Horizons, the centre used for children who are looked after also provide activities and programmes for children who are looked after or leaving care.

| Units | Contacts | Participants |
|--------------------------------|----------|--------------|
| Horizons – 2 sessions per week | 169 | 139 |

Some specific activities for engagement are:

Future Youth Inspired (FYI) - provides a range of free, fun and inspirational sessions for young people aged 13-19 years, and up to 25 years for those with additional needs. There have been 237 young people participating in programmes over the 10 sessions carried out each year. All the programmes provide the opportunity for young people to complete an AQA - which is a nationally recognised qualification. FYI's aim is to broaden young people's horizons supporting their social development and learning which we hope will help to lead into further education or employment.

Young Ealing Safeguarding (YES) - is a young person's programme which is supported by the Ealing Safeguarding Children's Board (ESCB). The young people deliver peer to peer programmes in schools on a range of topics. The current topics relate to domestic abuse and sexual offending and knowing your friends.

Summer Arts College (SAC) runs in the summer months in Gunnersbury Park in Ealing, and in Hanwell Zoo with young people who have been convicted of offences or who are part of the OOC programme. There are 2 programmes with 15 young people on each programme for a 3-week period learning about art, self-discipline, confidence, team work. These programmes are NVQ accredited and sees good participation from young people.

Safe Space - runs in Ealing, where young people who are identified by police or partners as being on the edge of a gang lifestyle are invited into Perceval House, with their parents, and they meet a police officer or a YJS manager and they are offered support after discussing the risks with the young person and the family. In the past 12 months, 65 young people have been invited to the meeting, with 40 taking part. Diversionary opportunities are offered in order to provide the young person with the opportunity to break their current cycle of risk and to break the current friendship circle where opportunities are identified.

Pathways - is a pre-apprentice programme run by Ealing for approximately 15 young people, 3 times a year. The young people must apply for a place, they are interviewed and when they are successful they take part in a 3-month programme which includes a work placement. The programme improves a young person's confidence, learning, and employability.

Building my Future - programme is a programme working with young people who have ADHD and ASD. Part of the programme has a youth engagement strand, and this will see active participation with a cohort of young people to help understand what works in their support, what programmes would benefit the young people, and how wider engagement can take place to support young people into education and employment.

Anti-Knife Crime programmes - take place 4 times a year, lead by the LAS who highlight the dangers of knives to young people, how to deal with knife injuries and the consequences of knife injuries.

Your Life You Choose - delivers a one-day multi-agency presentation to educate young people about the consequences of crime, not only for the offender but their family and friends, victims and the wider community. The project is led by magistrates in the North-West London Justice Area. YLYC brings together magistrates, police – safer schools officers and trident officers, prison officers, ex-offenders, paramedics, education consultation in cyberbullying and sexting. We present to secondary schools and PRU's throughout the borough.

Redthread – Is a youth work charity aiming to support young people who have been taken to hospital with knife or gun injuries or who are victims of sexual assault. Redthread supports the young person while in hospital, and with their consent exchanges information with the borough where they reside in order that they can continue to receive local support to reduce the risks of further injury.

Gangs Advisory Worker – As a result of a successful bid to the Mayors Officer for Policing and Crime a role was created to work with Safeguarding leads in secondary schools in Ealing and identified young people who are on the edge of gang lifestyles in order to address the risks posed by the young people to keep them in education.

Police Cadets programmes – take place in Ealing offering young people an opportunity to learn about policing, leadership, improving their confidence and taking part in activities with a new circle of friends.

Injunctions and Criminal Behaviour Orders (CBO) – are applied for against young people under the Anti-Social Behaviour, Crime and Policing Act to prevent nuisance or criminality. Restrictions put into place as a part of the order include: non-association, not visiting certain areas, and limiting mobile phones. The Community Safety Team and Police consult with the YJS on all applications for a CBO. Since 2014 there have been 22 CBOs issued against young people under the age of 18.

Ealing has a website which identifies the activities for young people to engage in as well as providing advice and guidance to the young people. www.youngealing.co.uk

2. Legal Implications

There are no legal implications

3. Financial Implications

There are no financial implications

4. Other Implications

(Include all other relevant implications including risk management; community safety; links to strategic objectives; equalities and community cohesion; staffing and workforce; property and assets; consultation)

5. Background Papers

(This is a statutory requirement – please include the public documents referred to in writing the report, officer research and advice documents which Members or Members of the Public may request from the report author).

Consultation

| <i>Name of Consultee</i> | <i>Department</i> | <i>Date Sent to Consultee</i> | <i>Date Response Received from Consultee</i> | <i>Comments Appear in Report Para</i> |
|--------------------------|---|-------------------------------|--|---------------------------------------|
| Internal | | | | |
| Jess Murray | Head of Community Safety, Tenancies and Regulatory Operations | 18.06.18 | | |
| Carolyn Fair | Director, Children and Families | 18.06.18 | | |
| Marcella Phelan | Assistant Director, Children's Services | 18.06.18 | | |
| Ian Jenkins | Head of Integrated Youth Service | 18.06.18 | | |
| Charles Barnard | Head of Early Years and SAFE 0-18 | 18.06.18 | | |
| Cllr Aysha Raza | Panel Chair | 18.06.18 | | |
| Cllr Seema Kumar | Panel Vice Chair | 18.06.18 | | |
| | | | | |
| External | | | | |
| None | | | | |

Report History

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|---|--|------------------|-------------------|
| Decision Type: Non-key Decision | Urgency item? No | | |
| Authorised by Cabinet Member: | Date Report Drafted: | Report Deadline: | Date Report Sent: |
| N/A | 18/06/18 | 02/07/18 | 02/07/18 |
| Report No. | Report Author and Contact for Queries: Ian Jenkins Head of Integrated Youth Service 0208 285 8602 | | |