



Report for: ACTION/INFORMATION
Item Number: 16

Contains Confidential or Exempt Information	NO (If yes state which paragraph of the Access to Information Rules, the exemption relates)
Title	Report on Looked After Children (LAC) and Youth Offending.
Responsible Officer(s)	Carolyn Fair, Director, Children and Families Services, Charles Barnard, Assistant Director, Planning, Commissioning and Partnerships.
Author(s)	Ian Jenkins Ext 8602, Direct Line 0208 825 8602,
Portfolio(s)	Cllr Yvonne Johnson, Children and Young People.
For Consideration By	Corporate Parent Committee
Date to be Considered	June 27th 2019
Implementation Date if Not Called In	
Affected Wards	All Wards
Area Committees	
Keywords/Index	LAC - YJS

<p>Purpose of Report:</p> <ul style="list-style-type: none"> a) To outline to members the number of Looked after Children (LAC) who have offended. b) To outline to members the number of children remanded and the corresponding costs. c) To inform Members of the range of support and partner involvement to divert children who are LAC away from offending and re-offending.
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1. Recommendations

- 1.1** Members are invited to note this report and identify any additional information they would like to receive.

2. Reason for Decision and Options Considered

This report updates members on the number of children who are LAC who have been involved with the Youth Justice Service (YJS) in Ealing. It will update members on the number of children who have become eligible for leaving care having been remanded for over 91 days under the Legal Aid, Sentencing and Punishment of Offenders Act 2012. This report also updates members on the joint working in place between all internal partners to ensure all children in the care of the local authority receive the best possible support to prevent them from offending and re offending.

3. Background

3.1 Legal Aid, Sentencing and Punishment of Offenders Act 2012.

The Legal Aid, Sentencing and Punishment of Offenders Act 2012 passed into law in May 2012 with an implementation date for most of the provisions of the Act being implemented on the 3rd December 2012.

The area that members are being updated on relates solely to remands into YDA. YDA is the overarching phrase which now covers Young Offender Institutes (YOI) Secure Children's Homes (SCH) and Secure Training Centres (STC), though LASPO was also introduced to provide equitable treatment to all children remanded into custody, irrespective of age or gender. Previously there was an anomaly for children aged 17.

Prior to December 2012 the full cost for YOI accommodation and two thirds of the cost for SCH and STC was met by the Youth Justice Board (YJB). As a result of the LASPO legislation there has been a change in the way payments are made for children on remand to YDA. Local Authorities are given an annual grant to pay for YOI placements and the LAC aspects of any young person on remand, and Local Authorities have to now pay the full cost of STC and SCH. The YOI / LAC grant was determined after extensive consultation between the MOJ, YJB and Local Authorities and this is reviewed annually.

3.2 Grant Allocation

Year	Total
2013/14	257,906
2014/15	195,412
2015/16	172,749
2016/17	150,000
2017/18	94,654
2018/19	117,895
2019/20	155,767

This grant was based on the number of 'bed nights' Ealing children occupied on remand based on the previous year. A bed night is taken as a period between midnight on one day to midnight the following day.

3.3 Bed night allocations

Year	YOI	STC	SCH
2009/10	2218	144	20
2010/11	2276	81	3
2011/12	1658	189	14
2012/13	915	156	7
2013/14	777	253	214
2014/15	636	339	16
2015/16	785	605	9
2016/17	511	46	0
2017/18	313	18	0
2018/19	728	391	312
Total	10817	2222	595

+ Timescale is March – April

The current cost per night of a YOI placement is £240 per night, STC is £612 per night and SCH is £699 per night. All the facilities have increased their costs by on average £20 per night since April 2019.

Every week the amount of days that a child spends on remand, and our cumulative number of bed nights occupied is monitored closely. Every effort is made to find alternative community provision to remand in custody even after a young person has been remanded.

If a child is remanded into a YDA facility for more than 13 weeks cumulatively or consecutively they become eligible for leaving care services. Presently we have nil children on remand. We have had 3 children on remand since April 2019, 2 have passed the 13-week threshold for leaving care support as they were on remand in the previous budget year.

The previous budget year (2018/19) was a huge challenge due some high-profile crimes being committed, and some very vulnerable children who were being exploited which resulted in 18 children being remanded in custody over the year. Of these children 17 are male with most of them being 17 years old. **(See Appendix A)** Of these 18-children remanded 5 have passed the 13-week threshold for leaving care support.

The YJS has a challenging target for 2019/20 to reduce the number of bed nights occupied to 900.

4. Implications

4.1 Number of LAC children arrested and judicial outcomes.

	2016	2017	2018
a) Number of LAC Children arrested.	88	46	41
b) Number of LAC Children appearing at Court.	44	21	24
c) Number of LAC children dealt with Out of Court	12	8	10
d) Number of LAC Children whose case is NFA'd	32	17	7
e) Number of Children remanded into custody.	9*	6*	18*
f) Of (e) how many Children were remanded for more than 13 weeks (LASPO) and become part of leaving Care	1*	2*	5*

* Timescale from April – March

4.2 Crime Profiles of Children on remand in Custody

Most children remanded into custody are for offences relating to violence which includes robbery, murder, serious sexual assault and knife offences. There is no automatic requirement for a young person to be remanded into custody solely due to the nature of the offence. The LASPO provisions amended the guidelines to Magistrates, and now before a remand into custody is made a Court must consider:

- The seriousness of the offence or
- The likeliness of imposing a custodial sentence based on the history of the young person should they be found guilty at Court.

Ealing YJS has an extremely productive working relationship with the Magistrates Court, which allows the partnership working between all agencies in the Criminal Justice system to work closely together for the benefit of the young person.

4.3 Crime Profile of LAC convicted at Court.

24 Ealing LAC were sentenced by Court in 2018 between January and December committing 81 offences. The prevalent offences included violence, burglary, breach of bail, drugs and criminal damage.

Over the last 3 years most of the instances where an arrest has been made of a LAC child the person arrested is male,

In 2018 have been 53 instances of LAC children breaching their statutory Orders, 8 instances of drugs offences and 54 instances of violence. Other offences include robbery, burglary, theft and public order.

4.4 Offending and Re- Offending amongst LAC.

The instances of children who have been arrested and charged entering the YJS in Ealing have fallen to 128 in 2018. There has been a gradual decline since 2015 where there were 286 incidents of a child being arrested and charged. This has left a cohort of very challenging cases. The number of re-offences committed by a child has risen in Ealing to 3.25 offences per child form 2. 89. This rate is below the regional and National average for re-offending.

In this cohort LAC are likely to go on to re-offend. In 2018 24 current LAC children have re-offended and 10 have previously re-offended. There is almost a 41% chance that an Ealing LAC will go on to re-offend if they have already offended.

LAC feature very strongly in partnership interventions to reduce offending and re-offending, particularly where all partners need to work very closely together to support LAC children. This includes care homes, SAFE, LAC, Leaving Care and Youth and Connexions. In addition, there is a monthly re-offending meeting which reviews the risks of young people going on to re-offend. LAC children are identified through this process to ensure every possible effort is being made to prevent any further offending.

4.5 Interventions in place to reduce LAC offending and re-offending.

The YJS is already working closely with the LAC and Leaving Care Teams and this approach will see a decline in the number of LAC entering the Criminal Justice system, and with intensive partnership support there will be a corresponding fall in re-offending.

All LAC children who have been arrested are referred to Horizons for contact to be made with the child to offer safeguarding support at the earliest opportunity, even before a referral is made to the YJS. This allows for any interventions to be progressed immediately. LAC children living in Ealing but from another area are offered initial support and their dedicated case worker is informed of the situation.

Every week the details of every LAC child arrested is shared between the YJS LAC and leaving care teams to ensure all partners are fully aware of the children the YJS is working with and for individual managers to monitor the interventions for these children.

The allocated Social Worker from the Leaving Care Service forms part of the panels/ Groups held by the respective services who discuss the appropriate interventions for the young person, and their family.

Where a young person is remanded to YDA and subsequently returns to the care of their parents/Carers they are still eligible under the regulations to receive a service from the Leaving Care Team. In these cases the allocated worker works closely with the YJS who are charged with the responsibility to support the young person within a legal framework. The allocated worker provides wider support to the young person and their family.

Social Workers and Leaving Care Workers have a statutory obligation to keep “in touch” with the Young Person, and ensure advice and assistance is offered.

In addition, the Horizons Centre targets early intervention and intensive support to looked after children and care leavers at risk of offending and reoffending. This includes a key focus on support to help children engage in education, training and employment and access health and accommodation support where required. The Council’s Pathways and Apprentice Schemes are proving especially successful in helping children divert from offending lifestyles. In addition, for those children involved in gang related activities extensive support is provided to help them exit gangs and develop more positive lifestyles.

5. Financial

There are no direct financial implications arising from this report. However, the remand budget for bed nights does come under extensive pressure every year.

6. Legal

The key legislation is the Legal Aid, Sentencing and Punishment of Offenders Act 2012.

Children Act 1989

Care Planning, Placement and Case review regulations 2010

Ealing Youth Justice Strategy 2019 – 2020.

7. Value For Money

The support provided to this group of children is regularly reviewed to ensure that resources are being used effectively to maximise the educational achievement of looked after children.

The Access to resource Team commission a number of external providers, with clear criteria based on the needs of remanded young person.

The provisions offers 24hr staffs with CCTV, accommodations are in the form of small units.

The package options vary from high to low level support. All children are placed on a high package initially; this is reduced depending on the Young Person’s needs and circumstances.

A matching process and risk assessment is conducted at the point of entry; Children are carefully placed to prevent gang affiliations/ associations

8. Risk Management

There is a risk element when working with children who have gang involvement or/and affiliations. Staff safety is monitored using a number of internal mechanisms;

- Staff Safety Panel
- P&V Panel
- Case transfer Meetings.
- Staff Supervision
- Management Meetings

These controls have allowed us to mitigate the risks to date.

8. Community Safety

Delivering better outcomes for Looked after Children and reducing offending and re-offending among Ealing's children.

9. Links to Strategic Objectives

The support provided by Ealing Council to keep children safe, and in helping children achieve their full potential are major strands in the Future Ealing Strategy and Corporate Plan.

10. Equalities and Community Cohesion

Equality Impact is consistently reviewed and evaluated in terms of service delivery.

11. Staffing/Workforce and Accommodation implications:

None

12. Property and Assets

None

13. Any other implications:

None

14. Consultation

15. Timetable for Implementation

16. Appendices

Appendix A gives details of children remanded into custody.

17. Background Information

Consultation

Name of consultee	Department	Date sent to consultee	Date response received from consultee	Comments appear in report para:
Internal		12/06/2019		
Charles Barnard Carolyn Fair Judith Finlay				
Cllr Yvonne Johnson		12/06/2019	13/06/2019	No comments

Appendix A

Young Persons Remanded in Custody	Age at remand									Gender			Ethnicity							Total Days on remand	
	10	11	12	13	14	15	16	17+	Total	M	F	Not Known	Total	White	Mixed	Asian or Asian British	Black or Black British	Chinese or Other Ethnic Group	Not Known		Total
EALING	0	0	0	0	0	6	8	31	45	45	0	0	45	7	7	12	18	1	0	45	2793
2010-11	0	0	0	0	0	6	8	31	45	45	0	0	45	7	7	12	18	1	0	45	2793
2011-12	0	0	0	1	0	5	13	23	42	39	3	0	42	14	4	6	18	0	0	42	1124
2012-13	0	0	0	0	0	2	11	14	27	26	1	0	27	6	0	4	14	3	0	27	1037
2013-14	0	0	0	0	1	3	6	14	24	22	2	0	24	2	0	3	19	0	0	24	1244
2014-15	0	0	0	0	1	2	4	8	15	15	0	0	15	1	0	2	12	0	0	15	989
2015-16	0	0	0	0	1	6	4	9	20	19	1	0	20	1	1	5	13	0	0	20	1368
2016-17	0	0	0	0	0	0	3	6	9	9	0	0	9	2	0	3	4	0	0	9	578
2017-18	0	0	0	0	0	1	1	4	6	6	0	0	6	2	0	1	3	0	0	6	331
2018-19	0	0	0	0	1	3	3	11	18	17	1	0	18	1	0	3	14	0	0	18	1430