

## **Sheffield Youth Justice Service (YJS)**

### **Submission to the Sheffield Independent Race Equality Commission**

#### **Introduction**

Sheffield Youth Justice Service is made up of many groups of children, young people and adults representing a diverse range of ethnic backgrounds.

Sheffield Youth justice Partnership is a multi-agency partnership comprising of four statutory agencies; Police, The Probation Service, Health and the Local Authority, each of whom, alongside the Youth Justice Board (YJB), hold a statutory responsibility for.

- Resourcing and supporting the partnership
- Providing strategic leadership and
- Ensuring the effective delivery of justice services to all children and young people
- Ensuring access to universal and specialist services delivered by partners and other key agencies for all children and young people

The Youth Justice Service vision is to be an inclusive, innovative and supportive service that is successful in the work we do with children, young people and their families through skilled, value driven, knowledgeable, inspirational staff who are effective and accountable and for the children and young people we work with to feel safe, motivated and hopeful for their future by providing equitable opportunities and outcomes for all.

To support the achievement of this vision the Youth Justice Service strives to create an inclusive environment that is conducive to keeping the individual needs of the child at the centre of everything they do and one that supports effective joint working with all involved.

The Youth Justice Partnership Board is committed to continuing to develop itself to support the Youth Justice to achieve its vision, aims and priorities.

#### **Racial Inequality**

Children and young people from some minoritised and racialised groups are overrepresented in the criminal justice arena nationally and Sheffield is no exception.

The last census in 2011 recorded that 23% of Sheffield's 10 – 17-year-olds are from minoritised and racialised groups

Compared to the 2019/20 period we have seen a reduction in children from minoritised and racialised groups in the YJS but we are still exceeding the minoritised and racialised youth population for Sheffield.

This disproportionality is not replicated in the data held by youth crime prevention and early intervention services where the figures are more reflective of the current population.

Although we saw a 63% reduction in custodial sentences and a binary reduction from 11 to 4, children from minoritised and racialised groups represented 50% of children receiving custodial sentences and 58% of children remanded in 2020/21 demonstrating that not only are children from minoritised and racialised groups are more likely to enter the criminal justice system but they are also more likely to receive the highest tariff of sentence.

This is further supported by data that identifies that more white children have committed more serious offences based on the offence seriousness gravity scores. (Infographic attached)

Improving educational outcomes for all our children remains a priority for the YJS as education has a proven record of performing a significant role in increasing the desistance factors relating to offending and re-offending.

In Sheffield in 2020/21 there were 49 individual children permanently excluded from school 36 from Secondary schools and 13 from primary schools.

Of the 49 children 21 were children from minoritised and racialised groups representing 43% of those that were excluded which is almost double the percentage of children from minoritised and racialised groups in the school age cohort.

There is evidence to suggest that there is a correlation between children becoming looked after and the onset of offending in which ever order it happens.

Although we have seen a rise in the last year relating to the number of children in care and the Youth Justice Service the previous 3 years data reported a significant decrease in the number of children in care and the Youth Justice Service although there was an increase in the number of children in care and in the Youth Justice Service from minoritised and racialised groups.

Overrepresentation and racial inequality is present at every level of the criminal justice system and this often starts at the very beginning.

There is recorded evidence of the police intention to increase their "Stop and Search" function as part of the national directive to reduce serious violence and recognition that young people will be particularly targeted as they make up the most part of the knife crime cohort.

Data (attached) presented in the recent Thematic Inspection in Sheffield conducted by HM Inspectorate for Probation (HMIP) to identify "How Youth Offending Services understand and meet the needs of black and mixed heritage boys in the youth justice system" (attached) does not report a significant overrepresentation of children from minoritised and racialised communities being subject to "Stop and Search" activity.

However, this is not consistent with the anecdotal evidence of the lived experience provided by minoritised and racialised children open to the Youth Justice Service who report feeling that they are subjected to more of this activity than their white peers and that the experience overall is a more negative one.

The same cohort of children and young people also express that their lived experiences when coming into contact other parts of the criminal justice system as they pass through it are also different.

During the past year the YJS has reflected on the many events relating to the outcomes for some minoritised and racialised groups not only in the criminal justice sector but in all aspects of their lives.

This reflection has been across the whole service covering both staff and children who are in the service.

Children tell us about their experiences as part of the assessment, planning, intervention and case management process.

Staff from minoritised and racialised groups have contributed to the various forums and meetings we have delivered both in service and within wider partnership and sector led discussions and have reported negative lived experiences of growing up in Sheffield.

The experiences for children and staff vary dependant on the individual and their personal circumstances and cover a varied range of institutional, societal, community, education, professional and personal experiences that have not only affected and impacted on them but also on their families.

As a service we have examined the way we work with minoritised and racialised children and families who are overrepresented in our service and the minoritised and racialised staff who are underrepresented in our service especially at senior and management level.

The headline performance figures and the feedback we received as part of the recent HMIP Thematic demonstrates that we have a significant amount of work to do to further understand the specific experiences, needs and issues of the overrepresented children and families we work with, what has already impacted on their lives and how the service and the YJ partnership need to respond and work in the future.

The Youth Justice Service and the Youth Justice Partnership are strongly committed to addressing this and have already begun to develop new systems, processes and plans to achieve this.

### **Analysis of the cause or causes of racism and/or racial inequality and disproportionality in the youth criminal justice system in Sheffield.**

From the very beginning of time history has provided many examples of racism, prejudice, discrimination and inequality the causes of which cover a wide range of issues which are deep rooted and some of which still exist today.

Years and years of activity from individuals and groups even whole countries and continent's have provided a legacy of inequality and injustice all the way from slavery and empire building through to the present day.

Criminal Justice legislation, systems, processes and practice are still predominantly white based, white developed, white led and white implemented and all of these impact on the outcomes for children from minoritised and racialised groups in the criminal justice system.

This has led to services being developed and delivered that do not provide a holistic, individualised, responsive, needs led approach to prevent individuals from minoritised and racialised groups entering the criminal justice system or a positive experience for those that do enter the system.

Although they may have been some positive changes and recent events may have once again brought issues to the forefront of most people's thoughts anecdotal evidence suggests that "we have been here before" many times.

The lived experience of minoritised and racialised children, young people, families and staff in the Youth Justice Service support this concept.

Services in the criminal justice system, including our own, are not representative of the children, young people and families we work with.

A lack of people from minoritised and racialised communities is apparent at every level in all the services within the criminal justice system particularly those in positions of power and influence.

We know from previous research and reports that some major contributing factors and causes for over representation lie outside the criminal justice system. For example, black children are more than twice as likely to grow up in a lone parent family, black and mixed ethnicity families are less likely to seek/access or receive early help and prevention services and it is the effect of poverty and other individual circumstances on young people which may lead to a number of disadvantages, including increased likelihood of offending therefore increasing disproportionality.

Services in the youth criminal justice system do not make use of all the data that is available to them nor do they use it to drive practice and performance including the development of bespoke policies, systems, processes, and interventions specifically aimed at this cohort, to reduce overrepresentation from this cohort in the system or to increase the representation in those that provide the support and services.

There is a reluctance to challenge or opportunities to challenge some services within the criminal justice system and a lack of information and data and performance relating to issues of inequality, injustice and over representation.

A sense of acceptance that nothing will change has been developed amongst many people in the criminal justice system and there is still a reluctance from people to talk about the issues and to confront and challenge racism and inequality when they witness it.

This perpetuates the idea of racial inequality and injustice and represents a lack capacity and understanding of the requirements to change.

### **Emerging good practice in relation to reducing racism and/or racial inequality for children in the Criminal Justice System in Sheffield**

As the children's service mostly aligned to the criminal justice system, we feel that as a service who has already recognised and is trying to improve all the factors contributing to the over representation of children from minoritised and racialised groups it is not enough to say our service is fair and equitable, not a racist service and there is no bias within our practice conscious or otherwise.

We have already begun to make bold statements, identify direct actions, reviewing and changing policies, implementing new ones, accessed training and development opportunities with more planned and adapted our practice and interventions to progress our aspiration to be a service that is recognised as anti-racist.

The aim to be a service that challenges racism and oppression in a very transparent and overt way and we have begun to give the staff the skills and confidence to be able to do that by creating an environment of psychological safety and supporting appropriate challenge of the issues which are the first steps to reducing the instances.

We have also begun the process of fully including all the staff and children within our service and the wider YJS partnership to progress this important work through a separate commissioning arrangement to embed a strategy for engagement and participation and so that the influence and impact of the voice of the children from the YJS will be seen in children's and criminal justice services, systems, processes and practice.

We have developed a new set of value statements to reflect this change which will underpin the work we do. (attached)

The Youth Justice Service has the statutory responsibility of submitting an annual plan detailing how we will work in partnership to deliver its key priorities of providing a high-quality service that safeguards children, reduces and prevents offending and protects the public, whilst ensuring that the health, safety and wellbeing of the children, their families, staff and their families within Sheffield YJS is not compromised.

This applies to all children and their families as Sheffield YJS recognises respects, values, and celebrates the diversity of all our staff, children and their families.

The intended outcomes being that everyone in the YJS, the YJS Partnership and the wider criminal justice system work collaboratively to embed an understanding that it is their duty to meet the needs of children and young people from minoritised and racialised groups, and to accept their individual and collective responsibility to

challenge and address circumstances in which discrimination, bias and social injustice arise.

### **What you or your organisation believe would be the best way to tackle racism and/or racial inequality for children in the Criminal Justice System in Sheffield**

There are some sweeping and overarching steps that need to be taken to tackle these issues and some very specific and direct action from the services that make up the Criminal Justice System as although there will be commonalities, each geographical area and each individual service in them will have specific issues and nuances relating to the issues.

The first step would be that eradicating racism and racial inequality and reducing disproportionality in the Criminal Justice System is accepted as a critical concern nationally and therefore addressing these issues must be a priority for the government through the Ministry of Justice, the Youth Justice Board, Youth Justice Partnerships, local youth justice services and the various HM Inspectorates.

Whilst this may be recorded in the relevant reports and action plans there needs to be an acceptance and visible action in response to the principle “Explain or Reform” by the people at the very top of each organisation in the Criminal Justice System.

Whilst there has been some activity of this nature following the publication of the findings of the independent review into the treatment of, and outcomes for, Black, Asian and Minority Ethnic individuals in the Criminal Justice System in 2017 undertaken by the Rt Hon David Lammy some services in the system have not responded and adopted the “Explain or Reform” principal.

To fully adopt this principal each service in the Criminal Justice System from the smallest service to the largest institution needs to review the culture, policies, systems and practices in their organisations to identify any issues and concerns and then develop a plan to improve/change its responses to prevent children and young people from minoritised and racialised children entering the criminal justice system and for those that do improve their experience and support these children and young people to achieve their full potential.

Services then need to be held to account to complete any actions and implement plans.

All Youth Justice Services and partnerships have the potential to be a really effective vehicle for change within this arena such is their unique position both in the Criminal Justice System and Children’s Services so reviewing current individual service and collaborative partnership activity and identifying actions to reduce disproportionality to increase their understanding of the journey of minoritised and racialised children from childhood to entry into the system is vital to affect any positive change.

The priority will be to identify those actions that can be taken by the YJS and the services that make up the YJS Partnership.

To enable us to do this the YJS and the YJS Partnership needs to make best use of all the available data to inform practice and performance and improve outcomes for children and families from minoritised, racialised and overrepresented groups.

This will strengthen or position to challenge our partner agencies to develop and promote their offer to children and families from minoritised, racialised and overrepresented groups to promote early intervention and diversion and to improve the experience of those accessing all the services that make up the partnership.

The YJS needs to develop and strengthen its relationship with early help and prevention services to divert first time entrants from minoritised, racialised and overrepresented groups through No Formal Action and referral to appropriate services where appropriate and build better links in communities to expand our offer to be more culturally appropriate and increase confidence and trust in universal services and the criminal justice system.

We cannot build this trust on our own however as there needs to be an increase in the trust, confidence and engagement from all communities represented in all parts of the system.

To do this physiological safety and interpersonal trust needs to be built and supported in and between service to remove barriers to engagement, inspire challenge and improve relationships which will lead to more effective outcomes for all our colleagues and the people we work with.

The outcomes we hope to achieve include.

- To improve trustworthiness in the youth justice system from minoritised and racialised communities.
- To improve trustworthiness and access to early help and prevention services including health and mental health services from minoritised and racialised communities.
- Develop prevention and diversion to prevent minoritised and racialised children entering the criminal justice system.
- Reduction in minoritised and racialised children entering the YJ system and receiving custodial sentences to below % of population.
- Increase in number of minoritised and racialised children sustaining inclusion in education, training and employment.
- Less minoritised and racialised children at risk of gang affiliation and criminal exploitation.
- Improve the criminal justice experience and outcomes for children, families and staff from minoritised and racialised groups.