



APPENDIX B

Equality Analysis Youth Justice Plan 2019/20

June 2019



Section 1: Equality analysis details

Proposed policy/decision/business plan to which this equality analysis relates		Youth Justice Plan 2019/20			
Equality analysis author		Kelly Wilson			
Strategic Director:		David Quirke-Thornton			
Department		Children and Adults	Division	Family Early Help and Youth Justice	
Period analysis undertaken		2018 - 2019			
Date of review (if applicable)		June 2020			
Sign-off	Jenny Brennan	Position	Assistant Director Family Early Help and Youth Justice	Date	28/06/2019

Section 2: Brief description of policy/decision/business plan

1.1 Brief description of policy/decision/business plan

All Youth Offending Partnerships are required by law to produce an annual Youth Justice Plan as part of the conditions set by the Youth Justice Board (YJB) in order to receive a grant.

From the perspective of meeting our Public Sector Equality Duty aims, the Youth Justice Plan sets out priority activities that seek to promote equality of opportunities for young offenders by reducing the adverse impacts that they are likely to experience through contact with the criminal justice system.

To ensure that we meet our public sector equality duties, in particular that we are advancing equality of opportunity and eliminating discrimination, the YOS should ensure that the monitoring of disproportionality, trends and issues include the protected characteristics of young offenders, not least gender, race, disability religion and belief.

The following strategic objectives have been prioritised within the 2019/20 Youth Justice Plan:

- Reducing the number of young people entering the criminal Justice system
- Reducing the number of young people receiving a custodial sentence
- Reducing the reoffending rate of those subject to supervision from Southwark YOS
- Engaging young people and their families in their Orders and being explicit in the aim to reduce reoffending
- Reducing Serious Youth violence through assessing and addressing health needs and increasing the impact of a Restorative Justice approach
- Preparing young people for employment
- Improve data quality and performance information and ensuring the infrastructure is in place to resource YOS recording needs

Addressing the issues and priorities identified in the Plan will have a positive impact on the community as a whole, and therefore all protected groups. Of particular note, at a national and local level, there is a disproportionate representation of young black men within the criminal justice system. This area will continue to be a focus of outcome scrutiny.

Section 3: Overview of service users and key stakeholders consulted

2. Service users and stakeholders	
Key users of the department or service	Young people aged 10 – 17 and their families
Key stakeholders were/are involved in this policy/decision/business plan	Young people involved with the YOS, YOS Staff, Children & families divisional management team, Youth Crime Management Board members.

Section 4: Pre-implementation equality analysis

Age - Where this is referred to, it refers to a person belonging to a particular age (e.g. 32 year olds) or range of ages (e.g. 18 - 30 year olds).

Potential impacts (positive and negative) of proposed policy/decision/business plan

The Youth Offending Service has a statutory duty to work with young people aged 10-17 who have been referred to them via the police or courts owing to their offending. They also work with a similar age group on a preventative basis and all family members can be engaged in support. Owing to the nature of the systemic work that the YOS conducts, family members (of all ages) may be involved with the support offered. Crime and violence can have a significant impact on all community members. Normal adolescent behaviour includes increased risk taking and teenagers are vulnerable to criminal exploitation by others as well as being drawn into a system which criminalises them. Data highlights the importance of seeing young people who are involved in the criminal justice system not only as offenders but as victims of violence and harm; and children who need support and protection.

Equality information on which above analysis is based

Approximately 24,200 young people aged 10-17 reside in Southwark, which equates to just over 7% of the total resident population.

The table below outlines the age structure of young people receiving a service from the YOS, compared to the population estimates for these age groups in the borough. It is evident that the YOS caseload is very much focussed on the mid to later teens, with over 80% of the caseload being aged 15 and over.

Age	Borough population	% total	YOS 6 month caseload	% total
10	3,500	14.5%	0	0.0%
11	3,200	13.2%	0	0.0%
12	3,200	13.2%	4	2.4%
13	2,900	12.0%	5	3.0%
14	2,900	12.0%	23	13.7%
15	2,800	11.6%	30	17.9%
16	2,800	11.6%	46	27.4%
17	2,900	12.0%	60	35.7%

Assessments of young people at the YOS indicate that young people are carrying knives due to feeling unsafe.

2017/18 data shows one in three knife crime victims were under 25 years old

2017/18 data on youth violence (i.e. offences where the victim is under 20) shows it accounts for 26% of the borough's offences)

Public health data highlights a number of risk factors for this age group:

- although the number of incidents involving an offensive weapon accounted for only 2.8% of all violence against the person in 2017/18, this was a 130% increase from the number of adolescent weapon incidents recorded two years prior (34 in

2015/16 and 78 in 2017/18).

- Young people were involved in almost half (40%) of all incidents of violence against the person
- Police stops of young people (aged 10-24) in Southwark account for almost two thirds of all stop and searches in the borough.
- More adolescents live in deprived areas than the general population – 45% of 10 – 17 year olds live in the most deprived quintile compared to 38% overall

Mitigating actions to be taken

Work to improve outcomes for children requires a partnership approach and commitment from all agencies to work together to reduce crime and violence in the community. Programme delivery needs to take into account the developmental needs of children at different ages and include services to address risk factors such as deprivation within communities and experienced within the family unit. All agencies have a duty to safeguard children and activities within the YOS and partners need to recognise these service users as children first and offender second.

Disability - A person has a disability if s/he has a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.

Potential impacts (positive and negative) of proposed policy/decision/business plan

There is a risk that young people with special educational needs or disabilities (SEND) can be drawn into a criminal justice system inappropriately and once in the system experience more discrimination if they cannot access the support offered.

Equality information on which above analysis is based

In Southwark, 8,145 children were identified as having SEND in 2017. While this number has decreased since 2011, it remains higher than the London and national average

Physical or mental impairment forms part of the detailed assessment that YOS officers complete on each young person that works with us.

Performance data is scrutinised on a quarterly basis to identify trends and inform practice.

As at the last assessment (end March 2019):

- 8% of the caseload (16 young people) had physical health issues. Scrutiny of the data showed that this was typically not a diagnosed health condition, but where the young persons actions / behaviour had put their health at risk.
- Over half (52%) of the caseload had speech and language difficulties, and were referred to the internal speech and language therapists for additional support.

- Just over a quarter (27%) of young people on the YOS caseload were SEND, with issues ranging from severe learning difficulties to Behaviour, Emotional and Social Difficulty (BESD).
- 37% of those screened had mental health concerns. These young people were referred to the YOS CAMHS workers for further screening/assessment.

Children and young people with special educational needs and disabilities (SEND)* are more likely to develop poor mental health. They are also more likely to exhibit behaviours that increase their risk of school exclusion and involvement in violence.

- Speech, language, and communication need can impact on a young person’s ability to express themselves and in understanding and respecting social norms of communication
- Social, emotional, and mental health difficulties can manifest in a variety of ways, including becoming withdrawn as well as displaying challenging, disruptive or disturbing behaviour
- Young people with SEND are also at risk of being exploited as part of gang or criminal activity.

Mitigating actions to be taken

NHS funded Liaison Diversion was introduced to identify and divert young people with SEND at an early stage. This work needs ongoing review and impact analysis to ensure it is achieving its aims.
 Health support through Speech, Language and Communication Needs provision , Child and Adolescent Mental Health Services and clinical resources needs to be maintained to ensure all delivery responds to the needs of young people with SEND.

Gender reassignment - The process of transitioning from one gender to another.

Potential impacts (positive and negative) of proposed policy/decision/business plan

Equality information on which above analysis is based.

The YOS hold no data on issues affecting this protected characteristic.

Mitigating actions to be taken

Marriage and civil partnership – In England and Wales marriage is no longer restricted to a union between a man and a woman but now includes a marriage between a same-sex couple. Same-sex couples can also have their relationships legally recognised as 'civil partnerships'. Civil partners must not be treated less favourably than married couples and must be treated the same as married couples on a wide range of legal matters. **(Only to be considered in respect to the need to eliminate discrimination.)**

Potential impacts (positive and negative) of proposed policy/decision/business plan

Equality information on which above analysis is based

The YOS hold no data on issues affecting this protected characteristic.

Mitigating actions to be taken

Pregnancy and maternity - Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.

Potential impacts (positive and negative) of proposed policy/decision/business plan

Equality information on which above analysis is based

The YOS hold no data on issues affecting this protected characteristic.

Mitigating actions to be taken



Race - Refers to the protected characteristic of Race. It refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins. N.B. Gypsy, Roma and Traveller are recognised racial groups and their needs should be considered alongside all others

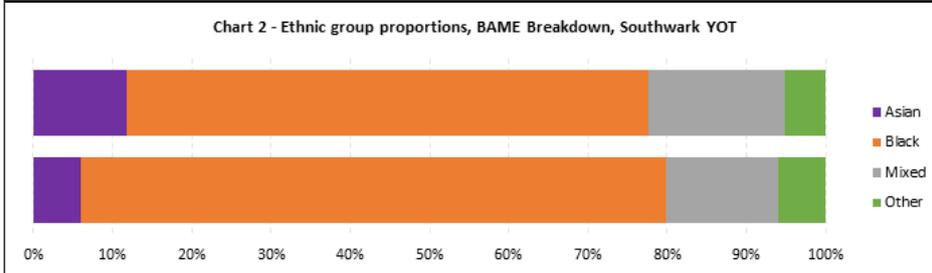
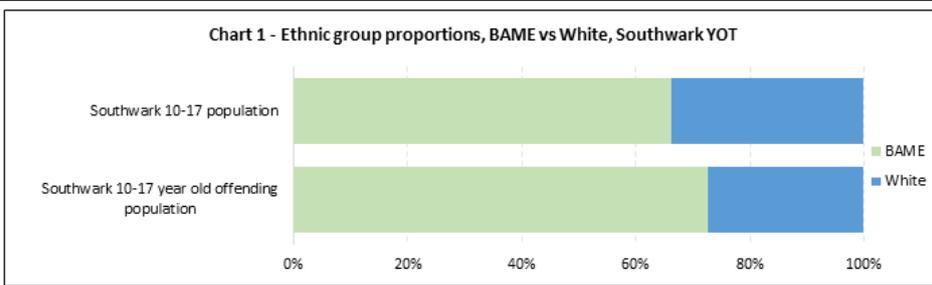
Potential impacts (positive and negative) of proposed policy/decision/business plan

Black young people will be victims of youth violence but also identified by victims as the perpetrators. Young Black teenagers, particularly young men may feel unfairly targeted by the police, and the increased stop and search could bring them disproportionately into the youth justice system. This may impact on their developing identity and the perceptions of others within the community or wider system which could reduce opportunities and positive outcomes. This impact may also extend to their families and siblings. The population of Southwark is diverse and has varied needs which may require a diversity and individualisation of service provision to respond effectively.

Equality information on which above analysis is based

The Youth Justice Board publish data pertaining to ethnic disproportionality. According to the most recent statistics, published on 06/06/2019 the only disproportionate ethnic group of Southwark young people in the criminal justice system is 'Black' however, as can be seen from the graph below, there is also an increase in the 'Other' category (though not termed 'statistically significant' owing to the small cohort size).

Investigation of this 'other' cohort has identified that these YP are predominantly Latin American.



	Asian	Black	Mixed	Other	BAME	White	Not Known	Total ⁽²⁾
Southwark 10-17 year old offending population	10	124	24	10	168	63	1	232
Southwark 10-17 population	1,777	9,915	2,582	787	15,061	7,676	-	22,737
London 10-17 offending population	384	1,870	701	325	3,280	1,690	196	5,166
London 10-17 population	145,923	144,747	66,768	30,017	387,455	349,635	-	737,090

White young people make up 27% of the offending population and 34% of the 10-17 population, whereas BAME young people make up 73% of the offending population and 66% of the 10-17 population.

In terms of the YOS interventions that have taken place within the last six months, 53% of the young people were Black, and 28.3% white, with the next highest ethnicity being 'Other' (12%).

Public health data highlights that Southwark is a diverse borough with residents from a wide range of ethnicities and backgrounds. Over 120 languages are spoken, with just over 1-in-10 households having no members who speak English as a first language.

- Diversity varies markedly across age groups however Southwark young people are more diverse than our general population
- Our school age population of young people (aged 10-17 years) is particularly diverse: almost twice as many young people are from a Black ethnic background than in the general population and in older adolescents

While young people of black ethnicity account for about a third of our adolescent population, they represent two-thirds of those stop & searched by the police.

2017/18 data on youth violence (i.e offences where the victim is under 20) shows it accounts for 26% of the borough's offences. 44% of victims were from a Black ethnic group and 43% white ethnic group. Of suspects, 50% were from Black ethnic group and 43% White ethnic group.

Youth Violence.

Mitigating actions to be taken

Disproportional representation of Black young men within the Youth Justice system needs to be monitored and understood by partners and actions taken to address unconscious bias and institutional discrimination. Involving families and ex-users in service design can help understand negative impact and challenge this bias. Interventions must be delivered

that work with Black young men on positive identity development and positive future aspirations. Robust assessments of individual needs of young people and their family are required to ensure diverse needs are identified and interventions can be developed with service users.

Religion and belief - Religion has the meaning usually given to it but belief includes religious and philosophical beliefs including lack of belief (e.g. Atheism). Generally, a belief should affect your life choices or the way you live for it to be included in the definition.

Potential impacts (positive and negative) of proposed policy/decision/business plan

Positive impacts of a belief system can be harnessed to promote respect for others and adherence to the rules of society which could impact on desistance from crime. Activities delivered by the YOS and a focus on positive identity development aid young people to create a sense of belonging within family and community whatever religion and belief.

Equality information on which above analysis is based

According to census data, collated in 2011. Christianity was found to be the largest religious group in the UK (59% of the population) followed by Muslims (5%). This is largely replicated in Southwark, where the proportion of Christianity is even higher (at 79%) and Muslim at 12%.

These trends are broadly followed within the YOS data, with 70% of YP stated that they were of Christian faith, and 24% Muslim.

Mitigating actions to be taken

Individualisation of programmes which are developed from the assessment of a young people and family needs evidences importance of belief systems and connections with values that reinforce desistance from crime.

Consultation through Keeping Families Strong and engagement with borough faith/belief groups, currently working with young people, especially young black men and women and their families. Dissemination of information of parenting support available to faith and community groups.

Promotion of good community relations and community cohesion through publicising the work with young people and positive stories of change and achievement.

Sex - A man or a woman.

Potential impacts (positive and negative) of proposed policy/decision/business plan

The majority of users at the YOS are male and it is important to be able to provide them with positive role models and understanding of their individual needs. Activities that attract young men in order for staff to deliver content that addresses desistance from crime need to be appropriate and developed with them. Disproportionate involvement of young men in crime also has the impact of labelling them in society and presumptions about the behaviour of all individuals. As young woman will be in the minority mixed groups may not be appropriate and separate provision will be needed to ensure the needs of young women are addressed. Offending patterns will also require differentiation of content.

Equality information on which above analysis is based

Approximately 10% of YOS clients in the past six months have been female. This is clearly disproportionate, considering that 49% of the borough's 10-17 year olds are female.

Although the data slightly fluctuates, there has been no significant change in the proportion of female offenders at the YOS in the last five years.

Mitigating actions to be taken

Promotion of positive stories of young men who have grown out of crime and opportunities to celebrate their achievements.
 Recruitment of staff, volunteers and Peer Navigators who can provide positive male role models.
 Expansion of targeted work with Young Women with other agencies to enable the development of groupwork and benefits of this approach for sustainability of change.

Sexual orientation - Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes

Potential impacts (positive and negative) of proposed policy/decision/business plan

Equality information on which above analysis is based

The YOS hold no data on issues affecting this protected characteristic.

Mitigating actions to be taken

Socio-economic disadvantage – although the Equality Act 2010 does not include socio-economic status as one of the protected characteristics, Southwark Council recognises that this continues to be a major cause of inequality in the borough. Socio economic status is the measure of an area's, an individual's or family's economic and social position in relation to others, based on income, education, health, living conditions and occupation.

Potential impacts (positive and negative) of proposed policy/decision/business plan

The impact of family and environment stressors need to be taken into account when working with young people who have offended. Issues of neglect and a trauma informed approach are required to understand the behaviours of young people alongside a systemic practice model which has a broader focus than the individual child.

Equality information on which above analysis is based

Deprivation is measured using a tool called the 'Indices of Multiple Deprivation'. This was last updated in 2015, and the map below was produced using this data (obtained from DCLG).

The most deprived areas in Southwark are generally in the central / northern belt of the borough, and comprise a variety of areas, most typically local authority maintained housing estates. Some of these areas in the centre of the borough are ranked within the highest levels of deprivation nationally.

When mapped, these locations closely correlate with incidents of violence and also ambulance call outs to violent offences.

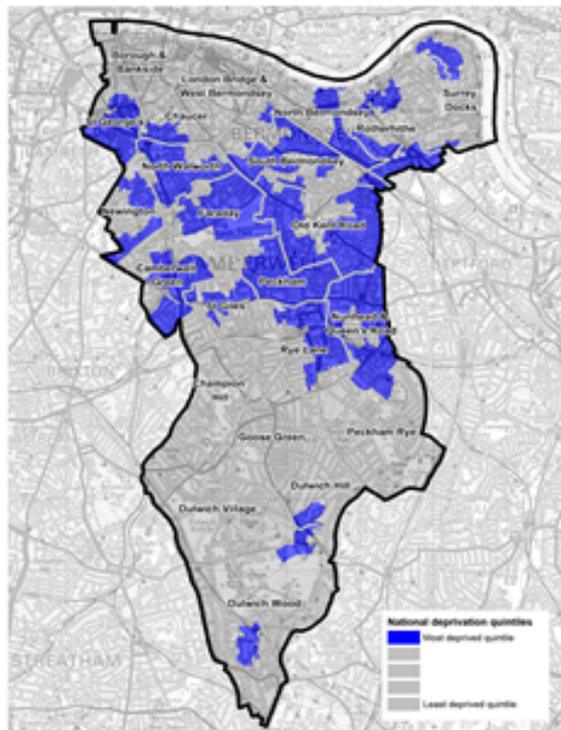


Figure 16: Indices of deprivation, 2015

References

Department for Communities and Local Government
Crown copyright and database rights 2017, Ordnance Survey (0)100019252

Research by Public Health has shown that more of our adolescents live in our deprived areas than the general population.

- This difference is most marked in adolescents aged 10-17 years: 45% live in the most deprived quintile nationally compared to 38% overall
- 25% of children under 16 years are from low income families

The public health approach to serious youth violence supports a multi-faceted response and uses a four-tiered framework to establish a level of risk and identify areas for intervention.

- A range of factors and experiences are considered for their impact on a person's risk for violence, including adverse childhood experiences ('ACEs').

Deprivation / high unemployment is one of the key factors.

Mitigating actions to be taken

Continue to embed systemic practice within the YOS alongside a trauma informed approach within direct work.

Engagement of young people or families needs to recognise the impact of poverty and ensure basic needs are met. Barriers to engagement such as costs of travel or provision of refreshments to enable participation in activities/groupwork will be required.

Consider the multiple impacts of sex, race, disability and deprivation for young black men aged 10-17, whom appear to be the largest group who are both victims and perpetrators. Examine the intersection of deprivation with aspects of identity: gender, disability, ethnicity and age.

Human Rights

There are 16 rights in the Human Rights Act. Each one is called an Article. They are all taken from the European Convention on Human Rights. The Articles are The right to life, Freedom from torture, inhuman and degrading treatment, Freedom from forced labour, Right to Liberty, Fair trial, Retrospective penalties, Privacy, Freedom of conscience, Freedom of expression, Freedom of assembly, Marriage and family, Freedom from discrimination and the First Protocol

Potential impacts (positive and negative) of proposed policy/decision/business plan

A number of human rights impact on young offenders and young people. This begins with the arrest process and ensuring young people have legal representation at police stations and through the triage process their individual and special needs are identified. Within the court arena the use of sanctions to protect young people and others from harm needs to be appropriately justified in any recommendations in court reports. Engagement with families and the young person's home life is essential to service delivery but the HRA act requires this to be proportionate and lawful. Education, training and employment are key factors for desistance from offending and the HRA supports young people's right to access such provision.

Information on which above analysis is based
<p>Right to liberty and security Right to respect for family and private life Right to education</p>
Mitigating actions to be taken
<p>A robust system with police partners is required at the point of entry to ensure young people and their families understand the youth justice process and any SEND needs are identified early through the Liaison Diversion scheme. Provision of appropriate education, training and employment for young offenders requires commitment from partner agencies to ensure commissioning of provision enables access for this group of young people.</p>

Section 5: Further actions and objectives

5. Further actions			
Based on the initial analysis above, please detail the key mitigating actions or the areas identified as requiring more detailed analysis.			
Number	Description of issue	Action	Timeframe
1	Disproportionate representation of young Black men in the youth justice system and the multiple impacts of sex, race, disability and deprivation for young black men aged 10-17, whom appear to be the largest group who are both victims and perpetrators.	Use of Youth Justice Board disproportionality tool to provide improved analysis.	October 2019
		Examine the intersection of deprivation with aspects of identity: gender, disability, ethnicity and age.	March 2020
		Delivery of targeted groups for young Black men at YOS and review of outcomes	March 2020
2		Recruitment of Peer Navigators	March 2020
3			
4	Work with young female offenders or those at risk of offending requiring an improved offer that identifies and responds to their unique needs.	Engage young women and partners in expanding targeted work and evaluating impact	March 2020

5. Equality objectives (for business plans)				
Based on the initial analysis above, please detail any equality objectives that you will set for your division/department/service. Under the objective and measure column please state whether this objective is an existing objective or a suggested addition to the Council Plan.				
Objective and measure	Lead officer	Current performance (baseline)	Targets	
			Year 1	Year 2
Reduce disproportionality within the Youth Justice System	Jenny Brennan	73% of offending population	Equivalent to % of 10 – 17 population, currently 66%	