

## **ADCS President speech to Youth Justice Convention 2019, Birmingham (3 December 2019)**

### **Introduction**

Hello. My name is Rachel Dickinson. I am the President of the Association of Directors of Children's Services and it is my pleasure to be here with you today. I'm sorry I wasn't able to join you for the start of the conference, I had another engagement in Leeds earlier today. I'm not sure how many of my predecessors have stood on this stage but I didn't hesitate in accepting my invitation to speak at this conference.

You probably won't be too surprised to hear that the key themes of this programme, including education, serious youth violence, contextual safeguarding and children and young people's place in society as well as their rights, are a constant feature in many of the discussions I have with my team in Barnsley, where I am the director of children's services, and with my fellow directors from across the country in my capacity as President of ADCS.

### **Scene setting – successes and challenges**

The progress everyone in this room, and beyond, has collectively made in diverting children and young people away from the criminal justice system over the last decade has been nothing short of astonishing. For me this progress illustrates what can be achieved when central government departments work together and, crucially, work alongside local government, the police, magistrates and others. The formation of the Youth Justice Board (YJB) also brought a welcome focus to this issue.

National policies and legislative approaches have not become more liberal, the age of criminal responsibility in this country remains 10 years old, despite ongoing challenge to this position, most recently from the Equality and Human Rights Commission. Instead, a keen focus on diverting children and young people on the cusp of offending, or as we call it elsewhere in children's services, early help, has been central to these achievements. This kind of intervention doesn't only save money, it has the potential to avert future harm and, in this context, quite literally save lives.

So, in many ways the youth justice system is a success story and there is much that adult system could learn from us. But not everything is going in the right direction:

- Outcomes in custody are worse than a decade ago and too many young people go on to reoffend upon release.
- We know from inspection activity and national data that assaults, self-harm and the use of restraint in the secure estate are all increasing.
- Shockingly, the Chief Inspector of Prisons noted in his most recent annual report that the level of violence in STCs remains the highest per head of all types of establishment overseen by the regulator.
- The number of children and young people on remand is rising.
- Knife and offensive weapon offences resulting in a caution or conviction have also been consistently rising since 2014.

### **Serious youth violence**

Over the summer the Association published a policy discussion paper on serious youth violence and knife crime. In it we were clear that this is not a new phenomenon, nor is it common, but there's no denying there has been a worrying growth in the numbers of

children and young people treated for assault or fatally stabbed on our streets. In the face of rising violence and gang activity, often linked to wider, organised criminality, such as modern slavery and trafficking, we need to collectively hold our nerve. ADCS absolutely recognises the pressure ministers, and the police, are under to crack down on crime but tougher laws, longer sentences, new civil orders and greater use of stop and search powers alone cannot address the reasons why individuals and indeed whole communities are more vulnerable to risk and harm.

The absence of a holistic, cross-departmental strategy to address these issues, one which articulates shared aims and objectives, is keenly felt. Different department's policies are bumping up against one another and new initiatives can be duplicative. Frustratingly, funding to tackle entrenched social issues, such as domestic abuse or gang involvement, is frequently allocated via a competitive process to a handful of partnerships on the strength an application, rather than on levels of local need. Conference, this is no substitute for an equitable funding settlement that benefits all children and all communities.

A public health response is frequently mentioned by policy makers in government but has yet to materialise in practice. This approach isn't a quick win or a miracle cure. It requires a long-term commitment to cultural change as well as sustainable funding. Adolescence is one of the most dramatic stages of life development and the risks children young people face today are complex and wide-ranging. We need to work intensively with children and young people already affected by serious violence, those known to carry knives or who have received life changing injuries to prevent further losses of life as well seeking to persuade others not to tread this path at all. Continued disinvestment in YOTs at this time seems like a huge false economy.

## **A changing system**

ADCS members believe that children and young people who are in conflict with the law should be treated as children first and foremost and that the youth justice system should be more closely aligned to existing infrastructure and accepted practices in children's services. I feel assured that this is the direction of travel with the ongoing reforms, but the pace of change remains a concern to me, as I'm sure it does to others in this room. It's now three years since the Taylor Review published and I'm not sure we can confidently say that the lived experiences of children and young people's in custody have been significantly transformed.

We all know the cohort we're working with is changing too. They're older, more likely to have committed higher tariff crimes, more likely to have mental health needs and to use drugs. Two years on from the Lammy review, disproportionality continues to be a concern as does the number of care experienced children and young people in contact with the criminal justice system. With record numbers being diverted away from custody this concentration of children and young people with complex and overlapping education, health and social care needs has resulted in a volatile mix both in custody and on the caseload of YOT workers.

Most children and young people will grow out of early offending behaviours. There is, however, a group of persistent offenders with a set of complex individual and family circumstances that can mask a wide range of underlying vulnerabilities such as bereavement or earlier abuse. There are also a small number of children and young people who commit very serious offences but are unlikely to reoffend at that level, ever again. A

more sophisticated approach to administering youth justice is now needed if the progress made to date is to continue.

We've come so far in our understanding of the role of abuse, exploitation and coercion but I don't believe we've collectively got the right responses to criminal exploitation and county lines activities in place yet.

In our submission to Charlie Taylor's review back in 2016, ADCS suggested adopting a statutory presumption of community resolutions and restorative practices in all cases that do not involve the most serious offending behaviours. This would require a significant upfront investment, but it has been done before, there are clear parallels to draw with the Troubled Families Programme here.

The total savings to the public purse would, I believe, be very significant over time and there are other benefits too; adopting a presumption of restorative processes would effectively end the long-running debate about the age of criminal responsibility. When taking a restorative approach one of the first actions would be to determine, in each case, whether the child or young person understood, in real time, the consequences of their actions. Some food for thought for the next government, perhaps.

## **Working together**

Multi-agency Youth Offending Teams (YOTs) were established to address the underlying causes of youth crime, such as poor parental supervision, by targeting specific children for early help and support. This collaborative approach has had a demonstrable impact on the lives of individual children, families and on local communities too.

The decision to deprive children and young people of their liberty should not be taken lightly so there is more we can do together to look at alternatives to remand. The Department for Education and MHCLG have their role to play too. The care placement market is becoming increasingly dysfunctional meaning those alternatives, such as specialist foster carers, are increasingly difficult to come by. Improving resettlement outcomes can also only be achieved by working together.

## **Funding**

I can't stand up here and not mention money. It's no exaggeration to say at times I feel like a director of financial services rather than a director of children's services. It's hard to describe the impact year-on-year reductions in spending on public services has had on local communities, on children and young people's aspirations and their access to opportunity.

For nearly a decade, austerity has pitted government departments against each other, councils against schools, the NHS against the police. I know from my own experience that tough negotiations are taking place in councils across the country as we all wrestle with the mammoth task of setting a balanced budget for 2020/21. Each year the needs of children compete with the elderly, roads and infrastructure vie with leisure and culture and even within children's services, social care against preventative services. It's a hand to mouth existence where the only certainty is continued uncertainty. This makes it hard to plan and hard to think about transformation and innovation.

I'm sure I'm not the only person in the room who sincerely hopes that we can find a way to boost the profile of a whole range of serious domestic policy issues. Just imagine if Parliamentarians expended the same time, energy and tactical thinking to addressing knife crime, growing inequality and child poverty or fixing children's mental health services as they

have directed towards Brexit in the last three and a half years. Reductions in central funding have significantly impacted on the work of YOTs as well as the provision of wider early help and support services, the support available in schools and the range of health services in a local area.

## **Closing comments**

Well, my time with you is coming to an end conference and I know you've all have had a long day. I'd just like to end with a big plug for the opening session tomorrow, which offers delegates an opportunity to hear directly from children and young people. I know they will have been working hard on their contribution so please do take the time to listen to what they have to say. I only wish the parliamentary candidates on the campaign trail could be with you to hear their voices and insights.

It's now my pleasure to handover to Hazel Williamson, the Vice Chair of the Association of YOT Managers, to lead us through the AYM John Hawkins Award and SEND Quality Mark awards.

Thank you for listening and welcome Hazel....