

Minutes

Meeting: Board Meeting
Date: 18 June 2013
Time: 16.30 – 18.30
Ref: YJB (13) 4th meeting

Attendees

Frances Done (Chair)	Lin Hinnigan
John Wrangham (Board member)	Dusty Kennedy
Gillian Fairfield (Board member)	Lucy Dawes
Angela Sarkis (Board member)	Kate Morris
Bob Reitemeier (Board member)	Martin Skeats
David Banks (Board member)	Ray Hill
David Simpson (Board member)	Malcolm Potter (Items 1-5)
Rosanna O'Connor (Board member)	Karl Mittelstadt
Charles Clark (Board member)	David Wells [minutes]

Items 1- Apologies and register of interests

1. Apologies were received from Christine Davies. Frances Done asked that any changes to the register of interests be emailed to her or Rowena Finnegan.

Item 2 – Minutes of previous meetings and matters arising

2. The minutes of the meeting of 24 April 2013 were agreed without change. It was noted that in relation to paragraph 4, on employment opportunities for young offenders, that the Community Justice Committee should consider taking a particular interest in future work.
3. On the outstanding actions log, it was noted that items 3, 4, 6, 7, 9 and 11 have all been actioned and can be removed from the log. Martin Skeats reported that in relation to item 5, on the publication of YJB minutes on the Justice website, that agreement has been reached with the Ministry of Justice for interested parties to subscribe to receive the minutes via a page on the website.

Post meeting note: Following the meeting the Chair discussed the issue of publication of the Board's minutes further with the Deputy Chief Executive of Corporate Services. She asked that the Ministry of Justice be made aware that the Board's firm opinion was that its minutes should be made easily available to any member of the public via the Justice website in line with Cabinet Office guidance and the practice of other ALBs.

Item 3 – Chair's items

4. Frances Done reported that four new Board members are due to start on 1 July 2013. With Rosanna O'Connor, Charles Clark and David Simpson leaving the YJB shortly,

changes are being made to the composition of the YJB Committees. Angela Sarkis will chair the Secure Accommodation Committee and will sit on the Audit and Risk Committee. David Banks will chair the Audit and Risk Committee and will sit on the Remuneration Committee.

5. Board meeting dates have been set for 2014 and Board members should have had the schedule sent to them. Board members were asked to notify Frances Done or Rowena Finnegan if they have not yet received a copy.
6. Consideration is being given to combining the YJB/Youth Court Committee of the Magistrates Association meeting with the youth court issues group, although no decision has been reached.
7. A series of meetings with stakeholders has been held to discuss the issue of Black, Asian and Minority Ethnic (BAME) over-representation in the youth justice system, which drew very positive feedback. A similar event with senior statutory stakeholders will be held at the YJB next week. The Community Justice Committee will take an interest in the work.

Item 4 – Chief Executive’s Report

8. Lin Hinnigan’s written report was noted. Lin drew attention to item 8 on the *Transforming Youth Custody* green paper. The consultation closed at the end of April and the Government’s response is expected prior to recess. Lin stated that the secure accommodation division had done a great deal of work on potential options and proposals for the future of the secure estate. The Board was keen to see the opportunities offered by the proposed Secure Colleges model realised – for example, in improving the links between education provision for young people in custody and post-custody, and in encouraging more teachers to apply for roles in the secure estate – and it was hoped that a change in mentality and expectations will help drive such changes. The importance of keeping young people in education as a preventative measure to involvement in crime was also highlighted. The YJB is working to get such issues on the agenda of other interested parties, including the Department for Education.
9. The Triennial Review stage 1 report has been completed, and once officially agreed by the Secretary of State for Justice will need to be sent to the Cabinet Office for approval. The second stage of the process, focussing on governance arrangements, will then begin. John Hall, the lead individual at the Ministry of Justice, has offered to attend a future Board meeting to explain the second stage process in more detail. The stage one report will be circulated to the Board as soon as possible.
Action: Triennial review stage 1 report to be circulated to Board members.
10. The Board noted the paper appended to the report about the murder of Sofyen Belamouadden at Victoria station in 2010, and the use of joint enterprise laws to prosecute the perpetrators. It was agreed that consideration should be given to including an item on joint enterprise at the next youth justice convention. If so, it would be worthwhile having involvement from the Police and the Crown Prosecution Service.
Action: Kate Morris to consider the potential for including an item about joint enterprise at the next annual convention, including how the issue has been covered at the convention before.
11. The Secretary of State for Justice has approved decommissioning proposals for the three girls units in YOIs, and for two wings at Wetherby and Hindley under-18 YOIs. Public statements will be made next week.

12. It was noted that the YJB has begun work with the Ministry of Justice to plan for the migration of youth justice content from the Justice website, which is due to close by the end of March 2014, to the "GOV.UK" website. The Board was keen to support the prioritisation of the work.

Item 5 – YOT Partnership Guidance

13. Malcolm Potter presented the paper which related to refreshing the guidance relating to the local governance and accountability arrangements for local youth justice services. The guidance aims to provide an authoritative steer to Youth Offending Team (YOT) statutory partners and other stakeholders about effective practice in the formation, resourcing and oversight of these services. An early draft of the guidance, focussing strongly on what the YJB knows about effective practice in this area, was appended to the paper, and Board members were asked to comment on its tone, content and direction.
14. There was a general consensus that the tone of the document should be more upbeat and engaging, highlighting the successes seen in the youth justice system in recent years and the role of YOTs in that success. It was also suggested that thought should be given to the most important element or elements of the guidance – for example, the characteristics of an effective management board – and that these should be given greater prominence in the document, perhaps by way of an executive summary or the 'boxing' of key points, as well as inclusion in the main text of the document.
15. It was suggested that mention should be given to the community and voluntary sectors, as well as health services, with definitive statements of their roles. The guidance should attempt to galvanise partnerships, setting out where leadership lies and where each partner should take ownership of particular issues.
16. Board members were asked to send any further comments to Malcolm Potter within a week.

Item 6 – Offender Rehabilitation Bill and the Government response regarding Transforming Rehabilitation

17. The paper was provided for information. Lucy Dawes explained that the Ministry of Justice launched a consultation in January 2013 on 'Transforming Rehabilitation' which proposed wide-ranging reforms to the probation system. The YJB responded to the consultation raising a number of concerns about the implications of the changes to the youth justice system, which can be summarised as follows:
 - How will probation services continue to deliver their statutory function within Youth Offending Teams?
 - What arrangements will be in place to sustain the levels of resourcing required to continue funding YOT provision?
 - How will probation services be represented on YOT management boards?
 - How will these changes impact on young people transitioning between the youth justice system and the adult probation system?
 - How will YOTs and YOT Management Boards hold probation services to account for poor performance?
 - How will probation services manage youth justice service contracts?
18. The Government has now published a response to the consultation and drafted the Offender Rehabilitation Bill. While neither directly address the concerns raised by the YJB, Lucy Dawes reported that we have now had informal responses from the Ministry

of Justice, which are by and large positive and provided assurance that the concerns have or will be addressed. The YJB will continue to take an interest in the passage of the Bill and any related developments.

Item 7 – Framework Document

19. The paper updated the Board on progress in agreeing a new Framework Document with the Ministry of Justice, which will replace the current Management Statement and Financial Memorandum. The Framework Document covers the overall governance arrangements within which the YJB operates; the responsibilities of the Chair, Board members and Chief Executive; sponsorship and performance management arrangements; budgeting, financial planning and reporting; staffing, and financial management and risk management arrangements.
20. Formal agreement of the document has been delayed due to concerns about the Financial Transactions Limits (FTLs) proposed in the draft document, particularly in regard to the extent that they would impact upon the YJB's day to day operational efficiency and ability to plan and manage events and meetings. The Ministry of Justice has now agreed some exemptions to the proposed limits in relation to catering expenditure for meetings which will remain within the control of the Chief Executive. In addition it was noted that if the operation of the approval requirements in relation to events were not dealt with promptly and efficiently then the Board would have to revisit the acceptance of these arrangements.

Actions:

(i) It was agreed that the document should be signed once the exemptions agreed above have been incorporated into it;

(ii) The Audit and Risk Committee was requested to monitor the impact of FTLs on the YJB's ability to operate efficiently, particularly in relation to YJB events, and;

(iii) The Audit and Risk Committee to monitor on a regular basis how the event approval process is being managed and its impact on delivering the YJB's Corporate Plan.

Item 8 – AOB

21. On behalf of the Board and the wider YJB, Frances Done thanked Rosanna O'Connor and Charles Clark for their huge contribution over their time at the YJB.
22. The meeting closed at 1830.

**David Wells
YJB Corporate Governance
19 June 2013**