

# Minutes

Meeting: **Board meeting**  
Date: **12 November 2014**  
Time: **09.00-13:00**  
Location: **102 Petty France**  
Reference: **YJB (14) 6<sup>th</sup> meeting**  
Protective marking: **Official**

## Attendees

---

Lord Tom McNally (YJB Chair)	Angela Sarkis (Board member)
Amanda Sater (Board member)	Rob Butler (Board member)
Seamus Oates (Board member)	John Wrangham (Board member)
David Banks (Board member)	Neil Rhodes (Board member)
Gillian Fairfield (Board member)	Bob Reitemeier (Board member)
Chris Davies (Board member)	Lucy Dawes (Director, Operations)
Lin Hinnigan (Chief Executive)	Martin Skeats (Director, Corporate Services)
Luke Taylor (Director, Partnerships and Performance)	Kevin Venosi (Head of Commissioning and Change)
Dusty Kennedy (Head of YJB Cymru)	Summer Nisar (Head of Communications)
Paul Candler (Deputy Director, Youth Justice, MoJ)	Brett Greenwood (Project Lead, Commissioning and Change – item 4 only)
Poppy Harrison (Head of Safeguarding and Placements – item 5 only)	Catherine Bennion (Head of Youth Justice Strategy – item 5 only)
Paul Foweather (Deputy Director of Custody for Young People, NOMS – items 6-7 only)	David Wells (Corporate Governance - Minutes)

<b>Agenda Ref.</b>	<b>Item</b>	<b>Action</b>
<b>1</b>	<b><u>Introduction, apologies, register of interests and minutes of previous meeting</u></b> 1. There were no apologies and no changes to the register of interests. The minutes of the previous meeting were agreed without change. Chris Davies asked if there had been any reaction from Ministers to the Board's Annual Report to the Secretary of State. Lin Hinnigan stated that the YJB had received an acknowledgment of receipt, and that Ministers will be keen to discuss its contents at their next	

<b>Agenda Ref.</b>	<b>Item</b>	<b>Action</b>
	<p>meeting with Lord McNally on 26 November 2014.</p> <p><b><u>Outstanding Actions Log</u></b></p> <p>2. The outstanding actions log was reviewed. A number of items had been completed or were to be covered though papers on the agenda, meaning that items 1-3, 6-10 and 12-15 were all proposed for closure following the meeting.</p> <p>3. David Banks stated that in relation to item 3, regarding the risk register entry on the Secure College Pathfinder, that while the action itself was closed the Board would need to keep in mind that the risk remained a key issue for the YJB.</p> <p>4 On item 4 it was noted that while a paper on stakeholder engagement was on the agenda, the “key messages” document still needed to be updated and circulated to Board members.</p> <p>5. On item 5, in relation to the document being produced by the Ministry of Justice outlining the responsibilities of Board members in regard to other and future employment, Lin Hinnigan stated that the YJB has commented on the second draft and await issuance of the final version.</p> <p>6. In relation to item 10, on the anonymity of young people in the youth justice system, it was noted that Lord McNally has drafted a letter to send to the Independent Press Standards Organisation which will be sent shortly.</p> <p>7. Lord McNally stated that in relation to item 12, on the inspection of placements, that he had visited the team twice recently, as well as meeting with Lucy Dawes, and felt reassured that staff were getting an appropriate level of support from senior managers. Lord McNally emphasised the need for placements staff to feel that help is available when needed.</p> <p><b><u>Minutes of Committee Meetings</u></b></p> <p>8. The Board noted the Performance Committee minutes of 10 September 2014. Having tabled a written report at the previous Board meeting Gillian Fairfield stated that there was nothing further to bring to the Board’s attention. Angela Sarkis commented that the report and minutes were very informative.</p> <p>9. John Wrangham presented the minutes from the Welsh Youth Justice Advisory Panel (WYJAP) of 23 October 2014. John drew particular attention to</p>	

<b>Agenda Ref.</b>	<b>Item</b>	<b>Action</b>
	<p>agenda item 2 on the review of WYJAP effectiveness, stating that it had been a useful exercise in clarifying the purpose of the Panel and in how attendees can best represent their organisations. Lord McNally stated that he is visiting Wales on 4 December to meet Leighton Andrews, Welsh Assembly Member for Rhondda and Minister for Public Services. Lord McNally stated that he will also meet with Alun Michael, Police and Crime Commissioner for South Wales.</p>	
	<p><b><u>Board Activity Log</u></b></p> <p>10. The log was noted. Rob Butler clarified that the “visit to a YOT in Wales” entry on 23 September 2014 was to Blaenau Gwent Caerphilly. Amanda Sater stated that she had attended the Magistrates Association event on 14 October, rather than Angela Sarkis, and that the log should record her initials as “AJS” to distinguish her from Angela.</p>	
	<p><b><u>Performance Committee Report to the Board</u></b></p> <p>11. Gillian Fairfield presented the report from the Performance Committee meeting of 22 October 2014. Gillian drew attention to the annex to the report which provided an explanation of how the predicted re-offending measure is calculated.</p> <p>12. In relation to Business Plan Outputs, the Committee had noted that out of 59 outputs there were none rated as “red” and only 6 rated as “amber/red”, demonstrating a positive delivery of outputs overall.</p> <p>13. In relation to YOT performance, the Committee had noted the improving performance of Portsmouth and Islington. However, the number of priority YOTs had risen from 7 to 9.</p> <p>14. On specific business plan outputs, the Committee remained concerned about the delivery of new education contracts, which was reported as “amber/red”. More positively, the Committee had noted progress with the YJB’s BAME work, with the development of a tool to display ethnic disproportionality in YOTs and its planned next steps in identifying where disproportionality starts and how it develops. On outcome D the Committee remained concerned that progress remained slow, with three out of four outputs rated as “amber/red”, with particular concerns centred on violence in the secure estate and staff shortages. It was noted that the Board would be discussing these issues in more</p>	

<b>Agenda Ref.</b>	<b>Item</b>	<b>Action</b>
	<p>detail later in the meeting. Finally, the Committee was pleased with the recent improvement to health services in Wales, particularly in regard to mental health provision at Parc YOI.</p> <p>15. Chris Davies asked if there were any trends or similarities in the characteristics of YOTs that were performing poorly, noting that the number of priority cases had risen from 7 to 9. Lucy Dawes stated that poor performance generally related to reoffending rates. David Banks welcomed the explanation of the predicted re-offending rate provided with the report, but questioned whether the statistical model was robust, and whether it supported the narrative that reoffending rates were due to a more complex cohort of young people. Martin Skeats stated that the statistical model was accepted by MoJ analysts to be sound. Lucy Dawes added that the figures were looking back two years, and did not yet reflect current work being taken to tackle reoffending. David Banks stated that the YJB nonetheless needs to be careful to ensure that the narrative around reoffending matches the evidence. Lucy Dawes agreed, and stated that the evidence around the issue needs to be based on more than a single indicator, which risked over-simplifying the matter.</p> <p>16. Angela Sarkis welcomed the progress being made on BAME work, and stated that she had recently met with Luke Taylor and Lucy Dawes to discuss disproportionality. Angela asked that the Performance Committee continues to actively monitor progress with the work.</p> <p>17. Amanda Sater welcomed the clarity and lay-out of the report, and asked if the YJB had the necessary resource to assist under-performing YOTs. Lucy Dawes stated that she was satisfied that the YJB was resourced to this end, and that following the staff re-structure this would be better still.</p> <p><b><u>Chair's Items</u></b></p> <p>18. Lord McNally updated the Board on his recent activities. This included a visit to the Bridge AP Academy in September, which Lord McNally described as 'inspirational'. Lord McNally has invited a delegation from the academy to visit the House of Lords.</p> <p>19. As part of ongoing stakeholder engagement work Lord McNally met with Baroness Whitaker, who</p>	

<b>Agenda Ref.</b>	<b>Item</b>	<b>Action</b>
	<p>has a long-standing interest campaigning on behalf of people from Gypsy, Romany and Traveller backgrounds. On 28 October Lord McNally gave a speech as part of the launch of the final report into children and the Police, which came out of the inquiry by the All Party Parliamentary Group for Children.</p> <p>20. Lord McNally stated that he and Amanda Sater recently met with James Allen of the Sport and Recreation Alliance to discuss how sporting bodies can assist with resettlement. Lord McNally also launched a resettlement event at which valuable input was provided by Manchester City Council about their work and experiences, with the key message being that the more partners can work holistically the more scope there is for effective and cost-effective work.</p>	
<b>2</b>	<p><b><u>Chief Executive's Update</u></b></p> <p>21. Lin Hinnigan's written report was noted. Lin drew attention to the item on Transforming Youth Custody to say that the business cases for education contracts within YOIs were now with the Treasury for sign-off. It was also noted that NOMS have now responded to the draft specification for YOI reform.</p> <p>22. Following the Board's recent decision to decommission places at Hindley YOI and Hassockfield STC it was noted that individual plans are now in place for the young people currently held in those establishments. Most young people will be able to finish their sentences without the need to be transferred elsewhere.</p> <p>23. Current custody numbers are 1035 under-18s with an additional 84 18 year olds. Lin Hinnigan stated that this represented the joint lowest figure in the YJB's history. It was noted that historically there is a drop in custodial numbers at Christmas.</p> <p>24. Lin Hinnigan reminded the Board that the inquest into the death of Alex Kelly was underway, with a YJB representative attending every day of the hearing.</p> <p>25. The organisational restructure is continuing at pace. Lin Hinnigan stated that the work is taking up a lot of senior management time and resource.</p> <p>26. Chris Davies stated that with the general election</p>	

<b>Agenda Ref.</b>	<b>Item</b>	<b>Action</b>
	<p>on the horizon the Board should have a discussion about 'big ideas' for the YJB looking forward two to three years. The Board agreed, and suggested that such discussion could include consideration of devolution, the potential for the YJB to take on responsibility for 18-21 year olds, and mental health needs in the youth justice system. Lin Hinnigan suggested that the Board session to discuss the MoJ policy initiatives under 'Transforming Youth Justice' could be widened to take in these issues.</p>	<p><b>The Board to have a session discussing longer term issues for the youth justice system to inform proposals to a new administration after the election.</b></p>
<b>3</b>	<p><b><u>Stakeholder Engagement Update</u></b></p> <p>27. Luke Taylor presented the item which updated the Board on the progress that has been made on the YJB Stakeholder Engagement Strategy and asked for a steer on the priority issues for engagement in the period up until the next full Board meeting in February 2015.</p> <p>28. The paper outlined progress to date on key priorities identified in May 2014, including in relation to early intervention and prevention, looked after children, and resettlement. It was proposed that over the coming period (November to February 2015) the priority areas should be (a) looked after children and (b) addressing young offenders' mental health needs. In addition, further work would be done on the overrepresentation of black and minority ethnic (BAME) young people in the justice system.</p> <p>29. The Board agreed that these should be the priority areas. On the BAME work, Lord McNally stated that he had a recent meeting with Lord Ahmad of Wimbledon who would be interested in being engaged with the issue. Lord McNally also suggested the Prison Reform Trust should be heavily involved in any work around looked after children, and it was noted that they are seeking to take forward an enquiry on the subject. John Wrangham stated that the YJB needs to make local authorities more aware of their responsibilities in this area. Seamus Oates added that local authorities must have a "Head of virtual schools" position, and that this network of Heads may provide a good opportunity for engagement, via the Directors of Children's Services.</p> <p>30. Bob Reitemeier suggested it would be worth engaging with the Department for Education on looked after children, and that the YJB should tactically approach them in respect of young people being excluded from school.</p>	

<b>Agenda Ref.</b>	<b>Item</b>	<b>Action</b>
	<p>31. Angela Sarkis welcomed the paper, stating that the YJB needs to be targeted in its approach to stakeholder engagement with a clear idea of its aims and objectives. In particular, Angela suggested that the YJB needs to target the community and voluntary sectors and engage directly with young people via them, using the Board's expertise and roots into these areas. Angela also stated that the YJB should not underestimate the power of the YJB brand. The Board agreed that the voice of young people needs to feature in the YJB's engagement plans.</p> <p>32. Chris Davies suggested it would be useful if Lord McNally and Lin Hinnigan met with Children's Minister Edward Timpson MP. Bob Reitemeier also suggested a meeting with the new Children's Commissioner would be worthwhile, and Angela Sarkis stated that a meeting with the new Director General for Children's Services at the Department for Education would be useful. Rob Butler suggested it would be helpful for Board members to report back to each other on their engagements and learning.</p>	
<b>4</b>	<p><b><u>Development of the Operational Specification for the Secure College Pathfinder</u></b></p> <p>33. The paper informed the Board of the approach taken to develop the operating specification for the Secure College Pathfinder, and provided an update on progress.</p> <p>34. The YJB has been clear that the specification should be influenced by what it knows to be effective in the secure estate while still encouraging and enabling innovation from bidders. Four areas have been identified as offering an enhanced opportunity for innovation: resettlement; education; a 'whole centre approach', and; technology. A series of meetings and workshops with external stakeholders are being held to further develop knowledge and understanding of effective practice in these areas, including the Department of Education, Leicestershire Local Authority, Youth Offending Teams, the Institute of Education, providers of Pupil Referral Units and the National Offender Management Service.</p> <p>35. Seamus Oates stated that the education offer needs to be holistic, with the merger of education needs with social care. While the paper presented to</p>	

<b>Agenda Ref.</b>	<b>Item</b>	<b>Action</b>
	<p>the Board reflected this to a degree, the case should be made stronger, and in particular that the specification must be driven by the needs of young people. John Wrangham echoed that view, stating that educating young people in custody was difficult, and required young people to be settled and to have their personal and social needs equally addressed.</p> <p>36. Chris Davies asked whether explicit expectations for the workforce were being set, in terms of guaranteed skills and training requirements. Brett Greenwood stated that clear expectations will be set out, although there was a balance to be struck over the exact level of detail.</p> <p>37. David Banks stated that the process provided an opportunity to improve resettlement outcomes, and to embed stronger links between the custody and community aspects of the system.</p>	
<b>5</b>	<p><b><u>Sexual Abuse and Exploitation Affecting Children in the Youth Justice System</u></b></p> <p>38. Poppy Harrison and Catherine Bennion presented the paper which provided an overview of child sexual exploitation (CSE) and its impact on children in the youth justice system, as well as the cross-sector and youth justice specific work to address and tackle the issue.</p> <p>39. Poppy Harrison stated that links between CSE and the youth justice system are neither clear nor consistent. The paper stated that while Youth Offending Teams (YOTs) will look to identify suspected cases of current or past exploitation or abuse, any responses must necessarily be routed through local safeguarding and child protection processes. The YJB assists YOTs to identify issues relating to CSE and disseminates effective practice with regard to tackling it. The YJB continues to engage with and seek to influence key partners, including the Ministry of Justice, Home Office and the Department for Communities and Local Government, to emphasis tackling the specific needs of young people within the youth justice system, and to champion multi-agency collaboration.</p> <p>40. The paper listed the work the YJB is involved in to tackle CSE. In particular, Poppy Harrison highlighted the Asset Plus project which has been designed to support the effective identification of risks of CSE and to signpost further assessment and support. Lord McNally stated that Asset Plus will be</p>	

<b>Agenda Ref.</b>	<b>Item</b>	<b>Action</b>
	<p>a major step forward.</p> <p>41. John Wrangham stated that the YJB needs to be engaging with local authorities and Local Safeguarding Children Boards (LSCBs), and in particular to promote awareness of the risks to looked after children. Poppy Harrison stated that a new process is in place for YOTs to share safeguarding incidents with the YJB, leading to greater engagement between YOTs, LSCBs and Management Boards.</p> <p>42. Chris Davies suggested that the Board should be provided with a copy of the Ann Coffey MP report into CSE in Greater Manchester. Chris added that YOTs need to be sharper and more forensic in their approach to CSE, and that the YJB urgently needs to do all it can to assist them to that end.</p> <p>43. Seamus Oates felt the paper had a defensive tone in terms of where responsibilities lie within the youth justice system, and that the YJB needs to ensure it is on top of the agencies for which it has responsibility, especially in terms of data and information sharing, and to promote the mindset that tackling the issue is everybody's responsibility. Neil Rhodes supported that view, and suggested the YJB ought to review what the most effective YOTs do in this area and require it to be the norm. Lord McNally stated that this could form part of the YJB's review of YOT work.</p> <p>44. Gillian Fairfield stressed the need for all practitioners in the system to be mindful of the issue, and to be making appropriate links with other practitioners, with the focus on young people. Angela Sarkis emphasised the importance of encouraging disclosure from victims. Gillian Fairfield agreed, adding that where victims do disclose practitioners need to be alert and to understand the implications.</p>	
<b>6-7</b>	<p><b><u>Strategy to Reduce Violence in Public YOIs</u></b></p> <p>45. The Board welcomed Paul Foweather, Deputy Director of Custody for Young People at the National Offender Management Service (NOMS), to the meeting. Before discussing the paper the Board invited Paul to explain his role and the challenges being faced by NOMS in relation to violence in YOIs. Paul stated that he wants to give youth custody a clearer direction and prominence</p>	<p><b>Board members to be provided with a copy of the Ann Coffey MP report into Child Sexual Exploitation in Great Manchester</b></p>

Agenda Ref.	Item	Action
	<p>in NOMS, and that he has created a new Directorate, mission statement and strategy to that end. Paul stated that violence, and in particular “reckless violence”, including assaults against staff, has risen in YOIs in recent months, and presents a real concern for NOMS. A number of actions are underway to address the matter, including the over-recruitment of staff in the north of the country to send on detached duty to the south, and a measure to bring enhanced pay to posts at Feltham in order to attract staff. Paul also stated that he would like to create specialist officer posts within the youth estate, in order to reflect the skills of staff and to assist with staff retention. It was agreed that a note outlining the NOMS actions and achievements to date in relation to staff recruitment would be circulated to the Board.</p> <p>46. Lucy Dawes introduced the written paper. While the paper acknowledged that there is no consensus as to the causes of the increased violence, it pointed to the fact that in recent years there has been an increase in young people convicted for violent offences which, along with the reduction in the number of secure establishments, has limited the opportunity to ‘spread out’ those young people with the potential for violence.</p> <p>47. Current activity to address the issue include workforce development; using intelligence directed placements; rolling out Minimising and Managing Physical Restraint (MMPR) and “Promoting Risk Intervention by Situational Management (PRISM); improving psychological services, and; work to reduce multiple perpetrator assaults. The YOI reform programme will also provide the opportunity to ensure the regime in YOIs addresses the current challenges.</p> <p>48. Rob Butler welcomed the paper and the level of detail within it. Rob asked if the Board could be provided with the data which shows the increase in convictions for violent offences. Rob added that there is a perception that there are a lack of appropriate sanctions for those who commit violent acts within the estate, and that this needs addressing. Lucy Dawes stated that the YJB is working with the Police to consider how they can work more directly with secure establishments to this end. Lord McNally welcomed that work, stating that the system has a duty of care to staff as well as young people. On the “Custody Support Programme” (CuSP), Rob Butler stated that the</p>	<p><b>A note from NOMS outlining the actions being taken to address the staff recruitment issue to be circulated to the Board.</b></p> <p><b>The Board to be provided with the data on convictions for violent offences.</b></p>

<b>Agenda Ref.</b>	<b>Item</b>	<b>Action</b>
	<p>YJB needs to think carefully about how the programme is explained to external stakeholders.</p> <p>49. Bob Reitemeier asked whether there was optimism over the potential for restorative justice to help tackle the issue. Paul Foweather stated that NOMS believe it can be an important tool, and that he would be looking to further promote its use.</p> <p>50. Kevin Venosi stressed the need to consider violence in developing the specification for the new Secure College, including asking suppliers how they will address the issue. Chris Davies and David Banks echoed that view, stating that current learning needs to be taken into account as part of the project. Neil Rhodes stated that profit should be at risk if the provider does not deliver on the issue. Chris Davies also highlighted concern about how increased violence must impact on a young person's feelings of well-being and security while in custody. John Wrangham stated that at heart there was an issue around the culture of establishments, and that more thinking and a 'big vision' were required to change cultures.</p> <p>51. Kevin Venosi agreed that he would arrange for the Board members who wished to view the NOMS DVD showing examples of acts of violence within the youth estate.</p>	
<b>8</b>	<p><b><u>Devolution of Youth Justice to the National Assembly for Wales</u></b></p> <p>52. Dusty Kennedy presented the paper which explored the potential for and implications of the transfer of youth justice functions to the National Assembly for Wales. It was emphasised that the decision on whether to cede powers rests with Parliament.</p> <p>53. The paper noted that since the publication of the joint YJB/Welsh Government <i>All Wales Youth Offending Strategy</i> in 2004 there have been regular calls for the devolution of youth justice, and earlier this year the Silk Commission Part II Report recommended "<i>devolution of the treatment and rehabilitation of young people who have offended by 2017</i>". The UK Government has deferred its decision on the recommendations of the report until after the 2015 general election.</p> <p>54. It was proposed to the Board that the YJB develops a high-level plan for the transfer of youth justice, including the need to maintain an arm's length leadership function. The Board were also</p>	<p><b>The Board to be provided with an opportunity to see the NOMS DVD of acts of violence within the youth estate.</b></p>

<b>Agenda Ref.</b>	<b>Item</b>	<b>Action</b>
	<p>asked to agree to a position statement on the prospect of devolution.</p> <p>55. The Board agreed to the development of a high-level plan and supported the stance that an arm's length leadership function should be maintained. The Board also supported the position statement provided in the paper, although it was suggested that the line "<i>This should maintain an arm's length body providing national leadership...</i>" should be replaced with "<i>The YJB encourages the Welsh Government to maintain an arm's length body providing national leadership...</i>".</p>	
<b>9</b>	<p><b><u>The Participation of Young People in the Youth Justice System</u></b></p> <p>56. The paper set out the YJB's involvement in enabling young people to participate in the youth justice system – 'participation' in this context meaning that young people are actively engaged and consulted so that they are able to influence the development and delivery of services affecting them.</p> <p>57. The YJB approach to date has been to encourage participation through our effective practice functions, with the aim of embedding a culture of participation across the system. The paper detailed a number of areas of work where such participation is actively encouraged, including through the Asset Plus project; case management guidance; the Skills for Justice National Occupational Standards and Youth Justice Learning and Skills Matrix; the Youth Justice Interactive Learning Space; expectations on secure estate providers; focus groups for commissioning activity; the youth justice convention, internships and work placements; and through the annual report of young people's experiences of custody.</p> <p>58. The Board welcomed the paper. David Banks noted the large array of methods through which participation is encouraged, and asked to what extent the involvement of young people has an impact in practice. Kevin Venosi stated that young people are actively engaged when developing specifications for commissioning activity, and are involved in evaluating tenders. On the community side, Lucy Dawes stated that YOTs have a long tradition of involving young people in evaluations of their work.</p> <p>59. Bob Reitemeier suggested that the YJB should</p>	

<b>Agenda Ref.</b>	<b>Item</b>	<b>Action</b>
	<p>look to the charity sector to bring the voice of young people to the YJB. Angela Sarkis agreed, adding that the YJB should be more visionary and consider how to work differently, including more innovative, creative ideas such as having a shadow young person's Board. Lord McNally suggested that the involvement of the British Youth Council or Youth Parliament may be more feasible examples of such creative working. Dusty Kennedy stated that participation has been a feature of the youth justice system in Wales for many years, and that the YJB ought to work towards participation standards. Seamus Oates suggested that the YJB should tap into the experiences of young people who have been through the system, in an 'alumni' manner.</p>	
<b>10</b>	<p><b><u>Any other business</u></b> 60. There was no further business. The meeting closed at 13.00.</p>	

**David Wells**  
**YJB Planning, Support and Governance**  
**21 November 2014**