

## Vision

A youth justice system that sees children as children, treats them fairly and helps them to build on their strengths so they can make a constructive contribution to society. This will prevent offending and create safer communities with fewer victims.

## Youth Justice System Aims

Our Board have established the Youth Justice System Aims which are not only for the YJB to work towards but for the youth justice community as a whole. They are:

- 1) To reduce the number of children and young people entering the youth justice system
- 2) To reduce reoffending from children and young people in the youth justice system
- 3) To improve the safety and wellbeing of children and young people in the youth justice system
- 4) To improve the positive outcomes of children and young people in the youth justice system

## Our role

The role of the YJB is to oversee the youth justice system in England and Wales. The statutory responsibilities of the YJB include:

- Advising the Secretary of State on the operation of, and standards for, the youth justice system;
- overseeing the performance of the youth justice system;
- Identifying and promoting good practice; and
- building the evidence base on youth justice.

While the YJB is responsible for overseeing the performance of youth justice services including multi-agency youth offending teams (YOTs), the YJB does not directly deliver or manage these services.

## Introduction

As a non-departmental public body (NDPB) with a unique focus on children in the youth justice system (YJS), the Youth Justice Board for England and Wales (YJB) welcomes the opportunity to respond to the Youth Select Committee's inquiry into Serious Violence. Our statutory responsibilities along with the expertise of our Board enable us to set standards for, and monitor the operation of, the youth justice system. Our work with local authorities gives us an operational focus, which allows us to inform national policy and maintain a focus on the continuous performance improvement of youth justice services.

The YJB is the only official body to have oversight of the whole youth justice system and so is uniquely placed to guide and advise on the provision of youth justice services. The position of the YJB in this landscape provides a useful perspective on how local partners are working together to tackle core issues, such as serious violence (including knife crime).

The harm caused to communities and victims because of serious violence is extreme and so, taking account of this harm and the proportionate increase in serious violence the YJB has identified serious youth violence as a priority. This is a complex issue with county lines, serious organised crime, children's vulnerability and their exploitation all having a bearing on the levels of offending.

We are particularly interested in responding to this inquiry as we oversee existing local partnerships through YOTs that are in contact with children involved in knife crime and serious violence. We believe that our oversight role will provide useful operational expertise and intelligence to help the Youth Select Committee develop its understanding of the complexities surrounding knife crime and, more specifically, children who commit knife related offences.

This submission does not answer all the questions posed by the inquiry, rather it focuses on the most pertinent elements relating to children involved with serious violence and knife crime.

## YJB Response

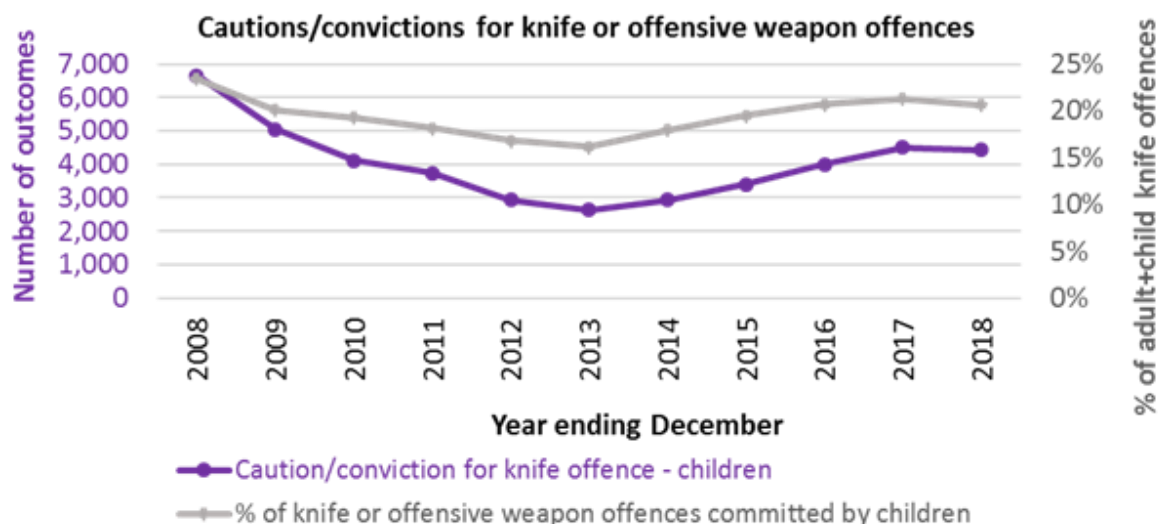
### 1. Are there any prominent trends in the statistics on a) who commits knife crime b) who are the victims of knife crime?

The YJB does not collect or analyse statistics on victims of crime. However, it is important to note that, in many cases, children who become involved with crime have also, at one time or another, been a victim of it.

The below outlines some of the prominent trends in knife and offensive weapon offences, with a focus on children (those under 18).

In 2018, 21,483 knife and offensive weapon offences were formally dealt with by the Criminal Justice System (CJS). This is the highest number of offences dealt with since 2009. Just over a fifth of these offences (21%) were committed by a child aged 10-17. This proportion has been stable over the last three years but is up from 16% five years ago.<sup>1</sup>

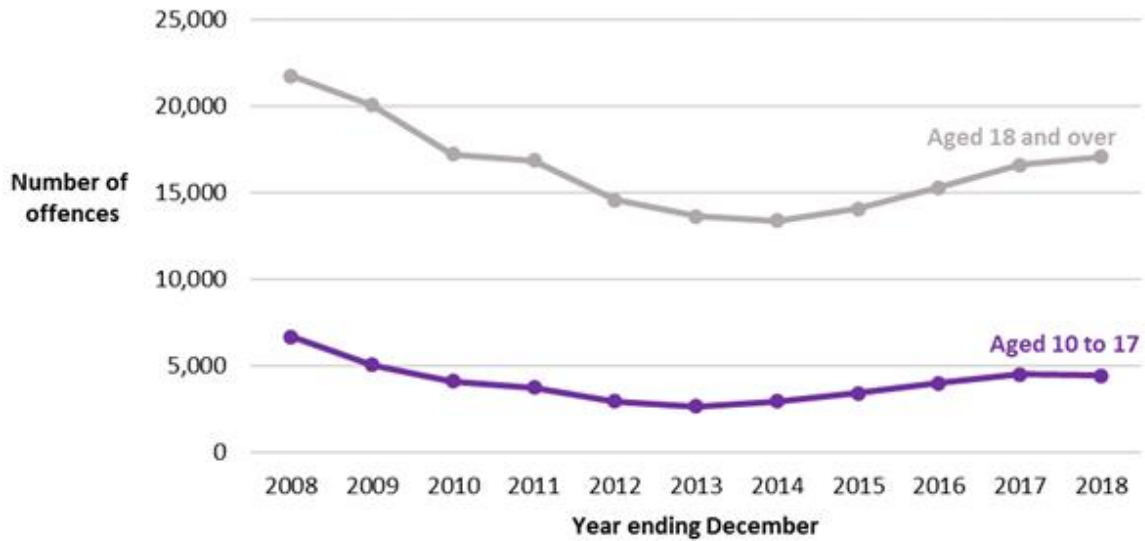
The total number of knife and offensive weapon offences (children and adults) is at the highest level since 2009, at 21,483 offences. Over the last five years we have seen an upward trend, with offences committed by children increasing by 69%, and offences committed by adults increasing by 25% since the year ending December 2013. However, in the latest year there has been a **decrease of 2%** in Knife and offensive weapon offences committed by children.



There were 4,430 knife or offensive weapon offences resulting in a caution or conviction committed by 10-17-year olds in the year ending December 2018.

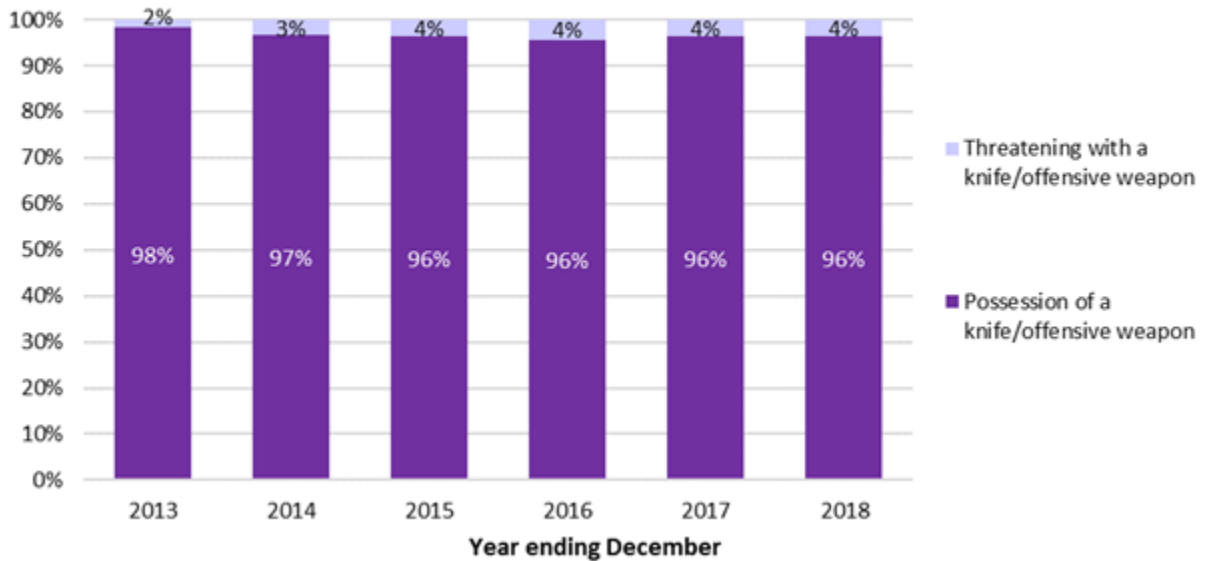
<sup>1</sup> Ministry of Justice, Knife and offensive weapon sentencing statistics: October to December 2018

### Knife and offensive weapon offences resulting in a caution or conviction



The vast majority of these (96%) were for possession of a knife or offensive weapon offence, with the remaining 4% for threatening with a knife or offensive weapon offence.

### Knife and offensive weapon offences committed by 10-17 year olds, by offence type



Home Office data on police recorded crime states that 33% of all crime involving a knife or sharp instrument happened in London in the year ending December 2018. The knife crime rate in the Met Police force area was 166 offences per 100,000 people in the latest year. The highest rates after London were seen in Greater Manchester, West Yorkshire and West Midlands (129, 118 and 111 offences per 100,000 population respectively). The lowest rates were in Surrey (5 offences per 100,000 people).<sup>2</sup>

Whilst it is true that we have seen an increase in the number of knife and offensive weapon offences being committed in recent years, the most recent figures indicate that

<sup>2</sup> Home Office, Police Recorded Crime data

there has been a small drop in this type of offending among children (in the year ending December 2018).

**2. Is the Government strategy to combat knife crime doing enough to effectively: a) prevent b) intervene and; c) sentence those committing knife crime d) rehabilitate those cautioned or sentenced for knife crime?**

It is too early to comment on the effectiveness of the Government strategy to combat knife crime in terms of sentencing and rehabilitation. We believe the Government has taken positive steps towards responding to the rise in knife crime, including recognising the importance of a multi-agency response to this issue.

The YJB has concerns about some of the Government's proposals, most notably, the introduction of Knife Crime Prevention Orders (KCPOs) as part of the Offensive Weapons Act (2019). These civil orders, as currently proposed, can be issued to an individual who is suspected of carrying a knife or to someone who is proved to be carrying a knife. If the order is breached it can lead to a custodial sentence of two years for anyone over the age of 12. Some of the requirements outlined in the order could limit activities which are not in themselves illegal i.e. restricting where an individual can go or limiting their access to social media. This risks criminalising children and is likely to be more detrimental than effective, particularly to those already over represented within the justice system. In addition to this, there have been challenges with implementing and monitoring civil orders for children in the past and the introduction of KCPOs risks reigniting these issues.

We have set out of views regarding the likely effectiveness of the Government Strategy in terms of prevention and intervention under questions 3 and 4, below.

**3. Does the Government's Serious Violence Strategy strike the right balance between preventative and punitive action?**

The principal aim of the youth justice system is to prevent offending by children. The Government's response to Charlie Taylor's independent review of the youth justice system acknowledged that the best way to reduce the level of youth crime is to intervene early to prevent children and young people offending in the first place. The YJB believes that delivering real change to knife crime and serious youth violence requires a wraparound approach focusing on a blend of prevention, early intervention and resettlement. The focus on early intervention and prevention in the Government's Serious Youth Violence Strategy is a positive step in driving meaningful improvements in violent offending.

Whilst the YJB understands and supports the importance of protecting the public from serious youth violence, we also believe it is important to consider that the creation and/or extension of offences relating to the possession of offensive and dangerous weapons via the Offensive Weapons Act (2019), for children, is unlikely to act as a deterrent and risks further criminalising children. The operational perspective from youth offending team (YOT) practitioners supports the argument that children are not fearful or influenced by the risk of conviction, detention or criminal justice intervention and so legislating to create new offences is unlikely to act as a deterrent. Contact with the criminal justice system can have a negative effect on children and can increase their likelihood of reoffending.

The YJB believes that early intervention and diversionary approaches are more appropriate than just law enforcement approaches in both improving public protection and reducing recidivism. Effective prevention and intervention with children will reduce the number of violent offences, as well as the number of children that go on to become adult perpetrators of serious violence without drawing more children into the youth justice system.

#### **4. Is treating knife crime as a public health issue an effective approach?**

The YJB agrees that a multi-agency response, or a 'public health' response to tackling and preventing serious violence is essential to address the current increase in children involved in this type of offending. As outlined above, we believe that the response to knife crime and serious violence requires a wraparound approach. A public health approach is central to achieving this and is essential to bring multiple agencies together to ensure true effectiveness.

The work of the YJB is guided by a 'child first, offender second principle'. This focuses on treating children as children, ensuring they have fair treatment in the justice system, and assisting them to build on their strengths so that they can make constructive and positive contributions to society. This does not mean that we believe that children should not be held accountable for their decisions, but instead the system should treat them fairly and not lose sight of the fact they are children. We believe that this is the best way to achieve sustained desistance and safer communities.

The YJB recognises that children involved in such serious and violent crime maybe facing a number of issues: they may have experienced family breakdowns; had interventions made by social services; may have 'looked after' status; may have behavioural and developmental disorders; and possibly other experiences such as being victims of crime themselves, making them particularly vulnerable to criminal involvement. Given such complexities, a multi-agency, or public health model can help address involvement in criminal behaviour by taking into account any additional needs/vulnerabilities and looking to address the causes of the criminal behaviour, rather than taking a purely punitive approach. We support a multi-agency approach to tackling knife crime that considers all aspect of the child and we believe that taking this approach provides an opportunity to deliver a 'child first' response to serious violence.

Evidence demonstrates that Adverse Childhood Experiences (ACEs) are a significant predictor for violent and/or offending behaviour. Therefore, the YJB is supportive, and is an active participant, of the programme of work to develop a trauma-informed response in youth justice services. Trauma-informed work should focus on the person, rather than process in order to understand the current context behind the offending, identify what works, and develop interventions that respond to the needs of the individual and tackle the root causes of their behaviour.

The ECM approach has been tested by the YJB in partnership with the Welsh Government, the All-Wales Forensic Adolescent Consultation and Treatment Service (FACTS), youth offending teams and, more recently, Public Health Wales and South Wales Police Crime Commissioner with positive results. The YJB are also piloting this approach in partnership with NHS England, Public Health England, the local Clinical Commissioning Group and Exeter University in four YOTs in the South West of England. The YJB believes ECM and trauma informed practice are key tools in working with children involved in serious violence, and that its effectiveness can only serve to be increased through further developing partnership working.

#### **5. How is knife crime affecting a) public services b) health services c) schools d) emergency services?**

Anecdotally, we know that some YOTs and their partners are struggling to respond to the rise in knife crime, and some consider that this is due, in part, to the long-term reduction in the funding settlements local authorities receive from central Government.

Local authorities receive funding from a number of statutory partners as well as an annual Good Practice Grant from the YJB. Local authorities are required to use this investment to fund a local YOT. On average, the Good Practice Grant accounts for approximately 30% of YOTs' total funding. The remainder of the YOT's funding is provided by its statutory partners including local authority, police, probation, and health, all of whom have faced pressures on their budgets in recent years.

The YJB's funding to frontline services has fallen by over 50% since 2011/12 from £145m to £72.2m in the last financial year. Funding from YOTs' partnership agencies has reduced from £228m in 2010/11 to £188.5m 2016/17, a reduction of 17%. More broadly, the Local Government Association (LGA) have estimated that councils are expected to face a £2bn funding gap for children's services by 2020.<sup>3</sup>

Working with children who are not subject to criminal proceedings, to prevent them offending is a non-statutory element of a YOT's workload.<sup>8</sup> Unfortunately, non-statutory work is often the first to be cut when local services are facing budget constraints. In November 2017, the YJB and MoJ conducted an audit of prevention initiatives across the youth justice system. The audit found that a lack of resources/investment was the most commonly indicated barrier to delivering an effective prevention intervention (77% of respondents indicating that this was a barrier).<sup>4</sup>

As we have indicated under question 3, preventative work is extremely important to successfully tackling children's involvement in knife crime and serious violence. The reduction in local authority funding is having a big impact on services' ability to deliver key preventative work, which will impact on the number of children being pulled into this type of offending.

For this reason, of its overall funding to frontline services in 2019/20 the YJB has allocated £1.5M to service improvement work. This will target system wide challenges such as county lines, disproportionality, serious youth violence and a range of local practice issues. We will use a 'pathfinder' approach to fund local services to develop whole system solutions to these issues and promote and disseminate good practice to address specific youth justice priorities.

During the last year, the Government have announced a number of additional funding opportunities to help tackle knife crime and serious violence. Whilst the YJB welcomes these additional opportunities, we are concerned that this additional funding may not be sufficient to plug the gaps left by the long-term budget cuts described above.

Moreover, many of the funding opportunities available through these schemes are for short term projects or are available on a short-term basis. Short term funding could lead to a lack of sustainability and consistency in the interventions that are delivered to children; in turn, this may have an adverse impact on the children who would otherwise benefit from these much-needed interventions.

As a result, we would like to see more of a strategic join up of the funding opportunities available through Government initiatives, to ensure a cohesive focus on tackling knife crime across prevention, intervention and resettlement services. We would also like to see strategic funding opportunities for longer term projects, to ensure better outcomes for children.

## **Views of children and individuals with lived experience**

We are committed to ensuring the views of children and young people are captured in all we do. We engage with children through various national and local engagement forums and we are also developing plans to convene our own Children's Network with children and individuals with lived experience of the youth justice system. The below sets out some of the views captured by our engagement with children and people with lived experience where it relates to the questions in your inquiry.

### **8. What motivates young people to carry knives?**

Some individuals had shared that in their communities, motivation can be the 'status' or 'respect' one may be able to command from their peers by carrying a knife. One person

---

<sup>3</sup> <https://www.local.gov.uk/about/campaigns/bright-futures/bright-futures-childrens-services/close-childrens-services-funding>

<sup>4</sup> Summary of responses to the MoJ and YJB survey on Youth Justice: Prevention of Offending, November 2017, page 13

said that in their community, wounds were seen as a 'trophy' and a sign of strength for having survived an attack.

Another individual said that adults in their community did not question children on their whereabouts and where their money came from.

Other motivations given by those we spoke to for carrying knives include:

- Peer pressure
- Protection from other gangs
- Knives are easily accessible to them
- Personal protection: If you look a certain way you can be targeted by others or some had witnessed knife crime and felt they had to carry a knife to protect themselves.
- Intimidation or to scare others
- Hierarchy
- Lack of opportunity or reason to changes their lives
- Lack of positive role models
- To feel powerful/power through violence. A way to address feelings of inequality.

### **9. Is fear a motivator for young people who carry knives? What causes this? What can be done to address it?**

Individuals we spoke to have shared anecdotally that many of their peers carry knives for their protection, and therefore have been critical of the sentencing of children for possession of a knife because, in their view, this fails to recognise first and foremost that children don't feel safe in their communities.

The individuals we spoke to who had lived experiences of the youth justice system, felt that the following suggestions would help address children carrying knives:

- Build communities and the community response – get parents involved
- Better local facilities: something to do and/or somewhere to go
- Youth workers embedded in communities; someone that children can both trust and relate to
- Conflict resolution and/or anger management classes
- Use social media to share messages from age relevant celebrities or personalities to reinforce the message not to carry knives
- People with lived experience working in communities as peer mentors
- Create safe spaces
- Safe routes home from school (when children are most vulnerable from gangs)
- Greater police presence (this was debated as a positive and negative in equal measure)
- Create opportunities for employment and better housing
- Youth intervention programmes available to children before entry to the youth justice system
- Provide education opportunities: demonstrate that their skills can be applied in a positive way that will benefit society
- Reduce inequality to give children hope of better outcomes
- More community sentences

### **11. Is there a correlation between young people being excluded, or not getting enough support from, education and involvement in knife crime?**

Some individuals we spoke to felt that excluded children are being targeted by gangs. Some shared that their peers had been targeted by gangs outside of Pupil Referral Units (PRUs), as well as outside sports centres.

They also said that sometimes children are recruited through an offer of food (referred to as chicken shop gangs) and they felt that schools could do more to keep children in school as it could be a protective factor from gang involvement.

Panel members more often have talked about how school exclusions impact on further education and finding employment, and their aspirations are more likely to become joining a gang as a means to earn money.

May 2019