

THE VALE OF GLAMORGAN COUNCIL

CABINET: 18<sup>TH</sup> DECEMBER, 2017

REFERENCE FROM HOMES AND SAFE COMMUNITIES SCRUTINY  
COMMITTEE: 6<sup>TH</sup> DECEMBER, 2017

“ YOUTH OFFENDING SERVICE – REPORT RE IMPACT OF VALE OF  
GLAMORGAN COURT CLOSURE (DSS) –

The Youth Offending Service (YOS) Manager presented the report, the purpose of which was to provide the Committee with a qualitative report regarding the impact of the Vale of Glamorgan Magistrates Court closure on the YOS and its service users, following a request for the report from Committee in September 2017.

The Ministry of Justice announced its decision to merge the Vale of Glamorgan and Cardiff Local Justice Areas on 14<sup>th</sup> December, 2010 and to close the Vale of Glamorgan Magistrates Court. The Court closed in December 2011 and all cases transferred to Cardiff Magistrates Court with effect from January 2012.

The officer advised that prior to the closure, the Court operated a single Youth Court day where the majority of cases were listed for consideration, with the exception of remand hearings or trials. The YOS was not required to provide a presence when trials were being heard and would be informed of the outcome by the Court.

Cardiff Magistrates Court operated Youth Court on three of the five working days and remand Courts on the remaining two working days and on a Saturday.

Her Majesty's Courts and Tribunals Services (HMCTS) did not provide an option for cases from individual Local Authority areas to be heard separately as part of an area listing as their aim was to merge the benches into a single Cardiff and Vale of Glamorgan Youth Bench. Bridgend Youth Court had also joined the court listing.

As a result, cases from the Vale of Glamorgan would be listed at any time over the three days that the Youth Court Bench was sitting. There was also a requirement to cover remand hearings which may also take place on the remaining three days, including Saturday.

The officer drew the Committee's attention to the table below which outlined the numbers of children and young people listed at Court between 2012 to 31<sup>st</sup> October, 2017. This demonstrated the level of demand.

	Monday	Tuesday	Wednesday	Thursday	Friday	Weekend
2012	20	167	42	132	16	8
2013	15	132	55	120	22	8
2014	13	122	26	47	10	2
2015	13	138	39	28	6	0
2016	6	127	16	22	5	0
2017 – to 31/10/2017	17	96	13	27	8	2

The officer further advised that in order to mitigate against the requirement for a YOS officer to be in attendance on all three Youth Court days, the YOS had agreed a Protocol with Cardiff YOS to provide cover for first hearings, sentencing outcomes where custody was not a consideration or any listings of revocation of Orders.

Cases where sentencing required the input of the YOS officer with more detailed knowledge of the child or young person, or where custody or remand was an option both on working days or on Saturday, or breach of an Order, required a Vale YOS officer to be in attendance.

The YOS Manager was pleased to advise that despite an anticipation that there would be an increase in the numbers of children failing to attend Court, evidence from YOS records indicated that during the period since 2012, there had been limited failures to attend with the number of warrants issued with or without bail as outlined below:

2012 = 8  
2013 = 13  
2014 = 5  
2015 = 2  
2016 = 8  
2017 = 1.

The Court merger had however increased the requirement for a YOS officer to be present from a single day up to three days per week, an increase in travel and parking costs for YOS officers, additional travel and waiting time and financial costs for service users. The officer stated that this was the biggest impact for the YOS.

The YOS had quantified the cost to the service which equated to £16,500 per annum based on additional staffing, travel and parking costs. However, no additional resources were available to the YOS, therefore the YOS had needed to redirect existing resources, this meant that whilst practitioners were undertaking cover at Court, they were not able to undertake other job role activities.

The Court merger had also introduced delays in the listing of cases in relation to breaches, which would previously be listed within one week in the Vale of Glamorgan Magistrates Court, but could now take approximately three to four weeks to list.

In conclusion, the YOS Manager advised that residents of the Vale of Glamorgan had also been put to increased expense with train / bus fare costs ranging from £3 to £7 per person attending. Children were required to attend with a parent and the YOS had provided some families, who were reliant on benefits, with travel warrants to enable their attendance at Court.

A Member referred to the increased breach listing delays and asked the officer if there were any possible actions the Local Authority could take to reduce the current three to four week period. The officer advised that since the merging of Cardiff, Bridgend and Vale of Glamorgan benches, the demand on the now single service had subsequently increased and had therefore slowed the process.

A Member highlighted the fact that the £16,500 per annum quantified cost was almost the equivalent of a staff salary and it was crucial to recognise the cost being incurred by the Council. The Member also shared her concern over the travel cost incurred by Vale residents using the service and highlighted the fact that the financial obligation could be significant and distressing for individuals. In light of these points, the Member suggested that the report be referred to Cabinet with a polite request that Cabinet write to the Ministry of Justice to express the Council's concerns.

In response, the officer advised that the Council had made robust representations to the Ministry of Justice on closure in 2011 and a Judicial Review was requested in March 2011. Also, in response to a Member's question on whether there was any consideration given in 2011 to the quantitative costs going forward, the officer advised that costs following the Court closure were taken into account by individual departments, but there was no central funding made available and this was still the case.

In summary, the Chairman thanked the officer for bringing the report to Committee and recognised that it was important for Cabinet to have sight of the report and for views to be shared with the Ministry of Justice. The Committee agreed with the Member's recommendation.

#### RECOMMENDED –

- (1) T H A T the content of the report be noted.
- (2) T H A T the report and Scrutiny Committee's concerns be referred to Cabinet.
- (3) T H A T a request be made of Cabinet for a letter to be sent to the Ministry of Justice outlining the concerns of the impact of the Vale of Glamorgan Court closure for service users.

#### Reasons for recommendations

- (1) In acknowledgement of the contents contained therein.

(2) To provide Cabinet with information regarding the implications of the Court closure for both service users and the Youth Offending Service and the Scrutiny Committee's concerns.

(3) To ensure that the Council's concerns are raised with the Ministry of Justice.”

Attached as Appendix – Report to Homes and Safe Communities Scrutiny Committee: 6<sup>th</sup> December, 2017