

# Speech: Lord McNally speaks at the Westminster Legal Policy Forum

On March Seventeenth, six weeks on Friday, I stand down as Chairman of the Youth Justice Board for England and Wales.

My political life has been a long and winding road which stretches back some fifty years. But I can honestly say that the last three years have been among the most rewarding and fulfilling of my life.

It has not been an easy time to be the Chair of an arms-length body.

There has been the constant pressure from our parent department, the Ministry of Justice (MoJ), for draconian cuts in our budget, as the MoJ itself has come under the Treasury cosh.

The known hostility of the Cabinet Office to arms-length bodies remains unabated – a hostility sometimes shared by our parent department.

And of course that part of my job description, which calls on me to speak truth to power as an adviser to ministers, always runs the risk of playing Becket to a Secretary of State's Henry the Second if that advice does not fit with a minister's priorities or prejudices.

Today you have asked me about improving health outcomes across the youth justice estate and the opportunities presented by the Taylor Review. So let me start with some encouraging statistics: They (the [Youth Justice statistics: 2015 to 2016](#)) show less than 900 young people under 18 in the secure estate (under-18 young offender institution (YOI), secure training centres (STC), secure children's homes (SCH)) – under thirty of them girls. These are remarkable achievements which mean that the number of children held in custody has dropped by two thirds in a little over ten years, with an equally significant drop in the number of first time entrants to the criminal justice system.

I am the first to acknowledge that this success has been the work of many hands, including:

- the police
- the magistracy
- social and children's services
- the probation service
- charities
- voluntary and other non-governmental organisations.

But the YJB has been the pathfinder in promoting holistic, cross-disciplinary approaches to the challenges posed by young offenders.

The challenge is to build on that success so that we continue to make progress with a more concentrated cohort of complex, difficult and some-

times dangerous children.

Let me give you some further statistics to put this challenge in context.

Based on admissions to custody from April 2014 to March 2016 it has been established that:

- 61% of these children were not engaged in education
- 45% had substance misuse concerns
- 33% were assessed as a high risk to others
- 33% presented mental health concerns
- 32% presented learning disabilities
- 30% presented physical health concerns

All of these characteristics could and should be effectively addressed within the community and well before a child enters the youth justice system. Instead children in the custodial estate often present two or three of these characteristics at a time. Some 68% are placed in National Offender Management Service (NOMS) run YOIs and, whilst they manage some of the most challenging children, it is the part of the estate which is least child focussed and provides the least progressive regime.

The Taylor Report certainly offers a radical alternative to where we are now. In many ways Charlie gives us a glimpse of the sun-lit uplands we could reach ten years from now. The vision of a secure estate made up of a patchwork of small, local-catchment secure schools, where this residue of difficult, complex and sometimes dangerous young offenders had their needs met by staff skilled and trained to deliver their educational and health and emotional needs, would be as revolutionary in its way as was the creation of the YJB nearly twenty years ago.

So I give an enthusiastic welcome to Charlie Taylor's vision. I also welcome the Government's promise to move ahead immediately with two pilot secure schools – one in the North and one in the South of England.

However it is what we do now which will determine whether we ever reach Charlie's sunlit uplands. No-where is that more true than in the field of health. We are already seeing the impact of liaison and diversion on first time of entry statistics. 53% of the country is now covered by such services. There is ample evidence to show that lack of early intervention with some of the health and health related problems I mentioned earlier are major factors in children entering in and remaining in the criminal justice system.

Nowhere is this more true than in the field of mental health.

I recently attended a meeting of an All Party Group in Parliament where young people gave accounts of their experience both in care and in the secure estate. One young woman gave an account of a chaotic life in both. At the age of twenty two she had been diagnosed with a psychiatric disorder for which she was now receiving treatment. She said that the diagnosis and treatment had been transformational.

Not only did she look forward with confidence – she was also able to make

sense of a childhood which had been disruptive and dysfunctional.

I do not think that is an isolated experience. The truth is that mental health care for young offenders under the age of eighteen (the group who are the direct responsibility of the Youth Justice Board) and those in that age group on the cusp of re-offending is under resourced and poorly directed.

That does not mean that good things are not happening and the YJB is actively engaged with NHS England about the particular needs of the cohort in the secure estate.

But we are only in the foothills of developing an approach to mental health in all parts of the criminal justice system which is civilised and humane. The provision of resources and effective treatment would also be cost effective in addressing some of the root causes of reoffending and make a significant contribution to rehabilitation.

To give some idea of the nature of the task let me draw on a study produced jointly by the Welsh Government and YJB Cymru in 2012. It made an analysis of young people displaying prolific offending behaviour. The investigation found that:

- 48% had witnessed family violence
- 62% had difficulty coming to terms with past events and traumas
- 79% were involved with social services
- 81% were without qualifications
- 95% had substance misuse issues

Those kind of findings come up time and again in research. It means that when a young person first comes before a youth magistrate we may be ten years too late in terms of meaningful intervention.

It is eight years since my House of Lords colleague, Lord Keith Bradley published his report on mental health in the criminal justice system. His judgement at that time was summed up by the words "Too little, too late". Five years later, in a follow up report his view was that although progress had been made, there was still much to do and we must all try harder to address the fact that too many young people end up in the criminal justice system simply because they don't get the support they need early enough.

We must all be encouraged by the fact that the Prime Minister has put her authority and weight behind the drive to improve mental health care.

For my part I make no bones about the fact that I want to see a portion of the funds devoted to mental health improvements clearly focussed on the needs of children in or on the cusp of the criminal justice system.

I also want to see action now to provide support and training for frontline staff working in our secure estate.

Those who work with young people need high quality training to understand the complexities they are dealing with. They should be trained to recognise mental health needs, learning difficulties, speech, language and

communication needs.

They should also be able to recognise the signs when a child, presented as an offender, is also the victim of exploitation and abuse.

The former Chief Executive of the YJB, Lin Hinnigan, got it right when she said "We know when we are getting it right when someone working in our secure estate is asked what they do and they do not reply "I am a prison officer"; but say: "I work with children".

But of course mental health is only part of the youth agenda in response to the needs of the children in our secure estate. Drug and alcohol abuse, poor diet, lack of exercise have a direct impact on the capacity to deal with the pressures of modern life.

That is why I very much welcome the intention of the Youth Justice Minister, Dr Phillip Lee MP, to promote sport in the secure estate and in the community as a step towards rehabilitation.

I think it is now recognised that the thirty hour education contracts for the secure estate, although well intentioned, did not allow sufficient flexibility. For example sport was treated as "enrichment" an "optional extra" rather than key to a balanced offering.

The YJB has been working with a wide range of sporting organisations and will provide Dr. Lee with a list of our most encouraging contacts.

We are working closely with Sports England and two delivery partners to secure funding for a pilot project for sport in Kent specifically for children in or on the cusp of the criminal justice system.

The YJB is also a founding member of the National Alliance for Sport for the desistance of Crime. The NASDC's vision and purpose is to use sport to help people of all ages from committing crime. I have also been working closely with the joint Chairs of the All Party Group on Sport, Baroness Tanni Grey-Thompson and Justin Tomlinson MP, as well as Sports Minister Tracey Crouch, so that there is Parliamentary support for any initiatives taken by Phillip Lee.

I believe these sports initiatives could play an important part in both diversion and rehabilitation as part of a broad based health strategy in the secure estate.

I also believe that Charlie Taylor's idea for greater regional autonomy in delivering youth justice would bear fruit in terms of initiatives and ideas. Certainly some of the most interesting innovations in youth justice are to be found in the devolved administrations in Scotland, Wales and Northern Ireland.

I am convinced that, although the central thrust of Charlie Taylor's report was for an education-led revolution in our treatment of young offenders, such a revolution can only succeed if it is matched by a parallel advance in health care.

The system also has to cope with new pressures such as the extent of child sexual exploitation, the impact of social media, the impact of gang cultures, the impact of extremist radicalisation, the over-representation of looked after children and black, Asian and minority ethnic children – all factors which were not there ten years ago or not so clearly understood.

Charlie Taylor has provoked much thought by his report. Now is the time for action, not least in giving the priority it deserves in addressing the challenges of delivering a child focussed youth justice system.

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## **Press release: New interim Chief Executive announced for the Rural Payments Agency**

Paul Caldwell has been announced as the incoming Interim Chief Executive of the Rural Payments Agency following the news that Chief Executive Mark Grimshaw has decided to stand down after more than six years.

Paul Caldwell, who is the Basic Payment Scheme Operational Delivery Director has held a number of senior positions within the RPA since 2001 including becoming the Operations Director in 2010.

Environment Secretary, Andrea Leadsom said:

In the six months that I have worked with Mark I have been grateful for his clear commitment to resolving outstanding BPS issues. Both he and Paul Caldwell have worked hard to achieve a strong recovery from the challenges of the first year of this new system.

The agency remains fully focussed on paying all remaining eligible claims as quickly as possible including those outstanding from 2015.

Clare Moriarty, Defra Permanent Secretary, said:

Mark Grimshaw has achieved a huge amount at the Rural Payments Agency and helped deliver substantial improvements in performance for the benefit of our farmers and rural communities.

Under Mark's leadership, the RPA has come through a significant transformation including the challenge of introducing the Rural

Payments online service and the new Basic Payment Scheme.

Paul will ensure that the focus continues to be on delivering remaining payments to all eligible claimants as soon as possible. The RPA has a very experienced leadership team in place who will continue to lead the Agency after Mark's departure and provide continuity for everyone who uses the Agency's services.

Mark Grimshaw, Chief Executive of the RPA, said:

It has been a great privilege to have led the RPA and its exceptional people through some major changes.

Together we created and delivered an ambitious Five Year plan, getting the Agency in the great shape it is today. After six years at the helm I have decided now is the time to stand down and hand over the reins to a new leader to take the organisation through the next phase of its development as part of the Defra Group.

Paul Caldwell, Interim Chief Executive of the RPA, said:

I am proud to have the opportunity to lead the Agency and recognise how important our work is to support our world-leading food and farming industry.

That is why our priority is to ensure that remaining BPS payments are made to all eligible farmers as soon as possible and that we continue to deliver the other 40-plus schemes and services we administer.

## Notes

1. Paul Caldwell has been with the Rural Payments Agency since 2001. Paul has worked in operations, communications and strategy, and was made Operations Director in 2010. He was appointed in late 2016 as the BPS Operational Delivery Director.
  2. Paul was previously manager at the British Cattle Movement Service (BCMS) and occupied various roles within the former Ministry of Agriculture, Fisheries and Food (now Defra).
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# Press release: Digital tax revolution moves a step closer

Following extensive consultation, with more than 3,000 responses over the last eight months, HMRC has issued in-depth details on how digitising the tax system through its flagship Making Tax Digital project will help millions of businesses to get their tax bills right first time, without the need for an annual tax return.

Alongside draft legislation, HMRC has also published its responses to the six consultation documents issued in August 2016. After listening to the concerns of businesses and agents, HMRC can now confirm that under Making Tax Digital:

- businesses will now be able to continue to use spreadsheets to record receipts and expenditure, which they can then link to software to automatically generate and send their updates to HMRC – this was requested by a wide range of stakeholders, particularly small businesses and the Treasury Select Committee
- free software will be available to the majority of the smallest businesses
- businesses that cannot go digital will not be required to do so
- all self-employed businesses and landlords with a turnover under £10,000 a year will not have to keep their records digitally or make quarterly updates, but can do so if they wish
- the option to account for income and expenditure on a simple ‘cash in, cash out’ basis will be extended, helping an extra 2.5 million self-employed businesses and unincorporated landlords
- charities will not have to keep their records digitally or make quarterly updates
- customers will have at least 12 months to become familiar with the changes before any late submission penalties will be applied; following feedback from respondents, HMRC will also consult again in the spring on a new penalty model
- HMRC will pilot these digital systems with hundreds of thousands of businesses before rolling them out to ensure the software is user friendly, and to give businesses and landlords time to prepare and adapt

HMRC also confirmed that the government will need to consider further issues, such as the initial exemption threshold and deferring the changes for some small businesses alongside their cost, with final decisions to be made before legislation is introduced later this year.

During the consultation period, HMRC ran a series of public events across the country and online to hear views direct from businesses and agents. It also ran a short online survey for small businesses on some of the key questions from the consultations, which received over 1,200 responses.

Under HMRC’s plans to move recording and paying your tax online, most businesses, self-employed people and landlords will be able to keep track of

their tax affairs digitally and update HMRC quarterly by 2020. This is part of the government's commitment to make the annual tax return a thing of the past for millions of people and businesses.

With millions of businesses already banking, paying bills, shopping and interacting online, integrating tax with the day-to-day running of a business is a natural next step.

This will help businesses steer clear of errors – reducing the £8 billion a year cost to the public purse, get their tax bills right first time, and give them a clearer view of their tax position as they go through the year. Reducing the amount of avoidable errors will also reduce the cost, uncertainty and worry that businesses face when HMRC is forced to investigate them.

Director General, Customer Strategy & Tax Design, HMRC, Jim Harra said:

We know that the majority of businesses want to get their tax right first time, but the latest tax gap figures show that too many find this hard, with more than £8 billion a year lost in tax as a result of avoidable taxpayer error by small businesses.

Making Tax Digital will help businesses to get their tax right first time; it will help reduce the likelihood of errors, lower the chance of unwelcome compliance checks and give them greater certainty that they are getting things right.

There were more than 3,000 responses to the consultations and I'd like to thank everyone for their time and effort. We are pleased that there was a broad welcome for the principle of Making Tax Digital and HMRC developing a transparent and accessible tax system fit for the digital age. The appetite for digital services is growing and traditional paper-based processes make no sense in the 21st century where the vast majority use digital services.

HMRC will continue to work closely with stakeholders, including small businesses and agents, to ensure their views are reflected in the development of making tax digital.

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**[The Chief Inspector has today cast doubt on one of the Justice](#)**

# Secretary's key proposals for prison reform – Richard Burgon

Responding

to comments by Peter Clarke, Chief Inspector of Prisons, that government plans

for prison 'league tables' will be "immensely difficult" to achieve, **Richard Burgon MP, Shadow Justice Secretary**, said:"

"The

Chief Inspector has today cast doubt on one of the Justice Secretary's key proposals for prison reform.

"League

tables may make good headlines but there is no indication of how they will improve the performance of the prison service or rehabilitation of prisoners.

"Instead

of gimmicks we need clear leadership from the Justice Secretary to improve prisons performance now and provide the clear detail the White Paper is sadly lacking."

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## News story: Bass industry guidance for 2017

From:

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Part of:

The Marine Management Organisation (MMO) is pleased to be able to publish the bass industry guidance for 2017.

The [bass fishing guidance](#) covers commercial bass fishing, track records, fishing gears that may be used and catch limits.

It also provides further information on both the pelagic and demersal landing obligations whilst providing information on recreational fishing for bass.

Fishermen are advised to [read the full guidance](#) to understand their obligations and the various requirements in respect of fishing for bass.