



Chair, Independent Monitoring Board  
HMYOI Werrington  
Ash Bank Road  
Werrington  
Stoke-On-Trent,  
Staffordshire  
ST9 0DX

**MoJ ref:** SUB 94460

11 February 2022

Dear Chair,

**HMYOI WERRINGTON: INDEPENDENT MONITORING BOARD ANNUAL REPORT  
FOR 1 SEPTEMBER 2020 – 31 AUGUST 2021**

Thank you for your Board's report for the year ending 31 August 2021. I am grateful to you and your colleagues for your hard work in capturing these helpful observations, particularly as your board remains short of members.

Firstly, I would like to assure the Board that my officials have taken action to improve safety at HMYOI Werrington. An Improvement Board has been implemented and members meet monthly to discuss progress and continuous improvement. Likewise, the Conflict Resolution Team has been reintroduced and has had a very positive impact. Denby unit has reopened, and significant improvements made which has seen a reduction in violence levels, the latest data showed that assaults have fallen by 8.9% against a 10-week average.

I acknowledge your comments regarding separation of young people. As highlighted by the Board, Rule 49 should not be used to separate a child from their peers if they are disruptive or because a place in a suitable group cannot be found (unless it has been determined that separation is necessary to manage a risk of serious harm to the child or others and that alternative interventions to manage that risk have been exhausted or are unsuitable). Rule 49 governance is used in all cases where a child is separated to ensure enough management oversight and support is in place. This practice prevents separation without oversight through for example self-isolation and may account for some of the increase.

The Board may be aware that HM Inspectorate of Prisons Separation of children in young offender institutions thematic review report published on 21 January 2020 found that there was insufficient oversight in some cases of separation. Work is underway in response to the report to produce a new national policy Separation Framework and a process for collecting data on separation in the secure youth estate for launch this year. This will provide more clarity and expectations for staff on how instances of separation and isolation should be managed as well as improved monitoring of instances where Rule 49 has been used. Additionally, a lot of learning has been undertaken with support from psychology services and research to better understand the drivers and how to support a child who is electing to be away from their peers. I was pleased to read that there is a constant emphasis at HMYOI Werrington to keep separation to a humane minimum and local staff and managers have a good understanding of the reasons why children are separated.

Turning to the Board's comments about those held on remand, throughout the Covid-19 pandemic youth cases have continued to be prioritised and are regularly reviewed to ensure they are being listed as expeditiously as possible, especially cases involving youths in custody and those where a child is almost 18 years of age. HM Courts and Tribunal Service is working tirelessly to hear cases involving children as quickly as possible. All Crown and Magistrates' Courts continue to review youth trials that are older than six months, which usually involves listing before a Judge for a formal review to see whether the case can be brought forward. Although cases may have their Custody Time Limits (CTLs) extended through an individual application to the court, all courts are reporting they are currently listing youth custody cases within their CTLs. I am pleased to announce that Birmingham Youth Court has been approved as a test site for pre-recorded cross and re-examination in advance of a trial, which should positively impact a vulnerable child or young person by providing the option of giving evidence outside of a stressful courtroom environment.

Despite the issues raised in your report, it was encouraging to hear about the care provided to new arrivals on reception particularly the induction booklets and young people are encouraged to lead chapel services overseen by the dedicated managing chaplain. I also note the effective work of both the healthcare and mental healthcare departments. I am grateful to the Board for recognising developments such as in-room digital technology and construction work achievements. Your comments about the excellent work of Kinetics Youth Team, Werrington achieving micro-elimination for hepatitis C virus and the family engagement work helping to strengthen family ties were all pleasing to note.

I note you have raised some local issues of concern in your report which the Governor will continue to keep you aware of as work continues. HM Prison and Probation Service (HMPPS) comments in response to other issues raised in your report are set out in the attached annex.

The Justice Secretary and I appreciate the valuable role played by members of Independent Monitoring Boards throughout the estate and we are very grateful for your continued hard work on behalf of HMYOI Werrington.

Yours ever,



**VICTORIA ATKINS MP**

## HMYOI WERRINGTON: INDEPENDENT MONITORING BOARD ANNUAL REPORT FOR 1 SEPTEMBER 2020 – 31 AUGUST 2021

### HMPPS Youth Custody Service (YCS) comments on matters raised in the report

#### **Photographs**

HMPPS YCS fully supports personal possession of appropriate photos of family, friends and loved ones and images can be displayed on room noticeboards. Self-photos are now permitted where security risks allow (whereas before photographs of the children themselves were not allowed). Prison staff photograph children on special occasions such as birthdays which they can post photos to their families. As part of the mentioned Improvement Board, there has been an emphasis on decency with notable improvements in the living accommodation seen in an internal audit.

#### **Courts and Allocation**

If the court remands a young person in a youth detention accommodation following an appearance before the youth court and retains jurisdiction to hear the case, it will ascertain if a plea is to be lodged at the first hearing of the case. If that plea is not guilty, the court will endeavour to list for trial within 56 days.

As the Board may be aware, the YCS Placement Team is responsible for placing children and young people under the age of 18 remanded or sentenced into youth secure accommodation. A decision on the most appropriate accommodation to place a child is made following an assessment by the Youth Offending Team (YOT). YCS will then decide about the most appropriate placement after consideration of each child's individual needs and their YOT's placement recommendation, against a view of the available accommodation. Decisions are made with children's best interests as a primary consideration, with areas of consideration including (but not limited to) age and gender; previous history; risk of harm (to self and others); family and resettlement; and maturity and resilience.

The YCS Placements Team have looked in to why 23 children waited over four hours in court cells for their placement to be allocated by this team. For the period of the Board's report 1 September 2020 - 31 August 2021, the YCS Placements Manager identified 16 placements that the Escort Provider had noted as taking '*longer than three hours*' to allocate a placement. Due to time pressures, only eight of these cases were investigated in detail. However, all showed that the children were reasonably placed within 45 minutes of being contacted by the court or the child's YOT, which is classed as a reasonable wait time in regards to the time it takes for the Placements Team to go through and receive the relevant information and issue a placement confirmation form.

The YCS Placements Team are only aware of a child requiring a placement once they are contacted via telephone by the child's YOT worker or court staff. There could be delays in contacting the Placements Team for several reasons, including:

- Access to visiting the children in cells to gauge post court reaction;
- Children are not willing to be interviewed following a hearing;
- Problems with IT causing delays in submitting the required information to the Placements Team;
- YOT workers dealing with multiple cases;
- YOT workers not having access to the correct or any information about the child due to not being from their local area.