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National Chair, Independent Monitoring Board
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MoJ ref: ADR107559

8 August 2023

Dear Elisabeth,

SAFETY AND REGIME IN THE YOUTH ESTATE

Thank you for your letter of 24 July 2023 which set out the current findings of Independent Monitoring Boards regarding safety and purposeful activity in the four Young Offenders Institutions (YOIs) in England. I am very much aware of the amount of effort that goes into producing the annual reports that underpin the letter and thank you for providing these collated findings.

I understand the concerns you have raised and I personally assure you that providing young people with a safe environment where they have access to meaningful activities is of the utmost importance to me. I have close regular contact with officials responsible for the children and young people secure estate, to ensure progress. Before turning to the specific concerns set out in your letter, I thought it useful to first set out the context for the youth custody estate and the challenges it faces.

As you know, the number of children in custody has fallen in recent years – from around 3,000 in 2008/09 to roughly 600 in April 2023 (our latest published statistics). As the Lord Chancellor said to the Justice Select Committee on 18 July, this is a quiet success story of the criminal justice system in recent years and is to be welcomed. No longer are we detaining children on relatively less serious crimes, separating them from their families and educational support structures.

However, that success story has created some challenges. The very small number of children that we do detain are there for very serious offences – around two-thirds are detained for violence against the person offences. They often enter custody with significant unmet needs and vulnerabilities – around 70% have special educational needs, for example and many will have experienced significant childhood trauma. Almost half are held on remand – whilst we continue to do all we can to reduce the backlog in the Crown Court caused by the pandemic and industrial action, a large proportion of children in custody face uncertainty and we know that too contributes towards instability within the estate.

All that said, I accept that performance in the children and young people secure estate is not yet consistently at the level that I, my officials or you would wish it to be. For those children who are held in custody, we continue to take a series of clear and practical actions to make the estate more safe, more effective and more rehabilitative. Underpinning this is the framework for integrated care ('SECURE STAIRS') which seeks to support staff in working with children to provide trauma-informed care which addresses the causes of their offending behaviour and sustainable long-term support in preparing them for release. I believe that these actions will make our estate safer for children and staff and better support those in our care and preparing them for release. I am, however, aware that this transformation will not happen overnight and welcome further engagement to help embed and sustain improvement.

I address below the specific areas of concern you have raised for my attention:

Regime and time out of room

All young people should have appropriate access to education, skills and work provision with a consistent daily programme of purposeful activities. Improved management of staffing resources is a key part of consistent delivery. Work is therefore underway to review and reprofile resources. There is a focus on sickness absence to reduce disruptions. This will ensure that time out of room, particularly at evenings and weekends, is more consistent. New education contracts were implemented in the YOIs in late 2022, which were designed to improve learning outcomes by supporting the integration of custody, education, and health services. Education services are rightly focused on preparing young people for resettlement into the community or transition into the adult estate, with more freedom for providers to innovate, enabling services to be tailored towards bespoke needs. There is also greater emphasis on vocational training and technology, including a virtual campus, where young people will be able to use an online career coach to find online courses and job opportunities in custody. Whilst the recent recruitment of education provider staffing has improved it is recognised there are still vacancies where recruitment is ongoing. Where progress has not been timely, the YCS have issued improvement notices to providers and are continuing to work with them to ensure that stable staffing levels are provided. More work is required and being prioritised to make more of these education contracts and increase delivery.

Given the particular concerns about time out of room at HMYOI Cookham Wood, I am pleased to say that there have been positive improvements, with the regime on offer now equivalent to the other public sector sites. It is acknowledged there remains more to do to increase overall levels of activity. At HMYOI Cookham Wood a new Activities Lead, who is bringing together staff and providers to develop an innovative and flexible regime, will drive this further forward. This will ensure young people are able to access a range of learning and enrichment opportunities tailored to their needs.

Levels of violence

The YCS is resetting its focus on safety as the foundation to stable, decent, and supportive environments. All sites now have a safety strategy that reflects the local drivers of violence and includes tackling the use of weapons and the use of conflict resolution. These strategies have been developed from the findings of safety summits, using data, as well as structured working groups with staff, young people and partner agencies to foster greater understanding and knowledge. It is acknowledged, as noted, that a large proportion of violent incidents in the YCS can be attributed to a small number of individuals, therefore a new national Intelligence Hub focused on safety, security and safeguarding is being introduced which will support sites to identify and manage high risk individuals. Whilst the most recent data shows an overall downward trajectory in weapons finds this year, work will continue to understand the drivers for creating and carrying weapons. In the sites where weapons have been particularly prominent, bespoke strategies are also being introduced to tackle these, supported by searching activity. Additionally, as Challenge Support and Intervention Plan (CSIP) implementation has been successful at HMYOI Parc, this will now be piloted in two further sites to support and manage young people who pose an increased risk of harming others. You also highlight that retaining those aged 18 within the estate has an impact on stability. The YCS are undertaking an in-depth examination to consider the operational impact on those who are aged 18 or under since the change was introduced. This work is ongoing, but at this stage there are no indications that this has resulted in an increased level of instability or violence.

Use of separation

It is also recognised that young people should not be separated from their peers for disciplinary reasons which should only happen where it is necessary to manage their risk of serious harm to others and alternative interventions to manage their risks have been exhausted or are unsuitable. The YCS have taken a range of actions to improve the monitoring of separation, these include additional resources to ensure

there is robust management and accountability locally and a national single point of contact to review oversight arrangements for separation. These arrangements will ensure that staff are equipped to provide the required level of care for separated young people with complex needs and allow them to take action to address any issues preventing this. On occasions when it is necessary to remove a young person from association, the YCS are committed to providing a regime that is comparable to the normal regime as much as possible. This includes social and legal visits, healthcare, religious services, access to a telephone, education, showers and exercise in the open air. Where possible this also includes association with other young people. Governance and assurance is being strengthened to provide improved local oversight with central support specifically focused on improving levels of association.

Care and support

To provide young people with the support they need, the Framework for Integrated Care continues to be implemented in partnership with NHS England, which encompasses education, health, and behavioural support. Whilst full implementation was impacted by the Covid-19 pandemic and more recently, staffing resources, it remains the objective to fully roll this out. The framework's principles are incorporated in the Behaviour Management Strategy, which is being refreshed and ensures all young people receive a full needs assessment and psychological formulation to inform a tailored care plan, allowing the more complex young people to get the support they need. A range of evidence-based group and 1:1 psychological interventions are being delivered which target risks and needs associated with re-offending and specialist interventions are provided for the most complex young people, from a range of disciplines such as counselling psychologists, forensic psychologists, and family therapists. Assurance baselines have also been developed to ensure that Enhanced Support Units are delivering against the evidence-based parameters of practice. The specific shortfalls mentioned at HMYOI Feltham A were an isolated incident due to two particularly complex young people in the unit. One of these individuals has moved to another site which will allow for stable provision on the unit. The YCS has also taken action to clarify the purpose of the Keppel Unit at HMYOI Wetherby following observations from HM Inspectorate of Prisons. With the review of its purpose now complete, the recommendations made are being implemented.

All young people should have a Custody Support Plan (CuSP) that sets out their risks and needs, managed by a named staff member. Whilst it may not be possible to currently provide the full CuSP model with weekly meetings, staff are still expected to build relationships and make at least a weekly contact with the young person. The model will be expanded in accordance with agreed processes and available resource. All staff are being offered Guided Reflective Practice which supports both wellbeing and staff development to help understand the needs of the young people and ways to engage with them. Individual sites are also undertaking their own initiatives to improve relationships, such as at HMYOI Cookham Wood where a programme of events are planned throughout the summer for staff and young people to build positive pro-social and nurturing relationships. Local shortfalls in care were identified in your letter, including at HMYOI Feltham where there was no social worker in place. I am pleased to advise that a full-time social worker joined on 1 June 2023 and further recruitment is ongoing. Challenges with access to healthcare at HMYOI Wetherby were also highlighted. Data captured shows that most of the non-attendance was due to refusals to attend appointments by young people and, although there was a period where lack of operational staff contributed to this, it has improved over recent months. NHS mental health staffing is also a recognised issue nationwide, but actions are being taken such as employing agency staff so that the service is always fully staffed. On occasions healthcare staff may talk to young people through their door when their risk level necessitates this, however this is limited to checks and relationship building. Assurance has been provided that all planned appointments and confidential conversations take place in facilitated rooms.

Staffing

HMPPS and the YCS have been recruiting new youth justice workers at a high level for the past two years and as a result there is a larger group of staff within the YCS with less experience than previously encountered. Whilst there have been some improvements to recruitment and retention rates, there continue

to be challenges in some areas of the country where there are competitive labour markets. Work has commenced with local and national Human Resource leaders to improve recruitment, retention and support for staff. In the short-term, incentivised overtime has been introduced at some sites for staff to increase the amount of time young people can spend unlocked. There is supplemented localised recruitment marketing, with recruitment from other areas in some sites by offering applicants the opportunity to move at the outset of their employment with accommodation assistance for two years. To equip YCS staff with the skills required to manage an increasingly complex cohort, dedicated coaching teams can be deployed as required to provide support at individual sites. New colleague mentors, who are experienced staff, have also been introduced to guide new staff through the first year of service. Additionally, following the success of the Prison Officer Alumni scheme, this will be expanded to Youth Justice Workers later this summer to provide ex-colleagues with an accessible route to return to HMPPS.

It is acknowledged that there are opportunities to learn from what works well at HMYOI Parc in Wales, where there is a consistent and experienced staffing group, as well as a smaller capacity of 46 compared with the four YOIs in England where the capacity ranges from 118 to 288. The model in place at HMYOI Parc is in line with the evidence of what works well for young people in custody, which is smaller groups, with care provided by dedicated skilled staff, who deliver specific interventions and support to better meet their individual needs. The YCS continues to review their vision for the future estate to bring provision in line with this evidence and the opening of the secure school in 2024 will be a step in this transformation. However, it is also recognised that change does not happen overnight and the YCS will continue to drive forward improvement and take every opportunity to share and build on good practice.

I hope this information is useful and provides clarity that the YCS continues to focus on the outcomes for the young people in its care, with wellbeing and safety being the main priority and at the heart of its decision making. I have asked that all leaders within the Youth Custody Service (YCS) are sighted on the issues raised in your letter, and my officials at both a local and national level will continue to work to deliver improvements.

Should you wish to discuss these matters in further detail Ed Cornmell, the Executive Director of the YCS, has extended an offer to meet with you and facilitate a visit with him to a YOI site. 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 and feedback.

Yours ever



Damian Hinds
Minister for Prisons and Probation