



Her Majesty's
Inspectorate of
Probation

2021 Annual Report: inspections of youth offending services



High-quality probation and youth offending services that change people's lives for the better

Her Majesty's Inspectorate of Probation is the independent inspector of probation and youth offending services in England and Wales. We set the standards that shine a light on the quality and impact of these services. Our inspections, reviews, research and effective practice products provide authoritative and evidence-based judgements and guidance. We use our voice to drive system change, with a focus on inclusion and diversity. Our scrutiny leads to improved outcomes for individuals and communities.

Contents

1. Chief Inspector's overview	3
2. Contextual facts.....	8
Our youth inspections 2020/2021	9
Inspection ratings 2020/2021.....	10
3. The continuing challenge of Covid-19	14
4. Our 2020/2021 ratings – organisation and delivery of youth offending services	20
Governance and leadership	22
Staffing	24
Partnerships and services	25
Education, training and employment	27
Resettlement.....	29
5. The quality of court and out-of-court case supervision.....	32
The management of court and out-of-court disposals.....	35
The management of risk of harm	39
6. The quality of YOS work with specific groups of children.....	43
Children looked after by the local authority.....	43
The service provided to black and mixed heritage children	45
A thematic inspection of the experiences of black and mixed heritage boys in the youth justice system	46
Ethnicity of inspection caseloads in 2020/2021	49
Understanding the needs of children from black, Asian, minority ethnic and mixed heritage backgrounds	50
7. Effective practice guidance	54
Annexe 1: Case data splits	57
Annexe 2: Description of a Youth Offending Service	61
Annexe 3: Description of youth inspection methodology	62
Annexe 4: Academic insight publications on youth justice themes.....	65

Please note that throughout the report the names in the practice examples have been changed to protect the individual's identity.

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1. Chief Inspectors overview



Despite the huge challenges posed by the Covid-19 pandemic, our youth inspections, from the end of 2020 through 2021, have shown commendable performance by local youth offending services. Of the 33 youth offending services (YOS) inspected since my last annual report, two-thirds have been rated as 'Good' or 'Outstanding' and none as 'Inadequate'. Our scores for management and leadership are comparatively better this year and we found better quality of work with out-of-court cases.

Ongoing impacts of Covid-19

As I reported last year, local YOS were able to adapt their provision very rapidly, at the end of March 2020, to the pandemic restrictions around lockdown and social distancing regulation. In chapter two, based on interviews with senior leaders of youth offending teams conducted at the end of 2021, we look at the ongoing response of a number of services to the pandemic, which we found varied significantly across the country. Repeated movement in and out of Covid-19-related restrictions had left frontline staff and managers fatigued but determined to maintain a service to the children in their care, and committed to face-to-face contact with children as much as restrictions allowed. While some services had kept offices open throughout the pandemic, others had been severely constrained by the policies of their host local authority and had only been able to bring a very small proportion of staff into the office. A pre-pandemic trend towards taking YOS services 'out to the child', rather than relying on office appointments, had accelerated, with a wide variety of community venues and outdoor spaces being used and home visits being restored as lockdowns lifted. Panel meetings and multi-agency partnerships and case conferences continued online throughout the pandemic and seemed likely to continue to do so. Education, training and employment (ETE) and mental health provision had been variable and challenging.

YOS caseloads had further reduced during the pandemic period, particularly of court-ordered work, and this has enabled services to spend more time on prevention activity or with each individual child. The case managers we interviewed on our inspections were typically supervising caseloads of three to 15 per case worker.

These trends are evident in the national statistics too. Data for the pandemic period, from April 2020 to March 2021, shows huge falls in the volumes of youth cases coming into the youth justice system compared to 2019/2020. Arrests were at their lowest level in many years – and were down 19 per cent compared to the previous year; 'sentencing occasions' at court were down 28 per cent on the previous year. There were 8,800 first-time entrants to the youth justice system across England and Wales and the youth custodial population proportionately fell by the greatest amount in one year since records began, to 560 in March 2021, a drop of 28 per cent on the previous year and down from 2,000 in 2011.

That doesn't, of course, mean that all types of youth crime have decreased. Indeed, after the Covid-19 lockdown period in 2021 ended, there were signs that serious violence increased in some areas. The 30 teenage homicide victims in London in 2021, was the highest on record, and some of the YOS managers I spoke to at the end of 2021 reported spikes in serious youth violence in their areas in the second half of last year.

Leadership and management of services

Chapter four of this report summarises the key findings from our local inspections and research bulletins in relation to the way services are organised and led. This includes early

results from our new standard that looks at the quality of work undertaken with children leaving custody.

Our ratings for leadership and governance were higher over the past year, with half of the services we inspected now being rated 'Good' or 'Outstanding'. The trend towards fully integrated YOS into children's services directorates has continued, and there is a welcome new focus on contextual safeguarding and adolescent services. It was particularly pleasing to see the very significant improvement in leadership and staff morale in our reinspection of Blackpool Youth Justice Service (YJS) – now rated 'Good' after being rated 'Inadequate' in 2018. Despite the challenges of the pandemic, five services received an overall rating of 'Outstanding', including Brighton and Hove YJS, which scored 'Outstanding' against all 12 of our quality standards.

Services continue to be reasonably well-staffed, with most of the case managers we interviewed saying that their caseloads were manageable. But, across our inspections, we found a number of YOS where the probation officer posts were vacant, part-time or had long-term absences and there had been difficulties had been identified with recruitment. Given the importance of these roles in helping to manage risk of harm management and supporting the transition of older children to adult probation services, this has created a critical gap in the staffing profile of some services. The Probation Service has a statutory obligation to second their staff to YOS to ensure that any gaps in staffing are minimised. I have raised my concerns with the leadership of the service, which I know the Youth Justice Board share, as to whether this obligation is being fulfilled.

Education, training and employment (ETE)

Among specialist services provided to children on YOS caseloads, good ETE provision is particularly crucial to their life chances. ETE is consistently among the top three factors our inspectors find need to be addressed to prevent reoffending.

We found that problems with ETE are largely driven by some of the common characteristics of the children who are supervised by YOS, including low levels of numeracy and literacy, speech, language and communication needs, and cognitive disabilities. Children in conflict with the law are also more likely to have suffered trauma and adverse childhood experiences, the consequences of which can impact upon their ability to engage with ETE.

Although the pandemic has disrupted the education of all children across the country, children from poorer households have been affected the most severely in terms of education engagement during this period, due to digital exclusion.

Resettlement after custody

Children sentenced to custody are some of the most vulnerable children in our communities, as well as presenting a risk of harm to others. Their needs are often complex and providing effective services to meet these needs can be challenging.

In 2021, following a series of very concerning national thematic inspections on this topic, we introduced a new standard in our local inspections that focused on the quality of resettlement work undertaken with children leaving custody. This was introduced in July, with the first inspection report to feature the new standard published in October 2021. It applies to nine of the 33 inspections covered by this annual report, with ratings available for seven of these.

Three of these YOS were rated as 'Good' for the resettlement standard and four as 'Requires improvement'. None were found to be 'Outstanding' or 'Inadequate'. We found a mixed picture in terms of policy development. Since we introduced the standard, YOS have turned

the spotlight on resettlement. Many are reviewing or introducing resettlement policies, and there is an increased focus upon ensuring high-quality provision.

The best policies set out the arrangements for providing of the key elements of a comprehensive resettlement programme such, as accommodation, ETE, healthcare, substance misuse, finance and debt, family support and contact. But a comprehensive policy was not necessarily a guarantee of good practice, and we found services where policy was strong, but practice was weak, and conversely, we identified effective casework but found policies were still at the development stage.

Quality of court and out-of-court casework

At every service we inspect, we undertake a detailed inspection of a sample of cases, looking at both court orders and at out-of-court disposals. Since my last annual report, we have inspected a total of 362 court cases and 315 out-of-court cases. Chapter five summarises the key themes from these case assessments and from our research analysis of previous tranches of cases.

Many of these themes are familiar from my previous annual reports. The quality of work undertaken by YOS to identify the factors driving young people's offending and their underlying social and welfare needs remains strong: 78 per cent or more of the cases we inspected were satisfactory against our four court case quality standards in relation to 'desistance'. Scores for the quality of work on children's safety and wellbeing and risk of harm to others were lower. In a significant number of cases, our inspectors are still finding that YOS are not sufficiently recognising specific concerns about individual children's safety and are disagreeing with the low safety and wellbeing risk assessment scores being assigned by case managers. This means that an important sub-group of children are missing out on potentially beneficial support and protections.

While I fully support the 'child-first' principles of a collaborative approach to youth justice services, which encourage children to participate actively in their assessment and supervision, and believe that there should be a focus on developing each child's strengths and pro-social identity, I am increasingly sceptical about whether a drive for minimal intervention is in either the child's or the wider community's interest. As YOS caseloads shrink to a fraction of their size 10 years ago, our inspections are showing that the small number of children left on them often have a huge range of complex needs around their speech and learning and mental and physical health. These needs are often previously unidentified until they are screened for by the specialist workers attached to the YOS team and need far more than minimal intervention. With many YOS moving into the children's services directorates of their respective local authorities, they are increasingly well-placed to link children brought into the justice system to other support services. In my view, this more than outweighs the possible stigmatising effects of bringing a child onto a YOS caseload.

Risk management

As in previous years, our local inspections continue to show that the assessment and management of potential risks of harm to others, by children on YOS caseloads, are the weakest areas of performance for both court and out-of-court cases. This is important because higher risk cases make up a significant proportion of YOS caseloads. In our inspected sample, for example, nearly 80 per cent of children sentenced to a court order were assessed as presenting some form of risk to others, and 29 per cent were considered to present a high or very high risk of harm. Violent offending continues to be the most common offence category in almost all the local caseloads we inspect (violent offences made up 49 per cent of the court cases inspected in the past year).

In services that were strong on risk management, case managers drew together evidence on both current and historical issues and behaviours, and on information from other sources such as the police, social care, health and education to come up with assessments and plans that were well-informed and strengths-based. They also made sure to pay sufficient attention to the needs and wishes of victims and opportunities for restorative justice.

Weaker services didn't draw on a wide enough range of information and failed to consider children's patterns of behaviour or the controls and interventions needed to minimise risks of harm. This meant risks were often under-assessed and misclassified. Often our inspections found that services did not make clear who the victims were, meaning that plans to keep potential victims safe in future weren't effective. Contingency planning for changes in a child's circumstances was particularly weak and more than one-quarter of our reports in 2021 included a recommendation to improve its quality.

Out-of-court disposals

Many YOS tell our inspectors that their work with children subject to out-of-court disposals now makes up an increasing proportion of their caseload. Following previous concerns about the quality of some of this work, particularly for non-statutory disposals (also known as 'community resolutions'), we introduced a new standard in July 2021 to assess the quality of out-of-court disposal policy and provision. Of the eight published YOS inspections that included this new standard, two areas were graded as 'Good', five were rated as 'Requires improvement' and one was 'Inadequate'.

The areas that performed well in out-of-court disposals, undertook thorough assessments of the child, involved the child, their family or carers, and considered victim issues. These assessments contributed to high-quality decision-making at the multi-agency out-of-court disposal panels and led to appropriate interventions with the child. In the weakest areas, children were not assessed, the child and family or carers were not involved and key information on known risks of harm and vulnerabilities was not made available to the panel.

Our data for the 315 out-of-court disposal cases we have inspected since my last annual report shows that the quality of case management for children subject to out-of-court disposals was better in 2020/2021 than in the preceding year. Assessment, and implementation and delivery were generally undertaken well in the majority of YOS – though planning of interventions was less effective. And as with court cases, management of risk of harm was generally weaker than for other aspects of case supervision.

Quality of YOS work with key groups of children

Over the past year we have paid particular attention to the quality of work undertaken with specific groups of children where we have identified weaknesses in the past. Chapter six of this report focuses on two of these particular groups: children who are in the care of local authorities (also known as care-experienced children), and black and mixed heritage boys, who are known to be disproportionately represented in the youth justice system and by March 2021 made up 43 per cent of the youth custodial population.

We have focused particularly on Black, Asian and minority ethnic children over the past year, as we have stepped up the work we do around diversity and racial equality. In October 2021, we published a major national thematic inspection of the support and supervision of black and mixed heritage boys¹⁸¹⁸ across nine different youth offending services in England, which included detailed analysis of 173 individual cases and interviews with 38 boys.

Staff and managers we spoke to told us that the majority of black and mixed heritage boys they worked with had experienced multiple adverse childhood experiences. They also had

high levels of need, such as special educational needs (SEN) and mental health difficulties, which had not always been identified or properly addressed until they came into contact with a service. Sixty per cent of the boys in the case sample we inspected were, or had been, excluded from school, the majority permanently. In half of the cases inspected there was evidence that the child had experienced racial discrimination.

Almost all the black and mixed heritage boys we spoke to described positive relationships with their YOS workers, whatever that worker's ethnicity, stating that they felt listened to and understood. But they were not always clear about the role of the service or what support it could offer them, nor did they feel very challenged by YOS about the underlying causes of their offending.

Despite the positive relationships reported, we found significant deficits in the quality of casework being delivered to black and mixed heritage boys in both post-court and out-of-court cases. Overall, less than half of the cases we inspected were sufficient in terms of the quality of assessment and planning. Reviewing activity in relation to statutory casework was also assessed as 'Inadequate' for children subject to court orders, as was joint working for out-of-court disposals.

Conclusion

While YOS caseloads may be falling, the needs of the children coming into contact with the criminal justice system certainly are not and have become more acute as a result of the Covid-19 pandemic. The last year has been difficult for the children, but equally challenging for staff and service leaders, many of whom ended 2021 often feeling emotionally drained by the personal and professional challenges of managing through the pandemic. However, YOS should be heartened by our ratings and by the resilience and commitment they have shown to meeting the needs of the children in their care, for which I pay them great credit, as we hope for less challenging times ahead.

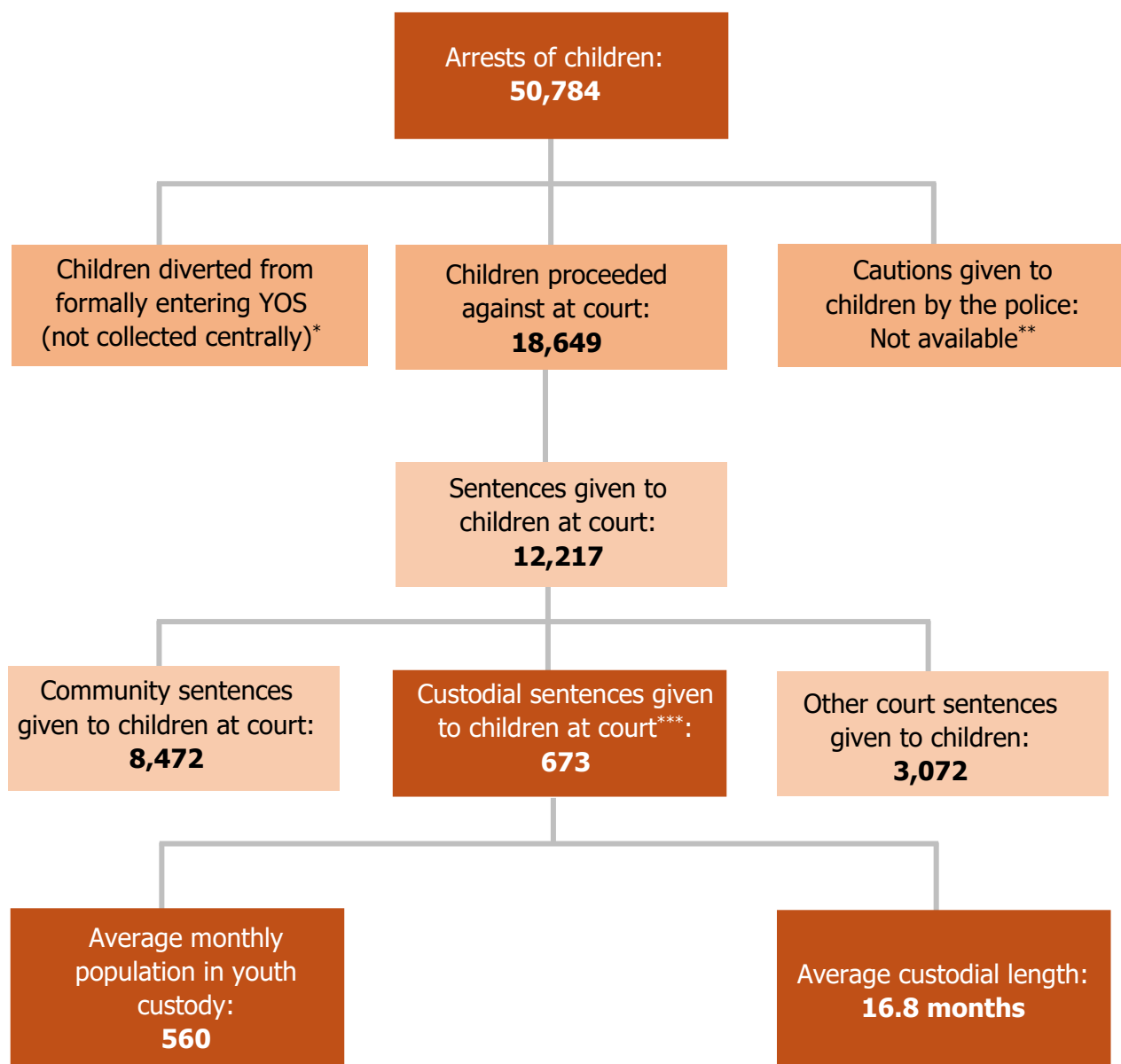


Justin Russell

HM Chief Inspector of Probation

2. Contextual facts

**The flow of children through the youth justice system ending March 2021
(information provided by Youth Justice Board¹)**



Notes on flow chart:

*The number of children diverted from formally entering the youth justice system through Community Resolutions (a type of informal out-of-court disposal) or schemes such as Triage is not currently known.

**Information covering the year ending March 2021 is not available.

***Average custodial sentence length refers to the full custodial term imposed (for sentences of a fixed length only), not just the period actually spent in custody.

¹ [Youth Justice statistics: 2020 to 2021 - National statistics announcement - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/statistics/youth-justice-statistics-2020-to-2021)

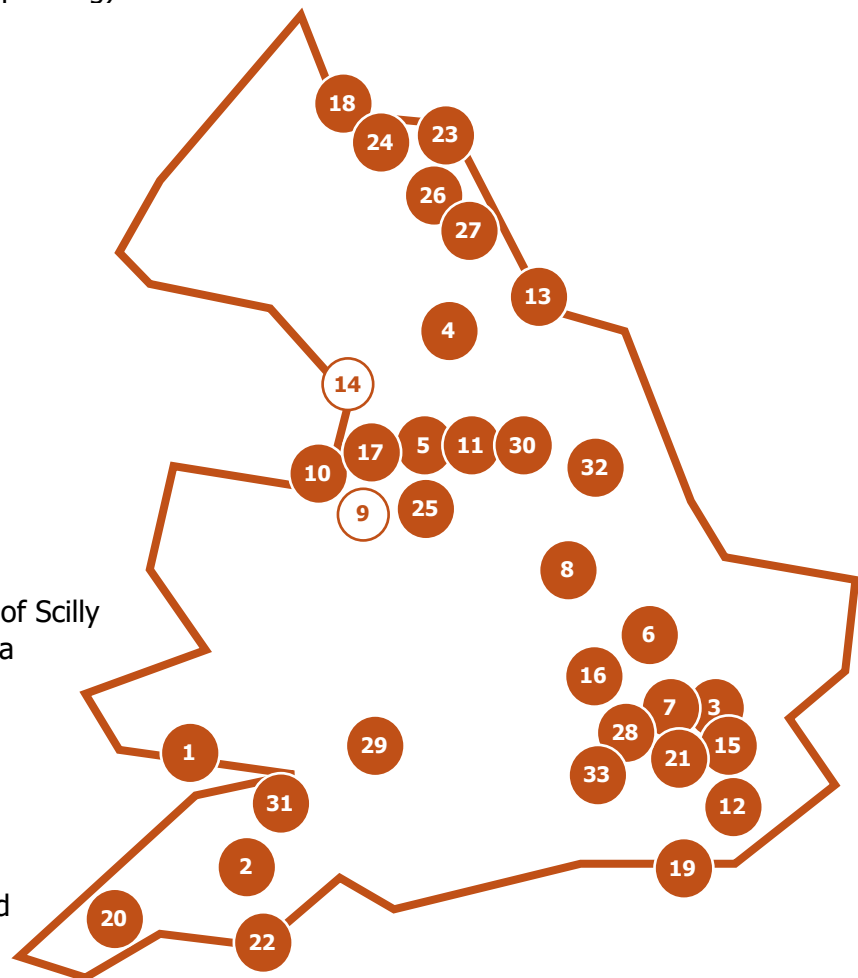
Our youth inspections 2020/2021

Single and joint youth inspections

The following services were inspected between November 2020 and February 2022:

Single inspections involved inspectors from HM Inspectorate of Probation only. Joint inspections were led by HM Inspectorate of Probation along with colleagues from health, police, education and social care inspectorates.

- 1** Swansea
- 2** Plymouth
- 3** Hillingdon (publication pending)
- 4** Wakefield
- 5** Tameside
- 6** Bedfordshire
- 7** Harrow
- 8** Leicestershire
- 9** Cheshire (joint)
- 10** Wirral
- 11** Kirklees
- 12** Kent
- 13** Hull
- 14** Blackpool (joint)
- 15** Merton
- 16** Milton Keynes
- 17** Wigan
- 18** North Tyneside
- 19** Brighton and Hove
- 20** Cornwall and the Isles of Scilly
- 21** Kensington and Chelsea
- 22** Torbay
- 23** Hartlepool
- 24** South Tyneside
- 25** Trafford
- 26** Stockton-on-Tees
- 27** Darlington
- 28** Kingston and Richmond
- 29** South Gloucestershire
- 30** Rotherham
- 31** North Somerset
- 32** Peterborough
- 33** Windsor and Maidenhead



Inspection ratings 2020/2021

Each YOS is given an overall rating on a four-point scale: 'Outstanding' ☆, 'Good' ●, 'Requires improvement' ● and 'Inadequate' ●. The scores from the individual standards are aggregated to produce the overall rating. Adding these scores produces a composite score ranging from 0–36, which is banded to produce the overall rating, as follows: 0–6 = 'Inadequate', 7–18 = 'Requires improvement', 19–30 = 'Good', 31–36 = 'Outstanding'.

Resettlement is rated in inspections from July 2021 onwards.

Service inspected	Published	Composite score	Overall rating	Organisational delivery				Court disposals				Out-of-court disposals				Resettlement
				1.1	1.2	1.3	1.4	2.1	2.2	2.3	2.4	3.1	3.2	3.3	3.4	4.1
Windsor and Maidenhead	19/11/2020	23	●	●	●	●	●	●	●	●	●	☆	●	●	☆	
Peterborough	26/11/2020	29	●	☆	☆	●	●	☆	☆	☆	●	●	☆	☆	☆	
North Somerset	15/12/2020	26	●	●	●	●	●	☆	☆	●	●	☆	●	●	☆	
Rotherham	17/12/2020	11	●	●	●	●	●	●	●	●	●	●	●	●	●	
South Gloucestershire	06/01/2021	31	☆	●	☆	☆	☆	●	☆	☆	☆	●	●	●	☆	
Kingston and Richmond	07/01/2021	24	●	●	●	●	☆	●	☆	☆	☆	●	●	●	●	

Darlington	05/02/2021	31	☆	☆ ● ☆ ●	● ● ● ☆	☆ ☆ ☆ ☆	
Stockton-on-Tees	05/02/2021	32	☆	● ☆ ☆ ☆	● ● ☆ ☆	☆ ● ☆ ☆	
Trafford	09/02/2021	20	●	● ☆ ● ●	● ● ☆ ☆	● ● ● ●	
South Tyneside	23/02/2021	14	●	● ● ● ●	☆ ● ● ●	● ● ● ●	
Hartlepool	23/02/2021	26	●	● ● ● ●	☆ ● ● ●	☆ ☆ ● ☆	
Torbay	03/03/2021	16	●	● ● ● ●	☆ ☆ ☆ ☆	● ● ● ●	
Kensington and Chelsea	09/03/2021	29	●	☆ ☆ ☆ ☆	● ● ☆ ☆	● ● ☆ ☆	
Cornwall and Isles of Scilly	11/03/2021	26	●	● ● ● ●	☆ ● ☆ ●	☆ ● ☆ ●	
Brighton and Hove	13/07/2021	36	☆	☆ ☆ ☆ ☆	☆ ☆ ☆ ☆	☆ ☆ ☆ ☆	
North Tyneside	29/07/2021	31	☆	☆ ☆ ☆ ●	☆ ☆ ☆ ☆	● ● ☆ ☆	

Wigan	03/08/2021	19	●	● ● ● ●	● ● ● ●	● ● ● ●	● ● ● ●	● ● ● ●
Milton Keynes	19/08/2021	23	●	● ● ● ● ●	● ● ● ● ●	● ● ● ● ●	● ● ● ● ●	● ● ● ● ●
Merton	26/08/2021	30	●	● ● ● ● ●	● ● ● ● ●	● ● ● ● ●	● ● ● ● ●	● ● ● ● ●
Blackpool	07/09/2021	25	●	● ● ● ● ●	● ● ● ● ●	● ● ● ● ●	● ● ● ● ●	● ● ● ● ●
Hull	16/09/2021	29	●	● ● ● ● ●	● ● ● ● ●	● ● ● ● ●	● ● ● ● ●	● ● ● ● ●
Kent	05/10/2021	18	●	● ● ● ● ●	● ● ● ● ●	● ● ● ● ●	● ● ● ● ●	● ● ● ● ●
Kirklees	12/10/2021	8	●	● ● ● ● ●	● ● ● ● ●	● ● ● ● ●	● ● ● ● ●	● ● ● ● ●
Wirral	26/10/2021	23	●	● ● ● ● ●	● ● ● ● ●	● ● ● ● ●	● ● ● ● ●	● ● ● ● ●
Leicestershire	02/12/2021	11	●	● ● ● ● ●	● ● ● ● ●	● ● ● ● ●	● ● ● ● ●	● ● ● ● ●
Tameside	07/12/2021	21	●	● ● ● ● ●	● ● ● ● ●	● ● ● ● ●	● ● ● ● ●	● ● ● ● ●

Cheshire	08/12/2021	26	●	☆ ● ● ●	● ● ● ●	● ● ☆ ☆	
Bedfordshire	09/12/2021	14	●	● ● ● ●	● ● ● ●	● ● ● ●	●
Harrow	10/12/2021	17	●	● ● ● ●	☆ ● ● ●	● ● ● ●	
Wakefield	14/12/2022	10	●	● ● ● ●	● ● ● ●	● ● ● ●	●
Plymouth	04/02/2022	24	●	● ● ● ●	● ● ☆ ☆	● ● ● ●	●
Swansea	15/02/2022	14	●	● ● ● ●	● ● ● ☆	● ● ● ●	●

3. The continuing challenge of Covid-19

Since the onset of Covid-19, HM Inspectorate of Probation has closely monitored the impact of the pandemic on youth offending services (YOS) and continues to do so.

From March 2020, the pandemic led to significant changes in how YOS were required to deliver services to children.

In 2020, we conducted a thematic inspection, looking at the impact of Covid-19 on youth offending services². We held focus groups and remotely assessed YOS, looking at individual cases. Inspectors found:

- YOS were committed – working flexibly to respond to the impact of Covid-19
- they had effectively managed the balance between responding to the risks and needs of children and families and keeping staff safe
- initial business continuity planning was effective, assisted by being designed to meet local needs and coordinated with local authority planning and command structures
- as the situation changed, operating models were reviewed and adapted quickly
- despite some variation in the services provided, YOS quickly moved to adapted models of delivery, carrying out their work differently and, for some, innovatively
- partnerships were sustained at a strategic and operational level
- staff and managers rose to the challenge, working with dedication and commitment to keep their very vulnerable children as safe as possible.

How do youth offending services now look at the start of 2022?

In order to gauge the more recent impact of Covid-19, look at lessons learned, and to take YOS managers' views on what the future holds for youth justice, the Chief Inspector, Justin Russell, and the Inspectorate's Head of Youth Inspection Programme, Andrea Brazier, recently spoke to leaders from a range of YOS who volunteered to take part. The services represented included Coventry, Cumbria, Derby, Essex, Hampshire, Isle of Wight, Islington, Kent, Manchester, Newcastle, Norfolk, Somerset, South Tees, Stoke-on-Trent, Southwark, West Berkshire).

We thank those who took part for their honest and candid accounts and ask readers to note that these interviews were not part of our core inspection programme or part of any formal thematic inspection. The views represented are subjective and reflective of individual experiences.

Are youth offending services recovering from Covid-19?

We were impressed with the positive attitudes of those leading YOS and their continued motivation to ensure proper leadership of their services and support for children under their supervision. The challenges of Covid-19 have proved unpredictable; frontline staff are fatigued, but service delivery has been maintained and in many areas opportunities for innovation and development have been identified and progressed.

We offer our condolences to services where staff have died as a result of Covid-19 and recognises the significant impact this has had on the welfare of practitioners and beyond.

² [A thematic review of the work of youth offending services during the COVID-19 pandemic](#)

Recovery has, understandably, been hampered by the impact of further pandemic restrictions, which continued into 2022. It remains to be seen if a return to 'normal' – pre-pandemic – ways of working will ever be possible for YOS. Some have remained constrained by access to their usual office accommodation, and others have had to embrace alternative interventions in order to remain in contact with children.

New innovations have emerged or been reinforced in the past year – such as a move toward YOS taking interventions 'out to the child', which reduces the need for socially-distanced office space. And there has been a move away from in-person, group-working to a much more individualised, tailored one-to-one approach.

Senior YOS leaders told us caseloads are lower currently, allowing them to invest more in prevention work. But those under their supervision are increasingly high-risk-of-harm court cases (29 per cent of the cases we inspected). Some services reported that, since the end of the last lockdown, a greater number of children in their cohort have been involved in serious violence, including murders, attempted murders, and GBH, than previously (violent offences made up 49 per cent of the court cases we looked at).

We note that Covid-19 restrictions have varied by region over the past year, and for Wales the experience of longer and more restrictive protocols has also had a significant impact on delivery of youth offending services.

Governance and leadership

At the start of the Covid-19 lockdown in March 2020, the Youth Justice Board (YJB) asked all YOS to produce contingency plans setting out how they were working with children in police stations and in the community, and how they were staying in touch with children.

Initial business continuity planning was effective and benefited from being drawn up locally and coordinated with the local authority planning and command structures. The ability to plan with partners enabled services to prioritise the children who were most vulnerable and who posed the greatest risk of harm to others.

In the main, effective continuity planning appears to have continued. The senior YOS leaders we spoke to felt they had become used to adapting to ongoing fluxes in pandemic restrictions. Management board meetings were taking place in a hybrid fashion: some services had access to appropriate offices within local authority buildings, and others were meeting online. Some areas reported that online meetings had enabled greater attendance, and for many, the pandemic has meant a partnership focus on supporting YOS has been prioritised. This has also provided the opportunity for some areas to achieve greater stability in their governance arrangements.

Some, like Stoke-on-Trent Youth Offending Team, reported positive and unexpected improvements across their management board as part of their response to the pandemic:

Joy Molloy, Head of Service, told us: *"I think the governance of the management board has probably improved, as we've been holding meetings via Teams – which has facilitated attendance and I think people have found it helpful. I think our relationship with the police, which was always strong, has probably strengthened because they've maintained their presence in the office, but also because during the initial stages of the pandemic we were working very closely together, so children were not having to be picked up and held in the cells overnight."*

Andrew Kaiser, Head of Specialist Services for Derby Youth Offending Team, also saw improvements: *"Attendance [at management boards] is very good. We have the courts, community safety teams – all the statutory partners, and the head of one of the local pupil referral units as well as the voluntary service."*

Office accommodation

Our *Thematic review of the work of youth offending services during the Covid-19 pandemic*³ (May 2020) reported that staff were working flexibly and had adapted their working methods to deliver services. Some staff expressed anxiety at having to return to an office environment. Managers in youth offending services worked well with partners to develop plans to prepare for high levels of staff absence and redeployment.

Fast-forward to the end of 2021 and services from all areas we spoke to reported to us that staff were returning to offices. However, there were variations in proportions and frequency, with most services operating a rota arrangement to meet Covid-19 related capacity restrictions. Some services were still struggling to get staff back into the office because of the severe constraints on office usage imposed by their host local authority. One service, for example, reported that they had been allocated only three desks for 28 staff in the main council building and that their dedicated interview rooms for meetings with children had been turned into corporate meeting rooms.

By contrast, West Berkshire YOS told us they had made the case for face-to-face contact with children at an early stage of Covid-19 and had been able to maintain full access to their offices during the pandemic. Their view was that this had prevented a number of children under their supervision reoffending and in some cases helped them to avoid children being taken into custody, for example by being able to continue to offer community-based Intensive Supervision and Surveillance (ISS) interventions as an alternative.

Support for staff

Some YOS had reinstated face-to-face supervision sessions between managers and staff and cited this as the preferred option, but others had continued virtual meetings to observe Covid-19 restrictions and avoid unnecessary travel. There was a general feeling from services that a return to some in-person supervision discussions with staff had improved their mental health and general morale.

Of note from our conversations with senior leaders was the level of Covid-19 fatigue among staff. Nearly all services reported that their staff were exhausted by the challenges of the pandemic combined with maintaining the service and managing their caseloads – particularly when dealing with children who were high risk of harm, vulnerable and with complex needs.

Lise Bird, Head of Somerset Youth Offending Service, said: *"I am fortunate to have a very good forensic psychologist on staff, who is also the health representative. [They] completed work on compassion sessions for staff – which helped in keeping staff well-supported and motivated."*

Jane Bennett, Head of Islington Youth Justice Service told us: *"Clinical support has been provided on a one-to-one basis, with monthly clinical supervisions for case managers – predominantly virtual. [Staff] always have a duty manager and a duty case worker in the office, and the office stayed open through the pandemic."*

Tanya Gillett, Head of Essex YOS, explained that they had considered the importance of staff supervision continuing in-person throughout the pandemic as a *"red-line priority"* for them, as they wanted to ensure that staff had face-to-face supervision and felt supported. Staff group meetings were also held in-person wherever possible.

³ [A thematic review of the work of youth offending services during the COVID-19 pandemic.pdf \(justiceinspectorates.gov.uk\)](https://www.justiceinspectorates.gov.uk/a-thematic-review-of-the-work-of-youth-offending-services-during-the-covid-19-pandemic.pdf)

In Manchester, Youth Justice Manager Marie McLaughlin, said they had also recognised that additional support for staff was required to address the welfare implications of providing a frontline service during the pandemic: *"We have pursued a conversation with the NHS Greater Manchester Resilience Hub, which was set up after the Manchester Arena bombing. It's now widened to include social care and all professionals, so [we want to] meet with them and talk about what we see in our service."*

Some services told us their staff were leaving due to the impact of Covid-19. Interestingly, there also appears to be a generational shift within services that is not necessarily due entirely to Covid-19. Leaders told us that many of those who were part of establishing modern youth offending services 20 years ago are now retiring. As such, there is concern from some that this could reduce the level of youth justice knowledge and experience within services.

Partnerships and services

Significant areas of partnership working – meetings, case conferences, management boards and referral order panels – continued to be held online into 2022. The view of many of the services we spoke to was that this was likely to continue for some time to come, though there had been attempts to host face-to-face meetings in some areas and many areas had planned for a return to in-person referral order panels.

A number of services commented on the importance of online referral order panel meetings (where it is decided what type of services a child needs) during the pandemic, and how they helped to maintain attendance. Older or vulnerable panel members, many of them volunteers, were able to shield while still attending these vital meetings. Some areas developed a blended referral order panel meeting, where some members joined virtually while practitioners attended in-person at a location with children and parents. Such changes have enabled panels to continue running and boosted attendance, as well as taking into consideration the needs of children.

When it comes to the services YOS offered, our May 2020 findings showed that face-to-face contact had been maintained, often outdoors, for children who posed the greatest risk to others. Children's responses to the pandemic broadly fell into two groups – some complied with the restrictions and used the time to reflect on their future, but many struggled with the lockdown restrictions, and Covid-19 had amplified their needs and caused additional trauma. Unfortunately, a similar picture going into 2022 emerged with some services concerned that those children who had already disengaged before the pandemic had not yet re-engaged.

This appears to have had a knock-on effect for education, training and employment services (ETE). Services reported that, even with improved access to technology – such as laptops and internet access – some children were still not engaging with ETE. For some services, this situation was further hampered by social distancing restrictions, with staff unable to transport children to employment training sessions and job interviews as they had done previously. Services also voiced concern that some older children eligible to apply for entry-level jobs could not gain meaningful employment as hospitality services were forced to close or reduce capacity during lockdowns or because of pandemic restrictions.

We remain concerned about how the ETE needs of children are being identified and prioritised, particularly for those children significantly affected by the pandemic. We want to be assured that services are doing all they can to identify those children who disengaged, or fell behind during lockdown and periods of home/virtual lessons, to ensure their needs are prioritised, and any detrimental impacts of missed education are minimised wherever possible.

Senior leaders displayed much determination to provide face-to-face contact rather than remote contact with children. All services told us they had prioritised a return to in-person services with children as soon as they could. In some services this had accelerated an existing trend towards taking their services 'out to the child', by meeting children in the community or at their homes rather than expecting them to attend office appointments.

At Coventry Youth Justice Service, Nick Jeffries told us: *"We'd moved to a model of 'taking the service to the children' before the pandemic – but this was accelerated. We have also moved away from group delivery of programmes – where we recognised this was itself creating unhelpful networks and associated risks."*

Dave Wraight, YOS Manager for West Berkshire, told us: *"We essentially made sure that we saw everybody face-to-face, although reduced. We'd still maintain weekly contact, but we might see them face-to-face once a month... We did lots of garden appointments, drive-by appointments, walking appointments. Anything which made it safe. Our Covid measures have worked really effectively, it hasn't prevented us seeing people."*

However, not all children could be seen out in the community. Office appointments remained important for sensitive or confidential discussions, or for children considered to pose a high risk of harm, and for older children who were soon to move on to probation supervision, to get them used to the structure of scheduled office appointments and interventions.

Other Covid-19 impacts

Newcastle Youth Justice Manager, Gary Bell, told us plans put in place in 2019 had helped them to manage child-on-parent violence, which increased during the pandemic: *"A new process was agreed with the police to monitor this at the end of 2019 to flag teen-on-parent assaults/incidents. There is better support for parents now in place, including a parenting officer who's been in post since the start of 2020. Six YOS in the North East have also put in a joint bid for youth endowment fund money for a team of parenting workers."*

Mental health services for children remained a mixed picture. Services with provision in-house did not report issues. But, for those dependent on external Child and Adolescent Mental Health Services (CAMHS), there was concern that these services did not share the YOS commitment to in-person visits, and some expressed disappointment at the long waiting lists for treatment. While we cannot comment directly on CAMHS provision, we acknowledge that this is an area of concern for YOS and will continue to assess its impact during our inspections.

Court cases and pre-court delays

Although the heads of service we spoke to mostly felt that backlogs at youth magistrates' courts had returned to normal by the end of 2021, helped by a reduction in workflows during the pandemic, children awaiting Crown Court appearances faced long delays.

Tanya Gillet, Head of Youth Offending in Essex, said: *"We've also got really big delays in cases coming to court. So, we're now getting some of the cases that are two years-old into court. And many of these young people are 18 now."*

Another concern was the number of children Released Under Investigation (RUI) by the police pending charge and formal proceedings. Some services reported that they were seeing children RUI for lengthy periods of time, as well as multiple RUIs being issued to their children. They questioned the appropriateness of this and said it was at odds with the principles of speedy justice for children and victims. Information on the length and number

of RUIs does not appear to be routinely available and we suggest this is an area that requires review and prioritisation.

Services also reported that case managers' access to children in custody was back to normal, though it remained to be seen if the Omicron variant of Covid-19 had impacted on this.

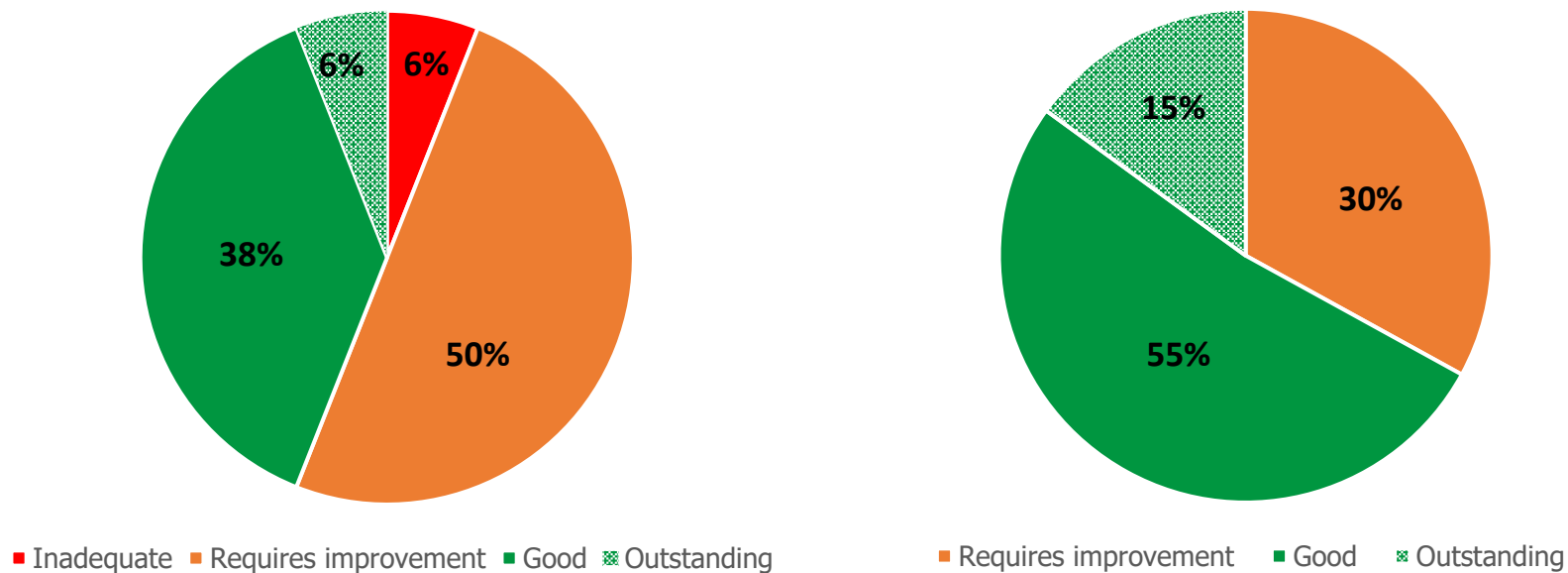
The future

As is the case for all frontline services in England and Wales, the future impact of Covid-19 is difficult to predict. What we learned from our conversations with senior YOS leaders, is that the confidence in dealing with a seemingly ever-changing youth justice environment has improved and they feel better prepared to deal with different eventualities. Services have embraced innovation, asked questions of their provision, and adapted their offer for the benefit of children under their supervision, victims and the local community. In a number of our discussions with services, there was a real sense of hopefulness and pride, particularly around how services had adapted, how staff and children had responded, and the creativity that had enabled services to continue to deliver interventions.

4. Our 2020/2021 ratings – organisation and delivery of youth offending services

Between November 2020 and February 2022, HM Inspectorate of Probation inspected 33 local YOS. The charts in figure one show the distribution of overall inspection ratings, comparing 2019/2020 with 2020/2021. Because of the change in our standards in July 2021, the 2020/2021 data is often split between inspections carried out before this date (the majority of the inspections covered by this report), and those after July 2021. Despite the very considerable challenges of the Covid-19 pandemic it was pleasing to see that two-thirds of the services inspected since November 2020 have received an overall rating of 'Good' or 'Outstanding', with no overall judgements of 'Inadequate'.

Figure 1: Distribution of overall ratings in 2019/2020 (left) and 2020/2021 (right)⁴



⁴ 33 services inspected in 2020/2021 and 16 services inspected in 2019/2020.

Five services (15 per cent) were rated as 'Outstanding', including Brighton and Hove YJS which scored 'Outstanding' against all 12 of our quality standards. It was particularly pleasing to see the improvement in some of the services we have previously rated as 'Inadequate', including Blackpool YJS – now rated 'Good'.

Case study: Boost for Blackpool

In 2018, Blackpool Youth Justice Service (YJS) was rated 'Inadequate'. Less than three years later, a joint inspection of the service in May and June 2021 – conducted with our partners from policing, health, social care and education – saw them awarded an overall rating of 'Good'.

Our reinspection found that the service had seen substantial reorganisation – it was now well-organised and had effective scrutiny and clear direction. This had resulted in good quality work across all areas and was a significant achievement for the town.

Inspectors noted extensive improvements in key areas, such as the relationships between staff, children under supervision and their parents/carers. In addition, Blackpool YJS had reaffirmed partnerships with the police, and secured better access for children to mental health services. There was clear planning for each child, proper analysis of their risk of harm, and a focus on getting children into education or vocational training.

We rated specific areas of Blackpool's work 'Outstanding' – a considerable accomplishment since 2018. This work had resulted in real change for children under its supervision and had reduced their chances of reoffending.

Organisation and delivery of youth offending services

Underlying these positive overall ratings were some improvements in some of our standards.

We examine four aspects of organisational delivery when inspecting youth offending services.

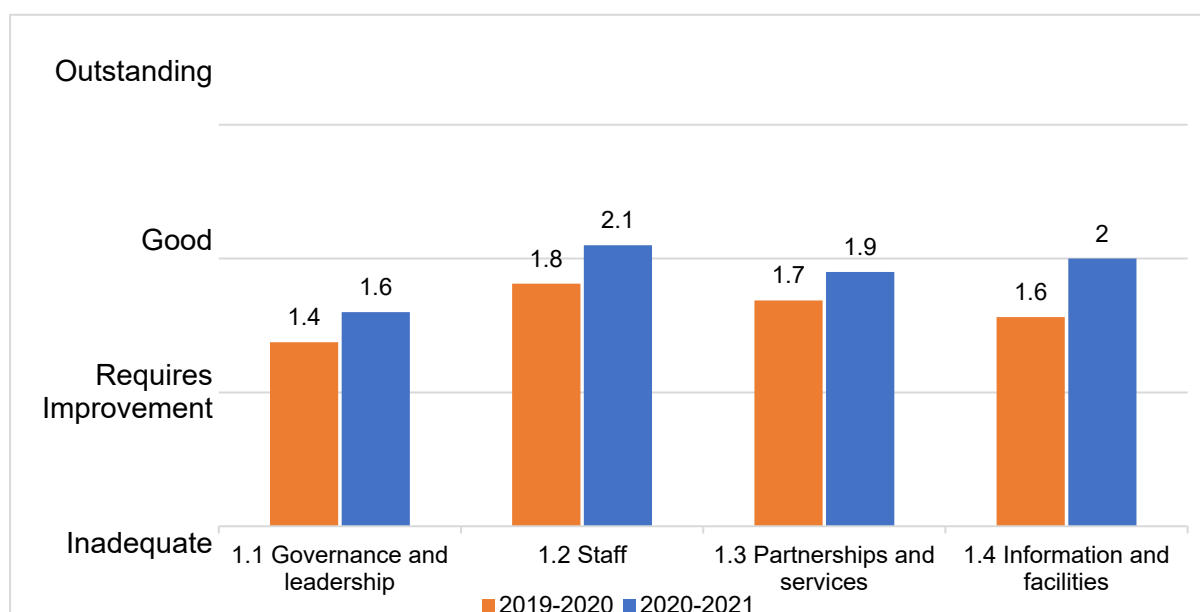
Figure 2: Domain one youth standards (governance and leadership, partnerships and services).



Our standards for organisational delivery are unchanged from previous years and so direct comparisons can be made. Figure 3 compares the average score for all the inspected YOS across each domain one standard comparing 2020/2021 with 2019/2020. Overall, there has

been a slight improvement across the domain one standards for the 33 YOS inspected in 2020/2021.

Figure 3. Average organisational delivery ratings for YOSs inspected in 2020/2021



Governance and leadership

In the period covered by this report, we have rated governance and leadership 'Outstanding' in six services, and 'Good' in a further 10. This was approximately half of the services we inspected and means that the remaining half were rated 'Requires improvement' or 'Inadequate'. This is an improvement on the YOS inspected the previous year, when 38 per cent were 'Outstanding' or 'Good' and 62 per cent were 'Requires improvement' or 'Inadequate'.

In assessing the quality of governance and leadership we consider three components: vision and strategy, partnership arrangements that support effective service delivery, and leadership to support effective service delivery.

All YOS should have a management board in place. The chair should be a senior officer from one of the partner agencies and is often the local authority Director of Children's Services. The board should comprise members who have sufficient seniority to represent their agency effectively.

The characteristics of those YOS management boards we assessed as functioning well are that they demonstrate a vision and strategy and are clear about the board's purpose. They monitor performance against national youth justice indicators and develop and monitoring their own indicators based on local priorities and issues. Performance is monitored through quantitative data as well as qualitative information such as case audits. Well-functioning boards understand local trends in youth crime and the needs and profiles of children working with the YOS.

Where issues emerge, both locally and nationally, the board should act to investigate. These may include issues such as disproportionality, county lines or knife crime. Board membership needs to represent the full range of partners and demonstrate a firm commitment to collaborative working. Chairs must have a clear understanding of the strengths and challenges faced by the service and strive for continuous improvement of the service. Board

members need to ensure they are visible to front line staff and staff understand and are aware of the purpose and activities of the board.

In areas where there were deficiencies in the board's vision and strategy, we typically found a similar set of factors. Often the board had not been involved in developing plans such as the youth justice plan or pandemic resilience planning, and there was a lack of connectivity between the board and operational delivery. In such areas, a majority of staff told us that they were not aware of the activities of the board and felt that future plans for the service were not communicated well. The governance arrangements of these services did not focus on youth justice and did not recognise the specific risks associated with children involved in, or at risk of, offending. Board members were often not of the right seniority to facilitate improvements and advocate for the YOS and were not proactive in effecting change in their own services to ensure the needs of YOS were met. Induction processes for new board members were not established and resulted in board members lacking clarity about their role and responsibilities.

While we recognise that turnover of board members will be inevitable, gaps in representation from agencies should be kept to a minimum, and ideally new agency representatives should overlap with their predecessors. For boards to operate effectively, new board members need to undergo an induction process to ensure that they understand both their own role and the functions of the YOS. We found significant gaps in attendance at YOS boards and have made recommendations about membership and attendance in around a quarter of inspections since November 2020. Notably, most YOS boards had moved to online meetings as a result of the pandemic and many areas told us that it was actually easier for members to attend as they did not have to factor in travel time. It was therefore particularly concerning when we still found gaps and absences. Members should give priority to board meetings and miss as few as possible.

Throughout our inspections we have found effective partnership arrangements need to be in place to support successful service delivery. Board members should understand, and advocate with their own agencies, for the needs of children who have offended and ensure the work of the YOS supports them. They should set a clear direction for the YOS which they champion, monitoring performance and driving high-quality delivery.

In our *Research & Analysis Bulletin (September 2021) The quality of delivery of out-of-court disposals in youth justice*⁵, we found that the best performing YOS tended to have robust frameworks for managing out-of-court disposals. Staff understood their roles and those of their partners and where inter-agency communication was strong. Board membership was sufficiently diverse, with skilled and engaged board members from key agencies able to facilitate effective multi-agency working. Conversely, across those YOS that received low scores in this area or were rated as 'Requires improvement', an overly complex or little understood framework for managing out-of-court disposals led to deficient working between agencies. Where agencies (such as health or education) were poorly represented on the board, these services were often insufficiently delivered to the YOS. Some management boards were relied too much on the three standard performance indicators (first time entrants, use of custody and reoffending rates), leaving them lacking a detailed understanding of the performance of the YOS.

Good practice example

Established in February 2020, Plymouth Youth Justice Board has transformed Plymouth Youth Justice Service (PYJS). The chair has provided strong leadership and is fully engaged in the work and development of the service. The board is made up of senior

⁵ [The quality of delivery of out-of-court disposals in youth justice \(justiceinspectorates.gov.uk\)](https://www.justiceinspectorates.gov.uk/yos/research-analysis-bulletin-september-2021/)

representatives from both statutory and third-sector services. Their strong advocacy of youth justice work has directly resulted in increased staffing resources and expanded service provision in the youth justice team. The 12-month youth justice plan is wide-ranging and accessible. It is underpinned by a comprehensive annual analysis of youth offending. This analysis provides information in relation to offence type, risk, ethnicity, gender and geography. It informs both strategic decision-making and operational delivery. There are strong relationships with partner agencies, which have been the foundation of the improved service delivery. The joint PYJS and police approach to out-of-court and diversion work has resulted in significant improvements in this area. Similarly, the strong relationship between the PYJS and the education department and institutions in the city has helped reduce the number of children on the PYJS caseload who are not in education, employment or training.

Diversity and disproportionality are also areas where management boards need to ensure that there is clear prioritisation of equality objectives and action plans, and that these are translated into effective operational delivery for all. We expect to see deliberate, strategic and informed approaches to meeting the diverse needs of children supervised by a YOS and while it was positive to see that areas had focused their efforts upon achieving this, we consider there is still much work to be done.

Effective partnership working is also essential. We expect to see appropriate secondment arrangements from other statutory agencies, with minimum staffing requirements as specified in the Crime and Disorder Act 1998 evidenced in the staff structures. Throughout our inspections in 2020/2021, although we did have concerns about probation staffing in some areas, we generally saw good evidence in terms of other partnership arrangements, with most YOS having appropriate secondments in place and access to a range of specialist resources for children.

Good practice example

A number of YOS, such as Brighton and Hove, have moved to, or are moving towards, an integrated vulnerable adolescent service delivery offer. In these models the youth justice functions are located within a local authority unit that provides services to children with a range of needs. In Brighton and Hove the model was effective and the involvement of other agencies across the wider children's service was well-coordinated, particularly where there were issues concerning safety and wellbeing and/or risk of harm to others.

Staffing

Across our YOS inspections, we consider staffing and workload levels, the skills of YOS staff, and the focus upon their learning and development. In the period covered by this report, we have rated staffing 'Outstanding' in seven of the services inspected, and 17 were rated 'Good'. The remainder were rated 'Requires improvement', with no 'Inadequate' ratings for this standard. This is an improvement on the 16 YOS inspected the previous year when just one was rated 'Outstanding' on staffing, 10 'Good', four 'Requires improvement' and one 'Inadequate'.

In our *Research & Analysis Bulletin (May 2021) Supporting the desistance of children subject to court orders*,⁶ we examined how well YOS were supporting the desistance of children subject to court orders. We found that there were many staff were undertaking roles dedicated to specific needs. This included staff trained to work with gangs, education and

⁶ [Supporting the desistance of children subject to court orders \(justiceinspectorates.gov.uk\)](https://justiceinspectorates.gov.uk/supporting-the-desistance-of-children-subject-to-court-orders)

substance misuse, as well as health service workers, speech and language therapists, parenting workers, CAMHS workers, youth counsellors, drama therapists, psychologists, youth workers and the police. We saw many examples of positive relationships between staff and children, which provided a sound basis for the work undertaken and enabled change.

At the same time, we found examples of staffing issues that had an impact on the volume, range, and quality of services available. Vacancies due to maternity leave, long-term sickness, staff departure, or retirement were not always filled promptly. In most instances, some form of contingency was in place, but it was not always communicated well to staff.

Staff training and development is also critical to high quality delivery. In our *Academic Insights paper (November 2021): Serious youth violence and its relationship with adverse childhood experiences*⁷, Paul Gray, Hannah Smithson and Deborah Jump highlighted the need for training by qualified professionals in relation to implementing trauma-informed practice. While youth justice workers acknowledged that they had received some general training on adverse childhood experiences (ACEs) and trauma-informed approaches, they felt that there was a lack of specific training on how to implement trauma-informed practice in a more therapeutic way. The importance of offering clinical supervision to youth justice workers was also emphasised.

In our 2021 inspections, we found examples where minimum statutory staffing was not in place and this was having a negative impact on service delivery. Across our inspections during this period, for example, we found a number of YOS where the probation officer post was vacant, part-time or had long-term absences and difficulties had been identified with recruitment. These included Hull, Wigan, Trafford, Bedfordshire and Wakefield. Such absences have wide-ranging implications, including an impact upon effective transitions from youth-to-adult services. We found part-time roles split between YOS and the Probation Service resulted in ineffective case management and poor operational delivery. We also found probation services officer roles being split across wide geographical areas, rendering them ineffective and untenable.

We were also concerned about the impact of this gap on the quality of risk assessments and analysis. Probation staff bring expert knowledge in risk assessment and risk management. We found some correlations between a reduction in probation officer resource and inadequate assessments, planning and interventions for risks of harm to others in some YOS. This was also evident in YOS where there was a lack of or limited knowledge, understanding and the use of MAPPA. In a climate where YOS are seeing increasing youth violence, this is an area where skills and knowledge need to be prioritised. Whilst we recognise the Probation Service is currently facing a number of pressures, we consider this is an area that requires urgent attention with the Probation Service committed to ensuring YOS are effectively and appropriately resourced with suitably qualified probation staff.

Partnerships and services

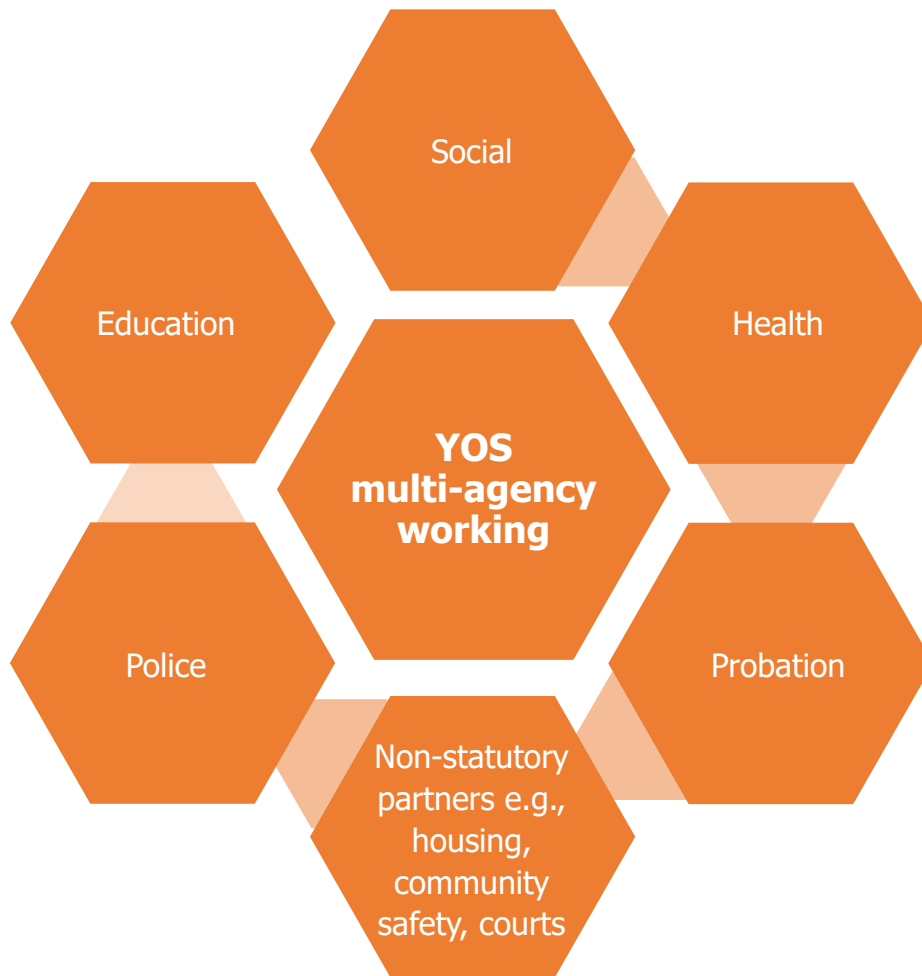
All of our YOS inspections consider whether the arrangements with statutory partners, providers and other agencies are established, maintained and used effectively to deliver high-quality services. The support required for children is typically too complex for a single agency to provide alone. Joint work can result in:

- greater effectiveness through sharing ideas and coordinating services
- greater efficiency through pooling resources and avoiding duplication of effort

⁷ [Academic Insights 2021/13: Serious youth violence and its relationship with adverse childhood experiences \(justiceinspectorates.gov.uk\)](https://www.justiceinspectorates.gov.uk/academic-insights-2021-13-serious-youth-violence-and-its-relationship-with-adverse-childhood-experiences/)

- improved engagement and participation by the children and their families through creating new community opportunities and resources in their lives.

Figure 4: Youth offending services – multi-agency working.



In our *Research and Analysis (July 2021): Multi-agency work in youth offending services*⁸ we reported that the multi-agency work undertaken by YOS is often of good quality, with appropriate involvement of relevant agencies, sufficient information-sharing and tailored collaborative work to facilitate progress in children's lives. Co-location of partner agencies supported effective multi-agency working. However, while the YOS work promoted community integration and access to mainstream services in the majority of cases, this was less likely for those children with more previous sanctions and for care-experienced children. This is a concern as these children can have complex needs, and require more integrated services and pathways of delivery, with interventions available at the individual, family and community levels.

In our *Research & Analysis Bulletin (May 2021): Supporting the desistance of children subject to court orders*⁹ we reported that many YOS had a wide range of services available for supporting desistance, including those provided in-house and those provided by partner agencies, third-sector providers, and through other commissioned services. We saw strong examples of multi-agency working, with hubs available in some locations, acting as one-stop

⁸ [Multi-agency work in youth offending services](#)

⁹ [Supporting the desistance of children subject to court orders](#)

shops offering a range of services for children to access. However, we also found examples of gaps in provision. Gaining access to mainstream CAMHS could be challenging, and figures for those not in ETE were high, with not enough being done by partners to address this issue. We found gaps in the services available for girls, and a lack of suitable reparation services was notable across several services. There was also a lack of provision for speech and language therapy.

Education, training and employment

Our local inspections pay particular attention to the education, training and employment (ETE) opportunities offered to young people on YOS caseloads, given that this has long been recognised as central to desistance. Youth offending services in England and Wales offer, or can access, a variety of ETE interventions often involving the following:

- work readiness training such as the 'basic skills' of numeracy and literacy and IT
- job search training and support, such as writing CVs and interview preparation
- vocational education and training
- job placement or transitional work, paid or unpaid, and job coaches.

Children being supervised by a YOS are more likely to have, or have experienced, problems with educational engagement, attendance and attainment.

Problems with ETE are largely driven by some of the common characteristics of the children being supervised by YOS, including low levels of numeracy and literacy, speech, language and communication needs, or cognitive disabilities. Children involved with the criminal justice system are also more likely to have suffered trauma and adverse childhood experiences (ACEs) the consequences of which can impact upon their ability to engage with ETE. Justice-involved children are also more likely to live in deprived neighbourhoods where crime and disorder are more common, and good ETE opportunities are fewer.

Children on YOS caseloads also show high levels of neurodiversity challenges. In our *Academic Insights paper (July 2021): Neurodiversity – a whole-child approach for youth justice*,¹⁰ Professor Amanda Kirby highlighted the need for adequate and high-quality training relating to neurodiversity, which includes an understanding of co-occurrence that may be present and the intertwined relationship between childhood adversity and trauma. Staff need to have practical tools to support each child, with screening tools required at the point of engagement. To fully meet the needs of children, these tools have to be accessible and take a child-centred rather than a label-led or siloed approach.

The pandemic has disrupted the education of all children across the country. Children from poorer households, due to digital exclusion, have been affected the most severely in terms of education engagement during this period in particular, with potentially long-term negative impacts on their wellbeing and life chances.

When assessing the quality of casework undertaken, inspectors identify the most significant factors in relation to desistance in the child's life. Learning/ETE is consistently among the top three factors and has a similar impact on behaviour to lifestyle and substance misuse.

In last year's annual report, we found access to education was a problem for nearly two-thirds of the children sentenced to court orders in the cases we inspected. Although the situation was better for children subject to out-of-court disposals, access to education was still a problem for 47 per cent of the children in our case sample.

¹⁰ [Neurodiversity – a whole-child approach for youth justice \(justiceinspectorates.gov.uk\)](https://justiceinspectorates.gov.uk)

In areas with the most effective ETE arrangements there is frequent monitoring to identify children who are not receiving ETE. These arrangements can include regular ETE focussed audits of cases or inter-agency panels that can identify solutions. A range of resources are available for both school age and post-16 children. Management boards are sighted on ETE matters and escalation processes are in place for the most complex and difficult to place children. ETE and YOS connect with specialist services such as the Virtual School, special educational needs and disability (SEND) services, ETE, post-16 education, safeguarding and early help. There is a focus on the needs of the individual child.

In the small number of areas where practice was weakest there was little systematic monitoring of children's ETE status and management board engagement in the issue was limited. This resulted in large numbers of children who were not in appropriate provision.

As in previous years, we found that significant numbers of children had education, health and care plans (EHCP), but their identified needs were not always reflected in YOS assessments and casework. Too often, the EHCP had not been obtained due to ineffective communication between the YOS and with education departments.

When reviewing cases many inspectors observed that exclusion from school can be linked with the onset or a sharp increase in a child's offending. Recognising this, Cheshire YJS has sought to influence a school's exclusion policies by working to ensure that children are not automatically excluded from school if they are found in possession of a knife or weapon.

Most YOS continue to have specialist ETE staff embedded in their teams; however, in some areas this was no longer the case and there were referral pathways to relevant services. The most effective services had access to specialist education resources, such as psychologists and speech and language therapists. In North Tyneside, we found that the adoption of an enhanced case management approach, the support of the speech and language therapist, and oversight by a clinical psychologist translated into high-quality services for children and their families.

Good practice example

Darlington YOS has a vulnerable pupil panel that monitors the education provision of those identified with special needs. There was evidence of active support by education services for 16- and 17-year-olds who were not in ETE, with opportunities for positive engagement. In addition, the Duke of Edinburgh's Award scheme had led to a healthy stream of children entering higher education and employment or training, including the armed forces.

Good practice example

In North Somerset YOS, the service and education partners completed a monthly audit of the ETE status of children at the end of their disposal. Those not in ETE were offered ongoing support from the authority's post-16 youth employment service. YOS practitioners had a good understanding of the role that ETE plays in desistance, and we found, in the cases we looked at, that children were provided with appropriate support to find a placement.

We were sufficiently concerned about the provision of ETE to children involved in the criminal justice system, especially the significant interruption of education provision to those children during the Covid-19 lockdowns, that we began a thematic inspection of ETE provision for children on YOS caseloads in 2021. This is a joint thematic inspection with Ofsted and we will report on our findings in 2022.

Resettlement

Children sentenced to custody are some of the most vulnerable children in our communities, though they can also present a risk to others. Although the number of children receiving custodial sentences has reduced – by 84 per cent over the last 10 years, their needs are often complex and providing effective services to them can be challenging. In 2015 and 2019 HM Inspectorate of Probation and Prisons undertook joint thematic inspections of work to prepare children for release from custody and of their experience following release.¹¹ The findings of both thematic inspection reports were sobering particularly as most of the deficiencies in service identified in 2015 were still present in 2019.

The 2019 thematic inspection found:

'...children were not being effectively prepared to re-enter their communities and start to live productive and safe law-abiding lives. The services that they needed on release were often not in place to help them resettle, and the risks that they posed were not always sufficiently managed in their early days in the community. The timely provision of safe and suitable accommodation remained problematic for a small number of children, some of whom did not know where they were going to live until the day of release or very shortly before. As a result, there were no other services in place for them when they left custody. Good work in mental health support during custody was often negated by a lack of attention to continuing support on release. Education, training or employment work rarely led to purposeful activity in the community, or contributed to helping the child consider, meaningfully, their future possibilities.'

There were three recommendations for YOS to:

- deliver their statutory responsibilities and ensure that they are actively and fully involved in resettlement cases throughout the sentence
- advocate persistently and strongly on behalf of their cases in custody to ensure their needs are met
- inform and involve children in custody as soon as possible about the conditions they will be including on the child's licence.

Given the lack of progress on our repeated recommendations on resettlement provision, in July 2021, we introduced a new standard focussing on resettlement to enable us to rate individual youth offending services on their arrangements for effective resettlement provision on a more regular and individual basis. The first inspection report to feature the new standard, Wirral YJS, was published in October 2021. The standard applied to nine of the 33 inspections covered by this annual report, with ratings available for seven of these.

The standard sets out the requirements for a high quality, evidence-based service for children leaving custody. It is broken down into three key questions:

- Is there a resettlement policy in place that promotes a high-quality, constructive and personalised resettlement service for all children?
- Does resettlement provision promote a high-quality, constructive and personalised resettlement service for all children?
- Are resettlement policy and provision regularly assessed and updated to ensure effectiveness and maintain alignment with the evidence base?

For all but the largest YOS, the number of children who receive a custodial sentence is small and some YOS have periods of a year or more without a custody case. In inspection

¹¹ [Joint Thematic Inspection by HM Inspectorate of Probation and HM Inspectorate of Prisons. Youth resettlement work - Interim report into work in custody, October 2018 - April 2019](#)

fieldwork we review a maximum of 10, but generally much fewer resettlement cases in each YOS. If there are no resettlement cases in the 12 months before the inspection, then the resettlement policy and provision are reviewed but the standard is not given a rating.

The resettlement standard is rated separately and does not count towards the overall YOS rating. However, a limiting judgement is applied, whereby any YOS that receives an 'Inadequate' rating for the resettlement standard is unable to achieve an overall 'Outstanding' rating.

Of the seven services with published ratings for their resettlement work, we rated three as 'Good' for the resettlement standard and four as 'Requires improvement'. None were found to be 'Outstanding' or 'Inadequate'. We found a mixed picture in terms of policy development. Being aware of the introduction of our resettlement standard, most YOS we visited had, or were developing, a resettlement policy. The best policies set out the arrangements for the provision of the key elements of a comprehensive resettlement programme such as accommodation, ETE, healthcare, substance misuse, finance and debt, family support and contact. Our thematic inspections found that some key elements of resettlement, such as accommodation, were left unresolved right up to a person's release date and so a robust policy should include timescales for key tasks.

All resettlement policies should include the need to consider diversity issues, so that resettlement arrangements take these into account. Wakefield YJS's policy identified the need to consider diversity factors, such as speech, language and communication needs, the specific needs of children in care, and identified the need to consider protected characteristics. There was a strengths-based approach that was facilitated by the constructive resettlement ethos.

Good practice example

In Bedfordshire YOS, information was translated into the mother's first language in one case, to explain the pre-release and curfew arrangements; in another, information was shared in the assessment and sentence plans relating to the child's attention deficit hyperactivity disorder. In the first case, there was creative use of licence conditions designed to keep the child safe; in the second, planning meetings addressed the child's vulnerability to exploitation and gang activities, with a view to supporting probation staff to source appropriate accommodation.

Older children who have been looked after by a local authority and receive a custodial sentence will be eligible for care services support after they reach 18, and it is important that YOS have an effective working relationship with those services. Similarly, a proportion of children leaving custody will see their supervision transfer to the Probation Service. An effective youth-to-adult transition process is essential for this category of children. The most complex cases will involve children leaving custody who receive multiple services, such as mental health or substance misuse, transferring from a range of child-based services to adult services at the same time. The YOS is crucial in ensuring that these significant changes are managed as smoothly as possible and each child is supported.

Some areas had mentoring schemes for children released from custody and this was a particularly welcome additional source of support to them. It was important for resettlement policy and practice to link with existing YOS arrangements for complex and higher risk cases.

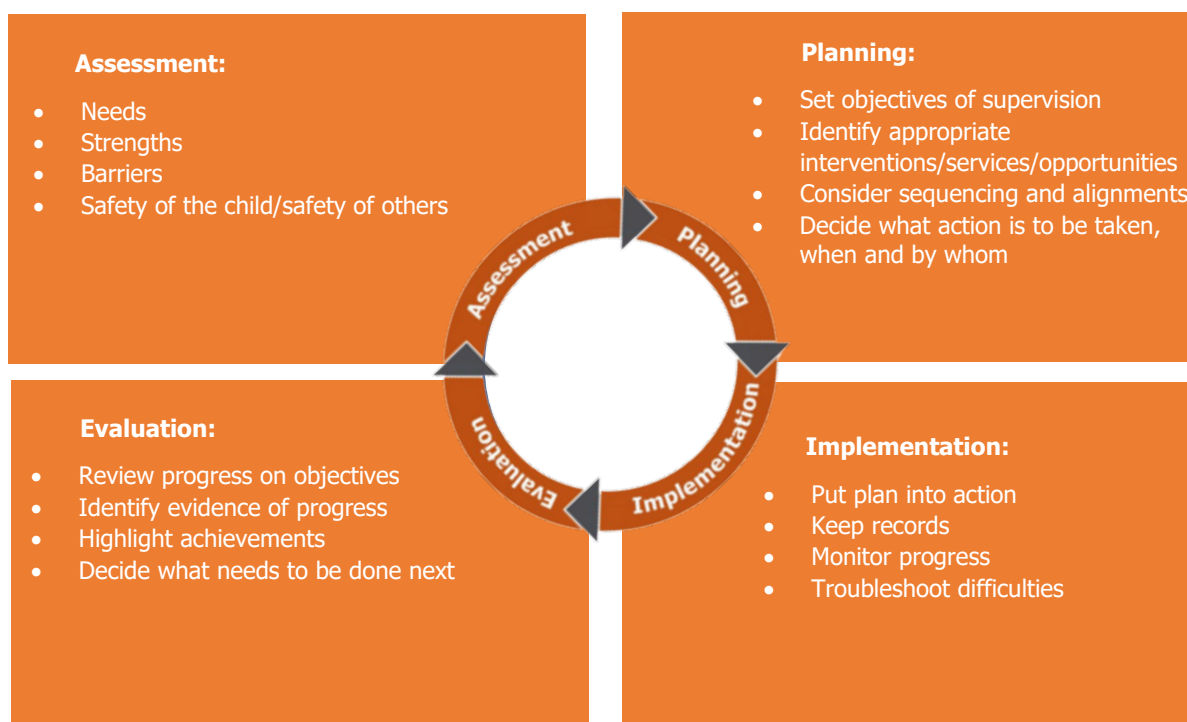
A comprehensive policy was not necessarily a guarantee of good practice and. We found YOS where policy was strong, but practice was weak, and conversely, we identified effective

casework but found that policies were still at the development stage. Overall, so far, we have identified that it is better to have a sound policy and practice arrangement supported by specific training and effective management oversight of cases. It was also important to keep the policy and staff awareness of it up to date. Through our introduction of the standard, we can see that YOS are turning the spotlight on resettlement. Many are reviewing or introducing resettlement policies, and there is an increased focus on ensuring quality provision.

5. The quality of court and out-of-court case supervision

In our core inspections, we examine the quality of work in individual cases, covering both court disposals and out-of-court disposals. Our inspection standards are based on the well-established ASPIRE model for case supervision, which recognises that, for delivery to be tailored to the individual child, both assessment and planning must be undertaken well. We consider quality in relation to (i) supporting desistance, (ii) keeping the child safe, and (iii) keeping other people safe.

The ASPIRE standards:



Work to promote desistance

Desistance work requires the YOS to focus upon a wide range of factors and upon developing the child's strengths, supported by the building of positive relationships and collaborative working. We found this was an area of strength in most YOS we inspected in 2021; four out of five of the court cases we inspected were of sufficient quality in relation to desistance-related work across each of our four ASPIRE standards.

Delivery of interventions

In our *Research & Analysis Bulletin 2021/03: Supporting the desistance of children subject to court orders*¹², we examined the extent to which recent YOS work had met the needs of children receiving court orders. While we found that many YOS had a wide range of services available, with committed, hardworking staff paying attention to developing strengths/protective factors and involving/engaging the child. However, we also found gaps in some areas and some differences in the quality of delivery between sub-groups, such as care-experienced children. It is imperative that each child benefits from

¹² [Supporting the desistance of children subject to court orders](#)

a high-quality, personalised and supportive service, irrespective of their background or individual characteristics and circumstances.

Our inspectors identified common enablers and barriers across the cases they examined. Key enablers included the following: (i) timely assessment, using up-to-date information and from a range of sources; (ii) persistence in connecting with the child and finding the right opportunities right for them; (iii) having an awareness of adverse child experiences and, where applicable, addressing these at a pace comfortable for the child; (iv) identifying role models and more generally role modelling positive behaviours; and (v) having a clear exit strategy to enable the child to sustain or continue to make positive progress after their order has ended.

Safety and wellbeing

In addition to work to promote desistance, our inspections of individual cases also focus on how well case managers have identified and planned for the safety and wellbeing needs of the children on their caseloads. While, as Figures 5 and 6 show, a majority of court order cases were rated as satisfactory on this key aspect of quality, scores were lower for this area than for desistance-focused work, particularly in relation to planning. However, this is an improvement on the findings from 2019/2020 (Figure 7).

Figure 5: Percentage of court disposal cases where the over-arching standards questions were assessed as positive, broken down by desistance, safety and risk of harm (based on 24 pre-July 2021 YOS inspections).

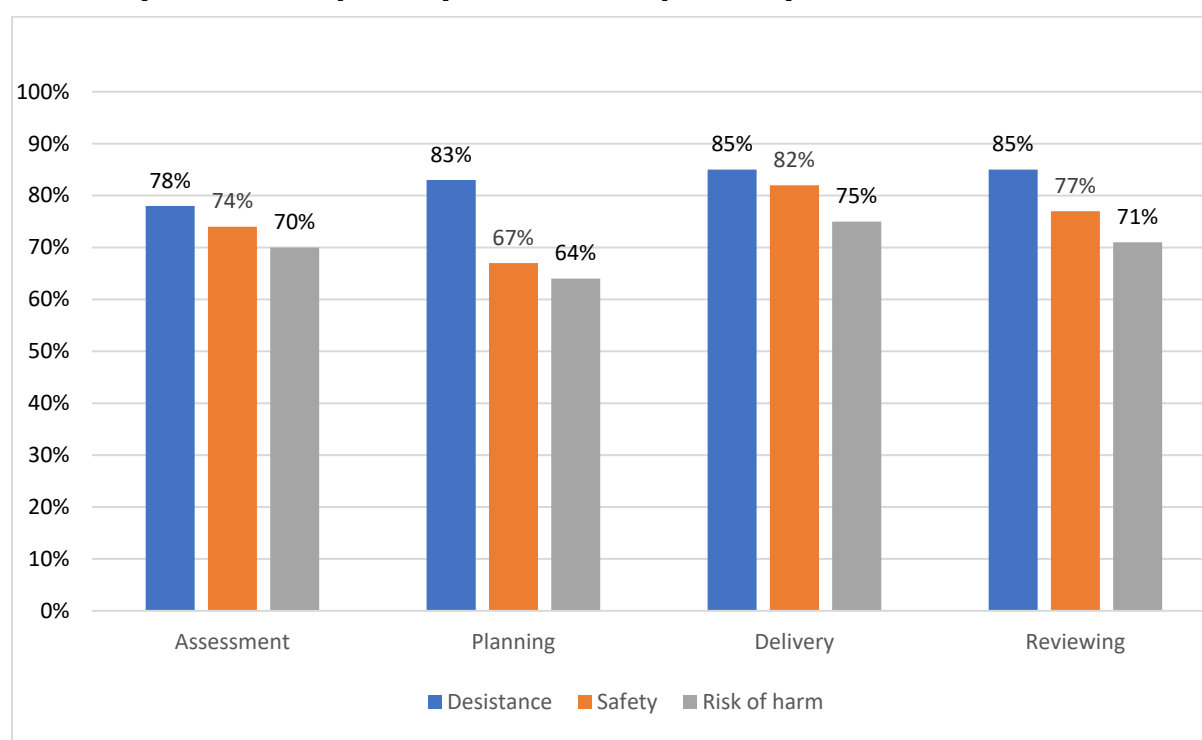


Figure 6: Percentage of court disposal cases where the over-arching standards questions were assessed as positive, broken down by desistance, safety and risk of harm (based on nine post-July 2021 inspections).

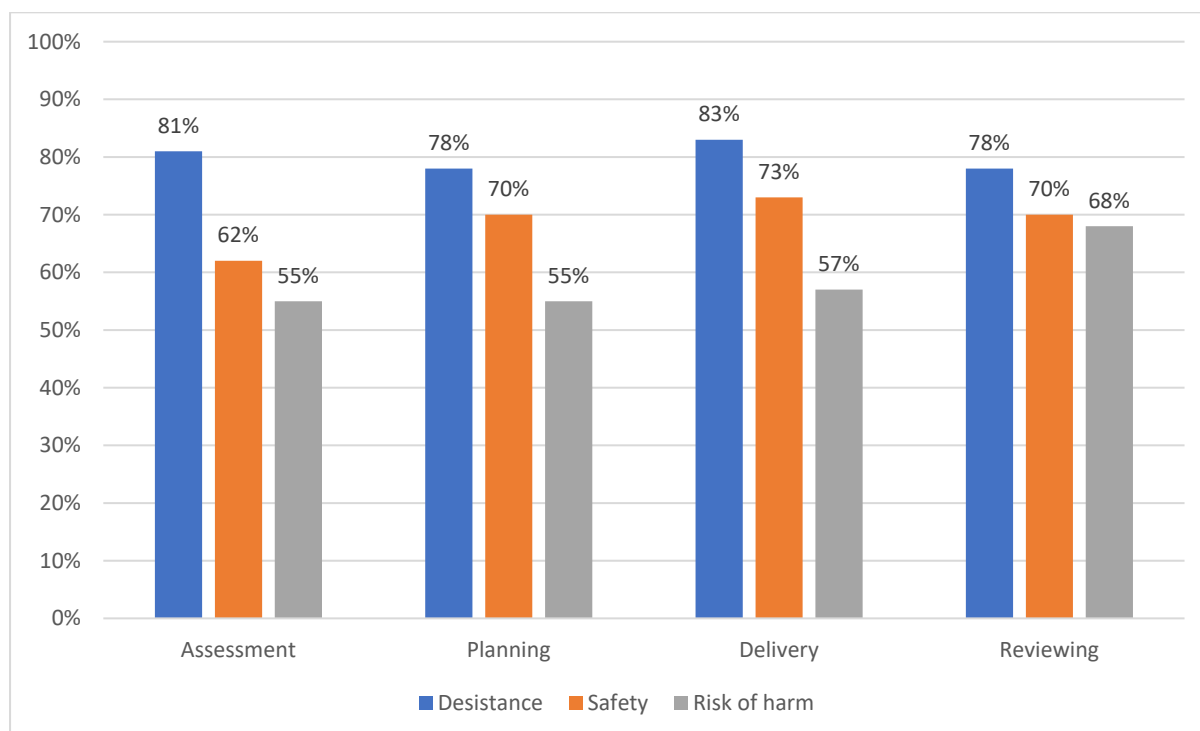
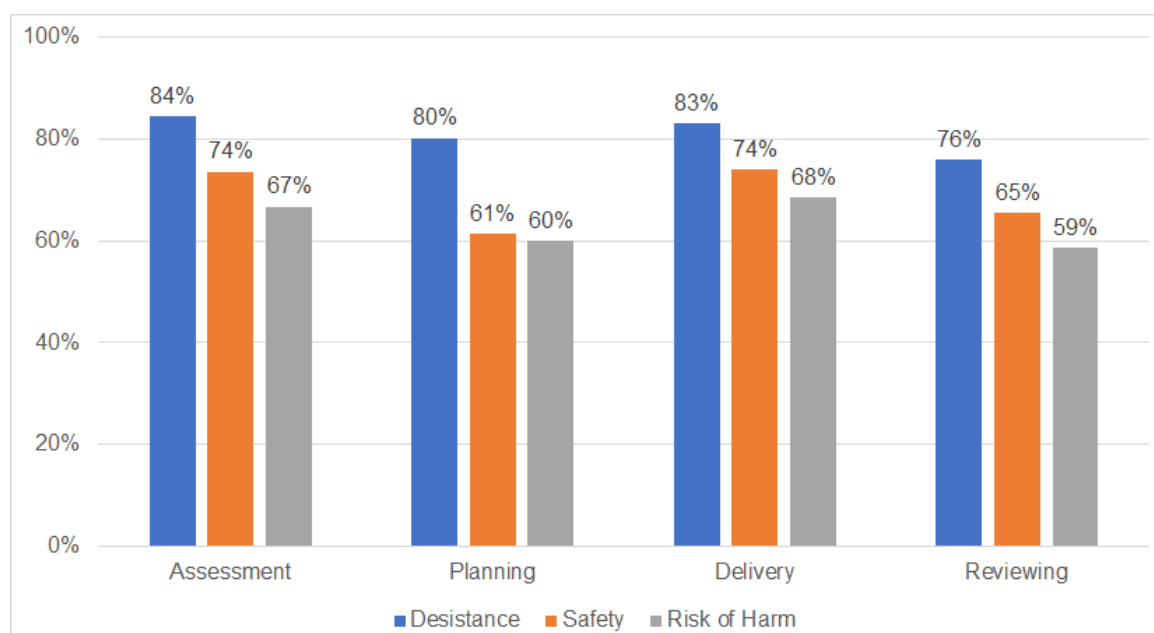


Figure 7: Percentage of court disposal cases where the over-arching standards questions were assessed as positive, broken down by desistance, safety and risk of harm (2019/2020 inspections).



In our *Research & Analysis Bulletin 2021/05: The quality of delivery of out-of-court disposals in youth justice*¹³ we found that a theme running through almost all the poorly performing YOS was an insufficient focus on the safety of the child and/or that of other people. This often began at the assessment stage, where the case manager focused on desistance, but

¹³ [The quality of delivery of out-of-court disposals in youth justice \(justiceinspectorates.gov.uk\)](https://www.justiceinspectorates.gov.uk/youth-justice/research-analysis-bulletin-2021-05-the-quality-of-delivery-of-out-of-court-disposals-in-youth-justice/)

paid less attention to potential issues around the safety and welfare of the child themselves. There was a significant number of cases in which our inspectors concluded that the case manager had not sufficiently recognised specific concerns, and they disagreed with the 'low' safety and wellbeing and/or risk of serious harm classifications. There was thus a sub-group of children missing out on potentially beneficial support and protections. Safety concerns can escalate over time, and well-focused, personalised and coordinated multi-agency activities have the potential to benefit both the children and wider society in the longer term.

There is an important responsibility for each YOS to work with other agencies in establishing a safe space for supporting children. In our *Research & Analysis Bulletin 2021/04*,¹⁴ we set out the following key enablers:

- using all available sources of information in assessments that are analytical, holistically understanding the child's life and how their safety and wellbeing is linked to social context
- pulling together the various assessments made by partners into a single document which identifies and summarises the sources, facilitating a shared understanding
- involving all relevant agencies in planning activity with the child, with contingency planning identifying plausible risks of escalation and deterioration, and identifying the actions required by all agencies working with the child
- a focus upon appropriate sequencing, when multiple areas of need are identified, to ensure that interventions are delivered in a way that will have the most impact
- ensuring YOS fully contribute to safeguarding processes, especially in relation to child sexual exploitation and criminal exploitation
- using multi-agency resources and expertise to support engagement and compliance, counteracting identified barriers
- the YOS case manager acting as a champion for the child to other agencies and services.

The management of court and out-of-court disposals

For a child questioned for a less serious offence, with few (if any) previous cautions or convictions and who is willing to admit responsibility for the incident, the police will have a range of options on how to proceed. These will vary from force to force, but can include 'street restorative justice', where the police officer may require a child to make amends for their offence immediately, such as by giving back a stolen item; a cannabis warning, where the child has to attend a cannabis awareness programme; or a youth caution, where the sanction is officially recorded but the child does not necessarily have to complete any work. For a youth conditional caution and a second youth caution, there is a requirement for the child to be referred to a service and an assessment to be completed. In other cases, it will be a matter of local policy which children the police refer to the YOS and what the offer of intervention will be for that child.

The quality of case management for children subject to out-of-court disposals was better in 2020/2021 (Figure 8) than in 2019/2020. (Figure 9). For inspections conducted before July 2021, the proportion of out-of-court cases we found to be of sufficient quality against our key questions around desistance focused work; the child's own safety and well-being and management of risk of harm to the public was higher in 2020/2021 than in our previous year's inspections – with the exception of planning to manage potential risks of harm. This was despite the very real challenges of delivering services during the pandemic.

¹⁴ [Building the evidence base for high-quality probation services: The role of probation providers \(justiceinspectorates.gov.uk\)](https://justiceinspectorates.gov.uk)

Figure 8: Percentage of out-of-court disposal cases where the over-arching standards questions were assessed as positive, by desistance, safety and risk of harm (pre-July 2021 – based on 24 YOS inspections).

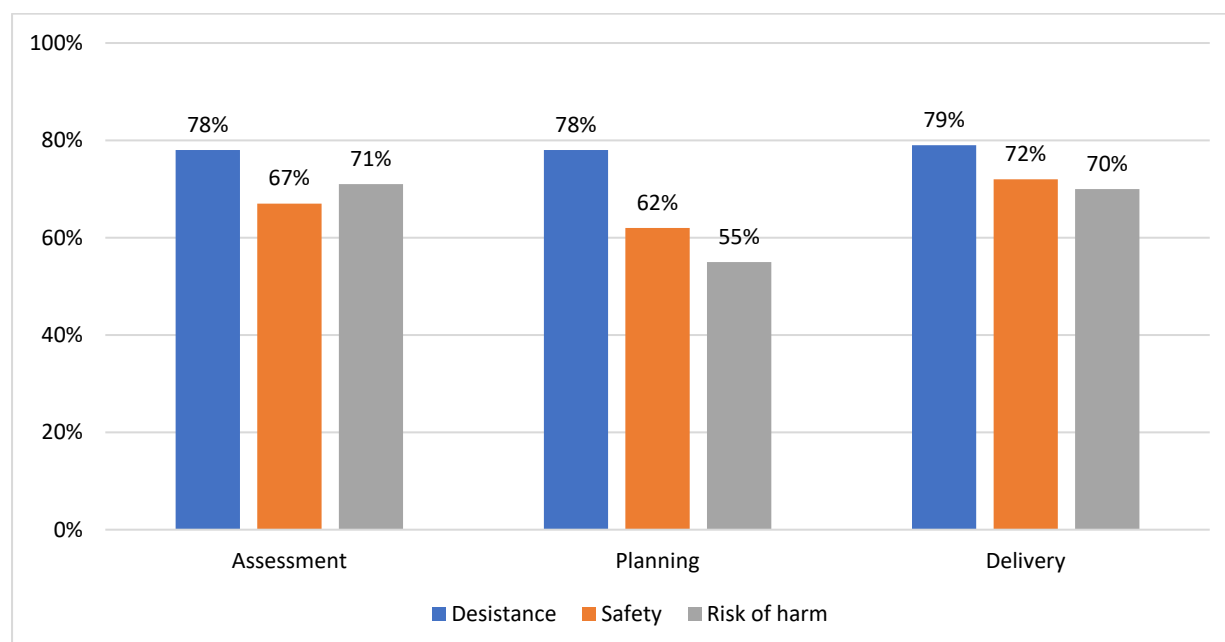
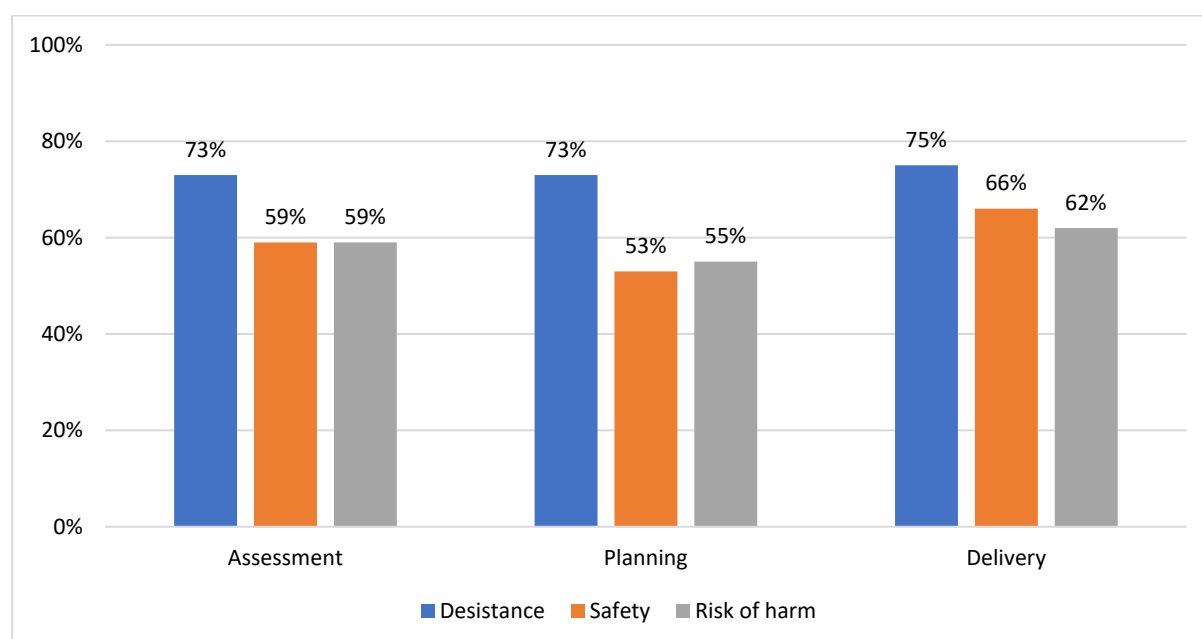


Figure 9: Percentage of out-of-court disposal cases where the over-arching standards questions were assessed as positive, by desistance, safety and risk of harm (2019/2020).



Overall, in the inspections conducted before July 2021, assessment, and implementation and delivery were generally undertaken well in the majority of YOS, though average scores were lower for inspections in the second half of 2021. Unfortunately, however, a small number were still found to provide an insufficient service to this group.

Recommendations for improvement were made in relation to at least one aspect of out-of-court work in more than half of the inspection reports. These generally focussed on safety and wellbeing, and risk of harm to others.

Many YOS tell inspectors that their work with children who are subject to out-of-court disposals makes up an increasing proportion of their work. The processes used to determine who receives an out-of-court disposal and the intervention to be given are typically developed locally by the relevant YOS or sometimes police force area covering several YOS.

Most areas have a panel arrangement where the police, the YOS and other agencies meet to discuss the child's case and make decisions drawing on information relating to the child, their offence and their circumstances. The quality of information provided to these panels is variable. In some areas the child is subject to an assessment before the panel meeting; in other areas, the child is not seen and instead summaries of agency records outlining known needs and risks are provided.

Most areas moved to 'virtual out-of-court disposal panels' during the periods of pandemic restrictions, and some areas continued with these arrangements when restrictions were lifted. Panel arrangements could be equally effective whether held remotely or in person.

In July 2021, we introduced a new standard assessing the quality of out-of-court disposal policy and provision. This replaced the previous standard: joint working. It was designed to better capture the effectiveness of the whole out-of-court decision-making and intervention process. Eight of the published inspections covered by this report were subject to the new standard. The new standard assesses whether there is a high-quality, evidence-based out-of-court disposal service in place that promotes diversion and supports sustainable desistance. From this a judgement is derived on these local arrangements. Two areas were rated as 'Good', five 'Requires improvement' and one was 'Inadequate'. None were 'Outstanding'.

Assessment

The areas that performed strongly in out-of-court disposals undertook thorough assessments of the child, involved the child, their family or carers and considered victim issues. These assessments contributed to high-quality decision-making at panels and led to appropriate interventions with the child. In the weakest areas, children were not assessed; the child, their families and carers were not involved and key information in relation to known risks and vulnerabilities was not made available to the panel.

The assessment tool used did not appear to be the main factor in the quality of assessment. Some areas used the YJB national assessment tool *AssetPlus* while others developed their own local assessment tool, which was often shorter and simpler to complete. The critical factor was that the assessment identified the key risks in relation to offending, safety and wellbeing, and harm to others.

Planning

The interventions delivered as part of the out-of-court disposal are often short in duration. Nonetheless, a plan for delivery is required and the plan, if it is to be effective, should draw on the findings of the assessment. Overall, the planning of interventions with children who are subject to out-of-court disposals was less effective than assessment. Planning tended to be strongest in addressing desistance factors but less strong in relation to risk of harm to others. In one of the weakest areas the inspector noted that:

"There is no written plan in place to document how the risk of harm would be managed. The case manager was unable to articulate the measures in place apart from some very basic information-sharing. There is no contingency planning or identification of what an escalation in risk might look like, or what actions would need to be taken".

Implementation and Delivery

The characteristics of effective implementation and delivery are that the interventions delivered reflect the child's diversity and social context and promote opportunities for them to integrate into the community and access mainstream services. Case managers focus on developing and maintaining a good relationship with children and their families and enable the child to engage with their out-of-court disposal. They consider how to protect actual and potential victims and ensure that the services delivered are appropriate to minimise the child's risk of harm to others. A range of programmes are available to address the most common offence types. Where implementation and delivery were less effective this was often because the assessment and planning that preceded it was also weak.

Good practice example

Brighton and Hove YOS was rated as outstanding across all of the elements of out-of-court disposal inspection standards. Assessments routinely drew on information from multiple sources to gain the best understanding of a child's circumstances and history. Full and detailed assessments were completed before the joint decision-making panel met, which assisted in decision-making and determining the support and intervention required. Assessments were balanced, in that victim issues and opportunities for restorative justice were seen in all cases, and there was a focus on the risk of harm to others. The involvement of the child and their parents or carers was evident in all cases, as was consideration of the diversity and wider social and familial context of the child.

Community resolutions

Informal 'community resolution' disposals, rather than statutory cautions, have become an increasingly common and preferred option for local out-of-court disposal panels, and in some YOS they now make up a majority of their out-of-court caseload.

In previous annual reports we have found that the quality of assessment, planning and delivery for this type of disposal was significantly poorer than for statutory out-of-court options. Our latest data (Figure 10) suggests that the quality of work with this type of disposal has improved, with two-thirds or more of the cases we inspected before our change of methodology, in July 2021, being rated as satisfactory against our quality standards and key questions at each stage of supervision. The gap between the quality of work with community resolution cases and statutory out-of-court disposals (Youth Cautions and Youth Conditional Cautions) also seems have closed – indeed, for some of our standards the average scores for the community resolution sample were better than for statutory cautions (Figure 11).

Figure 10: Average ratings for community resolution cases 2020/2021 (based on 24 pre-July 2021 inspections).

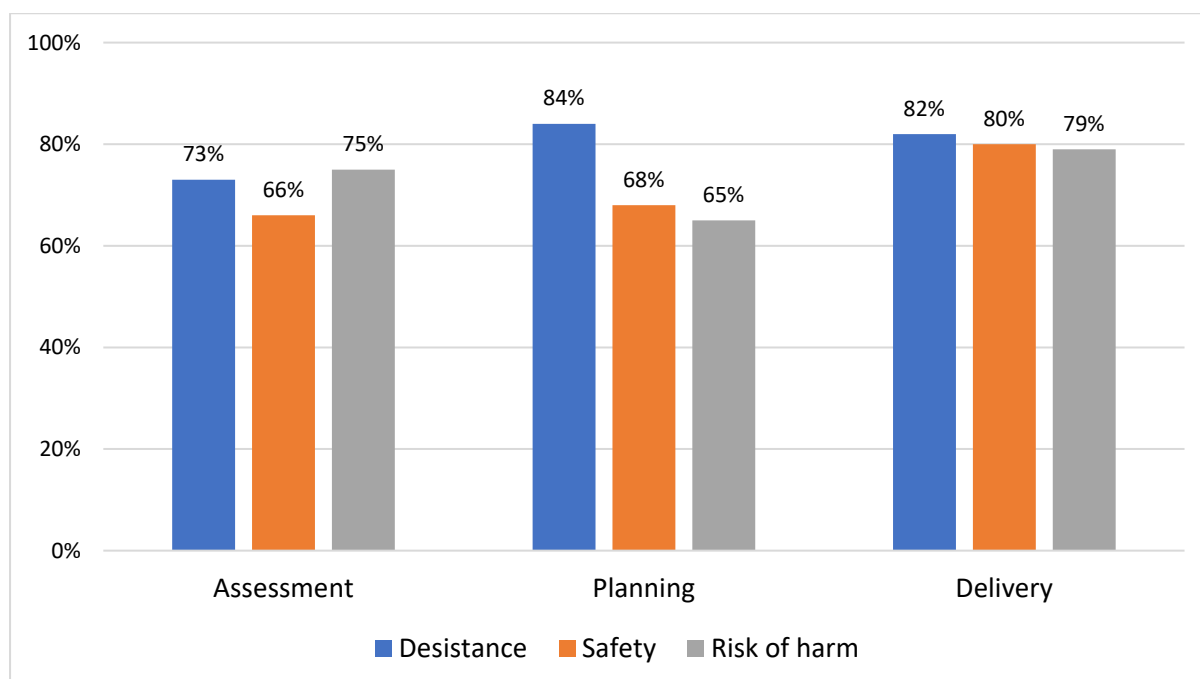
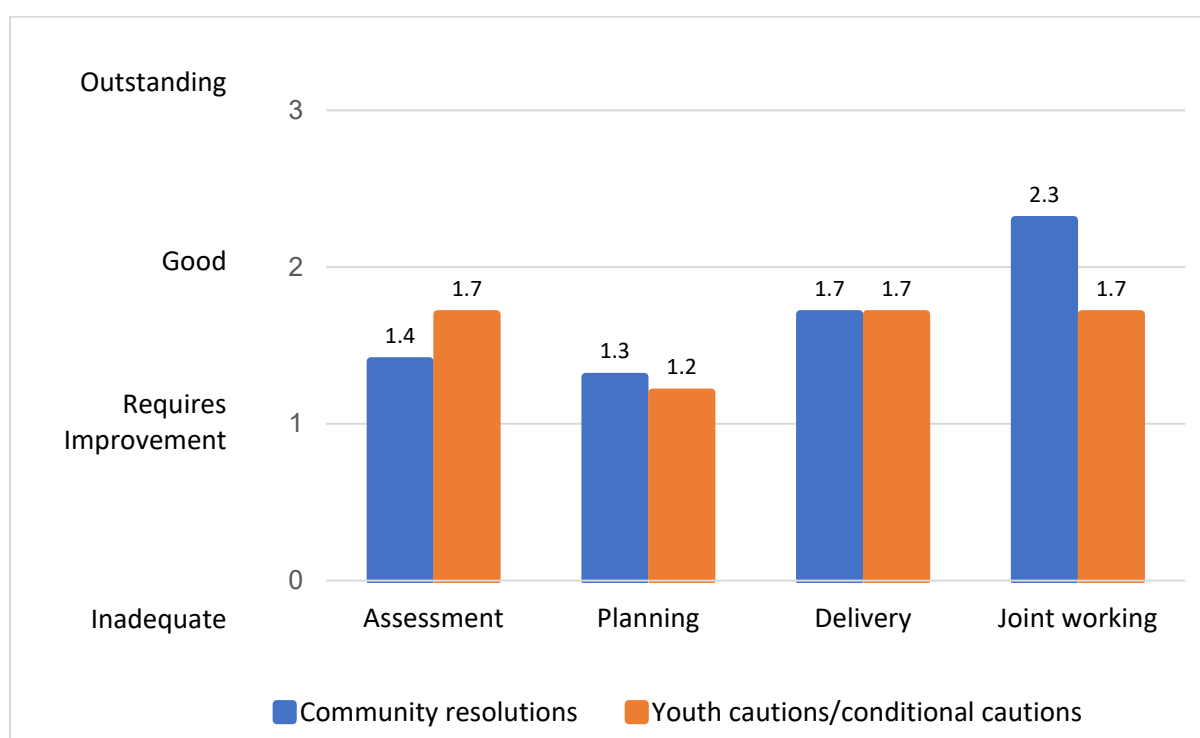


Figure 11: Average YOS ratings for out-of-court disposal standards 2020/2021 (based on 24 pre-July 2021 inspections).



The management of risk of harm

YOS caseloads have fallen in recent years, with the number of children in custody or subject to court orders and out-of-court disposals having all reduced. Some children who in previous years would have received a court order may now receive an out-of-court disposal. The effect of this has been to concentrate the workloads of YOS on cases that are higher risk

across all the domains of risk (reoffending, safety and wellbeing, and harm to others), and violent offences make up an increasing proportion of the caseload. This is equally true of both court and out-of-court disposals.

Violent offences made up 49 per cent of the court cases of the 33 services we inspected in the last year. They account for 32 per cent of all proven offences by children in the national statistics – an increase from 21 per cent from 2011. Violence is also the most common type of offence in out-of-court disposals (42 per cent of the cases we looked at in these samples).

Much of this violence is against peers, but there are other significant categories, such as violence by children against parents, for example by older boys against single mothers. We were concerned that this violence and controlling behaviour had become more prevalent during pandemic lockdown periods. In our conversations with senior leaders in December 2021 – looking at the impact of Covid-19 – we asked about child-on-parent violence. Many had seen an increase in such offences during the lockdown period and were working towards understanding them and finding solutions.

Samantha Starmer, Head of Service at Cumbria Youth Offending Service, said they saw an increase in child-on-parent violence during lockdowns, which had resulted in a greater focus on understanding how victims might be protected during periods of lockdown and ensuring that partners really understood the levels of child-on-parent violence in their areas. They now undertake quarterly reviews of cases where violence and criminal damage are present and *"unpick what the violence looks like, such as how many were peer-on-peer, how many were in the home, and how many were out in the community"*.

Overall, senior YOS leaders told us that caseloads were lower, allowing for more investment in prevention work. But those under their supervision were more likely to be high-risk of harm cases (29 per cent of all cases, for services inspected before July 2021 and 25 per cent after July 2021 for the 33 services we inspected in 2020/2021) and to have committed serious violent offences. In fact, some services reported having a greater number of children involved in high level violence, including murders, attempted murders and GBH, in their cohort than previously.

The changing nature of the cohort of children being supervised by YOS (smaller in number but more violent) in turn impacts on the risk of harm they present to other people. Our inspection data shows that nearly 80 per cent of children sentenced to a court order were assessed as presenting some form of risk to others, and 30 per cent were considered to present a high or very high risk of harm.

The category of violence spans a wide range of offence types and severity of impact on the victim. Inspectors are often struck from reading case files that actions which may not have the intention of causing serious harm can nonetheless have a huge impact on victims. A single blow that knocks a victim to the ground can result in life changing injuries. For this reason, recognising the potential for risk of harm and managing it effectively is a critical component of an effective YOS. This principle applies equally to court and out-of-court disposals.

As Figures 5 and 9 show, our inspection data demonstrates that the management of risk of serious harm remains weaker than the other aspects of supervision we inspect – particularly for court orders across all four of our standards of assessment, planning, delivery and review. In the last 12 months we made recommendations in relation to risk of harm in more than half of our inspections.

Assessment

Merton YOS typified areas that effectively assessed risk of harm. Inspectors found that assessments were well-informed and strengths-based, and correctly classified the risk of harm to others. Case managers drew together evidence on current and historical issues or behaviours, which in turn resulted in balanced and well-reasoned assessments. Most assessments contained information from other agencies and sources (including social care, the police, education and health). Practitioners gave sufficient attention to the needs and wishes of the victims and opportunities for restorative justice. They involved the child, and parents and carers, and considered the child's diversity and wider social and familial context.

In some areas, assessment of risk of harm was ineffective. Typically, we found cases where practitioners had not drawn on appropriate sources of information, identified clearly all the relevant factors or involved other agencies where appropriate. They may not have sufficiently considered the child's pattern of behaviour or the controls and interventions in place to manage and minimise the risk of harm presented by the child. Often it was not always clear who the victims were, and a lack of analysis resulted in plans to prevent further victims being ineffective. Where there was sexually harmful behaviour there was often no effective analysis, especially where the behaviour was not related to the index offence.

In a small number of areas, the assessment of risk of harm was strong in court cases and weak in out-of-court cases. This may have been as a result of different processes or staff undertaking assessments across the different disposal categories. Given the potential for out-of-court cases to pose significant risks, it is important for YOS to ensure a high standard of assessment across all of their cases.

Planning

In the Wirral, we found practice that exemplified effective planning to address risk of harm to others. There, planning took account of the child's diversity and their personal circumstances and considered their strengths and protective factors as well as their level of maturity and motivation to change. Case managers involved children, and their parents or carers in the planning. They also considered the needs and wishes of victims. Case managers considered the concerns and risks related to actual and potential victims when planning to address the risk of harm to others.

An aspect of planning where practice was less effective in many areas was contingency planning. Children's circumstances can change rapidly. This could involve changes in living arrangements, education placement or new offences coming to light. These changes can trigger further offences as the child faces disruption and sometimes instability in their lives. Sometimes, changes in circumstances can lead to reductions in risk factors and again this may require a change in approach from the YOS. The standard national assessment tool, *AssetPlus*, has a section for contingencies, but this is not always used effectively, and inspectors often assess contingency planning as one of the weakest aspects of planning. More than a quarter of inspection reports in the last 12 months included a recommendation to improve the quality of contingency planning.

Implementation and Delivery

Many YOS have specific programmes for their higher-risk cases. These include interventions to address harmful sexual behaviour, knife crime and child-to-parent violence. The best resourced services have access to specialist practitioners such as psychologists and speech and language therapists, who often supported the interventions. Many YOS have developed trauma-informed practice, recognising the extent of adverse childhood experiences and

trauma in the children's lives. In the strongest teams we saw evidence of these approaches being used and used well.

Review

The lives of children being supervised by YOS can be fluid and plans have to be kept under review as progress is made and circumstances change. Effective reviews of risk of harm focus on building a child's strengths and enhancing protective factors and assessing their levels of motivation and engagement throughout the intervention. Reviews completed by case managers should lead to the necessary adjustments in the ongoing plan of work in every case. Some YOS use group supervision to support case managers in managing cases and achieving a balance between welfare and public protection. In the best areas we saw evidence of this in many cases. The management oversight of court orders should also consistently promote high-quality casework practice. Significant numbers of children supervised by YOS have complex needs, and their circumstances can change rapidly. In all cases, reviews should be informed by the necessary input from other agencies to promote the child's safety and wellbeing and manage the risk of harm posed to others.

Victims

In assessing risk of harm, case managers should take account of the potential for harm to actual and potential victims. The best YOS assessed those risks and gave sufficient attention to the needs and wishes of the victims, and opportunities for restorative justice. The restorative activity could be directly with the victim or indirect reparation in the community. If the restorative activity was indirect, case managers kept the victim updated. We made recommendations to improve work with victims in a quarter of inspections.

What next

As with our inspections since 2018, in 2021 we found that YOS were good at assessing, planning and delivering interventions in relation to desistance factors, but the pattern of poorer management of safety, wellbeing and risk of serious harm factors is a concerning, continuing trend. We are mindful that services have focussed upon ensuring a 'child first' approach is implemented, but do not consider this has to be mutually incompatible with continuing to ensure that risks children present to others are still effectively assessed and understood. Particularly given the rise in violent offending and the complexity of the children working with YOS. For this reason, we urge YOS to ensure they focus upon adequately assessing risk and putting in place effective planning and implementation to manage, mitigate and reduce risks wherever possible.

6. The quality of YOS work with specific groups of children

Children looked after by the local authority

This cohort represents some of the most vulnerable children, who often present with complex needs and multiple factors that influence their offending. In this chapter, we look at why these children so often come to the attention of YOS, and what the sector is doing to better understand them, reduce the chances of them committing further offences, and reduce the risk of harm they pose to themselves and others.

Children looked after by the local authority continue to form a significant proportion of the cases we reviewed during our inspections and they also make up a significant proportion of all the children dealt with by the youth justice system. Of the cases we inspected over the past year, 25 per cent of the children subject to a court order had been placed in the care of the local authority at some point during their sentence (this ranged from zero to 67 per cent). For children given out-of-court disposals, the proportion is lower, at 13 per cent (this ranged from zero to 36 per cent). This is a similar proportion to that found in previous years.

Children looked after by the local authority are particularly vulnerable – many have experienced disadvantage and have been the victims of trauma. *'The Case for Change'* – a Government-sponsored independent review of children's services, published in 2021¹⁵ – identified recent trends involving children in care and the impact these have on youth justice. Of note was that teenagers are the fastest growing group in both children protection caseloads and those looked after by the local authority – and they are failed by the system when they face harm outside the home. The report concluded that services are not doing enough to identify children who are at risk of exploitation, such as through county lines, drugs and other criminal networks. As a result, too many teenagers in the care of the local authority are coming to the attention of youth offending services.

The report also identified that 41 per cent of all children in care were placed outside their home area. It recognised that for a small number of children it may be beneficial to move from an environment where they may be at risk. However, for many others, it is an unsettling experience as links with family, school and other local services can be weakened.

These conclusions are not unfamiliar to us. In our submission to the review, we said: *'Our inspections repeatedly show the difficulties local authorities experience in trying to manage risks emanating from outside the family, within a children's social care system that was not designed to mitigate such external risks to children. Child protection categories should be broadened to incorporate contextual risks outside of the family unit e.g. child exploitation and a consideration of how partnerships can best identify and reduce these risks.'*¹⁶

Overall, our 2021 inspections suggest little difference in the quality of casework between children looked after by the local authority and those who were not – which is positive – though our sample is relatively small. Work to support desistance and support the child's own safety and wellbeing was satisfactory in around four-fifths of the cases we inspected before July 2021. Management of risk of harm was poorer, although this applied to children who weren't looked after as well.

¹⁵ [The Case for Change.pdf \(independent-review.uk\)](https://www.independent-review.org/our-case-for-change)

¹⁶ [HM Inspectorate of Probation: Response to the Case for Change consultation \(justiceinspectorates.gov.uk\)](https://www.justiceinspectorates.gov.uk/hmip/hmip-response-to-the-case-for-change-consultation/)

Table 1: Percentage of cases found to be satisfactory against key inspection questions – children looked after compared children not looked after (pre-and post-July 2021).

	Percentage of cases found to be satisfactory (pre-July 2021)			Percentage of cases found to be satisfactory (post-July 2021)		
	Not looked after	Looked after outside area	Looked after inside area	Not looked after	Looked after outside area	Looked after inside area
Desistance						
The assessment sufficiently analysed how to support the child's desistance	77%	85%	79%	84%	63%	79%
Planning sufficiently focused on supporting the child's desistance	83%	84%	86%	80%	75%	71%
Implementation and delivery of services effectively supported the child's desistance	86%	82%	79%	84%	88%	79%
Reviewing focused sufficiently on the child's desistance	84%	87%	89%	82%	63%	71%
Safety						
The assessment sufficiently analysed how to keep the child safe	71%	81%	84%	64%	63%	57%
Planning sufficiently focused on how to keep the child safe	65%	76%	71%	67%	88%	71%
Implementation and delivery of services effectively supported keeping the child safe	83%	78%	83%	71%	75%	79%
Reviewing focused sufficiently on keeping the child safe	75%	76%	84%	73%	63%	64%
Risk of harm						
The assessment analysed how to keep others safe	71%	77%	65%	56%	75%	36%
Planning sufficiently focused on how to keep others safe	65%	75%	58%	55%	75%	43%
Implementation and delivery of services effectively support keeping others safe	78%	64%	71%	56%	75%	50%
Reviewing focused sufficiently on keeping others safe	70%	74%	69%	65%	75%	71%

We found YOS which are performing effectively in this area had good partnerships with children's services and some private care providers. They also had management boards who understood their key role in driving successful partnerships and staff equipped to effectively identify and support the needs of their children in care. Where YOS demonstrated a strong partnership approach in their management board, and roles and responsibilities were clear

at the operational level, outcomes were generally more positive, but it is evident that there is much work still to be done in this area.

For those children placed out of their local area under the supervision of a YOS, we saw inconsistency in planning, particularly in relation to the roles and responsibilities of their home and host local authority with little communication from the home area. So, it was testament to the work of Cheshire YJS that we found no distinguishable differences in the way children were supported in this area, irrespective of their 'home' or 'host' YOS status.

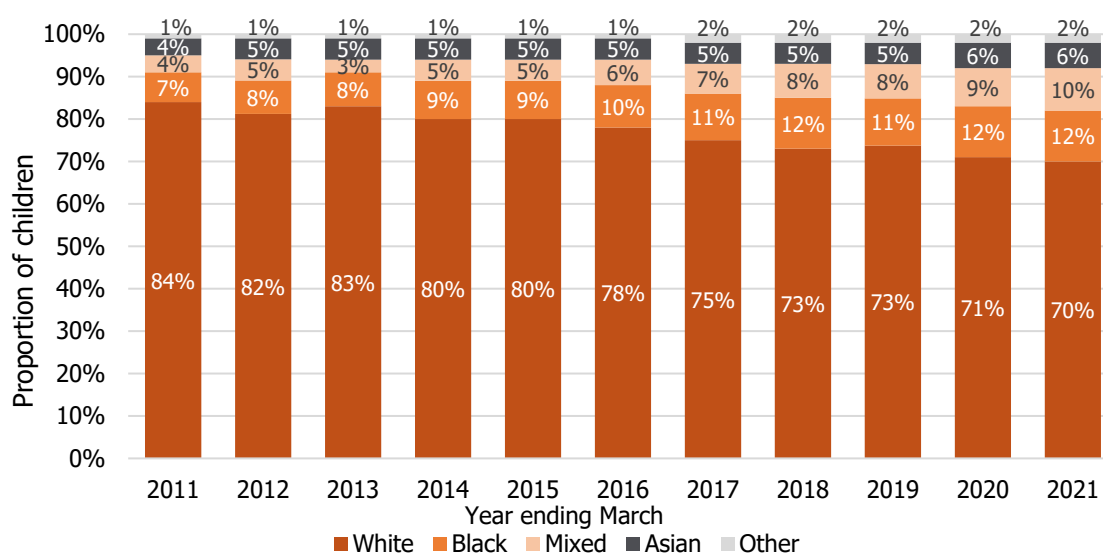
Some YOS we inspected, such as Blackpool YJS¹⁷, had significantly more children's homes than others and we have found that this could significantly impact upon the 'host' YOS caseload. Most of these children's homes were privately managed by a wide range of providers caring for children from across the country, with limited links to Blackpool.

The service provided to black and mixed heritage children

Our *Thematic inspection of the experiences of black and mixed heritage boys in the youth justice system*¹⁸ (October 2021) also identified that a lack of consideration of the child's ethnicity was apparent when children were placed away from their home areas.

Black and mixed heritage children continue to be overrepresented within the youth justice system and have been a key focus for us in 2021. There has been considerable movement in the ethnic characteristics of young people in the national YOS cohort since the end of March 2011. The proportion of children receiving a caution or sentence who identify as white has dropped from 84 per cent to 70 per cent. In the same timeframe, the proportion of young people receiving a caution or sentence identifying as black has increased from seven per cent to 12 per cent and the proportion who identify as mixed heritage from four per cent of the caseload to 10 per cent. The proportion of children in custody who identified as black or mixed heritage had reached 43 per cent by March 2021.

Figure 12: Proportion of children receiving a caution or sentence by ethnicity, England and Wales (years ending March 2011 to 2021)¹⁹



¹⁷ [An inspection of youth offending services in Blackpool \(justiceinspectorates.gov.uk\)](https://www.justiceinspectorates.gov.uk)

¹⁸ [A thematic inspection of the experiences of black and mixed heritage boys in the youth justice system \(justiceinspectorates.gov.uk\)](https://www.justiceinspectorates.gov.uk)

¹⁹ [Youth Justice Statistics 2020-21.pdf \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk) Proportions are calculated where ethnicity was known.

In our 2019/2020 annual report,²⁰ we made clear our concerns about the disproportionate number of black and mixed heritage children, particularly black boys, who enter the youth justice system. Although, a small proportion of ethnic minority children enter the youth justice system each year, and the numbers are down significantly over the last decade, the small number who do enter are disproportionately likely to be black. As with children in care, that disproportionality increases in magnitude the further into the system you travel.

The 2019/2020 report also identified that management boards are aware of and keen to understand disproportionality and develop monitoring and action plans, but this had not resulted in improved outcomes for children. We concluded by saying that youth offending services have a vital role to play in tackling this disproportionality.

A thematic inspection of the experiences of black and mixed heritage boys in the youth justice system

Such was our concern about disproportionality that we decided to investigate this issue in greater depth. In October 2021, we published a *Thematic inspection of the experiences of black and mixed heritage boys in the youth justice system*²¹ (October 2021).

All youth offending services visited as part of the thematic inspection were selected based on their sizeable caseloads and the over-representation of black and/or mixed heritage boys accessing their services.

We looked at whether the work delivered considered the child's ethnicity, and any associated experiences of discrimination. We examined individual cases, interviewed boys and their case managers as well as senior managers, and conducted focus groups.

We met with organisations including the Youth Justice Board for England and Wales, the Home Office, the Department for Education, Ofsted, the Magistrates Association, the Association of Police and Crime Commissioners and the National Police Chiefs' Council.

What we learned about the boys

In all the services we inspected, staff and managers told us that the majority of black and mixed heritage boys in the youth justice system had experienced multiple adverse childhood experiences and had high levels of need, such as special educational needs (SEN) and mental health difficulties, which had not always been identified or properly addressed until they came into contact with the YOS – a constant theme from this inspection. Also:

- there was a general consensus among YOS that, had problems and difficulties been addressed earlier in the children's lives, there could have been a different outcome
- in inspected post-court cases, 60 per cent of the boys were, or had been, excluded from school, the majority permanently
- almost a third had been victims of child criminal exploitation
- in half of the cases inspected there was evidence that the child had experienced racial discrimination; for the most part, the boys we spoke to accepted this as being 'just the way it is'
- the boys had grown up in the poorest areas of their towns and cities and had often been exposed to violence and family breakdown.

²⁰ [Annual report: inspection of youth offending services \(2019-2020\) \(justiceinspectorates.gov.uk\)](https://www.justiceinspectorates.gov.uk/annual-report-2019-2020/)

²¹ [A thematic inspection of the experiences of black and mixed heritage boys in the youth justice system \(justiceinspectorates.gov.uk\)](https://www.justiceinspectorates.gov.uk/thematic-inspection-of-the-experiences-of-black-and-mixed-heritage-boys-in-the-youth-justice-system/)

Table 2: Characteristics from post-court and out-of-court casework inspections (all cases were black or mixed heritage boys):

Characteristics	Out of 144 post-court cases – inspector judgement	Out of 59 out-of-court cases – inspector judgement
Excluded from school	60%	41%
Affected by criminal exploitation	30%	15%
Experienced racial discrimination	50%	39%
Subject to a Child in Need or Child Protection Plan	32%	10%
Children who had a disability	26%	29%
No previous convictions	54%	N/A
Age of majority of children	N/A	12-14 years

What we learned from the boys

User Voice,²² an organisation that is led by and employs people who have been through the criminal justice system themselves, spoke, on our behalf, to 38 boys across the nine inspected areas. The majority of boys talked about the challenges they faced growing up and how, for many, their peer associations were determined by living in the same locality and having a shared experience rather than through a conscious choice. They spoke at length about being subject to police stop and search and racial profiling. This was especially significant for those who lived in London.

When discussing their involvement with their individual YOS, the boys said:

- they were not always clear about the role of the YOS or what support it could offer them; they saw their sentence plan or out-of-court intervention as something they just had to get through
- they often felt they did not need any support from professionals, or at least they could not articulate what advice and guidance might be helpful
- for some, there was a sense that interventions worked best when the YOS had limited contact with them, but this also led to them viewing their interventions as having a 'tick box' feel
- when interventions were more intensive and challenging, this was recognised as having greater benefit and promoted better engagement.

Almost all of the boys described positive relationships with their workers, stating that they felt listened to and understood. Only two of the 38 boys said that the ethnicity of their YOS worker was significant to them. This suggests that the skills, understanding, knowledge and integrity of the worker and the relationships they form with the boys are the most important factors in supporting and promoting meaningful and effective engagement.

Addressing disproportionality has been a longstanding priority for most YOS and an objective in youth justice plans for a number of years. However, until recently there had not been sufficient impetus to improve and deliver high-quality services that achieve better outcomes for black and mixed heritage boys.

²² <https://www.uservice.org/>

To reduce the over-representation of black and mixed heritage boys in the criminal justice system, there must be a clear local understanding of what is driving it in the first place, with a detailed, robust work plan to address it. We did not find these to have been the case in most areas. A number of services have more recently put action plans in place, but progress is yet to be seen in reducing the disproportionality in the mix of children coming into the system.

At management board level, there was knowledge of national data on disproportionality and local data for different ethnic groups, for example re-offending and custody statistics. However, there was not enough granular detail about the local needs of black and mixed heritage boys to enable board members and strategic leaders to tackle what might be driving their over-representation.

We also had concerns about the quality of casework being delivered. There was a theme of disconnect. In terms of understanding need, the staff working with the boys had a detailed understanding of the challenges they faced, and the risks associated with their safety and wellbeing, and the risk of harm they presented to other people. However, they did not always understand the bigger picture, strategic priorities, or the evidence and implications in terms of over-representation.

Staffing

We found that the majority of staff working with black and mixed heritage boys had manageable caseloads that gave them the opportunity to build positive relationships with the children they worked with, and they did this well.

The amount and quality of training that had been delivered varied across services, but most staff had received unconscious bias training and race equality training. The majority felt that this had prepared them 'quite well' for working with black and mixed heritage boys.

However, our findings on the quality of casework indicated that more training, supervision and support were required. Some staff appeared to lack confidence in discussing culture and/or experiences of discrimination, which meant that specific challenges faced by black and mixed heritage boys were not fully explored, understood or addressed. We found that staff did not always raise concerns when they felt that children had been discriminated against, for example in relation to stop and search activity.

This lack of attention and escalation could suggest that for black and mixed heritage boys in the youth justice system experiencing racism may have become normalised, not only to the boys themselves, but also to those working with them.

The quality of casework

There were significant deficits in the quality of casework being delivered to black and mixed heritage boys in both post-court and out-of-court disposal work. Overall, we assessed the quality of assessment and planning to be sufficient in less than half the cases we inspected for both types of work. The implementation and delivery of interventions with black and mixed heritage boys was insufficient in over a third of cases.

Reviewing activity in relation to statutory casework was assessed as inadequate for children subject to court orders, as was joint working for out-of-court disposals. In 40 per cent of out-of-court disposal cases and in half of post-court cases, the child had experienced racial discrimination (where information had been recorded) and in the large majority of cases, the impact of this had not been explored or considered.

The poor standard of assessment impacted on the quality of planning and the overall delivery of work. More positively, there was evidence that case managers formed

meaningful relationships with the children and their parents or carers. However, these were not always used to get 'under the surface' and examine the challenges the boys were facing and how these might be linked to their offending.

Ethnicity of inspection caseloads in 2020/2021

In our 2020/2021 inspections of 33 youth offending services, 15 per cent of the out-of-court disposal cases we looked at were children from black, Asian or minority ethnic backgrounds (compared to 26 per cent in 2019/2020). For post-court cases (including custody) 22 per cent of children were from black, Asian or minority ethnic backgrounds (compared to 41 per cent in 2019/2020).

In July 2021 we changed the way we inspect diversity, and previous questions about diversity were made more explicit and separated out from personal circumstances. We introduced specific diversity questions throughout domain one (organisational delivery) and across domains two (court cases) and three (out-of-court cases) in assessment, planning, implementation and delivery (and review for court cases).

Table 3 shows the new questions introduced into our standards in July 2021. 'Diversity' here is defined by the protected characteristics of the cohort. An example of this is a child's ethnicity, but these questions also include other areas such as sex, disability and age.

Table 3: Court cases: assessment, planning, delivery and review of diversity in 2020/2021 inspections:

Does assessment sufficiently analyse diversity issues?	%
Yes	71%
No	29%
Does planning sufficiently address diversity issues?	%
Yes	70%
No	30%
Does service delivery account for the diversity issues of the child?	%
Yes	86%
No	14%
Does reviewing focus sufficiently on building upon the child's strengths and enhancing protective factors?	%
Yes	76%
No, and should have done	20%
Reviewing of the child's strengths or protective factors was not required	4%

Table 4: Out-of-court cases: assessment, planning and delivery of diversity in 2020/2021 inspections:

Does assessment sufficiently analyse diversity issues?	%
Yes	68%
No	32%
Does planning sufficiently address diversity issues?	%
Yes	71%
No	29%
Does service delivery account for the diversity issues of the child?	%
Yes	75%
No	25%

Analysis of the data shows that, overall, there was evidence of diversity issues being given considered across assessment, planning, implementation and delivery and review (review included for post-court cases only) in areas inspected in 2020/2021. However, it is clear there remains areas for improvement.

Understanding the needs of children from black, Asian, minority ethnic and mixed heritage backgrounds

Black and mixed heritage boys in the youth justice system often have complex presenting needs, which raises questions and concerns about the support they receive from mainstream services, their journey into the justice system and their level of unmet need.

In our *thematic inspection of the experiences of black and mixed heritage boys in the youth justice system*¹⁸²¹ (October 2021) we said: *'The level of unmet need among this group of children is worrying, and it is also concerning that there is limited understanding about the barriers that may be blocking their access to support before they enter the youth justice system. Issues of trust were frequently cited as a possible reason, but there was little evidence that this was the problem... and when boys struggled to engage and interventions were slow getting off the ground, an explanation given was that it was because time was being taken to 'build trust'. This was unrealistic given that some interventions were less than three months long, so it was critical that trust-building happened alongside delivery of the intervention.'*

Good practice example

Kent YOS management board and partners had a genuine interest in addressing disproportionality. At the time of the inspection, children who identified as black, Asian and minority ethnic comprised 21.3 per cent of the caseload. The board had focused effectively on the over-representation of these children. It had sought to understand their experience of the criminal justice system, particularly in the context of custodial settings. An Equality Cohesion Council had played a key role in strengthening the board's insight and encouraging partners to question their interpretation of data against their personal assumptions. The YOS (youth) participation apprentices had completed a feedback survey of children who identify as black, Asian and minority ethnic.

Poor practice example

Disproportionality was identified as a key priority in the YOS strategic plan, and the YOS had identified that black, Asian and minority ethnic children were over-represented in the service, as were care-experienced children. However, insufficient progress had been made in tackling this. The board had known about the disproportionality issue for over 18 months, but this had not been translated into a coordinated response by way of a meaningful plan or actions at strategic level, and the absence of an adequate wider partnership response or sufficient plans and actions to address disproportionality was reflected in the shortfalls in these arrangements. Although diversity information was also available in the suite of reports, it had not been used well enough to inform analysis of need and develop subsequent action plans to address the identified themes and issues.

Using data to identify diversity needs

The Youth Justice Board (YJB) has improved and promoted the use of the summary Ethnic Disproportionality toolkit in recent years. This allows YOS to undertake detailed analysis of ethnic disproportionality in their local area, make more informed commissioning decisions

and have better partnership discussions. However, there are no expectations that YOSs will use the data to support improvement, and currently there is no published data showing how YOS partnerships are performing in this area.

Our *Thematic inspection of the experiences of black and mixed heritage boys in the youth justice system*²¹ summarised the inconsistencies in the use of this data: *'Boards did not have mechanisms in place to continuously measure and monitor progress against a set of shared targets and objectives. There was an ambition for improvement, but it was not always clearly defined. Not all services were using the YJB disproportionality toolkit or other data to develop an understanding of which children they needed to focus on to reduce over-representation... black and mixed heritage boys were viewed as a single group, despite one of these groups (mixed heritage boys) being significantly over-represented compared with the other.'*

This mixed picture was evident in some of our individual inspections. Services that proactively analysed their data to explore diversity needs had a clearer understanding of disproportionality and could use this information to inform service delivery. Without the use of such data, in combination with high-quality management of caseloads, services cannot be confident that they have sufficient resources in place or that organisational processes are not disadvantaging this group of children.

Good practice example

In Plymouth YJS, the number of black, Asian and minority ethnic children (13 per cent) in this YOS caseload appeared largely in line with the city's overall population. However, the YOS completed their own analysis and identified other concerns in respect of disproportionality. They identified that violent offences constituted 93 per cent of the alleged crimes committed by children from a black, Asian and minority ethnic background. By examining the cases in detail, including talking to the children directly, the YOS identified racist incidents as the key factor in this disproportionate rate of violent offending. They had responded to this analysis by sourcing a company that supported the local black, Asian and minority ethnic population, to provide an on-site support service for their children, with bespoke hate crime and respect programmes.

Poor practice example

Although the over-representation of children in this YOS cohort had been recognised – information showed that 85 per cent of black, Asian and minority ethnic children were subject to court orders, and 23 per cent to out-of-court disposals (one individual was subject to both) – the potential disproportionate use of statutory disposals had not been analysed to ensure that this had not resulted from discriminatory practice or decision-making. There was conflicting evidence as to whether the panel always considered information on ethnicity.

What addressing disproportionality looks like in practice

Our thematic inspection¹⁸ showed a clear disconnect between services having tackling disproportionality as a longstanding objective and what this looks like, currently, in practice: *'... our evidence indicates that little progress has been made in terms of the quality of practice. At a strategic partnership level there is a lack of clarity and curiosity about what is causing the disparity and what needs to be done to bring about an improvement.'*

Our 2020/2021 inspections showed more of the same – several areas were showing promising practice (example below) but others appeared to have missed opportunities to improve the service for the black, Asian and minority ethnic children in their cohort.

Good practice example

A report on disproportionality was presented to the board of Bedfordshire YOS in 2019, which included specific actions relating to addressing disadvantage and discrimination. This included the introduction of a music studio to engage gang-involved children, and the continuation of group work sessions for girls. In addition, almost 17 per cent of the staff came from minority ethnic communities, which was representative of the population covered by the two local authorities. A serious youth violence panel had been established which had a specific focus on identifying black and mixed heritage children who may be at risk of entering the criminal justice system and diverting them into other services and activities. The YOS had a contract with a minority ethnic mentor with lived experience of gang activity, and other mentoring services were provided through the violence and exploitation reduction group.

Poor practice example

At the time of inspection 17 percent of children at the service were from a black, Asian and minority ethnic heritage. The YOS had not picked up this overrepresentation; addressing diversity and disproportionality had been missed from its plans, policies and protocols. The service had also missed any exploration of how it responded to children with other protected characteristics. These omissions had a knock-on effect on the wider service delivery. For instance, the staff group was not representative of the wider community and cohort of children, and there were no plans to recruit and retain a more diverse team.

Staffing and training

Our findings in the practice example above were not dissimilar to many of our inspections throughout 2020/2021. Staffing in most services did not reflect the diversity of the caseload or even the local population and this is an area we consider YOS need to give greater consideration to, in order to ensure that their staff and volunteers are representative of the community. However, this is an area where we have started to identify some encouraging progress.

Good practice example

In Kingston and Richmond YJS, the skills and diversity of the workforce reflected the needs of children. Steps had been taken to ensure the staff profile matched the protected characteristics in the borough's overall population and recent recruitment activity had actively supported this. The YJS had analysed the reasons for the minority ethnic overrepresentation. Addressing ethnic disproportionality was a key strategic priority for the YJS in its 2020-2024 Youth Justice Plan. Partnership work and interventions were strong and informed by a sub-group reporting to the management board.

Chance to Change and Outcome 22 projects

In the course of our inspections in 2021 we came across the Turning-Point Project. This is a police-led pilot diversion scheme, part of 'Chance to Change' (C2C) set up in response to

recommendations from the Lammy Review 2017.²³¹⁵ The pilot started in Barnet in 2018 and was formally rolled out to Brent and Harrow in January 2020. Pilots also took place in Brighton and Hove, Cheshire, Darlington, Merton, South Gloucestershire, South Tyneside and The Wirral. Our local inspections in 2021 also came across other areas delivering this new type of disposal, also known as 'Outcome 22' because of the outcome code used by the police on their records for these cases. For example, in the Northumbria Police Force area covers six YOS areas, for example, it was already the most frequently used community resolution disposal.

The intention of this approach is to assess whether a deferred prosecution model, without a formal admission of guilt, can reduce reoffending and reduce the disproportionality within the criminal justice system.

The pilot allows children who have committed low-level or first-time offences, and those who did not initially admit guilt, to be considered for an alternative outcome. Children referred to the scheme have the opportunity to engage in a four-month conditional contract instead of receiving a youth caution, conditional caution or charge to court. If the child successfully completes the conditional contract, they receive a 'no further action' for their offence.

A review of the pilot is due to be published and we await the findings in relation to its impact on reducing disproportionality within the criminal justice system.

Our recommendations to address disproportionality and ensure the needs of black, Asian and ethnic minority children are met.

For each of the 33 inspections conducted in 2020/2021, we made a number of recommendations to services as to how they should improve. Many youth offending services were given recommendations relating to their work on ethnicity and disproportionately, including for the YOS:

- have in place a recruitment process that proactively seeks to encourage a diverse team, that reflects the local population
- have processes in place to support and maintain staff from diverse backgrounds to ensure their needs are met and progression opportunities are available
- have training packages available to equip staff in identifying and understanding diversity needs; staff need to be confident and capable of having discussions with children and families about ethnicity, heritage, discrimination, and racism and use this to understand and analyse their experiences
- consistently and regularly use tools to understand the profile of children and families accessing their service. Data analysis needs to be capable of identifying individual ethnicities and recognising disproportionality at micro level
- be proactive in interrogating data where disproportionality has been identified to understand why there is an overrepresentation of some groups. Services need to work with children and families to understand their experiences and give context to the data.

Following our thematic inspection, we produced an *Effective practice guide: Black and mixed heritage boys in the youth justice system*²⁴ outlining best practice against our inspection standards and essential information for youth justice practitioners.

7. Effective practice guidance

HM Inspectorate of Probation defines effective practice as *where our inspection standards are delivered well in practice*. We have a role in identifying and disseminating effective practice, as well as challenging poor performance and encouraging improvement.

We achieve this through our individual inspections of youth offending services, our thematic inspections, and our dedicated effective practice products, which are designed around our inspection standards, and rooted in the research and practice evidence base. The effective practice guides are published on our website and translate evidence from thousands of inspected cases into a learning tool.

The aim is to help frontline staff and managers to deliver good-quality youth offending services and improve outcomes for children. They are designed for busy professionals seeking to enhance their safe and effective supervision of children.

Currently, our effective practice guidance takes the form of case management guidance and thematic effective practice guidance.

Who is effective practice guidance for?

Our guides are specifically designed for those working in youth justice but are also relevant to those working across youth justice and the criminal justice system. Some of our online guides are digital handbooks and accessible in short modules for practitioners supervising children. Others, such as our thematic effective practice guides, are provided in a report format.

How should effective practice guidance be used?

It is a source for evidence-based self-assessment, practice development, and reflection. It can help services understand what good looks like against our inspection standards, help action-plan after inspection or be used for general learning. Services can also benchmark their own practice against inspection expectations using our published standards and guidance.

Practitioners – making sure your voice is heard

We cannot illustrate what good-quality practice looks like without first-hand accounts from youth justice practitioners and the voices of children under supervision. We've been interviewing practitioners against our quality standards since 2018, focusing on individual cases that began in the previous six months, to help us understand the challenges, the successes and what is required to achieve consistently high-quality supervision. We recognise in the format of our guides that there is no 'one size fits all' and that practice needs to be attentive and tailored to each child, their local communities and the services and opportunities that are available.

²³ [Lammy review: final report - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/674442/Lammy_review_final_report.pdf)

²⁴ [Effective practice guide: Black and mixed heritage boys in the youth justice system \(justiceinspectorates.gov.uk\)](https://www.justiceinspectorates.gov.uk/effective-practice-guide-black-and-mixed-heritage-boys-in-the-youth-justice-system/)

Effective practice guidance

Case management guidance:

This guide covers case management – the core responsibility of a youth offending service practitioner – focusing on three key areas: **desistance, keeping the child safe and keeping other people safe** and how these are given due consideration during assessment, planning, implementation and delivery, and the review process for each child.

Further information can be found in the effective practice section of the HM Inspectorate of Probation²⁵ website though a summary of these key factors is shown below.

Desistance



Desistance is the process of abstaining from crime by those with a previous pattern of offending. The collated evidence suggests that children are more likely to live crime-free lives when they have:

- a stable home environment
- positive social interactions and friendship groups
- a commitment to education and training
- a pro-social identity, with a sense of purpose in their lives.

Keeping the child safe



Where there are concerns about a child's safety and wellbeing, a focus on the following has been found to be particularly important:

- trusting relationships
- wider social support
- extra-familial contexts
- trauma-informed approaches and key moments in child's life.

Keeping people safe



For those children who pose significant risks to others, the following have been found to be particularly important:

- effective communication
- defensible decision-making
- a positive and trusting relationship.

Thematic effective practice guidance

We also produced thematic inspection reports focusing on systemic areas of interest and concern for youth offending services. Evidence from these reports is translated into effective practice guidance: practitioners, middle managers and strategic leaders are encouraged to reflect on their own experiences and consider how they may apply the salient learning points in their own contexts

²⁵ [Effective Practice \(justiceinspectorates.gov.uk\)](https://www.justiceinspectorates.gov.uk/effective-practice/)

Black and mixed heritage boys – key takeaways

Our *Effective practice guide: Black and mixed heritage boys in the youth justice system* **Error! Bookmark not defined.** was published in December 2021, following the *thematic inspection of the experiences of black and mixed heritage boys in the youth justice system*.¹⁸ Evidence collected during the thematic inspection highlighted the following as necessary elements of effective practice.

A multi-agency commitment and contribution to services is required to support black and mixed heritage boys' desistance, and to keep them and others safe.

Leadership

A coordinated leadership and a clear strategy to address disproportionality in the work of the YOS and partner agencies is required, including:

- ✓ an anti-racist approach that acknowledges the nature and impact of racial trauma
- ✓ effective engagement with sentencers to understand the life circumstances of the black and mixed heritage boys that have brought them before the courts
- ✓ staff who are well-trained and supported to work with black and mixed heritage boys who have experienced multiple disadvantages; and practitioners who understand trauma-informed practice, and how to support vulnerable children to desist from offending.

Management, assessment and planning

- ✓ assessments that consider each child's identity, including their diversity, vulnerability, safety and wellbeing
- ✓ practitioners who can elicit conversations with the boys regarding diversity, racial profiling and discrimination, and who will advocate on their behalf and have clear escalation routes to address any barriers to black and mixed heritage boys accessing the services they need
- ✓ management oversight that focuses on diversity and what this means in practice.

Support and intervention

Services should provide specialist provision for black and mixed heritage boys, via in-house delivery or by commissioning it from appropriate local community organisations and referral; uptake rates for the services provided should be evaluated. Also ensure:

- ✓ suitable and appropriate support and interventions are offered to the parents and/or carers of black and mixed heritage boys, with a regular review of the uptake and suitability of this provision
- ✓ commitment by leaders and practitioners to continuous professional development, evidenced in reflective practice, delivery and engagement.

What next

We intend to expand our effective practice guidance offer, both in terms of content and engagement. We are collating the feedback we receive from stakeholders about our effective practice guides, with a view to shaping the products we offer in future. We want them to remain as relevant and assistive as helpful as possible.

Annexe 1: Case data splits

Comparison between children receiving a custodial sentence and those receiving a community sentence (demographics), based on HM Inspectorate of Probation case assessment data.

Case data splits: pre- and post-July 2021 inspections.

Supplementary data

	Pre-July 2021		Post-July 2021	
	Custody	Community sentence	Custody	Community sentence
Gender				
Male	7%	76%	9%	79%
Female	0%	17%	0%	12%
Age				
10–11	0%	0%	0%	0%
12–14	0%	7%	0%	3%
15–16	2%	29%	0%	21%
17	2%	28%	1%	49%
18+	3%	29%	8%	18%
Ethnicity				
White	6%	74%	5%	53%
Black, Asian, Minority Ethnic	1%	16%	4%	34%
Other	0%	0%	0%	1%
Not clearly recorded	0%	2%	0%	3%
Disability				
Yes	3%	32%	7%	46%
No	4%	50%	1%	38%
Not clear	0%	10%	0%	8%
Number of previous convictions				
0	1%	43%	2%	38%
1	1%	17%	0%	15%
2–5	3%	23%	6%	31%
6–10	2%	7%	0%	5%
11–20	1%	2%	2%	2%
20 +	1%	0%	0%	0%

Court case data

	Pre-July 2021		Post-July 2021
Assessment	2019/2020	2020/2021*	2020/2021**
The assessment sufficiently analysed how to support the child's desistance	84%	78%	81%
The assessment sufficiently analysed how to keep the child safe	74%	74%	62%
The assessment analysed how to keep others safe	67%	70%	55%

	Pre-July 2021		Post-July 2021
Planning	2019/2020	2020/2021*	2020/2021**
Planning sufficiently focused on supporting the child's desistance	80%	83%	78%
Planning sufficiently focused on how to keep the child safe	61%	67%	70%
Planning sufficiently focused on how to keep others safe	60%	64%	55%

	Pre-July 2021		Post-July 2021
Implementation and delivery	2019/2020	2020/2021*	2020/2021**
Implementation and delivery of services effectively supported the child's desistance	83%	85%	83%
Implementation and delivery of services effectively supported keeping the child safe	74%	82%	73%
Implementation and delivery of services effectively support keeping others safe	68%	75%	57%

	Pre-July 2021		Post-July 2021
Reviewing	2019/2020	2020/2021*	2020/2021**
Reviewing focused sufficiently on the child's desistance	76%	85%	78%
Reviewing focused sufficiently on keeping the child safe	65%	77%	70%
Reviewing focused sufficiently on keeping others safe	59%	71%	68%

*Due to a change in standards and methodology in 2021, scores for nine of the 33 inspections undertaken in 2020/2021 are not comparable with those undertaken in 2019/2020

**Data from the nine inspections following the change in standards/methodology in 2021

Out-of-court case data

	Pre-July 2021		Post-July 2021
Assessment	2019/2020	2020/2021*	2020/2021**
The assessment sufficiently analysed how to support the child's desistance	73%	78%	70%
The assessment sufficiently analysed how to keep the child safe	59%	67%	56%
The assessment analysed how to keep others safe	59%	71%	57%

	Pre-July 2021		Post-July 2021
Planning	2019/2020	2020/2021*	2020/2021**
Planning sufficiently focused on supporting the child's desistance	73%	78%	72%
Planning sufficiently focused on how to keep the child safe	53%	62%	58%
Planning sufficiently focused on how to keep others safe	55%	55%	66%

	Pre-July 2021		Post-July 2021
Implementation and delivery	2019/2020	2020/2021*	2020/2021**
Implementation and delivery of services effectively supported the child's desistance	75%	79%	76%
Implementation and delivery of services effectively supported keeping the child safe	66%	72%	66%
Implementation and delivery of services effectively support keeping others safe	62%	70%	69%

	Pre-July 2021		Post-July 2021
Joint working	2019/2020	2020/2021*	2020/2021***
YOS recommendations are sufficiently well informed, analytical and personalised to the child, supporting joint decision making	67%	79%	-
The YOS worked effectively with the police in implementing the out-of-court disposal	74%	71%	-

*Due to a change in standards and methodology in 2021, scores for nine of the 33 inspections undertaken in 2020/2021 are not comparable with those undertaken in 2019/2020

**Data from the nine inspections following the change in standards/methodology in 2021

***Joint working was removed from the nine inspections following the change in standards/methodology in 2021

Annexe 2: Description of a Youth Offending Service

Youth Offending Services (YOS) work with children and young people, from as young as 10 up to 18 years of age, who break the law. These children have either been sentenced by a court or have come to the attention of the police but not been charged. In this case, they would have their offending dealt with out-of-court. YOS work with all these young people to try to help them live better lives and ultimately stay away from crime.

They:

1. help young people at police stations
2. provide support at court
3. supervise young people on a community sentence
4. keep in contact with young people while they're in custody and help them settle back in the community when they leave
5. deliver interventions to help young people make different life choices.

YOS are statutory partnerships – that is, they must work together by law – and they are multi-disciplinary, so they can deal with the needs of the whole child. They are required to have staff from local authority social care and education services, the police, the Probation Service and local health services working together to help these young people. Most YOS are based within local authorities. Some are fully integrated into local authority services such as children's services; some have merged across local authority boundaries; and some remain standalone.

This is determined locally, and, in our experience, there is no one model that leads to good inspection outcomes. These are achieved by strong and knowledgeable youth justice leadership delivered through the multi-disciplinary management board and YOS management team.

YOS work is governed and shaped by a range of legislation and guidance specific to the youth justice sector (such as the National Standards for Youth Justice) or else applicable across the criminal justice sector (for example Multi-Agency Public Protection Arrangements guidance).

Annexe 3: Description of youth inspection methodology

In spring 2018, we introduced changes to the way we inspect. We began our YOS inspections against a new set of published standards.

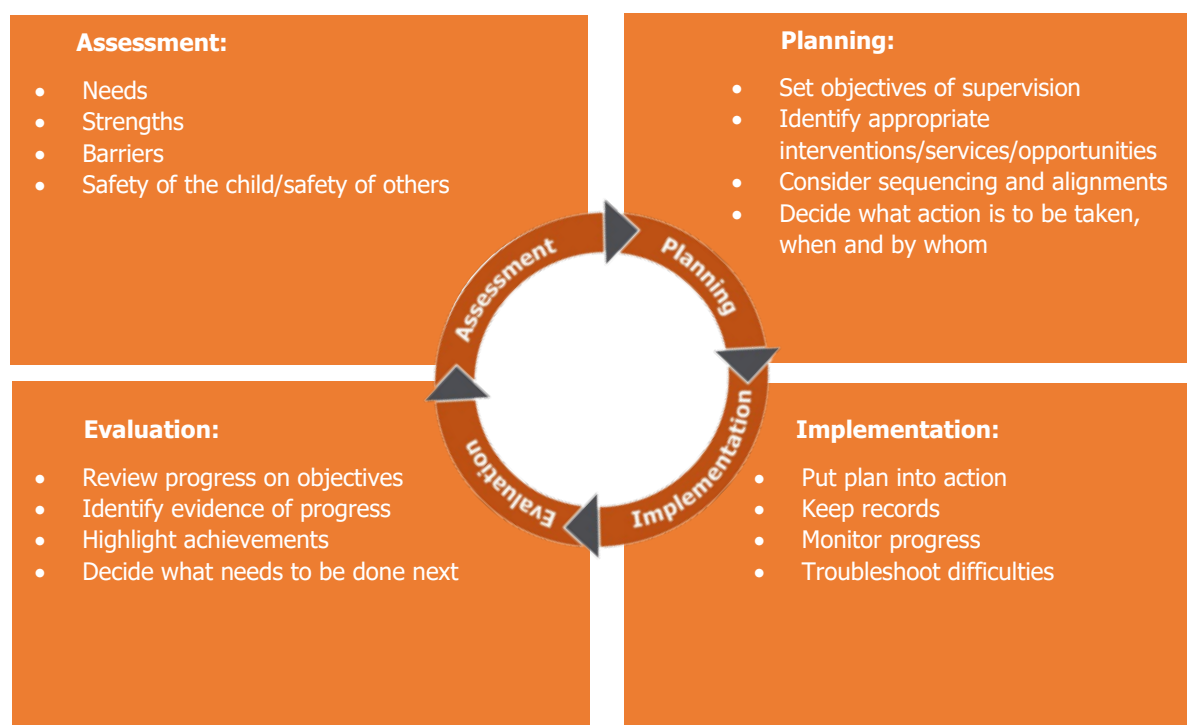
This new set of inspection standards reflect the high-level expectations that government and the public have of YOS. They are grounded in evidence, learning and experience and focus on the quality of delivery. Without good-quality inputs (such as professional staff and comprehensive services) and activities (such as case assessment and effective interventions), YOS are less likely to meet their aims. The inspection standards framework is summarised in the diagram below and described in further detail on our website. Our approach to inspecting YOS involves us focusing on three aspects of delivery, which we call domains.

Inspection domains and standards



Domain one (organisational delivery) covers how well the organisation is led, managed and set up. Domains two and three cover the quality of work in individual cases. Domain two focuses on court disposals and domain three focuses on out-of-court disposals. Domains two and three cover the enduring expectations of YOS: supporting desistance, protecting the public and keeping the child safe. The service delivery standards in both domains are based on the well-established and recognised ASPIRE model for case supervision (Assessment, Sentence Planning, Implementation, Review and Evaluation).

The ASPIRE model



How we judge performance

We rate performance against all of the four standards in each domain (as shown above). For each standard in domains two and three, we ask up to three key questions about the quality of supervision and inspectors record what percentage of the cases they review are satisfactory against these questions. In the domains, each key question is integral to effective case delivery, and sufficient attention needs to be given to all of them. The rating for the standard is therefore determined by the key question that generates the lowest percentage score in terms of the proportion of cases meeting that criterion. Our standards also include a 'hurdle' that all inspected bodies must pass; where there is insufficient assessment of child safeguarding issues, there must be a judgement of insufficient for assessment of harm. Ratings at the standard level enable providers of YOS to see clearly where they are performing well and where they can improve.

Each YOS is given an overall rating on a four-point scale: 'Outstanding', 'Good', 'Requires improvement' and 'Inadequate'. The scores from the individual standards are aggregated to produce the overall rating. Scoring rules are used to generate the overall YOS rating. Each of the 12 standards are scored on a 0–3 scale in which 'Inadequate' = 0; 'Requires improvement' = 1; 'Good' = 2; and 'Outstanding' = 3.

Adding these scores produces a total score ranging from 0–36, which is banded to produce the overall rating, as follows:

- 0–6 = 'Inadequate'
- 7–18 = 'Requires improvement'
- 19–30 = 'Good'
- 31–36 = 'Outstanding'.

We give an overall rating for each YOS, as we believe that a composite rating for each inspection drives improvements where needed. An overall rating provides a measure of the quality of youth offending services, complementing any output and outcome measures established by government. The standards and ratings were developed over a 12-month period, through workshops and consultations with stakeholders, academics and providers. On the whole, they were well received and have been largely accepted as the benchmark for quality practice in service delivery.

Annexe 4: Academic insight publications on youth justice themes

2021

Serious youth violence and its relationship with adverse childhood experiences: Dr Paul Gray, Professor Hannah Smithson and Dr Deborah Jump – This report focuses on findings from recent research in Manchester which explored adverse childhood experiences, serious youth violence, trauma-informed practice, and youth participation.

Getting out for Good: Preventing Gangs Through Participation: Dr Deborah Jump and Dr Rachel Horan – This report summarises the research evidence on girls and gangs, and how this has been utilised to develop the 'Getting out for Good' project which combines gender-specific mentoring with sporting and cultural activities.

Experiences and pathways of children in care in the youth justice system: Dr Anne-Marie Day – This report explores the range of barriers and enablers to supporting children in care, impacting upon their positive development and life chances.

Supporting children's meaningful participation in the youth justice system: Professor Hannah Smithson and Dr Paul Gray – This report focuses on children's participation in decision-making in youth justice systems.

Traumatic Brain Injury: Hope Kent and Professor Huw Williams – This report explores the prevalence of traumatic brain injury in people in the criminal justice system and its link to offending.

Neurodiversity – a whole-child approach for youth justice: Professor Amanda Kirby – This report summarises the evidence base around neurodiversity and the lessons for those working in youth justice and youth offending services.

Exploring procedural justice and problem-solving practice in Youth Court: Gillian Hunter and Jessica Jacobson – This report provides an overview of procedural justice, the links to legitimacy, and the research evidence for its positive effects on engagement and cooperation.

Collaborative Family Work in Youth Justice: Professor Chris Trotter – This report highlights: (i) the links between family relationships and criminal behaviour; and (ii) the research evidence on the effectiveness of family interventions for children in the criminal justice system.

County lines: Professor John Pitts – This report highlights how County Lines operations have moved to the country and expanded over recent years.

2020

Contextual Safeguarding: Dr Carlene Firmin – This report sets out how Contextual Safeguarding has changed the response of child protection systems to children at risk of significant harm in extra-familial settings and relationships.