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Transitional Safeguarding in youth justice and probation services: A scoping study

Practitioner briefing

Context

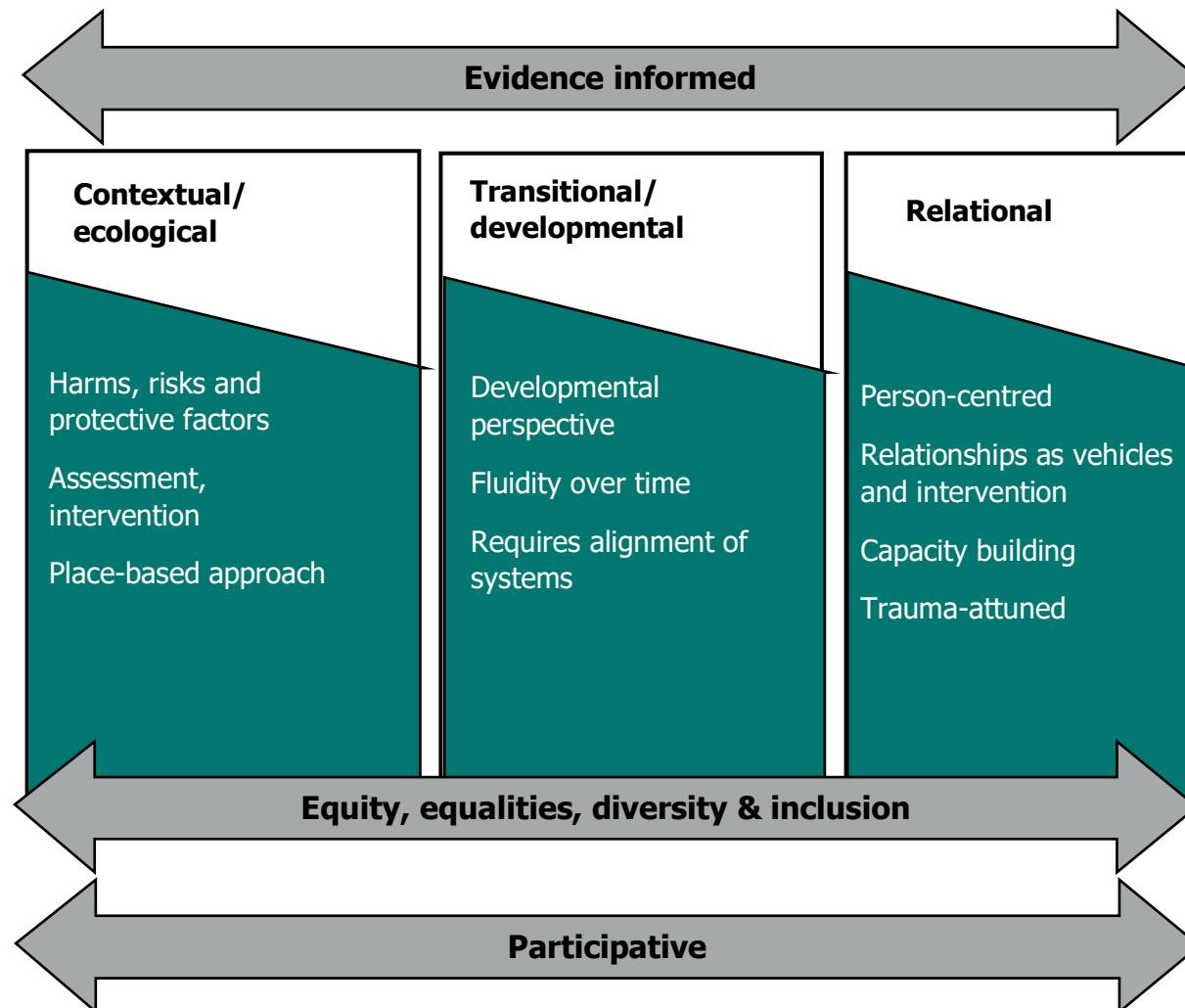
Transitional Safeguarding is defined as follows:

'An approach to safeguarding adolescents and young adults fluidly across developmental stages which builds on the best available evidence, learns from both children's and adult safeguarding practice, and which prepares young people for their adult lives' (Holmes and Smale, 2018, p3).

The transition from youth justice to probation is a process of moving or transferring between two systems at the age of 18. To date, there has been no research explicitly exploring how Transitional Safeguarding is understood and applied within the youth justice and probation service context to support young people aged between mid-teens to mid-twenties. Holmes and Smith (2022) authored the [Academic Insights paper 2022/03](#) that provides suggestions on the potential application of Transitional Safeguarding within justice services. This briefing is based on a study that provides an overview of how youth justice and probation embed the six key principles of Transitional Safeguarding into their service design. These principles are that any Transitional Safeguarding approach must be:

- evidence-informed
- contextual/ecological
- transitional/developmental
- relational
- attentive to equity, equalities, diversity, inclusion (EEDI)
- participative.

The six key principles (Cocker et al., 2024, p.55)



Approach

The research sought the views and experiences of professionals to investigate how youth justice and probation work together (and separately) to provide services to young people (aged mid-teens to mid-twenties) that encompass the six key principles of Transitional Safeguarding. We used a literature review, survey, secondary analysis of HMI Probation data, interviews and focus groups as methods in the research. The survey and secondary data analysis encompassed all of England, whilst the interviews and focus groups focused on five study sites.

Outputs from the project include a full report and executive summary together with three briefings aimed at different groups of people working within the justice sector. This briefing shares key findings from the project that are relevant to practitioners, together with some questions for practitioners to consider and useful resources. A deeper dive into the [full research report](#) will further support practitioners to consider how their practice reflects the key principles of Transitional Safeguarding.

Key findings and implications for people working in practice

The research identified findings and recommendations at both systems and practice levels. The focus in this briefing is on those findings relevant to individual practitioners. These have been framed around the six key principles of Transitional Safeguarding. Reflection questions are then highlighted, with additional resources also listed.

Principle 1 – Evidence informed

This principle sets out that practice should be evidence-informed, which means drawing on research evidence, the knowledge and skills of practitioners, as well as information from the lived experience of people that draw on care and support from youth justice and probation services. There is some debate within the justice sector literature about whether a structured approach is used to incorporate research evidence, clinical/professional expertise, knowledge from stakeholders and appropriate data. How different types of knowledge are valued in organisations is key to understanding how evidence informs work with young people. The literature suggests that although there is progress, there is some way to go to being evidence informed rather than resource led.

Youth justice and probation services offer a range of practice frameworks and guidance, and these are useful tools to support practice. Youth justice workers interviewed referenced more youth-specific theories and research, compared to probation practitioners, who tended to reference evidence-based practice toolkits, protocols and pathways used with people of all ages. Some participants (from both youth justice and probation) expressed concerns that probation training does not sufficiently support evidence-based knowledge development on issues that may particularly affect young adults (e.g. the impact of childhood trauma on development or behaviour; the dynamics of exploitation experiences; or the impact of care experience or neglect). The research project found that some practitioners focused their efforts in implementing those frameworks, such as Child First, and did not explore research beyond them. Other practitioners did utilise research in their work, and in particular some practitioners used research to support the case for transition handovers to be staggered or delayed.

Reflection questions

- What sources of evidence do I use in my practice?
- How do I share my knowledge and use of research with others, particularly when supporting young people during a point of transition from one service to another?
- How do I understand the safeguarding needs of individual young people?

Useful resources

- [Why evidence-informed practice? | Research in Practice](#)
- [Academic insights – HM Inspectorate of Probation](#)
- [Transitional safeguarding – HM Inspectorate of Probation](#)

Principle 2 – Contextual/ecological

This principle is concerned with considering the young person in context, encompassing those factors within their lives that may be impacting on them, for example family, peers and where they are living.

Research and thematic reviews highlight the need for a contextual and ecological approach to welfare – these are being taken up within youth justice and probation services within policies and guidance.

Participants in both sectors reported taking contextual factors into account in their work with young people, including housing/home contexts, mental health, education, employment and substance misuse, making adaptations to practice to better meet young people's needs. Differences arose in relation to: family-focused contextual work; the availability/accessibility of multi-agency networks and information; as well as whether safeguarding work (e.g. in relation to peer or exploitation contexts) is emphasised (youth justice) versus a greater emphasis on offender risk management/public protection (probation).

Reflection questions

- How do I consider ecological and contextual factors in my practice with young people?
- To what extent do I consider ways in which I can adapt my practice to account for contextual factors, for example (where protocol permits) being flexible in meeting locations and times?

Useful resources

- [Contextual Safeguarding – HM Inspectorate of Probation](#)
- [Resources | Contextual Safeguarding](#)

Principle 3 – Transitional/developmental

This principle refers to practice and systems being informed by the maturational and developmental stages of the young person. The research identified that systems and structures do not currently easily facilitate such approaches. However, frameworks such as *HMPPS Child Safeguarding Policy Framework* (MoJ and HMPPS, 2022a) guide staff to consider the maturity of the young person and the possible impact of previous trauma, whilst giving caution to not absolve the young person of responsibility. Youth justice practitioners identified *Child First* as a key resource to support transitional practice. The research identified that opportunities for probation and youth justice practitioners to understand different ways of working and contexts would support a more developmentally-attuned approach.

Participants in both sectors considered that at the systems level, transitional and developmental needs were insufficiently supported. A lack of specialist resources for young adults (e.g. unfilled seconded probation officer posts in youth justice services and some lacking tailoring of toolkits and approaches for this age group) was a concern for participants in both sectors. Transitional issues in other services and systems may affect young adults in the criminal justice system concurrently and cumulatively, as the more intensive support structures in place for young people under 18 break away at the same time as youth justice to probation transitions occur.

Participants in both sectors referred to discourses around 'over-' and 'under-' protection of young adults and contrast different attitudes among probation staff when it comes to adapting work in line with young people's maturity and development: while some probation colleagues were described as sceptical or even dismissive around offering flexibility (with descriptions of youth justice approaches including 'soft' or 'cuddly'), others were seen as embracing person-centred, relational and adaptive ways of working.

Reflection questions

- What opportunities do I take to share my knowledge, skills and experience in working with young people with practitioners working in other areas? Or conversely, how do I seek opportunities to learn from the experience of other practitioners?
- To what extent is my individual practice approach developmentally and maturationally attuned?

Useful resources

- [Effective practice – working with young adults – HM Inspectorate of Probation](#)
- [Youth to adult transitions – HM Inspectorate of Probation](#)

Principle 4 – Relational

This principle emphasises the importance for good relational practice to support young people. The principle also links to the ecological/contextual principle as it refers to positive relationships in the life of the young person as well. In the research project, practitioners strongly identified their practice as being in line with the relational principle.

There is significant evidence that highlights the importance of relationships in improved outcomes for children and young people across education, social skills and protection from harm. Inspectors viewed youth justice practitioners as giving sufficient focus to the relationship with a young person, as opposed to probation workers, where their relationships were not viewed as positively. Again, the different approaches and positioning of youth justice and probation affects the quality of relationships possible. This is another area requiring improvement, and again is affected by a focus on resource-led work which means opportunities for innovative work is often curtailed. The value of relationships to practice is emphasised within the *Standards for children in the youth justice system* (2019) and prominence is given to relationship building within the *Probation Service Management of Young Adults Policy Framework* (MOJ and HMPPS, 2022b) and the Probation Professional Standards (HMPPS, 2023). However, how this is being embedded into practice is less clear.

Practitioners in both sectors described their roles as 'bridgers', connectors and advocates for young people, particularly in relation to accessing services and having their specific and individual needs met. However, probation workers indicated some constraints through time and resource limits, both within their own agencies and among other services. As a result of the latter, the relationship with a probation worker may be a key (or even single) professional connection for some young adults, despite the fact that it starts from an involuntary basis. In comparison, youth justice workers reported closer links with colleagues in services for children and young people, as well as with young people's families.

Reflection questions

- How am I embedding a relationship-based approach in your practice?
- What would support me to enhance my practice with regard to relational approaches?

Useful resources

- [An evidence-informed model and guide for effective relational working in youth justice – HM Inspectorate of Probation](#)
- [Relationship-based practice framework – HM Inspectorate of Probation](#)
- [Evidence base – relationship-centred services – HM Inspectorate of Probation](#)

Principle 5 – Equalities orientated

This principle is multi-faceted; it is essential to recognise the compounding nature of discrimination and inequality for young people, particularly those from minoritised communities. There were differences found within the research in terms of how respondents felt that they applied an equalities-orientated practice lens, with youth justice workers having more of this focus than probation practitioners. There is more work needed at all levels to embed change into policy and practice, including making links within safeguarding.

Participants from the specific sites in both sectors referred to ways in which practice was adapted in relation to EEDI. Neurodiversity and speech and language difficulties (including pre-diagnosis) were common themes along with mental health difficulties, care experience, gender, sexual orientation and race/ethnicity. Concerns were highlighted about systemic adultification and about support for young women, especially in custodial settings.

Reflection questions

- How do I consider and demonstrate an equalities-orientated approach within your practice?
- Are there particular areas of equalities-orientated practice that I am more confident or comfortable with? Why do I think that is?

Useful resources

- [Adultification bias within child protection and safeguarding – HM Inspectorate of Probation](#)
- [Neurodiversity – a whole-child approach for youth justice – HM Inspectorate of Probation](#)

Principle 6 – Participative

This principle cuts across all the other principles; participation can address discrepancies between chronological age and development, and attend to young people's rights to exercise choice and agency while also safeguarding and protecting them and others from harm.

In both the HMI Probation inspection data and in our survey data, youth justice practitioners were more meaningfully involving the young person in all aspects of work than probation practitioners. Youth justice and probation have different parameters in which they can respond to young people's 'voices' and 'choices', which link with different opportunities, challenges and constraints.

Youth justice practitioners gave examples of participation including young people being involved in recruitment or consulted on specific service offers. When taking a young person's view into account regarding their own situation, youth justice professionals described the tension where young people's views of their own situation differ from professional judgements around harmful or exploitative contexts. Probation practitioners referred to integrating young people's voices and choices into sentence planning and setting goals and priorities for each session, alongside the more constrained parameters that involve limited choice (e.g. non-participation leading to breach/recall).

Reflection questions

- How do I navigate situations where there is a difference between my view of a situation and the view of the young person I am working with? What tools, resources and practice experience do I utilise?
- How would I describe the level of my participative practice?

Useful resources

- [Supporting children's meaningful participation in the youth justice system](#)

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www.justiceinspectorates.gov.uk/hmiprobation

Published by:

HM Inspectorate of Probation
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M3 3FX

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ISBN: 978-1-917531-19-1