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

Briefing for senior managers

Context

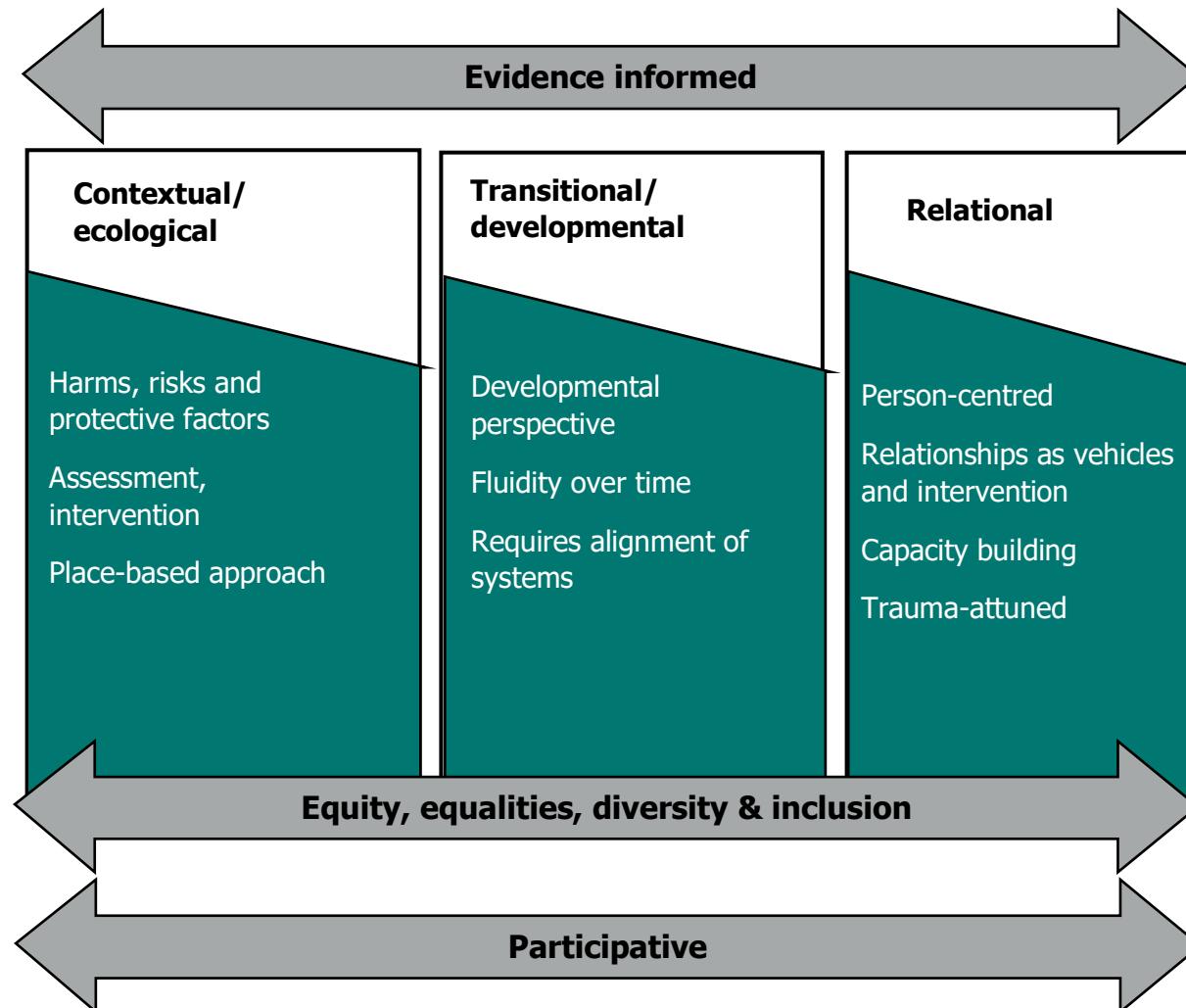
Transitional Safeguarding is defined as:

'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).

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. This [Academic Insights paper 2022/03](#) (Holmes and Smith 2022) provides suggestions on the potential application of Transitional Safeguarding within justice services. This study provides an overview of how youth justice and probation embed the six key principles of Transitional Safeguarding into 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

This 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 HM Inspectorate of Probation data, interviews and focus groups as methods in the research. The survey and secondary data analysis encompassed England, whilst the interviews and focus groups focused on five sites.

Outputs from the project include a full report, executive summary and three briefings aimed at different groups of people working within the justice sector. This briefing shares key findings from the project relevant to senior managers, as well as implications, reflection points and actions for further consideration. For more information, you can access the [full report on our website](#).

Key findings

Barriers to effective safeguarding during transitions from youth justice to probation

Practitioners and leaders are motivated to deliver a Transitional Safeguarding approach; however, translation of this into practice has not been fully evidenced or is not happening. While the social policy framework exists, practice and system realities impact on transitional approaches.

Participants within the research were reflective about the differences between probation and youth justice; some practitioners perceived youth justice services 'overprotective', while some also described the probation system as 'too harsh'. One probation strategic lead suggested that probation practitioners were prepared to be more flexible, recognising that maturation is a process and not an event. However, the policy level of legislation and court systems left little scope for flexibility.

Transitional approaches and arrangements

It is important to separate out 'transitions' from Transitional Safeguarding. The former tends to refer to transitions between services, whereas Transitional Safeguarding recognises that most young people will not be transferred into an adult-oriented service at 18 and may need some support to make the journey to adulthood. The two are connected as poor transitions planning can create or worsen risks for young people (Cocker et al., 2024, p143). In separating these terms, leaders and practitioners in youth justice and probation recognised the need for transitional arrangements to change from current approaches. There are strategies and protocols across probation and youth justice, such as the National Protocol for managing transitions for young people moving from youth justice to the Probation Service (HMPPS et al., 2021), but practice and system realities impact on how transitional support is offered to young people. Changes to practice may require a move away from rigid structures in probation and offer practitioners more flexibility in working in a personalised way with young people. This requires a whole systems response and culture change.

Most young people subject to youth justice and probation service supervision are male. This raises issues for service development for young females as a minority group, particularly as they have a different offence profile. The differences in data for ethnicity between youth justice and probation requires further investigation in terms of the impact it may have on how services are developed for minoritised individuals. Neurodiversity and speech and language difficulties (including pre-diagnosis) are cited as common themes related to EEDI, along with mental health difficulties, care experience, sex and gender, sexual orientation and race/ethnicity. Regional (e.g. Southern versus Northern English) and rural-urban differences affect available support infrastructures, particularly for lesbian, gay, bisexual, trans and queer (LGBTQ+) or Black and other Global Majority young people. There are also concerns about systemic adultification¹ affecting these young people in the youth and criminal justice systems.

Implications for senior managers to consider

Systems leadership

Themes emerging from the research present opportunities for senior managers to explore working across organisational boundaries, to support transitions.

Poverty and housing were identified as key areas that impact on young people making the transition to adulthood. There is an identified need for initiatives to support young people to access stable accommodation. This resource from St Basils may be a useful starting point: [Finalframework3_YouthJustice.pdf](#).

Barriers to accessing support were recognised as potentially arising from different geographic boundaries of service responsibility. For example, service boundaries of youth justice may not overlap with those of probation; or health systems operating to different footprints. Senior managers need to take a boundary-spanning approach, proactively working with local leaders to address system gaps. These findings support governance and leadership approaches as set out by HM Inspectorate of Probation: [Governance and leadership – HM Inspectorate of Probation](#).

Organisational change

Youth justice and probation services have differences of approach, some of which is as a result of statutory requirements. Probation practitioners may be able to work more flexibly with some young people, for example adjusting appointment times to meet the needs of the young person and so enabling them a better chance of maintaining appointments, or taking account of their past experiences in considering maturity. Such changes will require local services to adapt their culture, and senior managers have a key role within this.

The research identifies the need to link EEDI policy and frameworks; doing this at an organisational level may support systems level work, for instance developing anti-discriminatory practice and leadership skills across multi-agency partnerships.

Participation is a cross-cutting theme, with variance between probation and youth justice services in terms of how well participative approaches are embedded. There are opportunities to share learning between the youth justice and probation settings to support the development of participation.

Data

Some key experiences that may affect a young person's experience of maturation – for example, being care-experienced – are not considered a protected characteristic. This highlights the need for leaders to promote curiosity and critical thinking within data collection and use. There is not always a specific focus on young people in the data, while data in relation to neurodiversity and autism is not clearly captured. There is a need to review the data that are collected, to actively use that data to improve the offer to young people, and identify biases or gaps in data collection.

Learning and development

The findings highlight that there could be opportunities for learning across probation and youth justice services, and that this might enable greater coherence. Senior managers could consider the following:

- creating opportunities for shadowing across youth justice and probation, shared training, and structured skills-exchange opportunities
- learning and development to support the use of evidence in practice that extends beyond existing toolkits and frameworks to promote an evidence-literate approach in which professional curiosity is emphasised
- learning and development opportunities for both youth justice and probation, to support relationship-based and trauma-informed practice, including within a secure setting.

Work may need to take place to link EEDI policies and related frameworks, to practice. This can be achieved through mapping frameworks to policy, alongside learning and development activity to support EEDI becoming embedded into practice.

Implications from full report: reflections and actions

Implications 1 and 2

- Transitional Safeguarding should be embedded within the existing National Transitions protocol. This should address how the six key principles are applied at different levels of the professional system.
- Principles of Transitional Safeguarding should be woven into relevant inspection frameworks, with accompanying support resources for service leaders.

These recommendations have been grouped together, because the work that local leaders can do to support them is aligned.

Reflection questions

- To what extent are the six key principles of Transitional Safeguarding embedded at all levels within your organisation, or your local system?
- If the principles were embedded in the inspection framework, what resources would you need to support you as a leader in meeting these expectations?
- How do you use your expertise and that of your service to influence national policy?

Actions to consider

- Review the progress that your organisation/local system is making in working to the six principles.
- Work with national leaders to make the case for Transitional Safeguarding to be embedded in the national transitions protocol and within inspection frameworks.
- Make recommendations for the development of national resources to support the implementation of the principles.

Implication 3

- Both services should be trained together on transitions and Transitional Safeguarding policies and protocols so they can deliver the changes needed in both organisations and understand the differences between transitions planning and Transitional Safeguarding.

Reflection questions

- What shared learning opportunities are you creating for teams from both (youth justice and probation) services?
- As a leader, how are you articulating the differences between transitions planning and Transitional Safeguarding?
- How well do your policies and protocols differentiate between transitions planning and Transitional Safeguarding?

Actions to consider

- Develop shared learning and development opportunities across youth justice and probation services, specifically exploring the differences between transitions planning and Transitional Safeguarding.
- Review policies and protocols to ensure they reflect the difference between transitions planning and Transitional Safeguarding.

Implication 4

- Relational, developmentally-informed practice should be foregrounded in policy, training and inspection – and modelled by service leaders.

Reflection questions

- How embedded is relational and developmentally-informed practice in your organisation?
- How well do your local policies and your learning & development offer foreground relational, developmentally-informed practice?
- How are you modelling these approaches as a leader?

Actions to consider

- Review local policies and learning offers to understand how they foreground relational, developmentally-informed practice.
- Work with other senior leaders to develop shared approaches to embedding relational, developmentally-informed practice within services. Working together may avoid duplication of effort.
- Work with national leaders to explore embedding these approaches into inspection frameworks.

Implication 5

- There should be specific emphasis on Transitional Safeguarding in policies, protocols and training so that staff understand the safeguarding risks for young people themselves as well as the risks they may present to others.

Reflection questions

- How well do your teams understand Transitional Safeguarding?
- What reference is there to Transitional Safeguarding in policies, protocols and learning offers?
- How do you promote the importance of considering young people's own safeguarding needs, whatever their age or criminal behaviour?

Actions to consider

- Joint commissioning of learning and development in relation to Transitional Safeguarding practice, across youth justice and probation services.
- Review policies and protocols to ensure that there is sufficient emphasis on Transitional Safeguarding. Senior managers across services could work together to avoid duplication of effort.

Implication 6

- Youth justice and probation services should prioritise forging good (local) connections with education and employment routes, as this is essential to safeguarding young people within the justice system.

Reflection questions

- To what extent are your teams working across multi-disciplinary settings, particularly with partners in education and employment related services?
- How are you working with other leaders across your local system to support effective working between your service and education/employment-related services?

Actions to consider

- Purposefully act as conveners of local system leaders to foster shared goals and aspirations for the young people within your services.
- Review current practice in relation to working with education and employment-related services.
- Model effective cross-organisational working.

Implication 7

- *The quality of services delivered to young adults in the Probation Service report* (HM Inspectorate of Probation, 2024) reviewed transition services for young adults in probation services. There are three recommendations that also apply to this work and should be delivered across both services. They are:
 - ensure access to services and support is equitable for all young adults with protected characteristics and make sure that addressing diversity, particularly in relation to race and ethnicity, is prioritised
 - continue to develop learning programmes that enable staff to assess maturity, adopt a disability and trauma-informed approach and discuss discrimination and its impact with young adults
 - ensure that any barriers to staff requesting or accessing information from partner agencies, including youth justice services, are addressed by senior managers.

Reflection questions

- How confident are you that the service you lead is providing equitable access to services and support?
- How well are you using your local data to understand the profile of young people you are working with?
- To what extent is your local learning offer supporting practitioners to assess maturity, adopt an anti-oppressive and trauma-informed approach, and discuss discrimination and its impact with young adults?
- Are there issues around accessing and requesting information within your local systems? Is your service a barrier or an enabler in terms of information sharing?

Actions to consider

- Review current data on young people being supported by the service and use that data to inform continuous improvement to practice and services.
- Where there are gaps in the data collected, consider raising this nationally.
- Review workforce development plans to ensure that learning programmes address the areas highlighted by the research.
- Review information sharing protocols and practice.

References

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This briefing was prepared by Lisa Smith (RiP/NCB); Professor Christine Cocker (UEA); Dr Nathalie Huegler (RiP/NCB); Dr Birgit Larsson, Dr Ben Baruch and Dr Natasha Rennolds (UEA); Raquel Vieth and Dez Holmes (RiP/NCB).

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1st Floor Civil Justice Centre
1 Bridge Street West
Manchester
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The HM Inspectorate of Probation Research & Data Analysis Team can be contacted via HMIPProbationResearch@hmiprobation.gov.uk

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