HM Inspectorate
of Probation

# Exploring Contextual Safeguarding in youth justice services

HM Inspectorate of Probation

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# Executive summary

## Context

Contextual Safeguarding (CS) has developed as a safeguarding approach for practitioners to recognise contextual dynamics and children's exposure to extra-familial harm (EFH). Within CS, practitioners (and the systems in which they work) assess neighbourhood, schools or peer groups to understand the contextual factors that are contributing to the harm and abuse of the young people who are associated with it. Interventions are then developed within the contexts where that harm has occurred, through relationships building, advocacy, training, policy and practical action, alongside support to the affected young people. Initially focused on and piloted within children's social care, the approach has generated much interest from youth justice services (YJSs) across the country. It is evident that EFH crosses into YJS boundaries and collaborative work through the CS approach that is already underway within some local service areas across England. Safeguarding responsibilities are currently overseen by multi-agency Safeguarding Partnerships made up of three statutory partners – police, health and local authorities. These partners are free to arrange their local provision and to involve other agencies as they see fit. Probation and YJSs are frequently invited to attend and have a duty to cooperate. However, it is not currently clear what the exact role of YJSs could or should be; and whether and what processes and mechanisms they are using to utilise CS approaches for the purpose of their own casework.

To date, there has been no research explicitly exploring how CS is being understood or used within the youth justice (YJ) context, representing a critical gap in knowledge. Firmin's [Academic Insights paper 2020/07](#) usefully provides suggestions on the potential use of CS within YJSs. This research seeks to build on this and provide an initial evidence base in exploring the use of CS within YJSs.

In theory, CS is realised if a system operates strategically and practically across the following four domains:

1. **Target:** seeks to prevent, identify, assess and intervene with the social conditions of abuse (rather than being solely focused on individual behaviours abstracted from context).

2. **Legislative, policy and practice frameworks:** incorporates extra-familial contexts into traditional child protection and safeguarding frameworks (as contextual work has historically been located within community safety and crime prevention) and views young people through a welfare lens rather than a criminal lens.

3. **Partnerships:** develops partnerships with sectors, services and individuals who are responsible for the nature of extra-familial contexts (rather than only working with services intended to support individuals and families).

4. **Outcomes:** uses contextual, as well as individual, outcome measures to monitor impact.

## Approach

To explore whether the work of YJSs aligned to these four domains, and in what ways, the research focused on professionals' experiences and perspectives, using a mixed methods approach. This included a survey, interviews and focus groups with both practitioners and managers, alongside a review of case files, strategies and plans.

## Key findings

1. There was limited understanding of CS amongst participants and conflation of the term with EFH and seeing a young person in context. A number of participants stated that they had been taking a CS approach for years within the service, and then went on to describe an approach that saw a child in context (an ecological approach) rather than an approach that provided safeguarding responses into contexts (a CS approach). There is much

opportunity to build on the alignment between the approach of YJSs and CS, particularly through the consideration given to peer relationships and extra-familial contexts in the work completed; and the partnership work that takes place between young people and YJ professionals. For this work to reflect a CS approach, it would need to result in YJ practitioners identifying and referring contexts where young people are at risk of harm in wider multi-agency partnerships and/or explicitly identifying those contexts as part of their assessments of young people's needs. Much more work is needed to build this type of consistent understanding in the sector.

2. The relationship between YJSs and social care in local areas appears to impact how CS is understood and presented by YJ professionals. CS requires leadership from children's social care and is principally about safeguarding the welfare of young people impacted by EFH. As such, for YJSs to directly engage in this work, it would need to be via explicit partnership working with social workers, as opposed to solely working on extra-familial risks with policing and wider criminal justice agencies. In general, participants spoke in far more detail about partnership work with the police, and the challenges of this, than partnership working with children's social care. In some sites where children's social care have been developing work on CS, reference to this was noticeably absent from YJS strategic documentation but was included in wider safeguarding strategies and practice tools in the area. Where YJSs did reference CS in their own strategic documentation, these references were not reflected in the accounts provided by professionals to suggest that the approach was sufficiently integrated. Moreover, one would expect to see relationships between children's social care and YJS referenced in strategic documents if a commitment to CS has been made.

3. The positioning of YJSs presents an ongoing challenge of adopting a CS approach. YJ professionals are working with young people on grounds that are related, in some way, to offending (either at risk of offending, or having committed an offence), including when offences have taken place in the context of exploitation or other forms of EFH. Given this responsibility, it is unsurprising that the police were often referenced as key partners, who were both challenged by, and worked alongside, YJ practitioners. There are criminal justice requirements that YJ practitioners must follow; including in situations where they may believe that a young person is at risk from others as well as posing a risk themselves. However, in their accounts of young people who were at risk of, or experiencing, EFH, YJ practitioners described extensive efforts at advocacy, challenging criminalisation decisions, and highlighting young people's vulnerability. Operating at this interface can be highly challenging. The advocacy work described requires far more understanding, and its potential connection to the adoption of a CS approach. Such advocacy could result in increased social care involvement in a young person's life and a decrease in the involvement of criminal justice agencies over time. Without further consideration of this element of their work, the extent to which YJ professionals prioritise advocacy is likely to be inconsistent and influenced by a myriad of other factors including capacity and the quality of partnership relationships.

4. The relational approach adopted by many YJSs provides fertile ground for adopting a CS approach. Many participants described their successes at working alongside young people, and the success that their services had more broadly in engaging with adolescents. This may be a key area where YJ practitioners are likely more experienced than social workers – with all the young people they support being adolescents, compared to this age group making up a proportion of those supported by child and family social workers. This opportunity could be built upon in two ways:

   o YJ practitioners could be more consistently supported to use CS resources in the delivery of their work; for example, building safety mapping exercises into their assessments. Such work requires trusted relationships between young people and professionals, and given that these appear established in some services, a next step would be to maximise these relationships by working with young people to

identify contexts where they feel unsafe, so that these can become the subject of safeguarding referrals.

    o   There is the potential for YJ practitioners to work together with social workers in their work to engage young people in conversations about contextual safety. This type of partnership working has been observed outside of this project between youth workers and social workers, and has ensured a safeguarding perspective from social workers, and a youth-centred perspective from youth workers, both of which can be utilised in developing CS approaches.

5. The nature of interventions provided by YJSs remains overwhelmingly focused on individuals. This includes in situations where young people may face risks, or pose risks, together. One site provided an example of a group work intervention they developed to work with a group of friends who were all open to their service and who were at risk when together; however, this was presented as an exception and something that required further resourcing to be sustained. From a commissioning perspective, therefore, YJ professionals require greater access to a range of interventions that could be called upon to address contextual factors impacting the safety and wellbeing of the young people that they support. While some of this may sit with children's social care in a coordinating role for responding to contexts, group work at a minimum is likely required within a YJS itself.

6. At this stage our data would suggest that there is much interest in, and support for CS, amongst a number of YJ professionals, and that specific elements of their work aligns well to the overall approach; but there is yet to be a service-wide adoption of CS in any YJS to help us fully understand the implications of future implementation.

Points of alignment and areas for development between the work of YJSs and CS can be summarised as follows:

| CS domain | Alignment | Areas for development |
|---|---|---|
| Target | • YJS assessment frameworks recognise contextual factors<br>• AssetPlus includes space to record external drivers of harm | • Limited access to services or interventions with contexts (ad-hoc examples, of peer group work, were inconsistent)<br>• All YJSs needed a clear safeguarding route for referring contexts where extra-familial harm was a concern |
| Legislative Frameworks | • Child First and child-friendly language and principles aligns with a child welfare approach to extra-familial harm<br>• YJS advocacy to recognise safeguarding needs of young people identified as offending in the context of extra-familial harm | • Reviewing the balance in relationship between YJSs and policing and social care<br>• Established relationships with children's social care to facilitate shared approaches to contexts associated with extra-familial harm (reflected in strategic documents as well as practice) |

| | | |
|---|---|---|
| Partnerships | • Young people positioned as partners in the development of their plans<br><br>• Challenge of statutory partners in the form of advocacy for young people in need of protection | • Limited evidence of partnerships with non-traditional safeguarding and community partners (required to build responses in extra-familial contexts)<br><br>• Information-sharing activities often undertaken to facilitate community safety disruption work rather than to support child welfare assessment and intervention of extra-familial contexts |
| Outcomes | • AssetPlus has space to record external factors. This can be used to document contexts in which to situate any offending identified | • Yet to establish contextual KPIs at either service or national level for monitoring outcomes of YJ interventions |

## Implications and recommendations

As a result of these findings, we recommend that the Youth Justice Board (YJB):

- issues a clear, working definition of CS that YJSs can use which describes it as an approach to responding to EFH

- reviews current guidance/training to ensure that CS is not described in ways that implies it is solely about seeing a child in context or responding to EFH

- considers introductory training or webinar provision to allow a consistent understanding of what the approach entails within YJSs

- identifies and disseminates case studies in which CS has been implemented by YJSs (in a manner that would align to this report).

To adopt a CS approach, we recommend that YJSs:

- identify pathways for making safeguarding referrals related to contexts associated with EFH that are being used, or under-development, in the local area

- use supervision and formulation meetings to identify contexts in which young people they are supporting are at risk of EFH and the extent to which risk in these contexts is changing (and any associated impact on young people's behaviour)

- encourage practitioners to build safety mapping and peer assessment activities into direct work with children and young people, as a means of identifying what makes young people feel safe/unsafe in contexts where they spend their time.

# 1. Introduction

The youth justice system in England and Wales has forever been a site of rapid and regular policy development, often swinging between more punitive and more welfare-focused approaches. This parallels and responds to the continued discourse throughout history surrounding young people. Consistently represented 'as trouble' or 'in trouble', twin discourses of 'control' and 'care' have shaped the governance of youth through successive waves of state intervention in the UK (Griffin, 1993). Intensified attention has been paid to YJ policy and practice since the significant changes brought about by the Crime and Disorder Act in 1998, including the inception of the YJB (for England and Wales) and the establishment of multi-agency Youth Offending Teams (YOTs) in all local authority areas.

In their analysis of 34 local authority YJ plans, Smith and Gray (2019) identified a range of contrasting models of provision in place at that time, from traditional offender management approaches to children's rights-based approaches. The multi-disciplinary nature of YOTs was integral in their founding, which is fundamentally different to contemporary safeguarding teams. Though a strength, the co-location of different agency practitioners within one service, brings with it a tension in balancing welfare and crime agendas.

The YJB has steadily moved to more progressive approaches to YJ (Case and Haines, 2018), most recently in its more systematic adoption of a Child First focus (YJB, 2018) within its standards (YJB, 2019) and case management guidance (YJB, 2022), promoting the importance of children's individual strengths and capacities to develop pro-social identities, alongside the need for meaningful collaboration and supportive relationships that empower them to fulfil their potential. The need for child-friendly justice, which has its origins in international human rights legal frameworks (Goldson, 2019; Forde, 2022) has also been promoted over recent years, emphasising the importance of social justice responses.

Desistance research has been increasingly influential, highlighting the importance of individuality – since the process of giving up crime is different for each child – and the need to focus upon working with children, the development of relationships, and building upon their strengths and protective factors (Ward and Maruna, 2007). Desistance theories draw attention to the significance of social and situational contexts, and the need to create opportunities for change, participation, and community integration. Similar to risk factors, protective factors have been identified at the individual, family, community and society levels (Early Intervention Foundation, 2015; Public Health England, 2019; Youth Endowment Fund, 2020), recognising the importance of considering the child in the context of their lives and the society they live in.

There has been increasing focus on trauma-informed practice, which is rooted in desistance and strengths-based models, with the child at the centre of the process, allowing their voice to be heard and enabling them to move forward at a sustainable pace (McCartan, 2020; Evans et al., 2020). A social-ecological framework has also been promoted, which sees children in terms of 'their relationships with their immediate environment of family, friends, school and neighbourhood and the wider sociocultural, political-economic context' (Johns et al., 2017).

Building upon the research evidence, there has been an increased commitment to diversion and liaison, and the YJ system has seen an impressive reduction over the last 15 years in the numbers of young people involved in the system and detained in custody. Whilst these reductions are welcome, they are caveated with the increased overrepresentation of black and racially minoritised young people and care-experienced young people. This disproportionality increases further, the deeper young people are processed into the system (Lammy Review, 2017).

**Extra-familial harm and youth justice services**

Numerous young people affected by EFH will commit offences in the context, or as a consequence, of that harm (Cockbain and Brayley 2012; Firmin, et al., 2022; National Child Safeguarding Panel, 2020). The extent to which this relationship is understood and reflected in legislation, and how services are positioned to respond, has changed over time. While complex, for the purposes of this report there are three key factors to consider.

1. When the Children Act 1989 was introduced the intention was to separate out child protection responses to children who 'were suffering or at risk of suffering neglect or abuse' from YJ responses for children who were 'delinquent or naughty children – those who were out of control, falling into bad associations or in moral danger' (Hale 2019:2). Young people affected by EFH often fell into the latter category, and children who offended in this context were generally viewed as outside of child protection processes. Since 2009 onwards, there has been a gradual shift to position these children back within child protection, and wider safeguarding, processes to avoid the criminalisation of young people who themselves are victims of harm.

2. Framing young people impacted by EFH within a safeguarding, as opposed to justice, arena has been achieved in part via legislative and policy changes; particularly in the arena of child sexual exploitation and to an extent situations of peer-to-peer sexual abuse and harassment. In 2016, the phrase 'child prostitution' was removed from policy and legislative documentation; in recognition that it was not possible for children to 'prostitute' themselves. There has also been much debate about the place for criminal justice sanctions for young people who share indecent sexual images of themselves and/or of their peers, with policies preferencing de-escalation and minimal involvement of criminal justice agencies in these circumstances. Such developments do not address wider offending that may occur in the context, or as a consequence of, EFH, but they are indicative of efforts to avoid the criminalisation of abuse.

3. Most recently, young people's experiences of 'serious youth violence', criminal exploitation, and to a lesser extent radicalisation, have been framed as safeguarding issues. They all present a risk of significant harm to young people, and for the most part this harm occurs outside of the relationship a young person has with their parent/carer. A range of serious case reviews (Hill, 2019; Drew, 2020), and thematic reviews (National Child Safeguarding Panel, 2020; Ofsted; 2011), have highlighted that despite wider safeguarding narratives, young people affected by these issues are largely responded to through community safety and criminal justice, as opposed to child protection, pathways. For some, the offences that occur in these contexts of harm, such as possession of drugs with intent to supply, weapon possession and serious physical violence, remain criminal offences legislatively and are viewed as such culturally. Although some legislation exists to mitigate for those considered to have committed some offences in the context of being trafficked, this does not apply to all forms of EFH or all offences committed due to experiences of exploitation.

The three system challenges outlined above mean that many young people impacted by EFH will end up within the YJ system and wider systems. Numerous methods have been adopted to support YJ practitioners in their responses and approaches, including the adoption of trauma-informed practice, restorative justice, and the approach upon which this report is focused – CS.

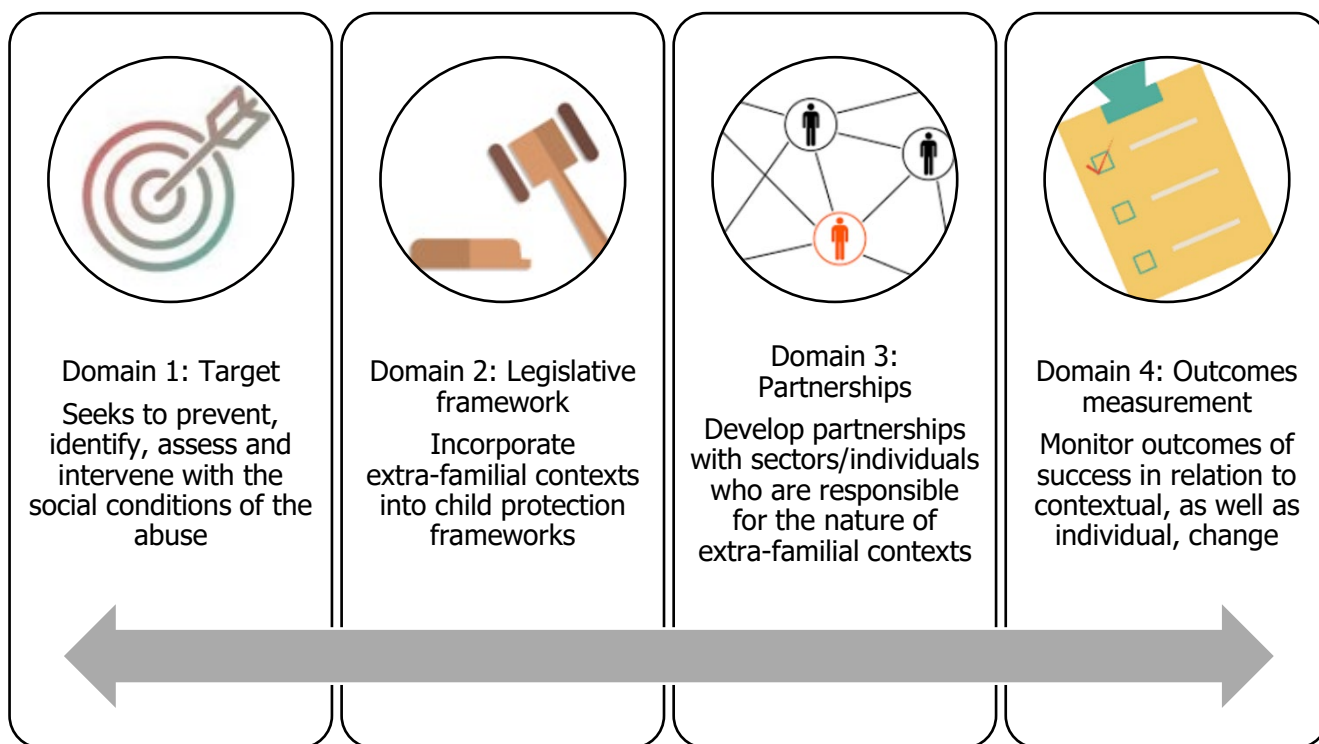**Contextual Safeguarding**

The term 'Contextual Safeguarding' (Firmin, 2015; 2020) describes an approach addressing EFHs. Within CS, practitioners (and the systems in which they work) assess neighbourhood, schools or peer groups to understand the contextual factors that are contributing to the harm and abuse of the young people who are associated with it. They then use that information to build safety by

intervening within the contexts where that harm has occurred, through relationships building, advocacy, training, policy and practical action. Alongside this, support is given to any individual young people who have been affected. It is at its core a child-welfare response to EFH; in which the issue is primarily framed as a safeguarding, and where required child protection, matter, as opposed to a criminal justice one. Its use has seen the development of social care, and wider child protection/ safeguarding (including youth work), responses to young people impacted by EFH and to the contexts in which such harm has occurred.

CS was first introduced as a framework for safeguarding systems. The framework is made up of four component parts (or domains) which require that responses to EFH:

1. target the contexts in which harm/abuse occur to change the social conditions that are conducive with abuse

2. use child welfare and child protection as the principal focus and legislative framework (both in response to the individuals impacted and the contexts where it occurs)

3. feature partnerships with individuals/organisations who have a reach into, or responsibility for, the places where harm has occurred

4. are measured for their contextual, as well as individual, impact.

| Domain 1: Target | Domain 2: Legislative framework | Domain 3: Partnerships | Domain 4: Outcomes measurement |
|---|---|---|---|
| Seeks to prevent, identify, assess and intervene with the social conditions of the abuse | Incorporate extra-familial contexts into child protection frameworks | Develop partnerships with sectors/individuals who are responsible for the nature of extra-familial contexts | Monitor outcomes of success in relation to contextual, as well as individual, change |

Any organisation, service, team, or individual seeking to adopt a CS approach would need to align their response to EFH to these four domains. Various children's services departments, and wider safeguarding partnerships, have attempted to operationalise this framework since 2017. Their efforts at implementation have illuminated opportunities in, and challenges of, using CS.

Implementation of Contextual Safeguarding to date

Between 2017 and 2022, the CS research team (at University of Bedfordshire until 2021, Durham University thereafter) tracked the implementation of the approach in ten pilot sites – all children's services departments in England and Wales (Firmin and Lloyd, 2022; Contextual Safeguarding Scale-Up Toolkit, 2022). During these pilots, researchers identified a number of features common in systems that adopted the CS approach and recognised a need to promote the underpinning values (Firmin, 2020; Wroe, 2021) of the approach to ensure it was implemented as intended.

Learning from this period was published in an implementation toolkit, first in 2019 and then updated in 2022 ([Scale-Up Toolkit | Contextual Safeguarding](#)).

Involvement of YJSs in the testing of Contextual Safeguarding

To date, all tests of CS have been led by children's social care departments. However, a number of these departments have involved YJSs in pilot activities, particularly in areas that are developing 'Young People's Services' that bring together social care responses to EFH, social care services for young people at risk of going into care during adolescence, youth work, and YJSs. Some of this early work has provided case-study level insights into the potential role of YJSs, within multi-agency partnerships that are adopting CS.

An [Academic Insights paper](#), published by HM Inspectorate of Probation in 2020, shared some of this emergent learning. In particular, it included two case study examples of how YJ practitioners had engaged with the ideas of CS to:

- identify extra-familial push and pull factors impacting young people's safety, as well as offending, and coordinate plans around associated locations and groups

- escalate concerns with children's social care for wider safeguarding issues to be addressed alongside responses to specific offences for which a young person was working with the YJS.

Since this time, the CS team has established a YJ learning group, with representation from 20 YJSs from England and Wales. In addition to the 10 formal pilot sites, the team are also in touch with a further 59 local areas where children's social care leaders have made a strategic commitment to CS – these areas have formed a local area interest network across England, Wales and Scotland, and meet in regional groups to share learning and provide peer support. The CS research team have also presented at YJB conferences and have been commissioned to provide training for YJ practitioners in several areas. Across the YJ learning group and the local area interest network, the research team have become increasingly aware that there is much more to understand about the opportunities for, and challenges of, applying CS in a YJ setting. This report goes some way to address this gap in knowledge, to identify where practice may go next.

# 2. Findings

This research sought to investigate the use of CS within YJSs in England and Wales. In theory, CS is realised if a system operates strategically and practically across the four domains: target, legislative, partnerships, and outcomes.

The research aimed to:

- understand to what extent YJSs visions and strategies focus upon CS

- explore how YJS staff are empowered and/or supported in implementing a CS approach in their work with children

- understand the roles and relationships with partner agencies in implementing CS approaches

- explore how CS approaches are integrated into case management at assessment, planning and delivery stages, taking into account alignment with other approaches, e.g. trauma-informed practice

- explore enablers and barriers to integrating CS approaches into YJS work

- identify the perceived benefits and limitations to using a CS approach

- identify good practice and develop recommendations on how best to integrate CS.

To address these aims and explore the four domains, the research focused on professionals' experiences and perspectives, using a mixed methods approach. This included a survey (n=57 respondents out of 157 YJSs), alongside interviews and focus groups with both practitioners and managers (n=30 participants), and a review of case files, strategies and plans for five YJS fieldwork sites. Recruited through the CS local area interest network, these sites represented a good geographical spread and varying degrees of engagement with activities in the CS research programme. These fieldwork sites, along with qualitative responses to the survey, are referred to throughout the qualitative findings and discussion relating to the four CS domains below (sections 2.2 – 2.5).

The mixed methods elicited a vast amount of data, rich in depth, detail and nuance. The data addressed the research aims, exploring depth of understanding of CS and its adoption within YJSs and/or application by practitioners and its inclusion (or not) within vision and strategy. The data also drew out practitioners' experiences, confidence and levels of support, also reflected in casework. Partnership working was explored and the benefits and enablers of CS, along with limitations and barriers were drawn out. In addressing the research questions, the findings have been analytically organised into the four CS domains. This enables a clearer vision and understanding of the extent to which CS is understood and practiced, the strengths and opportunities for moving to a CS approach, and the gaps in knowledge, strategy and practice, within and across the four domains. It is hoped that this analytical framework will more clearly enable the identification of operationalisable next steps.

There is much interconnection and overlap between the findings and domains, and repeated issues and themes have been signposted. For each domain, the findings first provide a general overview and what might be expected within YJSs in order to address that domain, followed by analysis of the key relevant issues. The findings integrate analysis of the focus groups, interviews, case studies and document review. There are several key overarching findings that preface the analysis under each domain.

- There was limited understanding of CS amongst participants and conflation of the term with EFH and seeing a young person in context. Much more work is needed to build a consistent understanding.

- The local relationship between the YJS and social care impacts how CS is understood and presented. For example, in some sites, children's social care lead on CS and so specific mention of CS is not in YJS documentation but is, or would be, in wider safeguarding documentation. Conversely, some YJSs specifically have CS within their YJS documentation, though in no cases was this embedded.

- Positioning of YJSs in respect of social care and criminal justice is key. Policing partners were referenced far more frequently than social care – albeit often highlighting challenges in those relationships. The partnerships that are prioritised need to be appropriately balanced with a focus on safeguarding and child welfare.

- From our data, no YJS has embedded CS into their service or actively introduced CS to practice working with young people.

## 2.1 Survey findings

The survey was distributed to all YJSs across England and Wales (total of 157) and 57 YJSs (one respondent per YJS) responded. The participants who completed the survey were almost entirely service or team managers. The survey responses reflect the findings from the focus groups, case reviews and documentary data, in particular:

- the disconnect between practitioners feeling confident in their understanding of CS and the substantive evidence to demonstrate this understanding

- the disconnect between practitioners feeling confident in addressing EFH and the substantive evidence to demonstrate actually addressing EFH

- less confidence in identifying contexts, implementing partnership approaches to address contexts, and measuring outcomes in those contexts.

For example, the vast majority (93 per cent) of respondents described their knowledge and understanding of CS as good, very good or excellent (Figure 1). A further 85 per cent felt extremely or somewhat confident in assessing EFH in contexts where children and young people spend their time (Figure 2). The findings sections below (for Domains 1 and 2 in particular) outline how the qualitative evidence actually demonstrates a lack of understanding of CS and a lack of responses that actually address EFH or contexts.

**Figure 1: CS knowledge and understanding**



■ Excellent  ■ Very Good  ■ Good  ■ Fair  ■ Poor
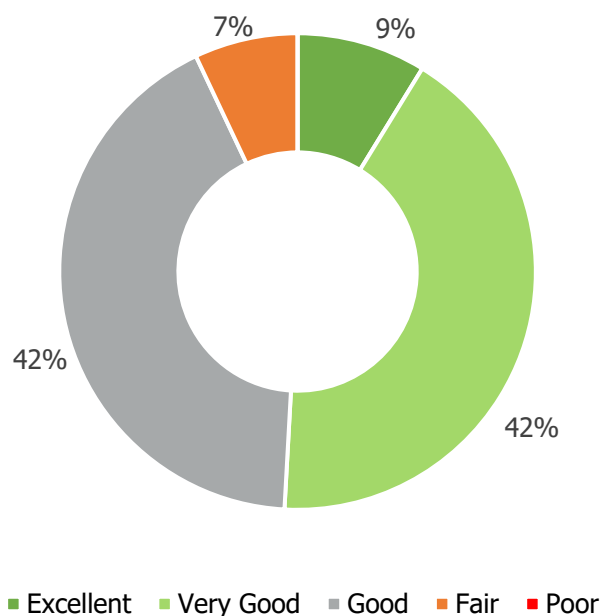
**Figure 2: Assessing EFH in contexts where children and young people spend their time**



2% 2% 9%

12%

75%

- Extremely confident
- Somewhat confident
- Neutral
- Somewhat not confident
- Extremely not confident
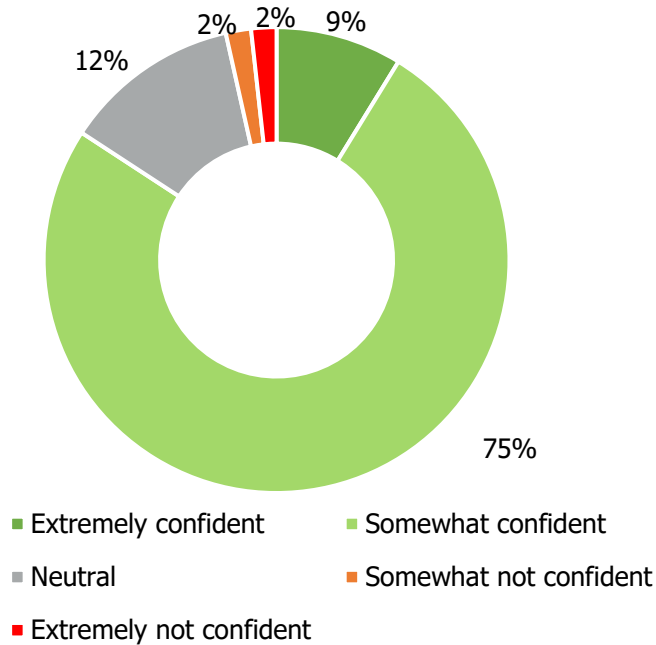
**Figure 3: Recording groups and unsafe locations where potential EFH happens**



11%

16%

30%

43%

- Extremely confident
- Somewhat confident
- Neutral
- Somewhat not confident
- Extremely not confident
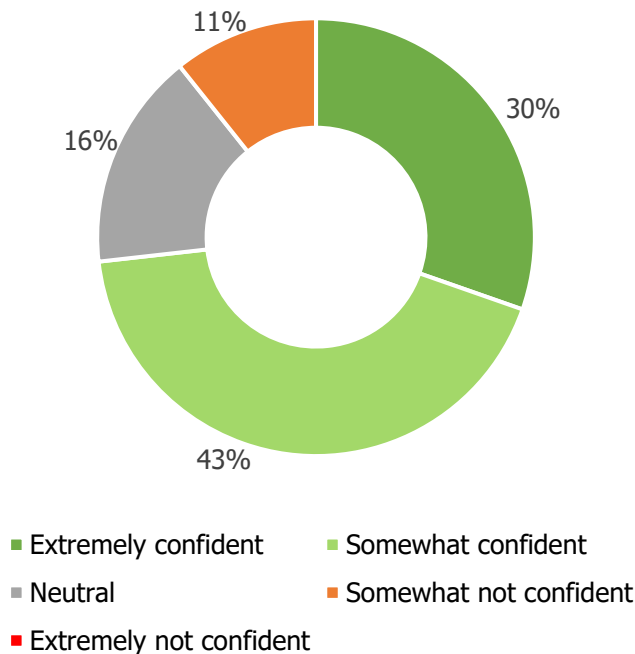
However, 73 per cent felt extremely or somewhat confident in actually recording groups and unsafe locations where potential EFH happens as part of their usual recording protocols (Figure 3). About two in three (65 per cent) reported that a lot of work is happening with public services in their local area to address potential harm in locations and the environment (Figure 4), yet the qualitative evidence below (see Domain 3) does not fully substantiate this.

**Figure 4: Work with local public services to address potential harm in locations and the environment**
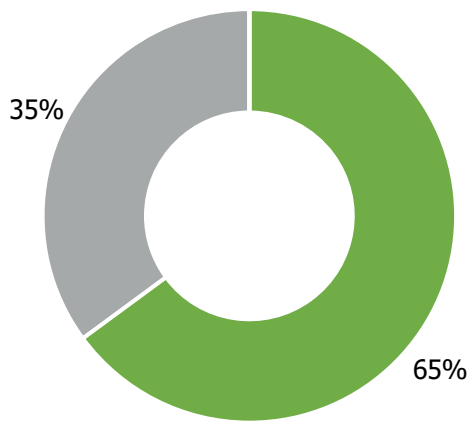


- A lot of work is happening
- A small amount of work is happening
- No such work is happening
- Not sure

Finally, 70 per cent felt that they are part way to being able to measure whether safety is being created for groups and locations in their service and area (Figure 5). Again, as Domain 4 demonstrates below, there is very little evidence of outcomes measurement in relation to EFH or contextual factors.

**Figure 5: Measuring whether safety is being created for groups and locations**
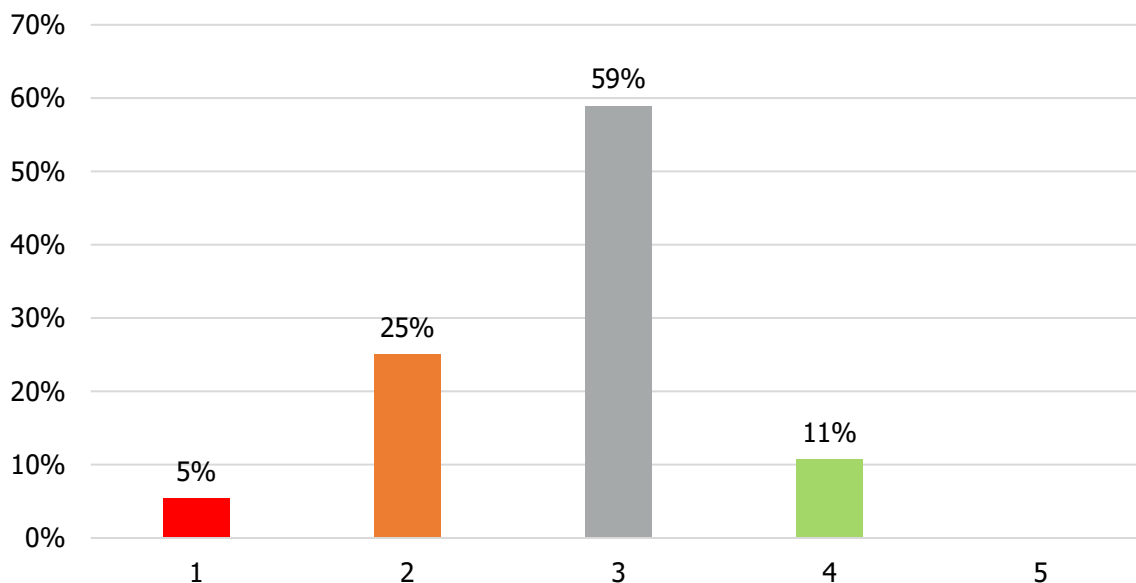


**1 = not starting; 3 = part way there; 5 = fully implemented**

The survey also demonstrated the overwhelming support for adopting a CS approach within YJSs, with nearly all (97 per cent) believing CS is an appropriate/effective response to tackling EFH in YJ settings. Survey responses to identifying the key enablers (Figure 6) and barriers (Figure 7) to moving to a CS model also mirrored the focus group and case review data.

**Figure 6: Factors playing a positive role in facilitating CS implementation**



**Figure 7: Service factors acting as a barrier to CS implementation**

## 2.2 Domain 1: Target

When taking a CS approach, systems, organisations, teams, and individuals seek to target the contexts where young people have come to harm, and change the social conditions of those contexts in order to build safety. As such, CS requires far more than seeing a child (or their behaviour) in context. It is about assessing and i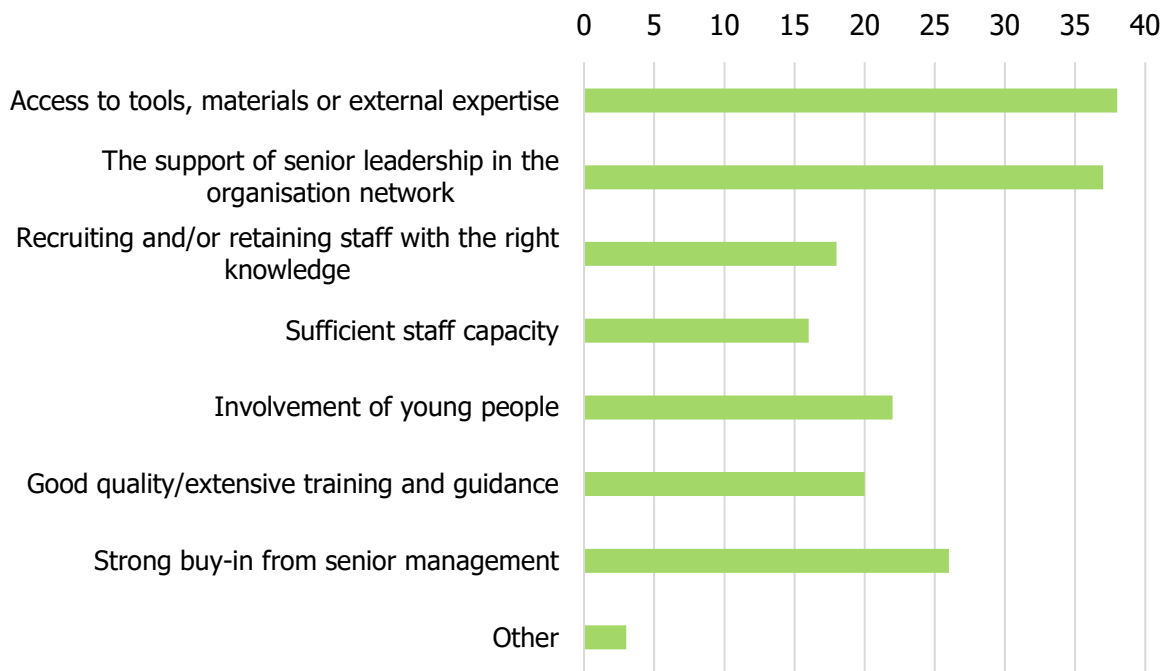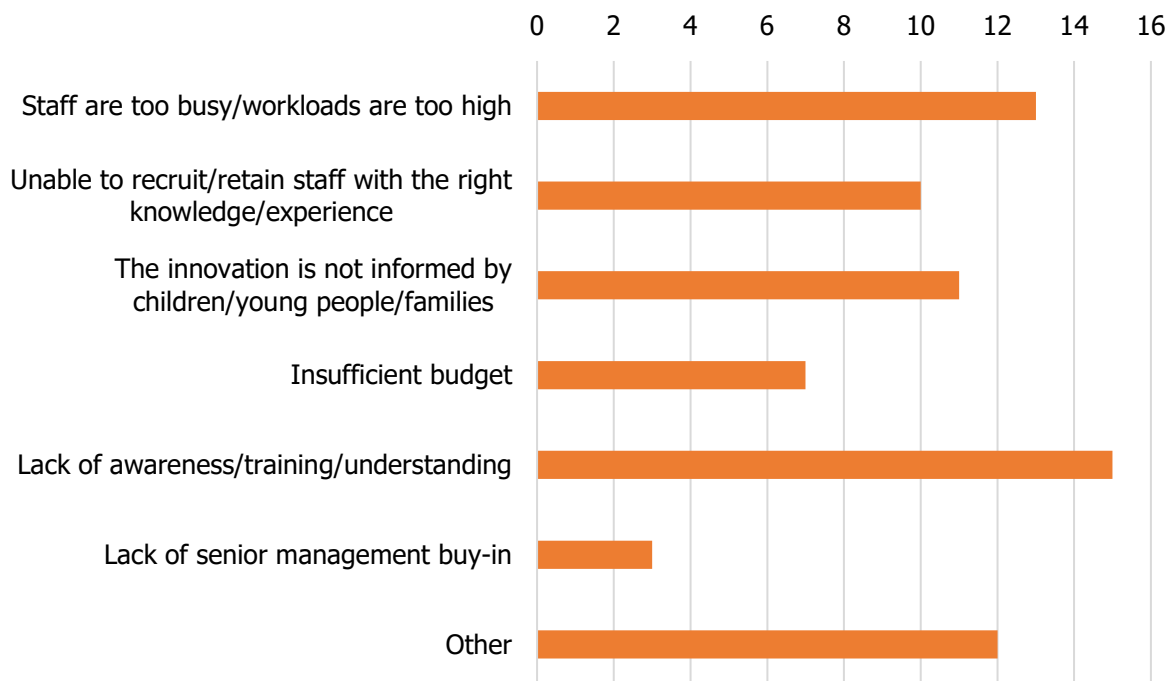ntervening with those contexts in order to build safety. This domain emphasises not only working in geographical locations in community settings but also doing so through an ecological lens. This means, rather than trying to change the behaviour of young people, the focus is on changing the context to make it more conducive to safety. This dual emphasis on both the where and the how that targeting should take place has often been less well understood in CS practice implementation (Owens and Lloyd, 2023).

To align with this domain of the CS framework, one might see the following within YJ systems, organisations, and teams:[1]

| Assessments | The use of assessments to identify where young people feel safe or unsafe, and the referral of any unsafe contexts for further consideration by social care and wider safeguarding partnerships. This could include using safety mapping activities with young people to ensure their views on safe contexts are reflected in assessments. |
|---|---|
| Context weighting | Using 'context weighting' activities at various points of the assessment, planning and response process. In short: practitioners asking which context(s) present(s) the greatest risk of harm to this young person and are our plans likely to effect change in those contexts (or have they affected change in those contexts which in turn would impact ongoing assessment). |
| Group work | Identifying opportunities to work with young people in groups, particularly when offences have been committed in groups, and/or if young people identify peers as a key source of support. Actively building in opportunities to work with young people's peer dynamics and situating behaviour change with reference to such work is important for contextualising conclusions in assessments and recommendations for plans. |

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[1] See Safety mapping with a young person; Context Weighting; Peers; Multi-agency panels).

| | |
|---|---|
| **Reflection** | During supervision and other quality assurance activities, staff are supported to reflect on the contextual dynamics impacting a young person's safety, and the extent to which these are addressed in support plans and reflected in the language used to describe a young person and their experiences. For example, challenging references to young people who 'put themselves at risk', 'make risky choices' or 'will not engage with services'; recommending statements such as, 'they continue to face risks in the community', 'they have been missing from home', 'their choices appear constrained or limited', and 'we have not been able to engage them in X service'. |
| **Multi-agency working** | Where themes emerge in respect of contextual dynamics, managers and service leaders escalate these into wider multi-agency response structures. For this to be possible, YJSs need to work as part of wider multi-agency structures in which it is possible to refer concerns about contexts. These structures facilitate a welfare-based response to extra-familial contexts (see Domain 2) and are not solely focused on crime-prevention or community safety. |
| **Space** | Space created to discuss contextual factors impacting young people being supported by the service. Practitioners are encouraged to discuss these thematic issues so that they offer a consistent response to them in respect of the different young people who may be impacted, and to recognise times when external sources of harm require strategic attention for senior leaders and wider partners. |

In analysing the data, we asked in what ways do (or could) YJSs target the contexts in which EFH occurs (and the social conditions of those contexts), and more specifically:

- what has enabled this/been a barrier?
- are they empowered to do this?
- have they noticed any limitations?

Across the five fieldwork sites, teams were targeting the contexts in which EFH occurred to varying degrees and most practitioners were at least aware of the concept of CS.

A range of factors that can potentially enable a CS approach were identified across the fieldwork sites, many of which were also considered to be key benefits of the approach. Where knowledge of CS existed (either at the practitioner level or within strategy documentation), a number of benefits were identified. In particular, CS was seen as a clear and unified approach to understanding the contextual drivers of EFH, which can also facilitate a shift in perspective within the YJS and wider partnerships, leading to a shared understanding. There was at a minimum, a level of understanding of EFH. This existing level of understanding is likely to be an enabling factor in adopting a CS approach in the future. Staff training on CS, understanding of CS and buy-in from managers and supportive supervision were enablers for services moving towards a more contextually-focused approach.

### 2.2.1 YJS work situating young people's experiences in context

There was considerable evidence of work within YJSs that situated young people's experiences in context, demonstrating an understanding of EFH in relation to context and social conditions.

> *Focus Group*: *"The focus has always been placed on the child, how can we change this child? What do we need to do to this child? Sometimes, we've got to think beyond that and we've got to actually look at those external influences and what approaches we're gonna take in terms of managing those who are putting that child at risk. So, ultimately, we've seen a bit of a shift in that sense, that sometimes, you know, focusing on the child alone is not sufficient. We need to focus on the child, we need to focus on those carers, family members but also we need to look at what, what is drawing that child into the risks… what, who is making that child vulnerable? …it's, kind of like triangulation of dealing with the child, the family, but also the person who is placing that child at risk, the external risk."*

The potential value of CS to addressing EFH within and through YJSs was well understood by some. For example, within the survey, practitioners commented:

> *Survey:* *'Children who commit offences do so in response to the contexts in which they live and spend time. Their experiences in those contexts can make them feel safe or unsafe and the way that they respond to threats and the sources of safety that are available to them will sometimes result in offending behaviour. Contextual safeguarding is an appropriate and effective response to tackling EFH in youth justice settings because it complements and enhances the assessments, plans and interventions that YOTs deliver and it reflects and reinforces the Child First principles that underpin YOT practice and the successful, mature and well-established youth justice partnerships across the country.'*

> *Survey:* *'holistic approach, when applied appropriately, draws universal services together to think about how they safeguard children. The voice of the unheard child can be brought to the forefront. YOTs have the flexibility to bring about some system change and influence other parts of the system, guided by the CS principles, research findings and practice examples from across the country. A Whole System approach supports working with parents and helping to validate children's experiences. Contextual safeguarding reflects the nature of adolescence in that most offending occurs outside the home and therefore addressing EFH is a key aspect of YOT practice.'*

Practitioners identified the focus of CS of addressing EFH and contextual factors as a clear benefit of the approach. Relatedly, this existing understanding of EFH and attempts to address contextual factors are key enablers for YJSs moving to a CS approach in the future. Practitioners described ways in which attempts are made to address EFH, including through emergent partnership efforts at community engagement to shift social conditions of contexts (visible in two sites). This involved adapting assessment tools to be more contextually focused and developing context and age-appropriate interventions.

> *Focus group:* *"All of a sudden, we had about six or seven of their mates turned up as well. They wanted to join in but we just didn't have the capacity for it so, it was obviously identifying there was a need and from the other side of it we also look at, what are the environmental factors regarding the contextual safeguarding. So, it's not necessarily just about the group of young people but it's also about, you know, what's available within the community for them to actually be diverted away from*

*the negative experiences or the negative behaviours which get them identified for the wrong reasons."*

Over the last decade, strides have been made across the YJ system to reflect on terminology and the use of language and make progressive changes in this area. At all sites, the data demonstrated the wholescale move away from 'youth offending' and 'young offenders' and adoption of a more child-friendly and Child First focus, reflected in the language used. Two sites have changed their service names to YJSs (as opposed to YOTs) and another is in the process of doing so, recognising the importance of this beyond semantics. The shift to a Child First focus and understanding of this, is an important enabler for developing a full CS approach. This language could be seen across the data; here, for example, language within strategic plans was reflected in practitioner focus group responses:

> **YJS strategy:** *'Our aims will be reinforced by a (proposed) change in service name and logo removing the stigmatising term 'offending' and in line with others in the sector, re-branding the service as a Youth Justice Service. In line with this objective this report will refer to YJS as opposed to YOT where appropriate.'*

> **Focus group:** *"You have to have an awareness of contextual safeguarding, particularly you know, thinking about the ones on my caseload, they commit serious, serious violence, they've been in custody or been on the cusp of custody, they might have been involved in drug supply, class A drugs, and it's been clear there's been an element of exploitation, related to their offending, so in those cases I guess it's been, it's been key to try and find out as much… you know using the principles we've you know, being child first, trauma informed, we emphasise that relationship building is critical in working with our cases, it's trying to sort of build rapport."*

However, it was evident across the fieldwork sites that despite widespread belief in the value of CS, there was a lack of shared understanding of what CS actually entails and of contextual drivers. This was reflected at the individual practitioner, partnership and strategy level. This has led to a disconnect between the purported aims of identifying and responding to contextual drivers and the interventions implemented with the young person. This could be seen in strategies which outlined individual-level behaviour change and in practitioner responses. For example, in one case review discussion, the practitioner mapped out the contextual and environmental risks facing the young person, but the interventions put in place only addressed the young person's behaviour or his family/home context:

> **Focus group:** *"so we worked with him about how to keep himself safe, how to avoid the people who are influencing him, the risks of exploitation and how he can stay safe and keep away from it, from them and staying away from those places [on the map]."*

> **YJS strategy:** *'Promote children's individual strengths and capacities to develop their pro-social identity for sustainable desistance, leading to safer communities and fewer victims.'*

Other responses demonstrated the confusion in understanding about CS. For example:

> **Focus group:** *"although we're talking about parenting now it's still relevant to contextual safeguarding because then the home environment is better, it's more stable, it's safer, so the contextual concerns, the extra familial harm, is reduced."*

Whilst others were able to recognise the need for CS and how it was missing:

> *Focus group:* "what we are currently, sort of, missing from our arsenal if you like, is working with young people in groups and actually working in the sites where the contextual… within the context of where the safeguarding concerns are. That sort of thing from our service I guess, will typically [be] done by detached youth workers and has been in the past."

Professional anxiety and accountability in responding to EFH can lead to knee-jerk responses. In some cases, partner agencies conflate all adolescent behaviour with signs of exploitation, which can lead to an over-reaction in response.

> *Focus group:* "it's all child protection, there's a risk averse culture isn't there because there's also, if things go wrong, you're accountable. And you know the buck stops with you, if you've made a decision to send a child back home and then they get abused."

> *Focus group:* "even when the risks have come down, and are not there in child protection conferences, the level of anxiety felt by professionals is so high sometimes that that will override the child's voice. And sometimes, there's nowhere else to go."

Responses indicated that the police can dominate within multi-agency partnerships and that care needs to be taken to avoid conflicting agendas and criminalising discourses. For example, practitioners commented:

> *Focus group:* "we've got to think about where the partners are at because some of this is very much guided by where our partners are at. You know, if the police are on-board with us, it's great but, you know, police move on, they get promoted, and then you get a different superintendent and then it's all back to seeing young people as criminals."

> *Focus group:* "when it comes to criminality it's about us identifying with the CPS and stuff like that around whether it's in the best interests to actually criminalise these young people who have been picked up on several drugs offences and possession of a weapon. It's quite a norm now and kind of us saying, 'Actually, they're being exploited, that's why the offence has occurred,' to stop them from being criminalised."

Related to contextual referrals is the need for contextually-focused assessment tools and contextually-focused, age-appropriate interventions being available. There was some tension and confusion related to this, even within teams. For example, some people thought that contextually-focused assessment tools were available, whilst others did not agree. The potential of existing frameworks and tools, such as AssetPlus[2], for facilitating a CS approach is explored in greater depth under Domain 2 below. Finally, there is a need for contextual and age-appropriate interventions being available, which was usually not the case.

> *Focus group:* "So, in the early help assessment which we use to, kind of, assess a young person and their family and their needs and the risks and their strengths, umm, there are lots of parts where a young person's voice is heard and recorded and it is a pretty holistic assessment. But there's quite a lot of freedom in how it's,

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[2] AssetPlus is the main structured assessment tool used by youth justice practitioners across England and Wales. It was designed to combine the assessment of offending-related needs and risk of serious harm with the insights of the Good Lives Model of rehabilitation and desistance theory.

*kind of, set out for the practitioner and I think still, that leads to, kind of, more of a focus around parental care." (practitioner, focus group).*

**Focus group:** *"it's really difficult capturing the contextual issues within an assessment when you've got different people checking over them, because although it shouldn't be, there's a lot of inconsistencies and my idea of what would be a contextual safeguarding concern, might be slightly different because of my lived experiences."*

The challenges of existing models and assessments was also outlined by managers in the survey. For example:

**Survey:** *'Traditional casework models are not as effective at addressing these spheres of influence as are contextual models of practice.'*

### 2.2.2 YJS practice targeting contexts/social conditions of EFH

Building on a Child First focus and adopting CS enables services to identify groups in need of support and make a case for offering group work. This represents a shift from the existing model which primarily targets the young person at an individual level. This was evident in the response of some practitioners to addressing the contexts of EFH and in some strategies. Here, a practitioner explains how they were able to move from an individual to a group response in addressing EFH:

**Focus group:** *"they had a problem with antisocial behaviour, very negative responses from the police and from the local community. So, it was a challenge number one to get the police involved because, and my view of police has changed over the years. I think police have got a much better understanding and a, you know, I'm a social worker so from a social work perspective, I'd say of police colleagues they've kind of softened actually in terms of how they deal and manage young people. And so, the response was multiagency to deal with a group of young people all involved in, I think there was maybe thirty young people named at the time, and we all did, we kind of whittled it down as a collective group to a group of about ten young people who were always there, always present in the antisocial [behaviour]. Because other children like come in and out don't they, so we whittled it down to about ten young people. Those individual young people are all supported in various ways either by YOT or [third sector service] or by school, but we actually dealt with them as a group so they had a collective response to keeping safe to knife crime, to understanding the impact of substance misuse within their groups."*

This recognition of the role of peers and groups could be seen in focus group discussions and in some strategic plans. For example:

**Focus group:** *"try and find out as much information as you can about the significant influences on their life, who are those, who are those networks of peers that they're in contact with, what do we know about them, what can we learn about them from, from others, to try help, manage the risk to the, to the child that, that you're working with, and to try and prevent further offending as well."*

**YJS strategy:** *'Children and young people can encounter both risks and safety within their peer networks and social circles, as well as in locations outside of their home. Through carrying out peer mapping exercises, practitioners can identify and understand the nature and extent of these.'*

In practice, some staff were able to discuss ways in which they or their service sought to address the context, e.g. through mapping and hot-spotting exercises with other agencies.

> **Focus group:** *"I'm thinking about one particular case where the house was constantly being attacked by another group of young people, and they, the police and the Youth Offending Service led the way in getting a flag put on the house and getting cameras and getting nightlights fitted in the family home, and then they were doing work on, with the whole family about how to stay safe and, and what to recognise."*

Where shared systems are in place for recording EFH, this is valuable and the AssetPlus framework has clear potential for capturing CS data and supporting a CS approach. As one manager noted:

> **Survey:** *'Youth justice assessments are holistic and take in to account the needs of the whole child, not just what happens within the family home. Consideration of associates, networks, places, environment, etc are all common considerations which are in line with contextual safeguarding and considerations around risk management.'*

That said, more comprehensive systems are needed, which was recognised by some.

> **Survey:** *'Some systems haven't caught up with the way we work. The infrastructure isn't there yet to work consistently in EFH way.'*

This case review analysis demonstrates the AssetPlus section for practitioners to assess EFH and the guidance provided for completing this part of the assessment.

> **AssetPlus:** *'Practice point - this is where you can identify any contextual/ extra-familial strengths and concerns: Is the young person being adversely affected by specific local tensions, pressures or issues?'*

| Is the young person being adversely affected by specific local tensions, pressures or issues? | Yes ▾ ⊙ |
|---|---|
| **Further exploration:** | |
| Ethnic/racial tensions ☐  Local offending patterns ☐  Other ☐ | |
| Radicalisation pressures/influences ☐  Locally-specific substance use trends/culture ☐ | |
| Please provide as much detail as possible here: ⊙ | |

However, despite an awareness of the contexts and social conditions of EFH, there was very little evidence of practice targeting these contexts. Despite the progressive change of terminology to a more child-friendly and Child First focus, responses and interventions remained steadfastly individualistic in focus, targeting the young person and their family, with no mention of or attempt to address the extra-familial context. For example, within casework, occasionally the context was identified as Risk Outside the Home (ROTH), EFH, child criminal exploitation (CCE), child sexual exploitation (CSE), and targeted, but the interventions put in place were focused on the young person. At worst, some individualising, responsibilising and stigmatising discourse was still evident.

> **Focus group:** *"With that relationship being built then there's more of a safeguarding in place for children putting themselves at risk."*

> **Survey:** *'professionals are not using appropriate language when describing victims and concerns.'*

Where activity and intervention reached beyond the young person and/or family, this generally focused on disrupting risk rather than building safety. This was evident from strategies through to practitioner responses. For example:

> **YJS strategy:** *'Disrupting exploitation of young people, ensuring perpetrators are targeted, push and pull factors of exploitation are understood, and supporting young people away from exploitation.'*

> **Survey:** *'In principle, a contextual approach to harm which enables 'the source' issues to be targeted is a powerful approach. Issues arise in that systems and processes (e.g. recording systems) are not necessarily configured to support and some partners still much more focussed on individuals (victims, survivors) than perpetrators.'*

There was also frequent incorrect use of the term CS (often referred to as 'contextualised' safeguarding and applied to issues and situations incorrectly) and demonstrable lack of understanding of CS. Thus, the data highlights tension in practitioners' engagement with the concept of CS – while the data demonstrates that practitioners claim to understand CS and that they can identify its potential value within YJSs, deeper analysis predominantly reveals a lack of understanding of what a CS approach actually involves and what this would look like in practice. This lack of understanding was identified by some managers in the survey. For example:

> **Survey:** *'Poor and untimely practice, lack of practitioner/social workers/managers understanding, of analysing contextual safeguarding risks, lack of clarity of departmental approach to working with adolescent children and contextual safeguarding. No described collective understanding of what is contextual safeguarding.'*

> **Survey:** *'Key leaders don't always understand the CS approach, it can make team members feel powerless as we don't have access to the resources e.g. appropriate accommodation and education.'*

### 2.2.3 Wider understanding and knowledge within YJSs and partnerships to facilitate a shift in understanding EFH as contextually driven

The ability of YJSs to embed Domain 1 relies on wider structures and processes within safeguarding partnerships and social care to accept referrals for contexts, commissioning of context-focused interventions, and understanding of CS within strategic plans. The level of change required to embed a CS approach varied across the sites, often dependent on the level of understanding of, and engagement with, contextual factors and EFH. For some services, a whole service restructure and/or realignment to focus more contextually may be necessary. Whilst for others, further targeted development of existing approaches may be in scope.

Some structural-level enablers exist within YJSs, for example location within or closely connected to children's social care (see Domain 2 below), strategies that demonstrate clear understanding of EFH, and mechanisms to address contexts and multi-agency partnerships (see Domain 3 below). However, at present some of these structures and processes are acting as barriers to a fully contextual approach. The lack of a shared understanding of EFH, contextual factors and CS was also reflected in YJSs' strategies and at the partnership level, which are discussed in the following two sections (Domains 2 and 3 respectively). This lack of understanding of CS and how to address contexts was clear across the data sources, including for example in repeated references to 'contextualised safeguarding'.

> **Survey:** *'CYJS in [Local Authority] now sits alongside the Contextualised Safeguarding Team under the same line management, senior managers regularly*

*meet up. Where possible co-location of staff is in place, systems of daily communication between operational managers is also in place. An Adolescent strategy is in the planning phase.'*

**YJS strategy:** *'PREVENT: Outcome: Risk outside the home is addressed at the earliest point resulting in prevention of escalation. Outcome: As a result of new approaches to working with young people and families and managing risk, young people have enhanced resilience and protective factors.'*

**Focus group:** *"I feel like we're a bit further back than we'd really like to be, just because…we're doing a lot of the things, but we haven't really formally embraced a contextual safeguarding model and got it anywhere in a sort of policy or a procedure or anything like that, it's based on the you know, the things that the training staff have done and their approach."*

In undertaking the document review, only one YJS explicitly outlines the role of CS within their service, yet this strategic commitment was not reflected in the focus groups with practitioners. Two other YJSs include a single sentence within their strategy on CS. One site did not include any mention of EFH, thus demonstrating the range of understanding of and engagement with CS. Enablers and barriers at the structural level and at the partnership level are explored in further detail in Domain 2 (legislative framework) and Domain 3 (partnerships) respectively below. In one site, where the structural link with social care was explicit (with the individual being the CS lead), structures were in place to enable contextual referrals to be made.

## 2.3 Domain 2: Frameworks

When taking a CS approach, systems, organisations, teams, and individuals adopt a child-welfare orientated response to EFH, and where required, situate responses within child protection frameworks. Such an approach is an alternative to framing EFH as a criminal justice and/or community safety issue as has been the case in the past, particularly for issues such as criminal exploitation and serious youth violence (Hill, 2019). As a result, whenever a young person experiences EFH they should receive a child welfare response, which may or may not also feature interventions from criminal justice agencies; as opposed to always experiencing a justice response which may or may not also feature social care oversight and intervention. To align with this domain of the CS framework, one might see the following within YJ systems, organisations, and teams:

| Working with social care | Explicit partnership working with children's social care. To an extent, social care should be the lead statutory partner for YJSs in respect of responses to extra-familial harm, as opposed to YJSs responding to these issues via engagement in criminal-justice led structures or meetings. This should be reflected in the strategic documents that outline a service's response to extra-familial harm, as well as in the practical responses offered to young people who are affected by these issues. |
| --- | --- |

| | |
|---|---|
| **Identification** | The identification of extra-familial harm, where relevant, as a driver of young people's offending behaviour (and/or impacting their ability to engage with services). In the process, young people's vulnerability and victimisation is identified during assessments and should inform planning decisions, and any related to breaches or sanctions. |
| **Advocacy for young people** | Advocacy for young people when plans to support them are discussed in single agency or multi-agency meetings. This may include identifying where criminal justice sanctions or other statutory responses have exacerbated, rather than mitigated, risks that young people face or have impacted their ability to engage in services. In the process, YJ practitioners may identify what a young person requires from services in order to create the conditions in which the likelihood of reoffending is reduced. |
| **Language** | Language in assessments, plans and used in meetings is focused on child-welfare. As such it demonstrates a caring intention for young people, prioritises children's needs as opposed to organisational risk, and leads with knowledge from young people (Lloyd, Manister and Wroe, forthcoming). |

In analysing the data, we asked in what ways do (or could) YJSs take a child protection, and wider child welfare, response to EFH, and more specifically:

- what has enabled this/been a barrier?
- are they empowered to do this?
- have they noticed any limitations?

Across all of the data, there was tension and confusion in the frameworks in place which enabled or prevented a child protection and wider child welfare response to EFH. The relationship with social care, level of shared understanding, and strategies and structures governing the YJS teams all play an important role within this legislative framework. Ultimately there was minimal evidence of understanding of EFH through a welfare lens.

### 2.3.1 Social care

All YJSs are working with social care in some capacity, which is growing for some, but this is variable and was not discussed in all areas, despite this being core to developing CS in the future. Having a strong relationship between the YJS and children's social care is recognised as an enabler of a more contextual approach to addressing EFH. Furthermore, YJS staff occupy a unique role in the way they work with young people, the information and relationships they can access and utilise, and how they sit in a distinctive space alongside a number of key agencies, including social work and the police. The benefit of this connection is visible here in data from both focus groups and survey responses:

*Focus group: "there's quite a big overlap in that work, but what it means is that the sort of safeguarding thread of our work may escalate into our safeguarding adolescence team which is for the social workers…that sort of sits very closely, and it*

*sometimes will be the same work, doing both pieces of work…and they'll have joint supervisions with them…any work we do around extra familial harm for children who are just coming through a safeguarding route, should really overlap across our youth offending work as well."*

***Focus group****: "being under that contextual umbrella as a service compared to other YOTs does certainly make a bit of a difference as well as being part of children's services, it gives us more of an identity of who we are and what we are."*

***Survey:*** *'I come from a YOT background and immediately recognised the potential of contextual safeguarding approaches and youth justice when I first learned about it. YOT workers often have the relationships/knowledge around extra-familial harm and colleagues in social care often don't get first hand. Young people at risk of/being harmed outside the home are often pulled into the youth justice service so it makes sense for YOTs to be integral to a CS approach. We have started to do this in [our county] with the close integration of our YOT and specialist EFH social work team.'*

The ability of YJSs to engage in CS is reliant upon take-up from social care partners. There was a notable absence of discussion about social care and the relationship between YJSs and children's social care. Where reference was made to social care, this was mostly in relation to tensions and challenges. Acceptance of referrals where EFH was identified was often a point of friction, with examples of these being rejected by children's services. Furthermore, children's social care were seen to evade cases where EFH was the primary concern.

***Survey:*** *'Wider challenges within social care and some, not all, referrals not accepted as they don't meet threshold for contextualised safeguarding but there are clear issues/concerns with the young person's behaviour outside of the home.'*

***Survey:*** *'Traditional child protection services often abdicate responsibility when the main challenges are seen as contextual whilst doing nothing to address the root causes of the harm.'*

***Focus group:*** *"I feel grateful for it quite often because the traditional child protection framework is really geared towards parents which doesn't often fit with the risks that are posed to adolescents and the, sort of, and the younger people that we work with."*

It was also evident that a welfare-approach is needed beyond 18 years, but CS approaches are yet to facilitate this and so there exists a challenge of transitions for young people in the justice system. This need was identified at a strategic and practitioner level:

***YJS strategy:*** *'This pilot initiative is being delivered by [the] transformation programme in response to increasing numbers of 16 to 25-year-olds who present with a range of vulnerabilities, coupled with complex high-risk situations and exploitation.'*

***Survey:*** *'[CS] needs to work through to young adults so transitional safeguarding is an area that needs work.'*

### 2.3.2 Understanding of EFH as a welfare issue

Across all sources of data, there was increased identification of EFH and the impact it has on young people's safety. Having shared values and a shared understanding of EFH – in a team,

within the organisation, and with management – were identified as key to addressing the core issues of EFH. For example, one practitioner shared:

> *Focus group:* *"I think we've found haven't' we that as time's gone on, that the young people that are referred to us, have so much more going on in their lives…A lot of trauma, break up of relationships and bullying, self-harming, and that takes priority now because how can you ask somebody to do offending behaviour [work] when they've got nowhere to live, and they're homeless and they're walking the streets, you know. So I think they're far more complex, our young people now."*

> *Focus group:* *"our basic interventions are kinda like consequences of further offending, victim awareness. But, for some of these children, if you go out and say like we're gonna talk about victim awareness, that is not important to them right now that is not, as much as we'd like to say it will, that is not gonna change their life right now. What they need is nurture, and they need somebody to say do you know what, you're brilliant or you're really good at this or we're so proud of you look you've gone to school all week. That's what they need, not how do you think that person felt when you lobbed an egg at their house. That's not gonna make a difference to 'em."*

This often enabled staff to adopt an advocacy role for young people, using a Child First approach, which was recognised as being different from a social work or police perspective. For example, in outlining the element of their role they enjoyed the most, one manager reported:

> *Survey:* *'Advocating for systemic change that benefits the support for children and young people.'*

However, rarely was EFH seen as a child welfare issue. There was dissonance in multi-agency understandings of child welfare and vulnerability (notably with housing, police and education), particularly in cases of EFH. This is perhaps unsurprising given that policing partners could dominate within multi-agency working (see Domain 3 below).

> *Survey:* *'I think that many of the children we are working with in youth justice are affected by extra-familial harm, often of a level that is very concerning. The challenges come in agreeing the safeguarding context for this type of harm with children's social care. However staff in YJS understanding contextual harm and feeling confident to raise and address these safeguarding concerns is paramount in protecting our children.'*

Furthermore, the punitive framing of EFH in relation to criminal justice rather than child welfare was more commonplace. For example:

> *Focus group:* *"I mean, it is a punitive system, young people go to Court… To be punished by the Court… we are the deliverers of the punishment. It's how we do it here in a child-centred way… But also in a victim awareness way."*

### 2.3.3 Strategy and structures

In analysing strategy documentation, there was little evidence of partnership structures that explicitly enable a child welfare lens. Even where potentially enabling structures could be identified, such as the moving of a YJS into a Children's Services Directorate, managerial integration of YJ and CS, and safeguarding strategies constructed using a CS approach, this did not extend to including CS within YJS objectives and was not reflected in practice (in the focus groups). For example, one YJS Strategy outlined the separation of CS from the YJS:

> ***YJS strategy:*** *'We have established two executive partnership groups. One will discharge the statutory duties of the Youth Offending Service Board, and the other on the wider contextual safeguarding of vulnerable adolescents.'*

Some YJSs have CS briefly mentioned within their visions and strategies but none of the YJS fieldwork sites is explicitly using a CS or child welfare framework. This position was also reflected in the survey data. Thus, despite a shift in language and to a certain extent understanding, there is ultimately no legislative framework in place, inconsistent access to training, and differing multi-agency understandings of and targets related to EFH and CS. Staff grapple with the tensions between understanding child exploitation and any activities which have a deterrence/punishment focus. This is reflected in the response of two managers:

> ***Survey:*** *'[CS] is problematic in youth justice given [punitive] conditions placed on child.'*

> ***Survey:*** *'the youth justice system has a child first vision and this is the ethos we work to, however the legal framework does not always lend itself to this.'*

All of the strategies we reviewed incorporate a focus on inclusion, targeting young people most vulnerable to exploitation, and recognising the risks that increase young people's vulnerability to various forms of exploitation. This framing is a progressive development within YJSs and demonstrates the impact of changing language (see Domain 1 above). However, this did not translate into interventions with an obvious child welfare focus, with most activity targeting young people's behaviours.

> ***Focus group:*** *"I think the structures around social care are very much focused on within the home, so, often, you know, we have to do strategy discussions if we have three missings within a ninety-day period. And it asks me what category of abuse, do I want a strat[egy] under neglect, sexual abuse, physical abuse or emotional abuse. I don't wanna strat[egy] under any of those, I wanna strat[egy] under contextual safeguarding. But I don't have that option so I had to put it under neglect because that's almost like our default, which I think gives the wrong messages to families cos actually as we've said, sometimes the parents are trying everything they possibly can to keep their child in. Unfortunately, the pull factors out to peers, exploiters are too strong."*

## 2.4 Domain 3: Partnerships

When taking a CS approach, systems, organisations, teams, and individuals work in partnership with people who can influence contexts where EFH occurs. This will include young people themselves, their families and wider communities, and depending on the contexts in question may also include people from: retail, housing, parks and recreation, leisure, youth work, education, transport and hospitality services amongst others. Whoever is best placed to understand the dynamics of harm or safety within an extra-familial context, offer guardianship in those contexts, or create protective social conditions around young people, are the principal partners in any response.

To align with this domain of the CS framework, one might see the following within YJ systems, organisations, and teams:

| | |
|---|---|
| Relationships with partners | In addition to working closely with children's social care (see Domain 2), using/building effective relationships with schools, community organisations, and a range of other partners, that are focused on creating safety in extra-familial contexts (rather than solely disrupting risk – see Domain 2). |
| Relationships with young people and parents | Collaborative relationships with young people and parents to co-produce ideas for reducing risks of extra-familial harm and building protective extra-familial contexts. This may involve regular safety mapping work with young people to understand their experiences of the local area; experiences that can then be considered during assessment and planning (as noted in Domain 1). |
| Local area knowledge | A strong knowledge of the local area, including community assets and examples of safe places where young people spend their time. Such a knowledge base will mean that when young people reference specific contexts where they are safe/unsafe, professionals will already have access to community-facing relationships (and know and understand those contexts) when developing support plans. |
| Relationships with criminal justice agencies | Relationships with criminal justice agencies that may require challenge as well as collaboration. YJSs must be viewed by young people as distinct from other criminal justice services, creating space for them to advocate on young people's behalf and prioritise child welfare in the plans they produce for and with young people. |

In analysing the data, we considered whether YJSs are able to utilise partnerships with organisations/individuals, young people and families to create safety in extra-familial contexts, and more specifically:

- what has enabled this/been a barrier?
- are they empowered to do this?
- have they noticed any limitations?

### 2.4.1 Partnership working

The structure and design of YJSs from their inception as multi-disciplinary teams and partners within multi-agency forums has ensured that their working culture and modus operandi is partnership working, which extends to the partnership they have with the young people they work with. In this sense, YJSs are established in a way that lends themselves well to adopting a CS model and approach. At a case level, it was very clear that partnership working is taking place with young people, often with genuinely participatory approaches and engagement. However, this was significantly less well developed within strategic documentation. Within partnership work, working with the police could be challenging, but the response of practitioners to this, often in a youth advocacy role was encouraging. Partnerships with

non-traditional partners is also developing, demonstrating attempts to move to addressing context and social conditions in tackling EFH.

## 2.4.2 Young people as partners

A CS approach to safeguarding and EFH engages with young people as partners in the process. The progressive development in language and ethos towards a more child-friendly and Child First approach across YJSs (see Domain 1 above) is a key enabler in adopting CS. Across the data, this commitment to a Child First approach and relatedly to engaging with the 'voice of the child' is evident. Practitioners described the importance of child-led approaches:

> *Focus group: "it is about, sort of, working with them. And when you look at the safe routes, and you're doing the mapping exercise with them, it's about getting them to identify why those particular spaces may not feel safe for them as opposed to us saying, well, you know, we know there's lots of drug dealing going on in that particular area, so you ought to stay away. It's about gleaning that information from them as well…and saying to them, we are listening, and, you know, what is it about that particular area that you don't like, or you feel uncomfortable with or whatever it happens to be. So, it is about very much working together with the young person."*

> *Focus group: "And that's the strength of it and it's kind of what we believe really changes things for children, so in terms of getting their input on what their situation is and what the risk looks like to them and that's absolutely crucial… to try and involve them in that process and make sure that they're leading it really so I think, you know we can't protect them properly if we don't really have their… if we don't really understand from them what's going."*

The regular contact YJS staff have with the young people they work with and their engagement with families, parents and carers is important, and there was strong partnership working at the individual case level with young people. This was also supported by managers in their survey response. For example:

> *Survey: '[the best thing about job] Being able to capture a child/young person's voice to implement change in the way practitioners engage with them.'*

> *Survey: 'When the risks are contextual this must be recognised, I have worked with parents who are doing everything they can and become very upset when their child is placed on a CP plan under neglect (the word specifically upsets them) when the risks are extra familial so recognising this is necessary to keep the family on board.'*

However, there was less evidence of participatory approaches from a strategic perspective. Even where strategies outlined youth participation and even co-production, there was little evidence of this actually extending beyond consultation. Youth participation was usually at a basic level and low down the ladder of participation, rarely extending beyond that which is required for the AssetPlus assessment processes. For example, consultations with young people took place through an online survey tool and developing anonymised case studies to share back with young people. These methods are also likely to exclude some young people, including those with special educational needs and/or lower levels of literacy.

> *YJS strategy: 'The developments in this area include the use of survey monkey for young people to share their experiences and seek ways the YJS can improve. This feedback is collated and given to the Youth Justice Management Board every six months. This, alongside anonymised case studies on priority themes, helps board members understand the experiences of children who work with the YJS.'*

Within the focus groups, there was evidence of young people being excluded from processes. For example:

> **Focus group:** *"The mapping is done not with the young person. The mapping is done with the social worker and the professionals…it's more about the professionals having an idea about what is going on, to assist them in any work that they do with the young person."*

However, there was recognition by some of the need for a more collaborative approach with young people and the potential of more participatory approaches to achieve this. For example:

> **Focus group:** *"we're missing the coproduction of how we respond to contextual safeguarding concerns. We could be mapping with young people, their area, and getting them to work… rather than us sitting in a meeting as adults and professionals, saying what we think, then the intelligence and the forms that we filled in, where we think we should be directing our resource, we could be working directly with young people and coproducing that and they could be making maps of their area and identifying their hotspots. And you know they'll see their neighbourhood in a very different way to ourselves. I've walked through…town centre with a young person before and he's saying "oh yeah, see what they're doing over there by the taxi rank, we're going this way because we are avoiding the CCTV." We were walking down the same street, but he was seeing things completely different to myself and I think that if we don't tap into that then we're not gonna be as effective as we could be."*

There are examples of movement towards models of co-production and fuller participation. For example, some sites are piloting child friendly templates for self-assessment and new approaches to undertaking collective work with voluntary and community sector youth groups.

> **YJS strategy:** *'Following a presentation and update at the March team meeting by the child voice champion it was recognised despite the above resources that there is a lack of integration and consistency in relation to the capturing the child's [voice], an absence of analysis or interpretation of feedback findings and a need to streamline and relaunch the process… as a result a child friendly planning template has been introduced.'*

In another example, one Safeguarding Children's Partnership consulted widely with young people as stakeholders and in a more participatory way in order to develop their Safer Adolescence Strategy, which is framed around CS. This included feedback through the partnership's participation and engagement network, which comprised multiple youth groups and youth advocacy groups (SEND, Care Leavers, Youth Council).

### 2.4.3 Partnership working and the police

Across the fieldwork sites, practitioners discussed the challenges involved in partnership working, particularly with the police who could dominate. Within this context, YJS practitioners were able to demonstrate advocacy and welfare-focused practice, often leading engagement with young people directly.

> **Focus group:** *"[CS] working in that way has meant that we've been able to put the best placed multiagency working with that young person or a group…multiagency around individual young people to safeguard them, to take a look at the spaces that they're spending their time in, to take a look at if they've got their needs being addressed in exactly the right way, making sure their education provision is really*

*top and that they're able to access it easily. If I think about YOT work, even five years ago, that's really, really different… been able to draw all agencies together to make it a collective responsibility and not just a YOT exploitation team responsibility, or indeed, a young person's responsibility which is what that used to be."*

As noted in Domain 2, partnerships and structures are already well-established within strategies (e.g. the structuring of boards with children's services, safeguarding, exploitation, secondment of staff into YJSs). The partnership structures themselves can help or hinder the shared aim of addressing EFH and contextual risks/environments, e.g. positively where integrated with safeguarding. For example:

> **YJS strategy:** *'The Outreach Youth Team have continued to visit locations and hotspots identified in relation to anti-social behaviour or where concerns are present for children being exploited. The Outreach Youth Team work closely with multi-agency partners to develop an increased understanding about the local picture as this is consistently changing and have undertaken joint patrols with police partners and the safer neighbourhoods team to share practice wisdom and develop an understanding of partners roles within the community.'*

It is evident that, despite age-old some tensions, YJSs work hard at engaging with partners, which has led to improved relationships and engagement with social care, schools, community organisations and parents. Increasingly, a driving force within partnerships is the need to look at contexts, explicitly identified in tackling CCE and CSE in particular.

> **Focus group:** *"I go to a multiagency meeting and they say, 'Kids causing antisocial behaviour all over the place and there's a load of drug dealing,' and it's like, 'Come on guys, what are we doing about this? What are we doing to address? What are we doing to make the places safe? What are we doing to welcome our young people into the communities? What are we doing to celebrate their exams and successes?' and that's really changed. But being able to put clumps of multiagency support around young people has been amazing."*

There was a heavy focus on sharing information rather than sharing actions, and information sharing with the police could be particularly challenging. As highlighted in Domain 2 above, policing partners could dominate within partnership working, with less involvement from, and with, social care partners, potentially diminishing the focus upon welfare. This was identified across the data; for example, one manager explained:

> **Survey:** *'Agencies [are] not on the same page when it comes to drivers of crime, risk and safeguarding – fragmented partnerships.'*

Distinguishing the YJS role from policing was key within such scenarios, in order to maintain a youth advocacy role. Here, a practitioner talks through an example of conflict with policing partners:

> **Focus group:** *"In summary, the police officer kind of said I don't feel restorative justice would benefit either me or the child, he's had many chances to change his behaviour, he doesn't listen to those that are able to influence him and he [police officer] made a comment that said "unfortunately, like his older brother, who's passed away, he will not make the right choices in life." And I just thought, as a professional who has the chance to make a difference to that child's life, if we are battling with views like that, we're not gonna win anything. And they [police] say, but they're rude to us or they're not respectful but, to me luckily, the child won't*

*hear that information. That child will never be privy to what's been said. But for me as a professional who stands up for that kid, I was absolutely appalled and I just thought, that's disgusting because the child when he was interviewed actually said, "if you bring him [police officer] in I'll apologise to him on tape, I'll say I'm sorry." And don't get me wrong, he was being a little bit full of himself about it, but if the officer came in he would've said, I'm sorry for calling you that. So, it's like two total [different] sides and it is like a massive ongoing battle and normally it does fall back to us, because the kids and the families do trust us, and we build those relationships that are outside of our normal work role, we do more than what's on the paper. I have kids that ring me from their cell phone when they get arrested."*

Relationships with schools could also be difficult, with a perceived lack of understanding of the harms experienced by young people, particularly within academies.

**Focus group:** *"these academies ultimately, we are seeing they are cherry picking the children that they want. The children who they don't want, they're making it very very clear and these children are very very quickly, often permanently excluded."*

**Focus group:** *"we noticed with a lot of our young people, and secondly is, you know, it's almost like this zero tolerance in a lot of the schools, you know. There is, there is no opportunity there for a child to be diverse. The notion of diversity within schools, I just don't think exists whatsoever."*

There were a number of, sometimes long-standing, challenges and barriers to effective partnership working. As explored in Domains 1 and 2 above, there was dissonance in multi-agency objectives (particularly with housing, police, education) and lack of a shared agenda. Partners sometimes had conflicting views of and approaches to referrals, thresholds, safeguarding, care and custody. Furthermore, partnership working did not necessarily extend beyond obvious statutory and third sector partners. For example, managers reported:

**Survey:** *'[partnerships] Appropriate yes, effective not sure. To be fully effective we need other agencies to be in the same place as us regarding knowledge, training and resources to support, that is not always the case!'*

**Survey:** *'Different perceptions between agencies about thresholds for support and services. Other agencies not understanding challenges around contextual safeguarding. Different views about how to safeguard children.'*

**Survey:** *'The classic issue of varying agendas and different services not being on the same page when it comes to policies such as 'child first' or 'trauma-informed' work. Also, reaching shared priorities can be a challenge (e.g. outcomes, targets or where to channel resources) as well as rigidity in the system which has delayed resources moving to where they're needed most (e.g. move from statutory to diversionary interventions).'*

There were also examples of YJSs engaging with wider partners, such as leisure providers, community organisations, and transport operators. YJS staff often had good local knowledge, sometimes gleaned and understood in a different way through the experiences of young people. These community connections, knowledge and experience were important to their partnership working. In these relationships, processes such as collaborative safety mapping and planning seemed to work well, with a positive response from wider community partners.

**Focus group:** *"I think that mapping is really useful because it not only pulls in the young people, the adults that potentially then are doing the exploitation, but it also*

*helps with the geography as well and I think that's really useful for us in terms of understanding like streets… I remember speaking to one of our safeguarding workers and saying there's a particular bench that is part of these [partnership] mapping meetings that we know then that, that bench is acting as an area of exploitation. And it's just simple, it's understanding simple things like that because when you get to know that young person and you start talking about their lives and what they're doing and their friendship groups and this and that and the other, when they start dropping in place names, you can have that kind of recognition then of going, oh, okay, there may be something a bit more going on."*

**Focus group:** *"You know, it's about changing the view of communities, isn't it?…And I've done work myself with a local community centre where it's like they say they've got antisocial behaviour in their community centre because someone came in and ate a pizza in their library… I don't know, it's just about putting arms around the kids, isn't it, in your area."*

The challenges of this emergent partnership work with non-traditional partners were also evident. For example:

**Survey:** *'Because whilst contextual safeguarding is everyone's responsibility, there has been very little training to explore this further and very little training to others such as shopkeepers, taxi firms, bus companies as an example.'*

The data also strongly identified the impact of austerity and related budget cuts as having a fundamental negative impact on services and partnership working – reducing the community-based provision available (particularly youth workers) and bringing in neoliberal commissioning models which actively work against collaboration. This was reflected in responses from managers and practitioner. For example:

**Survey:** *'I am still not convinced that services are as joined up as they could be. YOTs are meant to be multi-agency teams. It is a good model but it has become degraded through the introduction of commissioning models. The business model for supporting children in care is broken. Children in care do not receive the kind of support that they need.'*

**Focus group:** *"service provisions over the last fifteen years have been depleted and therefore children have been more at risk and I think we've got to acknowledge we do our best and we do the best for the child above and beyond but we have financial constraints where we can only do so much because we don't have the service provisions around us to fully meet the needs."*

## 2.5 Domain 4: Outcome measures

When taking a CS approach, systems, organisations, teams, and individuals need to measure whether and how their responses to EFH have any impact on the contexts where such harm occurs. This means that not only would they ask if a young person is any safer as a result of the responses offered, but whether the contexts where that young person came to harm are any safer as well.

This domain of the CS framework is least developed, and most social care departments remain in the early stages of aligning their practice in this way (Firmin and Lloyd, 2022; Owens and

Lloyd, 2023). Nonetheless, in theory, were YJ systems, organisations, and teams to align to this domain, one may expect to see:[3]

| | |
|---|---|
| Goals | Plans that include goals for a young person related to the contexts in which they have experienced harm; for example, goals around building/sustaining safe friendships, or having safe contexts to socialise in at the weekend. |
| Reflection and challenge | Attempts to reflect on any breaches or sanctions with reference to persistently harmful contexts; challenging decisions that seek to penalise young people as a result of their behaviours (negative outcomes) when the contexts they spend their time in remain harmful (or may be becoming increasingly risky). |
| Highlighting of contexts | Efforts to highlight contexts that pose a risk of harm to young people supported by YJSs (Domain 1), and as part of this work with young people to identify and share what safety would mean for them in those contexts (to inform partnership goals in respect of safety for young people). The YJS could also promote strategic goals or ambitions related to the contexts where they spend their time, and the contribution the YJS could make to realising those outcomes. |

In analysing the data, we considered whether YJSs are measuring the outcomes of their work for contexts where young people have experienced EFH and not just the young people concerned, and more specifically:

- what has enabled this/been a barrier?
- are they empowered to do this?
- have they noticed any limitations?

Most of the YJSs that engaged with this research consider the contexts in which young people are at risk of or are experiencing EFH in some way. However, this is limited and does not extend to active engagement with contextual factors or processes. There is no evidence of YJSs measuring the impact of interventions on contexts or using CS outcomes measures. Guided by the YJS purpose and the AssetPlus framework, outcomes are measured against individual interventions with young people and the key performance indicators (KPIs) of reducing first-time entrants (FTEs), numbers of young people in custody and reoffending, with a further ten KPIs having recently been added (e.g. accommodation, substance misuse, serious violence).[4]

These KPIs, focused on the individual level, do not foster approaches and outcome measurements that seek to address contextual risks and EFH. One manager recognised this:

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[3] See Planning Meetings.

[4] See Key performance indicators for youth justice services - GOV.UK (www.gov.uk).

*Survey: 'Target and performance indicators lead practice, needs to be more child/circumstance focused.'*

The partnership challenges (discussed above in Domain 3), particularly conflicting agendas and not having a shared outcomes framework, hampers progress in this area. A further barrier is the reliance on relocation of the young person to remove/reduce the risk of EFH, thus not addressing the contextual risks. For example, a practitioner explained the use of placements to address EFH in their area:

*Focus group: "I've got a lot of young people that we've been looking for placements for in different areas to kind of remove them from the [YJS] area, and there is such a shortage of placements, that there becomes such a sticking point because it's like, okay, we know this young person is at risk in this area, we know what we need to do but actually, those resources aren't available…it's such a process to try and find them, I think that's a huge sticking point when you are trying to keep a young person safe. Ideally, we would just get them out of that area and, kind of, protect them."*

However, as identified in the sections above, clear enablers exist to move towards a CS outcomes framework. This includes: the prioritisation of young people's participation in all research sites, demonstrating the potential for greater co-production with young people; the strategic and operational engagement of YJS with and within safeguarding partnerships; and the AssetPlus framework.

## 2.6 Case study example

Case review evidence from one YJS highlighted the challenges of translating CS theory into YJ practice. This was despite evidence that the YJS was embedded within a social care service that was actively progressing a CS system and practice.

**Case example**

Jay is 15 years old and was on a referral order for two offences of violence against a person. These offences were against police officers and Jay has noted that he dislikes the police and one of the incidents involved the police entering a party and 'grabbing' a friend of his. The details of his AssetPlus note a range of factors including his childhood experience of trauma, relationship with his mother, and previous charges against him. Positively, the assessment notes a range of factors that may have created the context in which his offending had occurred. For example, under 'motivations for behaviour' and 'social and community factors', the practitioner notes the following:

> *Jay is in a peer group that are known or previously known to YOT. Jay could be getting a sense of belonging through his offending behaviour which others in his peer group can relate too.*

> *Jay lives in a specific area of [town anonymised] where there are a number of young people open to the youth offending team. There are also a number of adults previously known to the youth offending team.*

The referral orders and case notes relating to Jay also highlight concerns around exploitation by adults due to an increase in money and clothing that Jay has.

However, despite some recognition of contextual factors that might be driving his behaviour, the assessment and supporting evidence are overwhelmingly focussed on changing Jay's individual behaviour and motivations. For example, despite discussing concerns over potential exploitation by adults, and reference to peer influence, the assessment does not note if, or how, broader contextual work may be taking place to tackle this harm. While Jay is on a child protection plan as part of concerns in the community, there is limited reference to how this plan is addressing harm in the community and how the AssetPlus sits alongside this plan. The intervention summary details five 'targets', all of which require Jay to change his own behaviour or address harm. For example, 'I will work with YOT to manage difficult situations'.

An alternative to this assessment could have explored a number of areas. Firstly, understanding Jay's 'dislike' of the police and what is driving this. Jay is of mixed heritage and living in a predominantly white, rural area. It would be important to understand if systemic racism has driven some of his encounters with the police or to consider ways to repair damage between Jay and the police. Secondly Jay appears to have reacted violently when he felt his friend was under threat. Would there be options to draw on the strengths of his friendships, particularly if his friends are known to the YJS? What options might there be for peer group work? Finally, if there is a Child Protection plan which predominantly focuses on risk in the community, how does this align to Jay's own YJS plan?

# 3. Conclusion

This study suggests that while there is great appetite to adopt CS within YJSs, there is limited understanding of what this entails. At this stage many practitioners view CS as an approach to seeing a child in context – something many already do – rather than developing responses that actively change the contexts within which young people come to harm, and in which they may also commit offences. Others appear to conflate the term CS with EFH, rather than view it as a response to EFH. Both misunderstandings create practice contexts in which practitioners believe that YJSs have always adopted a CS approach, whereas the data collected in this study indicates that few are in a position to achieve this at present (despite some having a commitment to do so).

The policy landscape is yet to resolve this misunderstanding. The only reference to YOTs and CS in *Working Together to Safeguard Children* recommends that YOTs are:

> 'well placed to **identify** children known to relevant organisations and agencies as being most at risk of offending and the **contexts in which they may be vulnerable to abuse**' [Bold added by author] (HM Government 2018: 71).

Such a recommendation reinforces the idea, to YJ practitioners at least, that their role is to see the contexts impacting a child rather than contribute to changing them. In comparison, references to social work responses to EFH also recommend the assessment of, and responses to, environmental drivers of this issue, including for young people who commit offences.

However, this study also identified opportunities for YJSs to adopt CS. It is clear that many YJ practitioners advocate for the welfare of the young people they support, and that the system more widely has moved towards greater alignment with child welfare principles. Such a starting point is well positioned in respect of Domain 2 of the CS framework. Likewise, the ability of YJ practitioners to forge relationships with young people, and to prioritise these relationships when providing support is also strongly aligned to Domain 3 of the CS framework. In far fewer services did we identify efforts to respond to contexts associated with EFH (Domain 1), or at least to have the ability to refer these contexts into wider multi-agency *safeguarding* (as opposed to community safety) responses. Where these examples were identified, particularly in relation to group work, and working alongside community groups and local businesses, we saw that it was possible for YJSs to engage in work to change the contexts in which young people both come to harm and commit offences.

There were numerous ways in which these opportunities were undermined. Most notably was the limited extent to which partnership working with social care was referenced by participants. Practitioners spoke in far more detail about their working relationships with criminal justice agencies; both their work to challenge these agencies and to deliver interventions alongside them. CS is an approach that is fundamentally situated within child welfare services, and the principal relationship with an agency/sector in this respect should be social care. When social care was referenced by participants it was most frequently due to a lack of partnership working, rather than evidence of it. YJSs operating within areas where social care had been implementing CS for some time, were in a much stronger position to be able to refer/respond to contexts associated to EFH.

The lack of contextual interventions available to YJSs is also of note. Most practitioners solely described their work with individual young people and were unable to identify any welfare-based interventions with groups, schools or locations that increased safety for young people impacted by EFH. Where contextually-focused interventions were referenced, they were overwhelmingly influenced by policing, dispersal/disruption and wider community safety techniques. In this sense, YJSs are currently positioned between criminal justice and social care responses to EFH, which themselves are often not fully aligned or coordinated. With this

in-between status, care needs to be taken by YJSs that they do not position themselves away from social care and the frameworks required to make CS a reality.

In conclusion, where YJSs appeared able to adopt elements of a CS approach, this was largely down to individual practitioners, knowledge/guidance from managers, and wider service cultures that aligned to social care responses to EFH. The challenges identified were more broadly rooted in national policy, training and commissioning landscapes that are yet to communicate a clear account of what CS is (and is not), how it can apply within a YJ setting, and what this means for the legislative frameworks to which YJSs operate.

We thus recommend that the YJB:

- issues a clear, working definition of CS which describes it as an approach to responding to EFH

- reviews current guidance/training to ensure that CS is not described in ways that implies it is solely about seeing a child in context or responding to EFH

- considers introductory training or webinar provision to allow a consistent understanding of what the approach entails within YJSs

- identifies and disseminates case studies in which CS has been implemented by YJSs (in a manner that would align to this report)

To adopt a CS approach, we recommend that YJSs:

- identify local pathways to referring contexts impacted by EFH which can be flagged/referred for a wider safeguarding assessment or response

- use supervision and formulation meetings to identify contexts in which young people they are supporting are at risk of EFH and the extent to which risk in these contexts is changing (and any associated impact on young people's behaviour)

- encourage practitioners to build safety mapping and peer assessment activities into direct work with children and young people, as means of identifying what makes young people feel safe/unsafe in contexts where they spend their time.

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# Annex A: Methodology

HM Inspectorate of Probation commissioned the CS research team at Durham University to investigate the use of CS within YJSs in England and Wales. The research took place between March and October 2022, and aimed to:

- understand to what extent YJSs visions and strategies focus upon CS
- explore how YJS staff are empowered and/or supported in implementing a CS approach in their work with children
- understand the roles and relationships with partner agencies in implementing CS approaches
- explore how CS approaches are integrated into case management at assessment, planning and delivery stages, taking into account alignment with other approaches, e.g. trauma-informed practice
- explore enablers and barriers to integrating CS approaches into YJS work
- identify the perceived benefits and limitations to using a CS approach
- identify good practice and develop recommendations on how best to integrate CS.

Specific research questions were as follows:

**Vision and strategy:** Do YOTs have a focus upon CS within their visions and strategies? Who is responsible for delivering and monitoring any CS strategy? Which partner agencies are involved at a strategic level? What does a good CS vision and strategy include?

**Staff empowerment/support:** What training is given to YOT practitioners about CS approaches? How are staff being empowered and supported to deliver CS approaches?

**Partnership working:** How are other agencies engaged at each stage of the YOT's work? What joint working and information sharing mechanisms or structures are used to implement CS? How is it decided who is responsible to identify and monitor multi-agency responsibilities and activities? How are these different compared to working in a non-CS way?

**Casework:** How are CS approaches integrated into assessment and planning? What additional information is sought? How is this information analysed? How is extra-familial context used to consider the safety of children, the safety of other people, and offending behaviours? How are CS approaches integrated into delivery (considering the integration with other approaches, e.g. trauma-informed practice)? How are decisions made on who is responsible for delivery of context-focused actions?

**Enablers and barriers:** What are the key enablers to working in a CS way? What are the main barriers or challenges to adopting a CS approach?

**Perceived benefits and limitations:** What are the perceived benefits from using CS approaches to the work of YOTs and the outcomes for children? What are the perceived limitations in terms of YOT work and the outcomes for children? Are there any other perceived benefits or limitations?

To explore the four CS domains (target, legislative framework, partnerships, and outcome measures), the research focused on professionals' experiences and perspectives, using a mixed methods approach. This included a survey, interviews and focus groups with both practitioners and managers, alongside a review of case files, strategies and plans. Convenience sampling was employed, and all YJSs based in areas that are part of the CS local area interest network were approached and invited to express interest in participating in the study. Following initial

responses, five sites (YJSs) agreed to participate, representing a good geographical spread and varying degrees of engagement with activities in the CS research programme.

The research team liaised with a key point of contact for each research site who recruited participants and collated documentation. Practitioners of any position/role at each site were invited to participate in a focus group or individual interview. For each site, online focus groups (each with 2-7 practitioners) and interviews were undertaken (total n=30 participants), which sought to understand and explore the views and experiences of practitioners and managers of CS. These were recorded and transcribed. Key documents, service plans and strategies, were provided by each site and for two sites, case files were provided. Separately, a survey was distributed to all 157 YJS, of which 57 YJSs responded (one respondent per YJS).

A CS analytical framework was utilised, with all data interrogated using the four CS domains, as well as the identification of enablers and barriers of implementing a CS approach. Findings were cross-checked by all members of the research team, who met regularly to engage in reflective practice, questioning perspectives and values as part of the analytical process.

Ethical approval was received from Durham University Department of Sociology. Informed consent was received for all elements of the data collection, including interviews, focus groups, case files and survey responses. Confidentiality and anonymity have been ensured, along with the security of the data. The research team were attuned to the significant concerns at the current time about the use of data within public service delivery. The research team worked ethically and sensitively in conducting the interviews, focus groups and case reviews, and participants were provided with tailored participant information sheets, which included details on how to exit the research at any time and without giving a reason. All interviews and focus groups were digitally recorded, transcribed and analysed to identify the key themes. All case review data was redacted and/or anonymised.

This pilot scoping review of the use of CS within YJSs in England and Wales focused on professionals' experiences and perspectives. However, further in-depth research is needed to explore the experiences and perspectives of young people engaged with YJSs. This was beyond the scope and capacity of this research, due to timing and funding constraints. Given the importance of young people as partners within a CS approach and the progressive move of YJSs towards increasingly participatory engagement with young people (Smithson and Jones, 2021), a co-production methodological approach is recommended.