



**effective practice**

Where we see our standards  
delivered well, in practice.



HM Inspectorate  
of Probation



## **Effective practice guide:**

Children subject to or at risk of remand in youth detention  
accommodation

Based on: A joint thematic inspection of work with children  
subject to remand in youth detention

**November 2023**

# Acknowledgements

This effective practice guide is based on information sourced while undertaking the joint thematic inspection of work with children subject to remand in youth detention. The inspection was led by HM Inspectors Bob Smith and Jon Gardner, supported by a team of assistant inspectors, local assessors, and operations, research, communications, and corporate staff. User Voice (a national charity that seeks to give a voice to people in the criminal justice system) undertook interviews with children. The manager responsible for this inspection programme is Helen Davies.

In collaboration with Helen Amor, Effective Practice Lead, Jon Gardner has identified some of the key themes associated with effective practice when working with children subject to remand.

We would like to thank all those who participated in any way in this inspection; without their help and cooperation, the inspection and effective practice guide would not have been possible.

Please note that throughout the report the names in the case illustrations, and some details, have been changed to protect the individuals' identities.

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1st Floor Civil Justice Centre  
1 Bridge Street West  
Manchester  
M3 3FX

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# Introduction

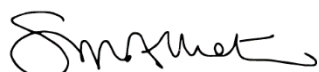
## About this guide

HM Inspectorate of Probation has a duty to identify and disseminate effective practice. We assure the quality of youth offending and probation provision and test its effectiveness. Critically, we make recommendations designed to highlight and disseminate best practice, challenge poor performance, and encourage the Probation Service to improve.

This guide is designed to explore effective and developing practice in relation to youth remand for both youth justice services and their operational and strategic partners. We look at the considerations which are needed to prevent unnecessary remand episodes and to facilitate alternative bail arrangements. We also review and consider practice that we have found during our inspection that increases the likelihood of positive outcomes for this cohort of children.

I hope this will be of interest to everyone working in the youth justice system and those seeking to develop their practice. We welcome feedback on this and our other guides, to ensure that they are as useful as possible to future readers.

I am grateful to all the areas that participated in our thematic inspection, and for their additional help in producing this insights guide. We publish these guides to complement our reports and the standards against which we inspect youth offending and probation.



### Sue McAllister

Interim HM Chief Inspector of Probation



## Finding your way



Tools for practitioners



Recorded interviews



Reflection questions



Useful links



Denotes a task to undertake, alone or within a group

## Contact us



We would love to hear what you think of this guide. Please find current contact details via the [HM Inspectorate of Probation Effective Practice page](#).

# Guide context: what do we mean by bail and remand?

The focus of the inspection was children subject to remand or bail decisions in England and Wales.



The Youth Justice Legal Centre has produced a series of legal guides to help practitioners navigate the legislative framework and identify best practice when representing or advocating for children in the youth justice system (YJS). These include a guide to police bail and remand: [Police Bail and Remand for Children \(yjlc.uk\)](https://www.yjlc.uk/police-bail-and-remand-for-children), and court bail and remand: [Court Bail and Remand \(yjlc.uk\)](https://www.yjlc.uk/court-bail-and-remand).

The principles highlighted in this guide refer to children; however, the case illustrations are all based on boys. Only four girls were identified by the inspected Youth Justice Services (YJSs) during inspection fieldwork and this restricted our ability to highlight effective practice for this small cohort of children. This is reflective of girls' representation in the YJS overall. This guide should be read within that context therefore and readers should always undertake service delivery in a personalised way, dependant on the child's protected characteristics and other needs. Services and practitioners should be mindful of this when applying learning from this guide to their own practice.<sup>1</sup>



Earlier this year, the Inspectorate published a [resettlement effective practice guide](#) for children based on findings from our youth core programme. Whilst some practice identified in this resettlement guide complements some approaches within this remand guide, there are a few but very important different approaches to managing remand activity that services and practitioners need to consider. The documents should be treated as two separate and distinct guides.



Practitioners may wish to listen to this [one-off podcast commissioned by the Howard League for Penal Reform](#) and produced by Transform Justice to gain a further understanding of the recent changes to remand legislation, issues faced by remanded children, and how practitioners can support them.

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<sup>1</sup> [HM Inspectorate of Prison's 2022 Thematic review of outcomes for girls in custody](#) is a good starting point for consideration of personalised approaches for girls remanded into youth detention accommodation.

# Background

Our thematic report focuses on the journey of the child through the remand process from the development of remand prevention strategies through to the delivery of targeted intervention and support for children once a bail or remand decision has been made by the court.

Our effective practice guide will therefore reflect this journey, focusing on two very distinct strands.

1. How to reduce the need for children to be made subject to remand in youth detention accommodation (RYDA) at all.
2. How to manage children effectively who are remanded, particularly given the additional care status considerations that come with this.

The YJS has a responsibility to develop practice with children it is supervising. This guide seeks to share examples of effective practice from our inspection, which we define as:



*"Where we see our standards delivered well in practice, with our standards being based on established models and frameworks, and grounded in evidence, learning, and experience."*

The examples are drawn from evidence of effective practice identified by HM Inspectorate of Probation and Ofsted while undertaking fieldwork in Kent, Lambeth, Lewisham, Leeds, Sheffield, Derby, Walsall, Essex, Waltham Forest, Norfolk, and Salford. This included practice undertaken by managers and practitioners working for YJSs, children's services, court, police, and other relevant partners. Where appropriate, effective practice has been cross-referenced with feedback from HM Inspectorate of Prisons and Ofsted who visited young offender institutions (YOIs) Werrington, Wetherby, and Feltham and the secure training centre (STC) at Oakhill, and the secure children's homes (SCHs) at Lincolnshire and Vinney Green.

Of the cases we inspected in the thematic, where children were remanded into youth detention accommodation, we found that:

The YJS had supported a bail application at first court appearance in only 27 per cent of the cases inspected.

26 per cent were subsequently bailed after being initially remanded into youth detention accommodation at their first court appearance.

64 per cent were remanded into youth detention accommodation for more than 90 days.

The vast majority of children did not have lengthy offending histories; only 31 per cent had two or more convictions.

Of the 49 RYDA cases inspected which had concluded by the time of the inspection, 35 per cent (17) did not result in an immediate custodial sentence.

Children from black and minority ethnic backgrounds are over-represented in the remand population and that over-representation is increasing. This concerning level of disproportionality is reflective of our previous thematic inspection of black and mixed heritage boys in the YJS,<sup>2</sup> which can be accessed below:



[Effective Practice Guide: Black and mixed heritage boys in the youth justice system](#)

Many of the children inspected during fieldwork were classified as high risk of causing others serious harm, but they were also some of the most vulnerable in the country, and many have experienced significant trauma and exploitation in their lives. The nature of the remand and delays due to factors such as crown court backlogs may mean that there is an inherent lack of certainty on timescales and predictable outcomes for these children. When a child on remand enters custody they are unlikely to know:

- when, or if, they will be released
- when they will go on trial or be sentenced
- whether they will be found guilty and, if found guilty, whether they will remain in custody.

<sup>2</sup> HM Inspectorate of Probation. (2021). *The experiences of black and mixed heritage boys in the youth justice system*. <https://www.justiceinspectorates.gov.uk/hmiprobation/inspections/black-and-mixed-heritage-boys/>



- what support, if any, they will receive when their remand period finishes.

All these factors may impact upon the child's emotional wellbeing, motivation, and compliance.

Practitioners' assessments, planning, interventions, and reviews need to be dynamic, to ensure that this vulnerable group of children spend no more time in the secure estate than is needed. Practitioners need to be aware that arrangements for these children can change rapidly and new bail arrangements may be required at short notice, which can inevitably cause upheaval and uncertainty for the child involved.

Taking all this into consideration, it is important to consider how a child may be feeling if they are remanded in custody. The following exercise aims to help readers reflect on these themes and gain an understanding of some of the fears and concerns a child on remand might face.



### Group or individual exercise

Imagine you have taken a decision to move to a new house. Consider the following questions:

- How will you fund the move?
- Where would you like to move to?
- What timescale are you considering for undertaking the move?
- What support would you need?
- How long are you planning to stay in your new house?
- How will you keep in touch with your friends and family?
- Do you have a back-up plan if you lose your job and cannot pay bills?
- What happens if the move does not work out?

There is a lot to consider in careful planning and preparation. The support of friends and family may also be a key factor in determining your plans. You may be thinking of possible contingency plans if things do not go well.

Now imagine what it would be like for teenage children when they are told of the move.

- What might concern them about leaving?
- Do they understand or accept why the move is needed?
- Will they be worried about making new friends and going to a new school?
- Will they feel safe in the area you are moving to?
- They are in the middle of their GCSEs; does this move disrupt their study plans?

As a parent, you can try to help allay any fears your child might have.

Now, as a child, how might you feel if you are accused of a serious crime and have never been arrested before?

- What say will you have in determining where, how, and when you move in the weeks, months or even years before you appear in court for trial?

- Do you know what support you will get and how will you ensure you feel safe and that your stress and anxiety are managed?
- Who do you trust to help you now and will you be able to access them?
- Will there be ongoing support for you if you are found to be innocent?
- How do you feel about having to potentially move accommodation simply because you have turned 18?
- How motivated are you to attend any courses or activities arranged for you when your future is so uncertain?

Gaining a greater understanding is crucial given that children entering the youth justice system are:

More likely to come from the poorest areas, with the social problems and violence linked to poverty, and which impacts on their development.

More likely to have been referred to early help services in their formative years.

More likely to have been excluded from school.

More likely than their peers to have an education, health, and care plan, and even more likely to have special educational needs that have not been identified or addressed.

More likely to be care experienced.

More likely to have emotional and mental health needs, as well as substance misuse issues.

It is vital therefore that all partners working with the local YJS share a vision of how they can impact effectively with this cohort of children.

Just under half of the RYDA children who we inspected were not involved with children's services immediately prior to their remand, although many of this group had previously received services. Those who had no prior involvement with children's services seemed to have gone 'under the radar' until they were charged with very serious offences.

The safeguarding risks associated with many of these children were exacerbated by issues of exploitation or by exposure to, or involvement in, serious youth violence. Consideration is needed to ensure there is a strong, integrated offer of support for complex and vulnerable adolescents that prevents offending behaviour risks from escalating. This can be by ensuring there are good relationships between YJSs, schools, police, and social care teams for example, or by development of bespoke extra familial harm or [contextual safeguarding](#) policies and practice to tackle the risks presented by this cohort of children.

# Our standards: what we looked for and our expectations

For our thematic inspection, we inspected against the following standards, which were drawn from our core inspection programme and tailored to the topic of children subject to remand.



## Organisational delivery

### In relation to governance and leadership, we expect that:

There is a clear local vision and strategy for the delivery of high-quality, personalised, and responsive service for all children, including those subject to bail or remanded into youth detention accommodation.

#### This includes the following expectations:

- The partnership arrangements actively support effective delivery of a bail and remand service.
- The leadership of the YJS supports effective delivery of bail and remand services.
- The YJS is reviewing and learning from previous local patterns, including local disparities.
- Remand strategies are included in the YJS youth justice plan.

### In relation to staff, we expect that:

Staff are empowered to deliver a high-quality personalised and responsive service for all children awaiting trial or sentence, including those subject to bail conditions and custodial remands.

#### This includes the following expectations:

- The skills of YJS staff support the delivery of high-quality, personalised, and responsive services for children requiring bail and remand services.
- Oversight of work supports high-quality delivery of bail and remand services.
- Arrangements with statutory partners and providers are established, maintained, and used effectively to deliver bail and remand services.

### In relation to partnerships and services, we expect that:

A comprehensive range of services and interventions are in place to undertake work with children subject to bail conditions and custodial remands.

#### This includes the following expectations:

- The YJS partnership provides the volume, range, and quality of services and interventions required to meet the needs of children awaiting trial or sentence, and to avoid the unnecessary use of custodial remand.

- Arrangements with statutory partners and providers are established, maintained, and used effectively to deliver bail and remand services.
- There is an up-to-date analysis of the profile of children awaiting trial or sentence used by the YJS to deliver well-targeted bail and remand services.
- The YJS partnership has confidence in the quality of advice for remanded children in the youth court.

### In relation to information and facilities, we expect that:

Timely and relevant information is available and appropriate facilities are in place to support a high-quality, personalised, and responsive approach for all children subject to bail conditions and custodial remands.

#### This includes the following expectations:

- The information and communication technology (ICT) systems enable staff to deliver a high-quality bail and remand service.
- Analysis, evidence, and learning are used effectively to drive improvement of bail and remand services.

There is a high-quality, evidence-based service for all children subject to bail conditions and custodial remands.

### In relation to policy and provision, we expect that:

#### This includes the following expectations:

- There is a policy in place for bail and remand provision that promotes appropriate decision-making and sustainable programmes.
- The impact of the pandemic on bail and remand decision-making is known, understood, and mitigated for, especially if delays in sentencing or other court processes have increased the duration of remands.
- Bail and remand policy and provision are regularly assessed and updated to ensure effectiveness and maintain alignment with the evidence base.

## Case management

### In relation to case management, when working with children subject to bail conditions and custodial remands, we expect that:



**Assessments** are informed, analytical, and personalised, and actively involve the child and their parents or carers.



**Planning** is well informed, holistic, and personalised, actively involving the child and their parents or carers.

It is acknowledged that many remands are very short with little notice provided. Therefore, inspectors made a judgement as to whether the work undertaken was sufficient for the **specific** requirements of the case being inspected.



### Reflection questions

#### From a strategic perspective:

- How would you assess your area's arrangements against these standards?
- Given the ethnic and racial disproportionalities found within the remand population, what consideration is given to these and other protected characteristics in your policies, procedures, and strategies to avoid remand?
- What structural barriers impact upon the remand of children in your area, and how are these barriers considered and mitigated for in the provision offered?
- What support does the partnership have in place for children at the end of their remand period?

#### From an operational perspective:

- Do you understand the factors that can increase a child's risk of remand, and at what stage should you begin to escalate interventions to mitigate risks?
- Do you, as a practitioner, feel confident about giving suitable advice to the court if this is not your usual role? If not, how would you gain this confidence?
- How do you ensure you have captured the voice of the child and their parents or carers in your assessment and planning activity?
- If a child has been remanded into custody, when do you review this decision with the court?

## The voices of the children

We commissioned User Voice to gather the views of children subject to bail and remand,<sup>3</sup> and we are grateful for the insights of these individuals, whose feedback we used to inform our findings for the inspection.

Feedback from the children had some similarity with our own findings; they spoke of:

- missed 'reachable moments' where risk factors were apparent and earlier intervention may have assisted
- confusing or traumatic arrangements at the police station and court where they were not always clear what was happening, and
- the culture shock of arriving in the secure estate for the first time.

We highlight some quotes below which practitioners should reflect on when considering the journey of the child through the remand process.

<sup>3</sup> [The User Voice report can be found on our webpage.](#)



Marcus<sup>4</sup> highlighted the importance of the role the YJS must play in identifying and tackling the structural barriers upstream:

*"I literally got kicked out of school and I thought to myself, I'll just go and make some money for time. I don't really know what to say as to why it happened. The youth justice service could have helped me out a lot at that time. They could have helped me get back into education or work. I left education a whole year before I went [into] custody."*

Joseph was advised by his solicitor to state "no comment" throughout his dealings with the police. He was held for three days with no understanding of why he was detained for so long.

*"I was given advice to say 'no comment' by my solicitor. Actually, when I was in the station, they did change my crime a few times. They would say, like, 'burglary' and then they would say it's a 'aggravated burglary', then they would say it's a 'burglary' again; they kept changing it. They kept me in there for about three days. Obviously in their eyes the crime was serious."*

Upon arrival at court for a bail hearing, processes were not always trauma-informed. Katie noted:

*"It was really just very stressful. And I was just on edge and everyone was getting annoyed a lot, and I'm pretty sure there was a fight outside the court at one point. Like it was a very stressful day for my family, to be honest."*

Once the decision to remand had been made, children remained just as confused or distressed. Joseph noted that:

*"When I was on remand for a whole time, I didn't know when I was getting out. I didn't get to see no friends while I was inside."*

Katie added that she:

*"just did not like the fact I was looking around in my cell and thought 'I am in prison at the age of 16, like why am I here?'. Obviously, you can't go outside whenever you want to go outside to get fresh air, that's what hit me the most."*

The children who User Voice spoke to have their own solutions for improving things. They suggested:

- incorporating more lived experience into the YJS and employing more relatable staff
- improving modes of communication at all stages of a young person's journey through the criminal justice system
- hire more and better abled staff in the secure estate to reduce incidents of violence
- increase consistency of regime in the secure estate and focus on rewarding good behaviour rather than punishing bad behaviour.

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<sup>4</sup> Actual names have not been used within this section.



## Reflection questions

Reflecting on this section:

### From a strategic perspective:

- How does the partnership identify and address the risks posed by a child at an earlier stage in their life?
- How do safeguarding partnerships prioritise the safety and wellbeing of children in the secure estate? How do you know that children feel safe?

### From an operational perspective:

- If a child is at risk of being detained in a police cell overnight, what are you doing to source an alternative option? When would you start to look?
- What does trauma-informed practice mean to you? How do you take a trauma-informed approach with remanded children?
- How assured are you that children understand the messages you have given them? How do you check comprehension?

Inspectors did see some effective practice in ensuring the voice of the child was central to remand activity in some of the areas we visited.

In one notable example, a child open to Norfolk YJS had been supported in chairing his remand and looked after child reviews. We spoke with Katie Small, his case manager, who told us:

*"A child should actively participate in devising their sentence plan and resettlement goals with relationships being central to accomplishing engagement."*



Watch Katie's interview where she explains how she ensured the voice of a child remanded into youth detention accommodation was effectively heard, and why this is crucial in securing positive outcomes for children. [Video \(YouTube, 11:27\): Interview with Katie Small, Norfolk YJS \(HM Inspectorate of Probation\)](#)



We spoke with Phil Rutherford, strategic lead for Walsall YJS, and here he explains how his service's 'Letters from the Inside' project has utilised the voices of children in the secure estate via anonymised letters to their peers that detail what it's like for them living in the secure estate. [Video \(YouTube, 6:53\): Effective Practice: Interview with Phil Rutherford, Letters from the Inside, Walsall YJS \(HM Inspectorate of Probation\)](#)



## Reflection question

- What strategies do you have in place for utilising the skills and experience of individuals with lived experience within your organisation?
- How do these individuals contribute to developing your plans and procedures?

# Organisational delivery

## Key take-aways

### Delivery of effective remand activity requires:



A management board with **strong** and **active representation** from **key partners** with appropriate links to other relevant boards and forums.



A detailed and up-to-date remand **management strategy**, agreed by partners, promoting the least restrictive options at all stages.



**Strong data collection capabilities**, with **good-quality analysis** of the demographics of the cohort and capacity to use this information when undertaking 'lessons learned' exercises.



A multi-agency strategy to **reduce disproportionalities** within marginalised groups of children, including those from a black, Asian, and minority ethnic background.



A **clear 'pathway'** providing a strong and coherent offer of support for those children who come into care by virtue of their remand episode.



Up-to-date policies and procedures.



**Access** to appropriate community placements or **enhanced support packages** for children (pre- and post-remand) and a plan to address local deficits in provision.



A **clear, shared understanding** of *Police and Criminal Evidence Act (PACE)* legislation across the partnership, with a detailed plan to increase PACE bed usage where appropriate.



**Effective links with the court** which include robust arrangements to monitor outcomes and review of arrangements, including where courts are shared by more than one YJS.



**Effective links with the secure estate** that promote timely information-sharing and regular access to children to meet their needs.



A shared **cultural approach, well-trained staff and sufficient resource to work with complex vulnerable children**, delivering trauma-informed services and effective risk management, supported by a **competent, knowledgeable team** of operational managers.

[You can download a printable version of Key take-aways here](#)



## Leadership and governance

### Example of effectiveness: Governance and leadership, Kent

There is a strong strategic grip and vision in Kent for children who enter care because of criminal justice processes, and those in care who have committed offences. The head of service for children in care actively participates at the youth justice management board and the YJS head of service is linked in with the corporate parenting board. This helps develop a clear ethos and shared culture that recognises and treats these children as children first and foremost.

This joint strategic approach is helping to identify shared problems and solutions. Data is used to understand themes, informing service improvements and shaping the development of additional support, including preventative services. For example, the delivery of citizen awareness training for unaccompanied asylum-seeking children was introduced as a response to some of these children who had committed serious offences in the community which may have been influenced by differences in culture and misunderstanding situations. This activity has reportedly reduced the number of serious offences that these children commit. Additionally, the creation of a communication passport recognises the challenges that children with speech, language, and communication needs face, and these are routinely shared with the courts to increase the bench's understanding of specific needs.

We saw clear investment by senior leaders, demonstrating a genuine commitment to improve these children's circumstances and support high-quality services. This approach is translating into frontline practice, evidenced by:

- Established swift information-sharing arrangements that enabled placements to be secured quickly as a viable option for the court.
- Systems for police to notify children's social care (CSC) when children have been arrested and bail has been denied.
- Strong multi-agency working that is meeting children's needs. Decision-making and support are child-centred, placing them at the heart of these processes.
- Children are treated and receive the same services as all children in care, although these must be delivered differently.
- Joint working between YJS and CSC, with clear roles and responsibilities, allows children's needs to be met through both the justice and child-in-care processes.
- A dedicated resettlement personal advisor is in place to support successful transitions for young people leaving custody.
- Young people are encouraged to participate in children in care reviews and planning meetings so they understand and can shape next steps and future planning. These are well supported by the YJS and Cookham Wood Young Offender Institution (YOI).
- Senior leaders have invested in services to best meet the needs of this cohort of children. For example, the adolescent response team – see pages 31-32 – was created specifically to focus on the needs of vulnerable adolescents, including those at risk of remand.

A named personal advisor in the 18+ service provides focused support for the resettlement of young people leaving custody.

- Resettlement workers in the YOI have access to CSC electronic recording and contacts, allowing the social worker immediate access to live information about the young person.
- Social workers demonstrate a clear understanding of these children’s needs and experiences, which in turn shapes the intensity of support that is responsive to changes in their circumstances.



### Reflection questions

- Are remand decisions and data scrutinised in your area routinely at both an operational level by the YJS management team, their staff, and relevant partners and at a strategic level by the youth justice management board or multi-agency court user forum?
- What mechanisms are in place to ensure confidence that a custodial remand has always been undertaken as a last resort in line with the legislation, and that the partnership is consistently looking to decrease remand activity?

## Partnerships and services

Partnership working is key to the underpinning ethos and characteristics of effective youth justice provision and is crucial to the success of good remand practice.



[Effective multi-agency work benefits from pursuing these key principles](#)

Given the diverse needs of these children, a single agency response is unlikely to be sufficient to address the child’s vulnerabilities and the systems impacting on them. Consequently, it is vital the local justice systems develop effective partnership arrangements to reduce the numbers of children at risk and support desistance.

## Trauma-informed practice

Justice-involved children have higher levels of adversity and trauma compared to children in the general population. Consequently, there has been an increased emphasis on trauma-informed responses and practice. Such practice 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. Professionals working with this cohort of children need to have this approach embedded in their services and provision.



Figure 1. Six key principles (New South Wales Government, 2019) <sup>5</sup>



[Read more here about the principles to consider when developing trauma-informed services and trauma-specific interventions.](#)

<sup>5</sup> [Other generic models and principles \(justiceinspectors.gov.au\)](https://www.justiceinspectors.gov.au)

## Example of effectiveness: Custody intervention hubs, South Yorkshire Police

A trauma-informed approach can be framed in terms of policy, practice, place, and people. Regarding 'place', this requires the development of a space for children (and adults) that is not trauma inducing or triggering, and where they feel able to engage with treatment, rehabilitation or supervision without feeling that they are at risk of relapse. This is a challenge in criminal justice settings, but one that needs to be considered as the shape, layout, and flow of a building may have a traumatic impact on individuals, especially if their traumatic experiences were criminal justice-related.

Custody intervention hubs have been created at both Barnsley and Shepcote Lane police custody suites in South Yorkshire, which are a 'trauma-informed space', enabling partner agencies to engage with children in a more appropriate environment. This makes it easier for the child to build relationships with professionals and trusted adults while assessments are being completed and referrals made. Currently, liaison and diversion services see 84 per cent of children entering custody in these suites.



The custody intervention hubs were developed following consultation with a professor from the school of psychology at the University of Portsmouth and NHS Liaison and Diversion Services. The rooms are decorated in pastel colours and furniture is moveable, which allows children with neurodiversity needs to arrange the room in a way that makes them feel most comfortable.

Figure 2. Custody intervention hub, Shepcote Lane police custody suite

## Example of effectiveness: Trauma stabilisation approach, Norfolk YJS

Inspectors commented:

*"There was a good offer of support from the YJS and a strong health offer in-house, within the YJS, which facilitated a trauma-informed approach. There's evidence that YJS practice was motivated by a need to use a 'trauma stabilisation' approach to make the child feel comfortable before progress could be made in addressing offending behaviour."*



### Case illustration

Jack is neurodiverse and there were concerns that he was being exploited. He reoffended whilst subject to a referral order. As Jack was known to the YJS, this enabled a thorough Asset+ review to be completed before his court appearance. There was a particularly good understanding of diversity needs, specifically regarding neurodiversity and the impact of a recent move from the home area due to exploitation and resulting trauma.

Due to the levels of support already in place, the court agreed to a robust bail package in the community. The initial bail placement was in the family home.

Jack complied well with the bail programme initially, but then reoffended and was made subject to remand in youth detention accommodation (RYDA). Jack's offending was triggered by ongoing exploitation concerns, and the family's needs were exacerbated when they were made homeless and were living in a hotel. Jack was also missing from home. At the point of entering custody, understanding the impact of Jack's ongoing trauma was key to understanding his subsequent behaviours; consideration of a trauma-stabilisation approach was needed before progress could be made.

Initial planning focused on objectives to keep the child safe and contextual safeguarding. The existing education, health, and care plan (EHCP) was used to help determine health needs and a plan to address these. At this stage it was identified that stability was key.

One month later, he was made subject to a remand in local authority accommodation (RiLAA) to an out-of-area placement that was regularly used by children's social care. This provided a strong base to facilitate the 'stabilisation' approach by YJS health workers. A 'whole-family approach' was taken and all the family's needs were assessed. This further increased feelings of safety and stability for Jack given his previous experiences.

Jack's progress was monitored at regular risk management planning panels. These meetings are used to identify risks, including non-convicted behaviours that were missed in the initial assessment. Further understanding of the factors that could trigger trauma relapses and additional case formulation activity strengthened the YJS response during the period of RiLAA.

**Outcome:** Jack successfully completed his period of RiLAA and received a youth rehabilitation order (YRO). This demonstrates that stable, suitable accommodation is key to progressing through the trauma-recovery model and, when it is sourced, reinforces the contention that custody is not always needed if risks can be managed safely in the community.



[Read an academic insights paper here from July 2020](#), where Kieran F McCartan summarises the evidence base on trauma and adverse childhood experiences in the lives of those who have committed offences.

## Culturally competent

As noted previously, children from a black, Asian, and minority ethnic background are disproportionately represented within the RYDA cohort nationally. Recommendations to address overall disproportional ethnic representation in the YJS were made in our thematic inspection of this area. (See page 8.)

Many of the YJSs we inspected were trying to address some of the challenges faced by this cohort of remanded children.

Some partnerships had recognised the need for their service to be culturally competent:

*Being 'culturally competent' means having the knowledge and skills to be aware of one's own cultural values and the implications of these for making respectful, reflective and reasoned choices.<sup>6</sup>*

<sup>6</sup> [Cultural Competence | Equality, Diversity and Inclusion | University of Exeter](#)

Subsequently, some practitioners were becoming aware of their own cultural beliefs and values, and this helped them to consider how best to embrace and work with children from different backgrounds.

## Example of effectiveness: Meeting foreign national need, Waltham Forest

Inspectors commented:

*“Consideration was given to ensuring that Luca’s experiences as a foreign national in a secure estate setting were not adversely impacted by cultural differences. Planning activity actively considered how best to make him feel at ease during his time on remand.”*



### Case illustration

Luca faced allegations of serious violence and was made subject to RYDA. The YJS assessed that his risks could be managed in the community and a bail option was proposed that included suitable accommodation; however, the court rejected the application.

Luca was not known to the YJS, nor was he known to CSC. Both he and his family had only recently moved to the United Kingdom, and he did not have leave to remain. Cultural considerations were key to building the trust of the young person and to intervene effectively.

Luca was given IT translation equipment so that he could understand what was happening in the initial remand meeting. Additionally, magazines in his own language were sourced and provided. The YJS advocated for the child to be placed on a wing where he would benefit from access with staff from his cultural background, who also spoke his language. Custody is a trauma-inducing environment and by ensuring Luca had access to staff with a similar cultural background to him, the YJS and the secure estate were increasing the opportunities for him to interact in a more culturally normal context to make him feel more at ease.

Initial planning activities also included an application to have the child transfer to an establishment closer to his home address to facilitate ease of access from his YJS and family members.

**Outcome:** The work undertaken to develop an understanding of Luca’s cultural background assisted with assessment and planning activity during the period of remand.

There were some promising signs that YJSs are starting to develop workforces who can proactively contribute to a high-quality service to meet the needs of black, Asian, and minority ethnic boys, as evidenced in the following video.



We spoke to Ricky Otto, black boys resettlement mentor at Walsall YJS, and Phil Rutherford, strategic lead for Walsall YJS, who discussed the benefits of the approach they have taken in developing Ricky’s mentoring role to work with black boys in custody. [Video \(YouTube, 24:35\): Effective Practice: Interview with Ricky Otto and Phil Rutherford, Walsall YJS \(HM Inspectorate of Probation\)](#)

Approaches such as this need to continue developing, particularly in geographic regions where low numbers of minority ethnic children are open to the YJS or where there is a lack of diversity in the workforce. The challenge also remains as to whether partners working

with the YJS share these same 'culturally competent' ambitions, and this may well be a potential topic for discussion at relevant youth justice strategic boards.

## **Working together to prevent remand episodes**

A 'reachable moment' is an opportunity to interact and engage with a child who otherwise is hard to reach. Within our inspected case sample, many children had had periods of exclusion, missed education or alternative education provision. As a result, the protection and safeguards afforded through the routine of full-time mainstream education were largely missing. Several children also had a diagnosis of special educational needs.

A failure to address the 'reachable moments' in a child's life increases the risks of factors such as missing education, noted above. This is vividly articulated by the 'school to prison line', a play on the term 'school to prison pipeline' and was created by the 'Education not Exclusion' organisation in 2018<sup>7</sup>, illustrated below.

## DIVERTING THE SCHOOL TO PRISON LINE

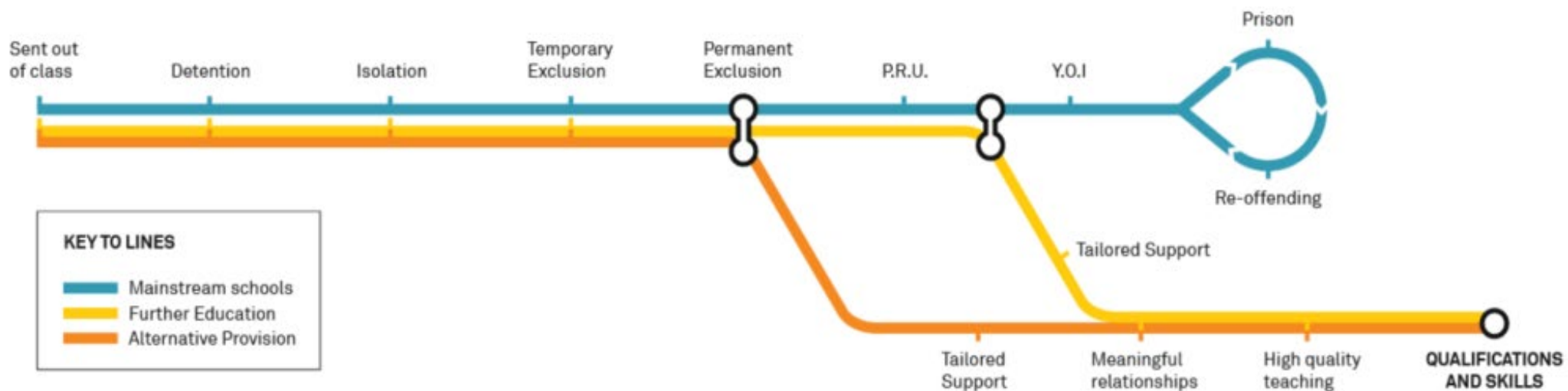


Figure 3. 'School to prison line' tube poster

<sup>7</sup> ['School to prison line' tube posters highlight school exclusions | Metro News](#)



The following examples of effective practice are good illustrations of targeted efforts to identify and use 'reachable moments' with children. Not all are related to education-based intervention, but all demonstrate the importance of intervening at the appropriate time to assess needs, increase engagement with professionals, and safeguard children at risk of or who have been remanded in custody.

### **Example of effectiveness: Targeted education support, Walsall Children's Services**

In response to their own internal data highlighting concern about school exclusion rates and links with offending behaviour, Walsall Children's Services have taken a targeted approach to their education offer, as shown below.

- **Virtual school** - Walsall has a long-acknowledged position regarding YJS children accessing the support of the 'virtual school', dating back to 2018. Children open to the YJS are considered to have the same level of vulnerabilities as care-experienced children and so have always had the same level of access to virtual school support. Assessment and screening of their needs has been facilitated by a bespoke vulnerable child personal education plan (PEP). This approach has enabled *vulnerable* children who may not be accessing mainstream education to have contact with professionals who can facilitate bespoke support before their behaviour escalates. These include speech and language therapists (SALT), educational psychologists, and child and adolescent mental health service (CAMHS) practitioners.
- **Inclusions hub** – the analysis of school-exclusion data in the authority led to the development of the 'inclusions hub'. Its remit is to provide an offer of support for all children with a specialist worker, open to YJS or with an EHCP who are at risk of being excluded. Attendance, reduced timetables, and pupil premium are monitored and reviewed to determine who requires additional support through the hub.
- **Seamless support** - although Walsall's approach is beginning to have an impact on exclusions in the authority, nevertheless, some children do enter the YJS and on occasion are remanded. In this case, the arrangements allow for continuity of provision. If remanded, a social worker creates a specialist remand personal education plan (PEP) which includes a bespoke section on needs within the secure estate and plans for post-release need. Virtual school colleagues attend all remand meetings and provide appropriate challenge to the secure estate if inappropriate provision is a feature. All children re-enter the inclusion hub upon release and continue receiving targeted support.
- **Analysis of data** - the head of the virtual school coordinates all the above activity and sits on the youth justice management board. She provides quarterly quantitative data to the board to scrutinise and act on if needed, with the capacity to drill down into specific cohorts of children. Case studies are also provided to aid 'lessons learned' exercises. Currently in development is a 'risk of not in education, employment or training (NEET)' indicator tool to be used with the YJS cohort of children; this could identify 'reachable moment' intervention for those at risk of remand in the future.

## Example of effectiveness: 'Risk in the community practitioners', Essex Children's Services

- **Looking at risk differently:** Essex Children's Services have a small team of 'risk in the community practitioners' who support mainstream practice within the directorate. The support provided is based upon a comprehensive, well-designed framework underpinned by a belief that the 'traditional' language used to discuss *risk* concerning exploited children is inaccurate. These practitioners utilise a 'thinking tool' to help frame other staff thinking about risks posed to and by children. The aim is to instil a mindset with all partners to do all that can be done to keep children in the community when risks can be managed.
- **Partnership approach:** Once the risks have been defined, risk in the community meetings are held to devise an operational partnership plan. Partners are held accountable at these meetings and are required to explain what they are hoping to achieve when taking on actions. Children and families can attend. If risks increase, local risk management procedures are triggered, and planning is escalated to other risk management forums if required.
- **Impact:** As a result of the approach, Essex have seen:
  - risks reduced
  - family relationships restored
  - safety planning facilitated
  - increased capacity to manage risk consistently over the large and geographically dispersed 'quadrants' in the county
  - more children get back into education
  - more children become involved in positive activities.

## Example of effectiveness: Joint supervision pilot, Lambeth

In Lambeth, the YJS and CSC have introduced a joint supervision pilot to help develop a more coordinated approach to working with complex adolescents. Borys Sobzcak, youth justice case worker, told us:

*"It's for those more complex cases where there's a lot of things usually to discuss and decisions to be made around how we approach and make a change and make an impact on those young people's lives ... it does build a stronger relationship you know; it feels like there's a team working together now."*



We spoke with Borys Sobzcak and Sophie Smith, team managers for the 16+ Leaving Care Team in Lambeth, to find out more about their reflections on the pilot and how this approach works. [Listen to the interview here.](#)

## Working together to improve children’s experience of detention in the police station

**Example of effectiveness:** Early intervention in police custody, Norfolk County Council



[Read more about this pilot scheme here.](#)



Funding for this approach was initially sourced from public health as part of the Norfolk County Council addiction, diversion, disruption, enforcement and recovery (ADDER) project. The central philosophy behind the decision to place a worker in the Wymondham police investigation centre (PIC) is that this is a **‘reachable moment’** where the workers can quickly identify the needs and vulnerabilities of children who are arrested and link in with relevant professionals. If at that stage a child is unknown to statutory services, the early intervention custody (EIC) workers can start a short-term intervention with them (including an out-of-court disposal), including signposting to relevant services alongside statutory tasks, such as referrals to the ‘front door’ services.

If a child is then bailed by the police pending a charging decision, the work that the EIC worker initiates can be significant and can provide an early understanding of the child’s needs and motivation to engage. This may well be crucial post-charging decision when the court must determine the suitability of a bail placement. Therefore, not only is this an effective way in which to intervene early with vulnerable children, it also provides a firm foundation for avoiding unnecessary remands.

### **Example of effectiveness:** Police cell distraction kits, Metropolitan Police

When arrested, children from the boroughs of Lambeth and Southwark are likely to encounter a child-friendly approach by custody staff who hand them ‘distraction kits’ (see Figure 4.) as a means of de-escalating aggressive behaviours and settling children. The kits were developed in consultation with liaison and diversion service colleagues.

Police colleagues told us that they took a collaborative approach to sourcing the resources for use with arrested children by:

*“Consulting with other organisations such as early help, head teachers, and the Children’s Society to try and identify best practice.”*

Andrew Hillas, the head of Youth Justice Service and Southwark Vulnerable Adolescents Service, noted that the kits are having an impact and told us:

*“These resources are extremely useful for young people detained in police custody - it certainly reduces anxiety.”*



Figure 4. Metropolitan Police Distraction Kits

## Court

### Example of effectiveness: Shared court arrangements, Lambeth and Lewisham



Two of the YJSs we visited, Lambeth and Lewisham, are part of a group of six YJSs that share Bromley Youth Court. They described how all six YJSs meet monthly to review practice. They look at key themes impacting upon the outcomes for children appearing at the court, such as disproportionality, gang affiliations, intelligence, and sentencing proposals and outcomes. They have developed common documentation formats so that courts receive information in a consistent way.

## Alternatives to remand in youth detention accommodation

### Example of effectiveness: Roundabout, Sheffield

Sheffield YJS has commissioned accommodation provision with Roundabout, the main homelessness charity in the city. The charity owns a large portfolio of properties, including hostel and standalone 'dispersed properties' staffed with non-residential support workers. In total, Roundabout has access to 65 properties across South Yorkshire, and the term of the contract requires 11 properties to be available for young people at all times.



These properties are available for children and young people aged 16 and over who are supervised by the YJS and so can be identified as possible alternatives to



remand. If a child is already in custody and has no identified accommodation, the contract can be utilised to source a potential bail placement. Additionally, housing is available for children who are not defined as 'care leavers' and for those already living in unsuitable or unsustainable accommodation. Roundabout will support young people to find suitable accommodation regardless of their classification of risk, provided there is a strong risk management plan in place. If risk can be managed, violent offending does not preclude assistance or the offer of accommodation.

Additionally, Roundabout provides the YJS with a specialist accommodation worker, whose remit is to deal with accommodation queries and link in with family, professionals, and relevant services, such as the Shelter Legal Team, to assist with accommodation issues. This worker also acts as a conduit for all accommodation queries and provides longer term keyworker support for young people moving into independent living. This also includes 'non-accommodation' support, such as assistance with benefit claims and GP registration. This support worker is not bounded by timescales linked with YJS interventions and will work with a young person even after the YJS intervention has ceased, for as long as needed.

Children and young people working with Roundabout also get additional benefits.

- Their engagement with the organisation means they can be moved up the local authority housing waiting list and become a 'priority band B' applicant.

- The Roundabout support worker is also designated as a 'trusted assessor' and can help a child or young person to secure accommodation if released from custody unexpectedly.

Strong contract monitoring arrangements are in place and all key performance indicators to date have been met, enabling the contract for this service to be renewed for another two years from April 2023.

### Example of effectiveness: London Accommodation Pathfinder

The London Accommodation Pathfinder (LAP) is funded by the Youth Justice Board (YJB), and is a collaboration between multiple councils, YJSs and partners within London. The pathfinder was established due to problems placing children who needed an alternative to a RYDA; placement providers were increasingly reluctant to take them because of the risks they posed and their complex needs. YJSs and CSC were working separately to identify suitable accommodation for remand cases, often with differing views on risk which caused a disconnect between services.

A more unified approach was required combining information from different sources.

The availability of placements was also an issue, and associated difficulties in placements in London due to gang affiliations, meaning children were often placed out of area. This sometimes led to an 'out of sight, out of mind' mindset from professionals. Placements also often failed due to child missing episodes or the child returning to their home borough.

LAP identified two accommodation units of five beds which are owned and refurbished by a local authority and operate as supported accommodation for children 16+. They are managed day-to-day by a voluntary organisation. The initial set-up costs were paid by a YJB grant and are supported by clear procedures and an operational manual. They provide accommodation to two sub-regional groups (approximately six each) of London YJSs; in these circumstances, the national protocol for caretaking cases does not apply and home YJSs will maintain their involvement if the placement is out of area.

The three priority groups are (in order):

- children currently RYDA
- children at risk of a custodial sentence as part of an accommodation package
- resettlement - children coming out of custody.

LAP is not yet able to provide accommodation 'on the day of initial court appearance' for children who are at high risk of RYDA. Once the pathfinder is well established, it anticipates including this category of referral.



Though a recent approach, there is [an interim evaluation report](#) from Middlesex University and the Centre for Abuse and Trauma Studies (May, 2023) detailing progress made so far.

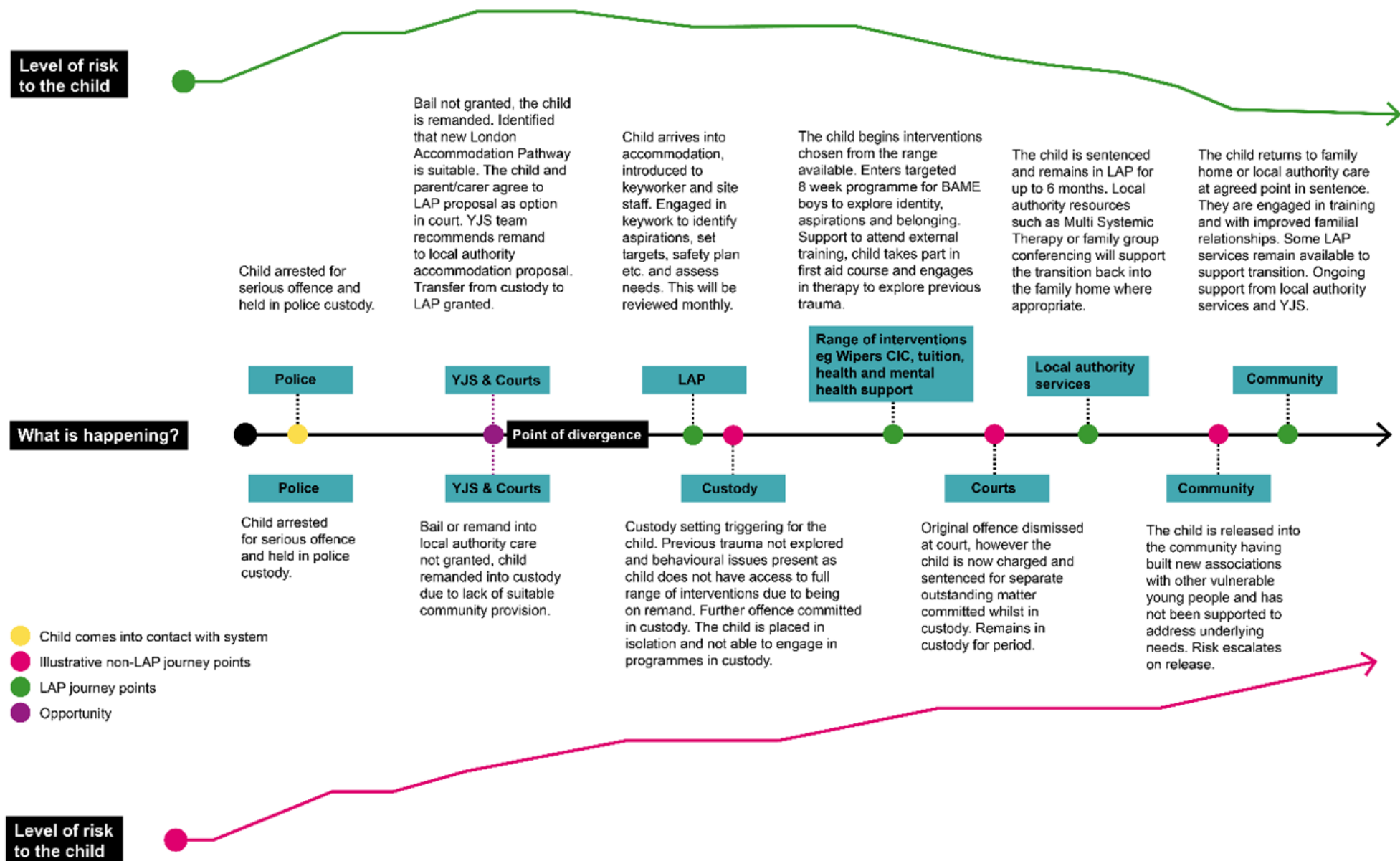


Figure 5. A line map illustrating a hypothetical journey of a young person accessing the LAP in comparison with being remanded into custody<sup>1</sup>



The London Accommodation Pathfinder video was created with children in contact with the youth justice system to explain the project. [Video, \(YouTube, 2:39\): The London Accommodation Pathfinder \(Youth Justice Board\)](#)



The LAP has also produced a range of guidance and support documents for YJS and key stakeholders to ensure consistency and quality in the running of the service provided to the children. These include:



[The LAP Operations Manual 2022](#) which provides an overview of the pathfinder, pathways into the LAP, case management arrangements, support for the child in placement, risk to placement, serious incident guidance, LAP support framework, transition and move on, dispute resolution, and governance.



[LAP PSR guidance](#) which provides support and guidance for YJSs writing pre-sentence reports or submitting RiLAA applications to the court.



[LAP example planner](#) for a child within the LAP.

## Detention

### Example of effectiveness, Information to families of remanded children, Derby YJS

It is crucial that children, and their families, are given as much information as possible about avenues of support if they are remanded into youth detention accommodation. We were impressed with [the comprehensive help sheet](#) produced by the family worker within Derby YJS, which is provided to all parents and carers.

### Example of effectiveness: Continuity of care and support, transitions workers, Kent

Transitions workers were first introduced by Kent to provide continuity of healthcare for children leaving custody. They are employed by the local authority but are based in HMP/YOI Cookham Wood and they now have a remit for:

- developing a shared case formulation and action plan when children enter Cookham Wood YOI
- supporting the child in custody and then into the community
- sustaining the trauma-informed work that has begun in Cookham Wood, and ensuring that community-based services complement the work by agencies in the YOI
- supporting the child if they move from Cookham Wood into the adult prison estate
- working with children to create guidance for practitioners on effective strength-based resettlement

- dependent on caseload and capacity, contributing to the intensive supervision and surveillance (ISS) and reparation activity in the community.

The work is undertaken with the benefit of swift access to children in Cookham Wood, which social workers and youth justice practitioners may not have. There is also capacity to assist colleagues from other authorities in ensuring their children are seen.



We spoke to Rebecca Hammond, adolescent safeguarding manager within the Kent integrated adolescent service about the role of the transitions workers and the wider remit of the adolescent response team that provides support for complex, vulnerable adolescents in the county. [Video \(YouTube, 19:22\): Effective practice: Kent adolescent response team and transition worker \(HM Inspectorate of Probation\)](#)

**Reflection questions**

Consider and discuss the following:

- Do you have a shared understanding with other partners and agencies of why you are trying to reduce remand episodes? How do you know? Is this something you are targeting as a service and as a partnership?
- How does your partnership ensure that staff are clear about their roles and responsibilities for remand?
- Given the large number of plans, policies, operational meetings, and strategic boards in place, how do you ensure that activity is coordinated effectively and that communication is not confusing?

## Case management for children subject to bail and detention

Effective case supervision allows the child, with the support of their parents or carers if appropriate, to address their offending behaviour. It should also support desistance and promote the safety and wellbeing of the child and wider public. Within our core inspections, we judge the quality of delivery against the stages of the ASPIRE process.

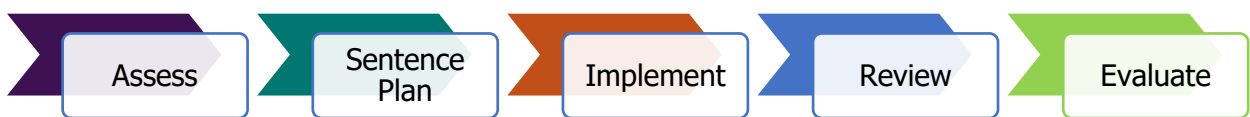


Figure 6. The ASPIRE model<sup>8</sup>



To be effective, ASPIRE should focus on keeping the child safe, supporting desistance, and keeping other people safe. [Read more about the effective implementation of ASPIRE here.](#)



A useful framework for practitioners and managers to consider when analysing good case management practice is the [IDEAS](#) model, referenced below. This framework is

<sup>8</sup> Taken from [The quality of probation assessments - Russell Webster.](#)



made up of five elements; it was developed to support practitioners in the YJS to evaluate their work with children and their families.

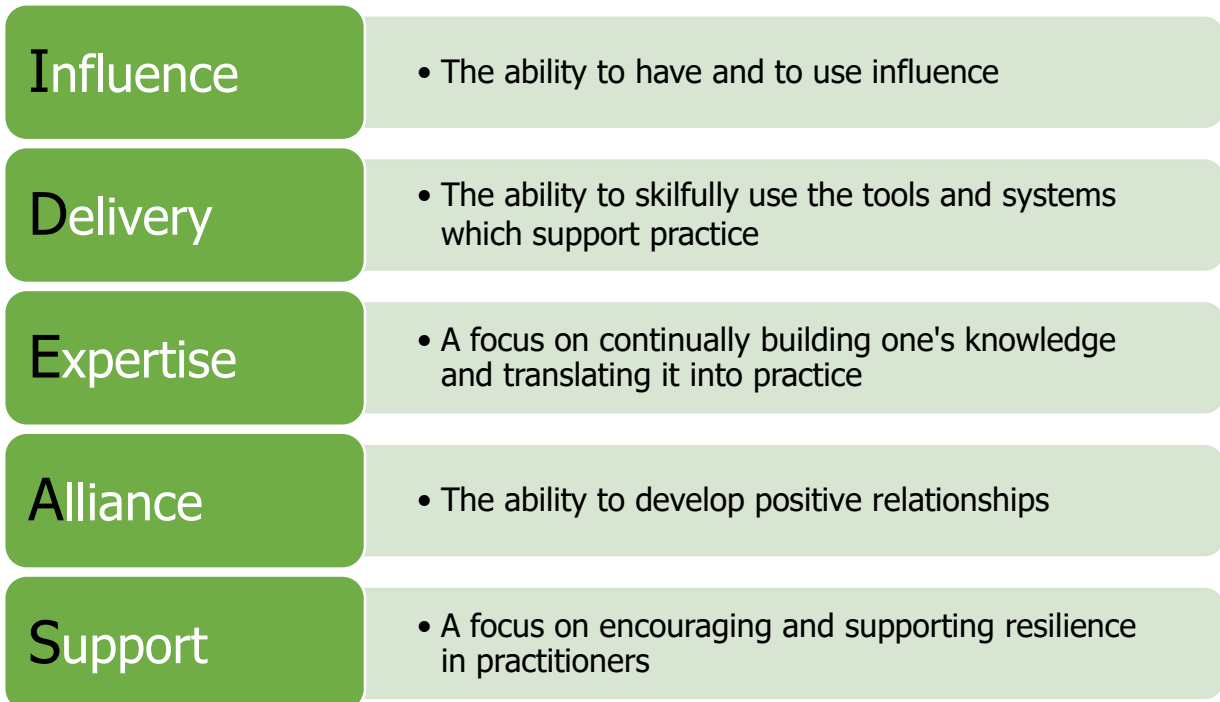


Figure 7. The ideas approach to effective practice in youth justice<sup>9</sup>

We found that children at risk of remand, or who had been remanded, were invariably complex individuals who needed high levels of support and intervention. Delivering effective work when children are not previously known or are subject to short bail or remand interventions can be supported by the approaches below.

<sup>9</sup> [The IDEAS approach to effective practice in youth justice \(justiceinspectors.gov.uk\)](https://www.justiceinspectors.gov.uk/).

## Key take-aways

### Delivery of effective supervision requires:



Proactive **collaboration** with children, their families, and all professionals working with them is key to securing successful outcomes.



Often the voice of the child is lost in a plethora of confusing, and sometimes conflicting, processes and procedures; they need a strong **advocate** to speak up for them.



Practitioners must show **tenacity** at all times to influence outcomes at all stages of the child's journey.



One size does not fit all; a **personalised approach** is key.



Racial disproportionality and risks of inappropriate adultification impact adversely on this cohort of children; practitioners must be **culturally competent** to ensure children can expect the best levels of support that they deserve.



The children within this cohort have invariably experienced significant **trauma** previously. Their experiences of the secure estate exacerbate this further; practitioners need to intervene accordingly.



Good practice is always underpinned by **comprehensive assessments** and **effective planning** within a collaborative setting. Practitioners must strive to maximise the impact of this activity, particularly when children may not be well known previously and their potential risks to others may be extremely serious.



Many of the children we inspected had moved, or were going to move, between geographical areas. Some were moving between services, sometimes due to turning 18. Effective **caretaking** and **transitions** arrangements are needed to facilitate a seamless journey for the child.





[You can download a printable version of Key take-aways here](#)

## Effective collaborative working relationships - with the child and family


The development of positive relationships is the most consistently cited factor in improving the life chances of a child who is at risk of, or involved in, offending behaviour.

Trusted relationships with professionals can enhance children's engagement, increase the likelihood that they will share their views and experiences, and more readily utilise available forms of help. There is also some evidence that relational approaches may be therapeutic in themselves, boosting children's resilience and helping to repair some of the vulnerabilities caused by earlier developmental trauma.



The following important factors have been identified:

-  practitioners demonstrating genuine care for, empathy with, and belief in the children they are working with
-  time, space, and the prioritisation of relationships when working with those who have experienced trauma, abuse, loss, and negative experiences of relationships and professional involvement
-  building the relationship as early as possible and allowing it to evolve in line with changes to the child/family situation
-  recognising that every relationship is different and that there is no single blueprint for a good relationship.

The extent, quality, and supportive character of relationships is the cornerstone of planning and practice which is individualised and context specific, helping children to fulfil their potential.

-  [Video \(YouTube. 6:22\): Relationships and relationship-based practice \(Check your thinking Cardiff\)](#) was produced by Cardiff University (from the 'Keeping Safe?' research project) and provides a helpful overview of relationships and relationship-based practice. It emphasises the need to consider the number of relationships and beneficial longer-term supports.

Often, the most important trusted relationship within a child's life is their parent or carer. During our inspection, we found that parents and carers were often marginalised; sometimes this was due to the swift and sometimes confusing events that led to their children being remanded into the secure estate and the ensuing lack of information provided, or sometimes due to practical barriers, such as the absence of financial support to enable them to visit children in an establishment potentially over 100 miles away, or even being refused entry to an establishment. In these circumstances, it is vital that a 'team around the family' approach is in place in order to achieve the best chance of success for the child.

-  [YJB guidance on how best to work with parents in the youth justice system may be accessed here](#)
-  Lambeth YJS benefits from a parenting worker embedded in the service itself, rather than relying on referral to other family support or early help services elsewhere within the authority. [We spoke to Christabel Gyasi, Lambeth YJS parenting worker; in this interview she explains the importance of her work and how it has had a](#)

[positive impact for parents of remanded children here](#). You can read a [transcription of this interview here](#).

## Effective collaborative working relationships - within the partnership

### Example of effectiveness: Sustained collaborative working with a child towards positive outcomes, Essex YJS

Inspectors commented:

*"The YJS worker and social worker attended the initial bail hearing and worked collaboratively once the child was bailed. All too often the partnership's best intentions in ensuring a collegiate working relationship is in place are not operationalised; this was not the case with this child."*



#### Case illustration

Leo was well known to the YJS and had been in custody following breach of a youth rehabilitation order (YRO.) He was arrested at the gate on release from custody for violence-related offences and was held overnight before attending court. Both his YJS case manager and social worker travelled to court from out of area with the intention of demonstrating a collegiate approach to the court and reinforcing that support was in place. Children's social care (CSC) sometimes steps away from involvement with children because of YJS participation, and while there is strong multi-agency unity at a strategic level, this does not consistently translate into frontline practice. In this case, strategic expectations for collaborative working were reflected on the ground and practitioners supported each other.

Leo was remanded in custody from court and agencies worked together to find a suitable placement. This was key to the court's decision to bail Leo some three days later, with a robust support programme in place, assuring the court that the risk could be managed at the placement.

An up-to-date Asset+ was completed, drawing on all available sources of information, including, for example, CSC history from the age of one. High levels of collaboration between YJS and social worker practitioners ensured the assessment was comprehensive with all risk identified. Additionally, there were concerns regarding criminal exploitation and a national referral mechanism (NRM) referral (for potential victims of modern slavery) was made, and there was involvement at missing and child exploitation (MACE) and multi-agency public protection arrangements (MAPPA) meetings.

Following release on bail, social care records indicated that there was a comprehensive package of support from the placement, the YJS, social worker, and his dedicated gang worker, with professionals trying to be creative. Multi-agency oversight was regular and, where appropriate, child protection mechanisms had been triggered. More recently, due to child missing episodes, there had been appropriate strategy discussions including all relevant parties. Police in the area have a dedicated children officer who knows Leo and the situation well, and he has been treated by the police as a vulnerable child.

**Outcome:** The court had confidence in the wraparound support available as part of the bail package and Leo was sentenced to a YRO. Whilst the child did not comply with the YRO, the partnership approach remained strong and he was still regarded as a child whose safety and wellbeing were as important, if not more so, as his offending behaviour and the potential risks to others.

## Example of effectiveness: Multi-agency work to reduce detention and safely manage a vulnerable child in the community, Kent

Inspectors commented:

*“Positive use of the national transfer scheme (NTS) via children’s social care to support the child. NRM positive grounds decision being issued quickly which was able to be used to support the NTS and in court, resulting in the offences being withdrawn. Good example of agencies working together on a complex case which was not known to services and considered high risk under safety and wellbeing.”*



### Case illustration

Binah was trafficked to the United Kingdom and forced to carry out drug-related offences to pay back debt to his traffickers. He was assessed by social care to be an unaccompanied asylum-seeking young person. He was arrested after being located within a property cultivating cannabis and presented to the court that day. Legal representation and an appropriate adult were present, but as there was no interpreter, the district judge asked for the case to be returned to court within four days with an interpreter to gain Binah’s views.

Binah was released on a RiLAA due to concerns about his welfare and safety, and that he had no accommodation or family in the country. His age was raised as a concern in terms of suitable placements and the YJS case manager advised the Home Office that the age assessment process could be lengthy. The Home Office directed that he go to an immigration reception for young people, and police took him to the placement from court.

Whilst at the immigration centre, although Binah had access to healthcare, food, activities, and English language learning, the partnership needed to assess and review his circumstances swiftly. On the second court appearance, Binah pleaded not guilty and a trial date was set.

During the period of the RiLAA, CSC undertook section 47 enquiries,<sup>10</sup> and the police submitted a NRM referral. Positive reasonable grounds regarding the NRM were received within three weeks of his first court appearance. The CSC also made a referral using the national transfer scheme protocol<sup>11</sup> to enable the safe transfer of an unaccompanied child from its authority to another local authority. He subsequently moved to another area.

In this instance, the partnership took a clear approach to focus on addressing Binah’s wellbeing needs above any potential flight risk he might have posed.

**Outcome:** During the third court appearance, Binah was released on conditional bail with a period of adjournment and moved to a placement out of area. The case was then acquitted and withdrawn due to evidence that Binah was a victim of human trafficking and modern-day slavery.

<sup>10</sup> Under section 47 of the *Children Act*, the CSC must carry out an investigation when they have 'reasonable cause to suspect that a child who lives, or is found, in their area is suffering, or is likely to suffer, significant harm'.

<sup>11</sup> Department for Education. (2003). Home Office, *National transfer scheme protocol for unaccompanied asylum seekers Version 6.0*. Last updated 17 August 2023.

## Advocating on behalf of the child

Given the needs of this cohort of children, it is important that practitioners consistently advocate on their behalf. For example:

- when determining whether a non-secure *Police and Criminal Evidence Act (PACE)* bed is appropriate before an upcoming court appearance
- when looking for an appropriate placement to support a bail package
- when determining the suitability of education provision to support a robust intensive supervision and surveillance (ISS) package
- when determining whether a child should be bailed to a YOI or a secure training centre (STC) or secure children's home (SCH).

Whilst it is correct that risks to others should always be at the forefront of good partnership safety planning, good advocacy for a child is crucial in ensuring that their voices and views of marginalised individuals are heard and that informed decisions can be made by the partnership. At times, practitioners will need to escalate matters to their leaders, for example, when there is insufficient accommodation in the area or financial assistance is needed for children in custody and their families.

### Example of effectiveness: Advocating on behalf of a child to secure release on bail, Waltham Forest YJS

Inspectors commented:

*"There is evidence of the YJS advocating on behalf of the child in helping to obtain accommodation to support the eventual bail package, [and] challenging children's social care to identify and fund out-of-area placement where there was an initial reluctance as the child was not previously known to them. The YJS also advocated for an intermediary assessment of the child's learning needs, which was funded by the solicitor, the outcome of which means the child will have access to intermediary support at trial."*



#### Case illustration

Kumar was remanded in custody for serious violence and firearms offences. He was not well known within the YJS, though he had received a previous diversionary intervention and at the time of the remand was subject to a referral order. Kumar had been on police bail for almost a year and was not previously known to CSC. The seriousness of the index offences seemed to be the determining factor behind the remand decision.

Following a period in the secure estate, a bail application was successfully made by the YJS and Kumar was released on conditional bail that included an out-of-area placement, electronically monitored curfew, and an exclusion zone monitored by GPS. All of this was achieved as a direct result of his case manager comprehensively identifying the underlying risks and then advocating for consideration of a bail package by children's services. There is evidence of the case manager effectively drawing on the child's history and case records, utilising what was known about his previous offending, peer associations, and potential links to gang activities to inform the assessment. Whilst the picture drawn up was one that was not without risks, it contributed to a sufficient analysis of the risk of reoffending to account for the pattern, volume, nature, and time within which the

offences had occurred and consideration of why this may be the case. The child was not heavily convicted, and this was also highlighted. The case manager assessed that those risks could be managed in the community, supported by a strong argument for why he was assessed as being medium-risk in terms of safety and wellbeing concerns and, crucially, his risk to others.

All this information was provided to children's services colleagues as part of the package of information drawn up to secure agreement for funding of an out-of-county placement. Had the case manager not actively advocated for the child, it is likely that he may have remained remanded in the secure estate.

**Outcome:** Kumar is awaiting trial and remains subject to conditional bail, which he has complied with to date. Additionally, speech, language, and communication needs have been identified for further assessment.

Youth justice practitioners are not the only professionals within the partnership who should be advocating on behalf of the child when they are in custody. During fieldwork, the most effective areas that we visited were ones where the partnership approach highlighted in this guide were working seamlessly.



We spoke to Jamie Clarke, a personal advisor with the Norfolk Live Beyond Care Team; here he explains the benefits that he brings to interventions as an advocate not working within a 'criminal justice' organisation, and how his advocacy for a young person we inspected was crucial in helping him transition from the youth to the adult secure estate. [Video \(YouTube, 2:34\): Effective Practice: Interview with Jamie Clarke \(HM Inspectorate of Probation\)](#)

## Tenacity

During our inspection, children who were remanded into custody were often not well known to statutory services, and when they were known, 'reachable moments' had often been missed. There were gaps in knowledge and understanding of these children's needs at the start of interventions. Given the complexity and vulnerabilities of many of the adolescents who get remanded, practitioners need to be tenacious. Children may be unwilling to share details of peers who may be exploiting them or of events which could potentially implicate them. Gaining a full picture of need alongside building the child's trust can take time.

### Example of effectiveness: Tenacity of response, Kent YJS

Inspectors commented:

*"The response from the YJS in the period following the RYDA being imposed was impressive. The gathering of information, involvement of family and services, and seeking Wilson's views assisted in the creation of a bail proposal designed to enable his return to the community and avoid the continuation of the RYDA."*



#### Case illustration

Wilson was subject to RYDA for a period of 17 days related to multiple offences, including violence.

Information available at the time of the initial court appearance identified known factors such as exploitation, experiences of neglect and physical and emotional harm, family

relationships, and peer associations. However, the case manager identified a reluctance to share information and mistrust of professionals based on past experiences. A stronger case was needed for the court to grant bail.

The case manager was determined to evidence that the risks could be managed in the community and formulated a clear plan and robust bail package, including finding accommodation in partnership with children's social care, Wilson and his family. Reasonable grounds for an NRM had also been previously established with a decision from the competent authority that Wilson was a potential victim of modern slavery.

The case manager, through her work with Wilson, also identified potential speech and language communication needs. This also resulted in screening and referral to the Kent YJS Speech and Language Therapy Service.

**Outcome:** The case manager did not give up at the point the child was remanded and worked hard to put together a suitable bail package. The court agreed to release Wilson on bail ISS. Wilson remained subject to a stringent set of conditions at the time of the inspection.

## Personalised approach

Theoretical models and research findings consistently highlight the importance of respecting individuality and understanding the specific characteristics of the child. These include identifying safety concerns, either in relation to the child or others, such as other children and members of their family.

Risk and protective factors can be identified at the individual, family, community, and society levels, recognising the importance of considering the child in the context of their lives and the society they live in, supporting the development of responses which are holistic and child-centred. For further reading, see below.



A 'child-first' approach means putting children at the heart of service provision and seeing the whole child, identifying/tackling the influences on offending, and identifying/promoting the influences that help them to move to prosocial, positive behaviour. [Read more about the evidence base for this approach here.](#)



Children with neurodiverse conditions form a disproportionate number of the remand cohort and benefit from a personalised approach. You can read more about [Neurodiversity – a whole-child approach for youth justice](#) in this Academic Insights paper prepared by Professor Amanda Kirby for the Inspectorate.

## Example of effectiveness: Putting the needs of the child first, Lambeth

Inspectors commented:

*"There is evidence of a child-centred approach in responding to the initial remand in this case. The child's welfare and the fact that there are positive conclusive grounds [for] NRM findings was appropriately prioritised to secure a RiLAA which minimised the time spent being RYDA."*





## Case illustration

Connor was remanded in custody for alleged drug-related offences. He was known to the YJS and CSC. However, the alleged offences were committed out of area and the child's arrest and initial court appearance were in an out-of-area court.

Following the initial RYDA, the YJS reviewed the decision and felt that the child's vulnerabilities were not considered in sufficient depth by the out-of-area court, nor had the court considered in full whether the risks could be managed in the community. The YJS therefore made an application for RiLAA, with a tight package of personalised support from the professional network, and he was released from custody after one week. He was remanded to the care of the local authority and placed out of area away from presenting contextual safeguarding risks. The out-of-area YJS supervised contacts with the child, and the home YJS retained overall case management responsibilities, including preparation of pre-sentence reports as they had most knowledge of the child.

The assessment addressed the key issues impacting the child's safety and wellbeing. It was informed by contextual harm concerns in the community which had contributed to the child becoming looked after and subject to a previous child protection plan, and positive conclusive NRM findings. The child had also been a victim of serious youth violence and the associated trauma was recognised.

Based on what was known about Connor and his offending history, the factors most likely to place others at risk were identified, analysed, and managed well in the community. Contextual harm concerns, such as substance misuse and the child's negative experiences of police contact, were also addressed in terms of potential risks.

**Outcome:** Connor has returned to the family home. He had missed education previously and so one-to-one home tuition was arranged, which was achievable because he was supervised in the community rather than in custody. He was sentenced to a YRO with ISS on another matter, and was engaging well, whilst awaiting trial.

## Example of effectiveness: Matching the secure estate placement to the child's needs and vulnerabilities, Norfolk

Inspectors commented:

*"The child has significant learning disabilities and there is evidence of advocacy to ensure the child was placed in the [specialist] Keppel unit."*



## Case illustration

Anthony was remanded to youth detention accommodation for alleged violent offences and possession of a weapon. He was well known to criminal justice agencies including the YJS, and prior to the remand episode he had numerous previous convictions. No application was made for bail at the time of the remand.

He was a care-experienced child who was residing with one of his parents. He was assessed as very high risk to his safety, and high risk of serious harm, particularly when in the community due to his involvement with gangs and youth violence. His risks were further compounded by his additional learning needs.

Anthony had an extensive offending history, and his learning disability lowered his inhibitions, making him susceptible to the influences of others. He had aligned himself with known gangs and was led by them; this influenced the assessment that his risks were not manageable within the community.

The assessment was informed by several sources of information, including YJS, health, and social care. The child's learning disabilities and the impact on his behaviour and interactions with others were well captured. For example, his willingness to align himself to negative peer groups within the community and the risks to his safety were addressed. The impact of childhood traumatic experiences, as well as poor parental attachment and inconsistent parenting styles, were also analysed. It also sufficiently analysed how to keep others safe. There was evidence of advocacy when liaising with the youth custody service (YCS) to determine placement suitability, and requests were made that the child should be placed in the Keppel unit, the only YOI-based secure facility with the capacity to cater for his needs. There was evidence of Anthony's issues being discussed as part of remand and looked after child reviewing activities.

**Outcome:** Anthony adapted well to the custodial regime. This was helped by the boundaries and structures in place for education, training, and employment (ETE), and positive constructive activities within the custodial facility. Anthony was sentenced to a 16-month detention and training order (DTO) and was subsequently released on DTO licence to live with his parents

## Comprehensive assessment and effective planning

Good assessments are well informed, analytical, and personalised, and actively involve the child and their parents or carers. Effective planning is reflected by activity that is well informed, holistic, and personalised, actively involving the child and their parents or carers. Our standards require all assessment and planning activity to consider how best to support desistance, to keep the child safe, and to keep others safe.

### Example of effectiveness: Effective assessment supporting release on bail, Essex

Inspectors commented:

*"This case evidences the power of effective partnerships within a comprehensive assessment, which balances wellbeing and safety in developing a robust alternative to remand."*



#### Case illustration

Kofi was known to the YJS on a referral order for a violent offence and was arrested for further drug-related matters.

During the initial court hearing, Kofi put forward an address in East Sussex which he could be bailed to. The two YJS areas liaised appropriately and assessed that the risks could be managed in the community if the bail package included additional conditions, including a curfew, to reside as directed, police signing, and exclusion zones for London and Essex. However, the address was ultimately deemed unsuitable and, as he had no other potential bail addresses, the court imposed a RYDA for one week to give YJS and CSC time to find a suitable address to support the bail programme.

The initial assessment by the YJS was based on information already known about Kofi from his referral order. However, it also incorporated current and emerging concerns around the new alleged offending, exploitation, and potential contextual safeguarding risks. The assessment offered a good analysis of personal circumstances and lifestyle, including homelessness, parenting capacity, and exposure to adverse childhood experiences, drawing upon a range of sources, including Kofi and his parents. There was also a comprehensive analysis of safety and wellbeing followed through with tangible actions, such as NRM referral.

Given the nature of the alleged new offences, the assessment also explored who was at risk, and the nature and circumstances of this risk, and the imminence and potential outcomes of further violent offending was noted. The development of such a comprehensive Asset+ was crucial and provided assurance that an appropriate bail package could be proposed. There was a strong argument that, if appropriate accommodation could be found, the partnership had a good understanding of Kofi's risk, need, and responsivity, and this nullified the secure estate as the only suitable option.

This thorough analysis of Kofi assisted children's services to find an appropriate placement. Subsequently, supported and regulated accommodation was found and when Kofi appeared back in court after a week, a RiLAA with ISS was granted.

**Outcome:** Kofi remained on a RiLAA with ISS for 39 days and engaged well with the YJS and placement staff. At a further crown court hearing, due to the stability achieved, the court decided to reduce the requirements and a conditional bail package was imposed while awaiting trial.

## Transition

Many children who we inspected had experienced significant periods of change within their lives and several episodes of transition. This included transferring from youth to adult services, to different accommodation placements, and moving from the children's secure estate to adult prisons.

This cohort of remanded children also have numerous complexities which often result in referrals to different health, ETE, and wellbeing agencies; we saw children, particularly those who had been bailed, who had experienced an ever-changing array of contacts with multiple services or interventions, often moving up and down 'tiering' levels of support. Additionally, the cohort of children who we inspected in this thematic inspection were often older adolescents; many turned 18 before the matters for which they had been arrested were resolved. Subsequently, these children needed to transition effectively between child and adult services. In some instances, there was no replicable adult service available.

In these circumstances, YJSs and their partners must be equipped to deal effectively with these periods of transition for children on remand or bail whom they may know little about at the start of the intervention, and who may only be open to their service for a short time.

There are protocols and procedures to assist with transition arrangements, such as the [National Protocol for Case Responsibility guidance for YJSs in England and Wales](#) and [the joint national protocol for transitions in England](#) for managing cases of children moving between YJSs and probation.



The Alliance for Youth Justice has supported a 'young people in transitions in the criminal justice system' project funded by the Barrow Cadbury Trust. [Its evidence review, found here](#), highlights the risks posed by the withdrawal of services at the point of transition for young people moving to adulthood in the criminal justice system.



Dez Holmes and Lisa Smith summarise [transitional safeguarding in this Academic Insights paper](#) for HM Inspectorate of Probation.

## Example of effectiveness: Supporting a successful transition to the adult secure estate, Norfolk

Inspectors commented:

*"Professionals quickly identified that the transition from youth to adult estate was a period of potential risk and a potential 'reachable moment' where the partnership could reinforce a supportive approach with this young person. They seized the opportunity to provide this support and facilitate transition arrangements."*



### Case illustration

Theo was remanded in custody for an alleged offence of serious violence. He had no previous convictions and one previous out-of-court disposal.

The needs of Theo as an older adolescent were understood and work focused on transition planning, compliance with the behaviour regime, family contact, and ETE.

Theo was supported to chair his looked after child and remand reviews, and adult transition meeting, as a means of involving him in decisions on how he might be managed within the adult estate. Transition to the adult estate was recognised as a critical point in his life and the approach taken aimed to ensure Theo's engagement with complex processes.

Theo's personal advisor from the local authority's care leaver service supported the allocation of a prison offender manager in the adult estate upon transfer. This support was acknowledged by Theo and he felt that professionals were working with him. This impacted positively on his behaviour within the youth custody estate.

The parenting coordinator continued to work with Theo's mother when Theo transferred to the adult estate.

**Outcome:** Theo transferred to the adult prison estate and the way this was managed meant that he avoided the 'cliff edge' that we often see when moving from one service to another.



### Reflection questions

Reflecting on this whole section on case management and the practice identified:

- How can **you** influence remand practice in your area? What are the barriers that stop you developing practice? What resources and structures for support are already in place?

- How do you know you and your colleagues have the skills to work with children from different backgrounds? How do you gain feedback from children on whether they have confidence in your approach?
- Think about a child who you have worked with on remand or on a bail package. How did your approach differ compared with:
  - a child subject to an out-of-court disposal
  - a child on a community order
  - a child sentenced to a custodial sentence.
- Given the low numbers of children who are remanded into youth detention accommodation, how do you ensure your knowledge and skills in this area are up to date?
- How will you maintain the confidence required to advocate for the child in court or in custody or to challenge other agencies who may hold a different view to your YJS?
- When will you know that your service has 'got it right' with this cohort of children?

*"There can be no keener revelation of a society's soul than the way in which it treats its children."*

***~Nelson Mandela***