

Corporate Parenting Board

28 April 2022

Children in Care at risk of offending and custody

Choose an item.

Portfolio Holder: Cllr A Parry, Children, Education, Skills and Early Help

Local Councillor(s):

Executive Director: T Leavy, Executive Director of People - Children

Report Author: David Webb

Title: Manager, Dorset Combined Youth Justice Service

Tel: 01202 794321

Email: david.webb@bcpcouncil.gov.uk

Report Status: Public

Brief Summary:

Children in care are over-represented in the justice system. There is a local multi-agency protocol to reduce the criminalisation of children in care. The scope and implementation of this protocol is summarised in section 1.

For those children who do enter the justice system the Youth Justice Service provides a multi-disciplinary response, in partnership with other services, to reduce the risk of further offending and to avoid the use of custody. The Youth Justice Service has 'case responsibility' for all Dorset children in care who are in the youth justice system, including those placed in other local authority areas. Section 2 of the report outlines the work that is undertaken, the approach to children placed out of area and the success in avoiding custodial sentences for Dorset children, including children in care. Some young adult care leavers do receive custodial sentences. The support for these young people is also considered in section 2.

Recommendation:

That the Corporate Parenting Board note and support the work being done to reduce the criminalisation and offending of children in care

Reason for Recommendation:

To ensure that the Corporate Parenting Board are informed of the issues relating to children in care at risk of offending and of the work being done to address these issues.

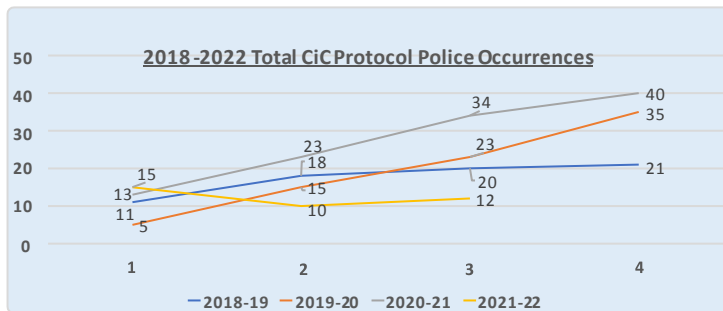
1. Diverting children in care from the justice system

- 1.1 It is recognised that children in care are over-represented in the youth justice system. Previous national reviews of this issue include a Department of Education review in 2016 led by Martin Narey and Lord Laming's Prison Reform Trust report in 2017, "In Care, Out of Trouble".
- 1.2 One of the reasons for children in care being over-represented in the justice system is that they can be criminalised for their behaviour at home when similar behaviour in a family setting would not lead to the police being called. Board members may recall that we have a local multi-agency protocol for Reducing the Criminalisation of Children in Care. The protocol sets out how children's homes and supported housing projects should decide when to call the police. The aim is to avoid unnecessary police involvement.
- 1.3 A multi-agency group developed our protocol and monitors its use. The group meets three times a year and reviews all incidents when the police have been called to a children's home or supported housing provider in response to the behaviour of a child in care (safeguarding issues and missing persons reports do not fall under this protocol).
- 1.4 The process of reviewing each incident enables us to check that local children's homes and supported housing providers are continuing to follow the protocol. Dorset Police have allocated a Single Point of Contact for each designated provider which enables us to follow up any concerns.
- 1.5 The group monitors performance data about numbers of police call-outs. It is difficult to compare data from one year to the next because we continue to add new addresses to be monitored as we become aware of new providers.
- 1.6 This table shows the total number of recorded police call-outs over the past three years across the whole Dorset Police force area:
- 1.7 Table

Children in Care Protocol Comparisons 2018 - 2021

Quarter	Number of occurrences	Gender	Number of Children involved	CJS Outcomes	Local Authority Breakdown
QTR 1 2018 -19	11	Female	4	2 x Charge	BCP = 3
		Male	1		Dorset = 8
QTR 2 2018 -19	7	Female	4	2x YRDs	BCP = 2
		Male	2		Dorset = 5
QTR 3 2018 -19	2	Female	1	None	BCP = 1
		Male	2	None	Dorset = 1
QTR 4 2018 -19	1	Female	0	None	BCP = 0
		Male	1	Youth Caution	Dorset = 1
2018 - 2019 TOTALS	21	Female	9	1 x Youth Caution, 2 x Charge & 2 x YRD	BCP = 6
		Male	6		Dorset = 15
Quarter	Number of occurrences	Gender	Number of Children involved	CJS Outcomes	Local Authority Breakdown
QTR 1 2019 -20	5	Female	1	None	BCP = 3
		Male	4	1x Youth Caution	Dorset = 2
QTR 2 2019 -20	10	Female	1	None	BCP = 4
		Male	6	1 x YRD	Dorset = 6
QTR 3 2019 -20	8	Female	2	2 x Under YOoOD Process	BCP = 1
		Male	7	1 x YRD	Dorset = 7
QTR 4 2019 -20	12	Female	5	1 x Charged	BCP = 6
		Male	4	None	Dorset = 6
2019 - 2020 TOTALS	35	Female	9	2x YRDs 1x Youth Caution	BCP = 14
		Male	21	1 x Charged 2x Under YOoOD Process	Dorset = 21

Quarter	Number of occurrences	Gender	Number of Children involved	CJS Outcomes	Local Authority Breakdown
QTR 1 2020 -21	13	Female	3	None	BCP = 11
		Male	5	None	Dorset = 2
QTR 2 2020 -21	10	Female	1	None	BCP = 8
		Male	8	1 x YC 1 x YCC 2 x Charged	Dorset = 2
QTR 3 2020 -21	11	Female	1	None	BCP = 4
		Male	9	1 x Charged	Dorset = 7
QTR 4 2020 -21	6	Female	3	None	BCP = 3
		Male	3	None	Dorset = 3
2020 - 2021 TOTALS	40	Female	8	1 x YC 1 x YCC 3 x Charged	BCP = 26
		Male	25		Dorset = 14
Quarter	Number of occurrences	Gender	Number of Children involved	CJS Outcomes	Local Authority Breakdown
QTR 1 2021 -22	16	Female	2	None	BCP = 7
		Male	7	None	Dorset = 8
QTR 2 2021 -22	10	Female	0	None	BCP = 7
		Male	7	2 x Charged	Dorset = 3
QTR 3 2021 -22	13	Female	3	None	BCP = 12
		Male	6	1 x PR	Dorset = 1
2021 - 2022 TOTALS	26	Female	5	2 x Charged	BCP = 14
		Male	20	1 x PR	Dorset = 11



Quarter 3 has seen a 17% increase in calls to the police from the previous quarter.

1.8 It is harder to apply our local protocol to placements outside our area. Although there is a national concordat, which requires local areas to have a protocol in place, the coverage and application of these protocols is inconsistent. Colleagues from our commissioning services participate in our local group and aim to include its principles in the commissioning and oversight of contracts for placements in other local authority areas.

2. Support for children in care after they enter the justice system

- 2.1 Dorset Combined Youth Justice Service (DCYJS) works with all local children who have received a Youth Caution, a Youth Conditional Caution or a court order for a criminal offence. If a Dorset child in care receives one of these youth justice outcomes while living in another local authority area, DCYJS has 'case responsibility'. This means that the allocated Youth Justice Officer oversees the work, usually with the local youth justice service providing the direct work. DCYJS also provides the same reciprocal service, ie working directly with children in care from other local authorities who live in Dorset.
- 2.2 To give an indication of the numbers of young people, there are currently 48 young people on the DCYJS Dorset caseload (ie residing in Dorset or Dorset children in care who live out of our area). Of the 48 young people, nine are children in care (six from Dorset, three from Bournemouth, Christchurch and Poole). Four of the Dorset children in care on the DCYJS caseload are placed out of the area. This means that DCYJS is working with more BCP Council children in care residing in Dorset than Dorset children in care.
- 2.3 A recent Child Safeguarding Practice Review, 'Iris', included some consideration of support for children in care living out of our area. DCYJS identified some learning from this review, about facilitating other youth justice services' requests for information from Dorset children's services. The increase in remote working during the pandemic has led to DCYJS workers having increased contact, virtually, with children in care placed elsewhere. These virtual contacts can help maintain the relationship, alongside face to face contacts and work with the local youth justice service.
- 2.4 DCYJS is a multi-disciplinary team. As well as youth justice officers, the team includes CAMHS nurses, a psychologist, speech and language therapists, education and careers specialists, restorative justice specialists, a probation officer and two police officers. In recent years the service has focused on working in a trauma-informed way, building on previous work to focus on children's speech and language needs. This means that each child can receive a speech and language assessment, which enables the child, their carers and other professionals to understand their communication needs. Trauma-informed practice means that the team seeks to understand the impact of past traumatic experiences on the child and how it affects their current behaviour to work out the best way for workers to respond to these needs.

- 2.5 There are very low rates of custodial sentences for Dorset young people. No Dorset child has been sentenced to custody in the past two years. When a child is at risk of custody, due to the seriousness of their offences, and sometimes the persistence of their offending, the Youth Justice Service works closely with children's social care and other services to agree a credible community sentencing option that can be proposed to the court.
- 2.6 An area of current development is the support for care experienced young adults who are in contact with the criminal justice system, including the small number who receive custodial sentences.
- 2.7 DCYJS works across both Dorset Council and Bournemouth, Christchurch and Poole Council. During 2021/22 we have undertaken view-seeking work with young people from the BCP Council area who have been sentenced or remanded to custody in recent years. Some of these young people are now young adults in the adult prison system. They gave helpful and powerful views about their isolation, loneliness and anxiety about their current and future situations.
- 2.8 When young people turn 18 they enter the adult justice system and work with the Probation Service, rather than the Youth Justice Service. The seconded Probation Officer in DCYJS supports the transition process, including appropriate information-sharing. The next step is to identify if DCYJS can help with the joint work between the Probation Service, the Prison Service and Dorset's Care Leavers service.

3. **Financial Implications**

There are no financial implications from this report.

4. **Climate Implications**

No climate implications have been identified in this report.

5. **Well-being and Health Implications**

The health workers in DCYJS liaise with the Child in Care health team to help meet the health needs of children in care who have contact with the justice system. It is recognised that young people in the youth justice system often have unmet, and sometimes unidentified, health and communication needs.

6. **Other Implications**

No other implications have been identified.

7. **Risk Assessment**

7.1 Having considered the risks associated with this report the level of risk has been identified as:

Current Risk: Low

Residual Risk: Medium

8. **Equalities Impact Assessment**

This report does not relate to new working arrangements and therefore an Equalities Impact Assessment has not been undertaken.

It is recognised however that children in care are over-represented in the youth justice system, adding to other disadvantages experienced by this group. This report sets out some of the actions taken to prevent children in care entering or progressing through the justice system.

9. **Appendices**

None

10. **Background Papers**

None