# Corporate Parenting Board
# 26 November 2026
# Children in Care and Youth Justice
# For Decision

**Cabinet Member:**
Cllr C Sutton, Children, Families & Education

**Local Councillor(s):**

**Senior Leadership Team:**
P Dempsey - Executive Director, Children's Services

**Report author and job title:** David Webb, Head of Service, Dorset Combined Youth Justice Service

**Email:** david.webb@bcpcouncil.gov.uk

**Statutory Authority:**

**Report status:** Public Choose an item.

1. **Executive summary (maximum of 500 words)**

1.1 Children in care are over-represented in the justice system, both nationally and locally. These children are more likely than other children to enter the justice system, to reoffend and to receive a custodial sentence.

1.2 The Youth Justice Service (YJS) is a multi-disciplinary team which agrees an individualised plan with each child to build on their strengths and to reduce the likelihood of further offending. These plans should be developed in collaboration with the child and with other professionals, such as the child's social worker. Audits of YJS work with children in care shows examples of good joint work between the YJS worker, the social worker, education professionals and health professionals for some children, but this good practice needs to become more consistent.

1.3 Children in care gave some mixed views on the quality of the joint work between the YJS and Children's Social Care. There was some recognition that workers were trying their best and wanted to help.

1.4 Children in care used to be criminalised for behaviour in the place where they live. Dorset Council have an agreement with Dorset Police, the YJS and with BCP Council that children's homes and supported accommodation providers should only call the police when it is necessary to keep people or property safe. Most incidents should be dealt with under the setting's behaviour

management policy, in the same way that a family would not call the police for misbehaviour by a child. The multi-agency group which monitors the implementation of this agreement did not meet between November 2025 and October 2026, while waiting for Dorset Police to reallocate its internal support for this work. The group has now been relaunched and will meet quarterly in 2027.

1.5 The government is drafting a new national protocol for reducing the criminalisation of children in care. The new protocol has a wider scope than previous documents, including prevention work, responses to all offending by children in care (not just offences at the place where they live), and support for care-experienced young people up to the age of 25. The new national protocol is scheduled for implementation in July 2027. It will require a refreshed local protocol and an expanded multi-agency group, including the Probation Service, to oversee this important work.

## 2. Recommendation(s)

2.1 For the Corporate Parenting Board to note and support the work being done to reduce the criminalisation, offending and imprisonment of children in care

## 3. Reason for the recommendation(s)

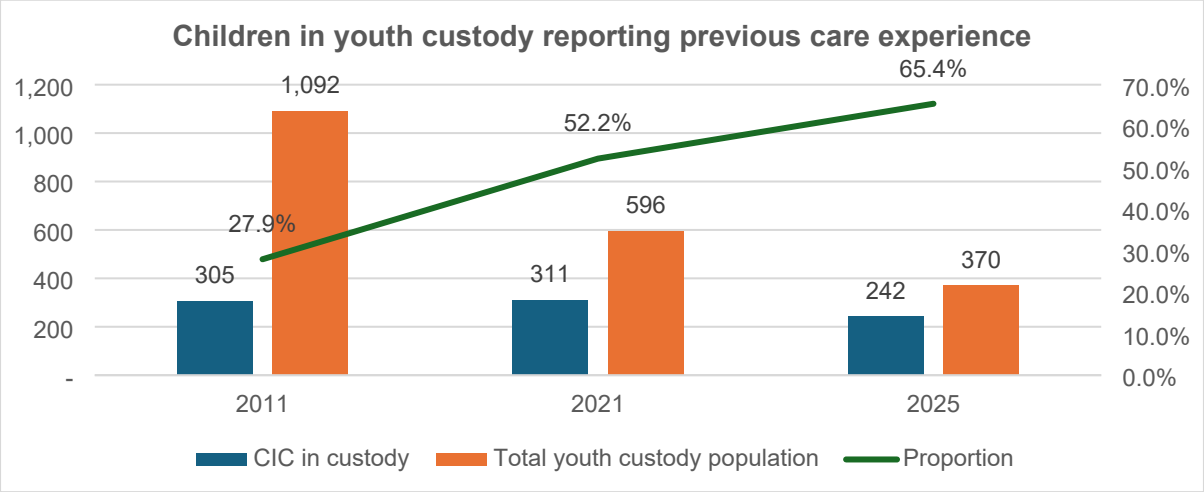
3.1 To ensure that the Corporate Parenting Board is informed about the issues relating to children in care at risk of offending and about the work being done locally and nationally to address these issues.

## 4. The report

4.1 Children in care continue to be over-represented in our local youth justice system. Although there is some fluctuation in the numbers and proportion of children in care on the Youth Justice Service (YJS) caseload, over the past year, at any one time, children in care have comprised between 15-20% of the YJS Dorset caseload (around 10-15 children at any one time).

4.2 The over-representation of children in care in the justice system is recognised nationally. Research has indicated that 52% of care-experienced people have been convicted of an offence by age 24, compared to 13% of those who had never been in care, and 15% have been sentenced to custody by age 24, compared to 1% of those who had never been in care.

4.3 Over the past 15 years there has been a notable drop in the numbers of children being sentenced to custody in England and Wales. This reduction has not been evenly distributed amongst all groups of children; children in care now account for a higher proportion of all children in custody, as shown in this chart:




4.4 The numbers of Dorset children being sentenced to custody remain very low, around two children per year in the past three years. Since April 2024, five different Dorset children have been sentenced to custody. Four of these five children were in the care of the local authority when they were sentenced to custody.

4.5 Local analysis of the children and young people who received custodial sentences across Dorset and BCP during the year 2025/26 shows a pattern of common features:

- 100% were male
- 100% had an allocated social worker (29% for Child Protection, 71% as a Child in Care or Care Experienced Young Person)
- 85% were rated as Significant for the risk of Extra-Familial Harm
- 100% were assessed as having speech, language and communication needs

- 85% had an EHCP
- 100% had received a Permanent Exclusion from school
- 85% were known to the Community Adolescent Mental Health Service (CAMHS)
- 100% were identified with substance use concerns
- 85% were aged 17 or 18 at the time of sentence (reflecting delays between the offence and the sentence)
- 85% were aged 14 or younger at their first justice outcome for a proven offence
- 85% had received 5 or more previous justice outcomes.

4.6 The list above shows the multiplying impact for children who have overlapping areas of need, such as social care experience, speech, language and communication needs (SLCN), Special Educational Needs and Disabilities (SEND), mental health needs, and a pattern of substance use. Previous reports to the Corporate Parenting Board have identified similar patterns of needs and negative experiences for children in care in contact with the youth justice system. Some of the common factors include:

- Multiple residential placements, often including placements out of area.
- A history of education exclusions and multiple education placements.
- Speech, language and communication needs.
- Special educational needs and disabilities.
- Mental health and emotional wellbeing needs, which can often be traced back to traumatic early life and/or recent experiences.
- Vulnerability to criminal and/or sexual exploitation.
- Substance use, on average from around the age of 11/12.
- Physical health needs.

4.7 This profile of needs means that these children often have contact with practitioners from multiple services. It is important that practitioners from different services work together, with each other and with the child, to integrate their support for the child and to achieve shared goals. YJS audits and learning reviews have shown examples of strong co-working between YJS workers, social workers, health care professionals and the Virtual School, such as joint visits, shared plans and work to achieve agreed priority outcomes, such as improving the education offer for a child. The learning from these audits also showed that good joint work was not embedded in every case, with some variation depending on the individual working relationships between different practitioners. The YJS has now initiated a joint meeting between YJS workers and social workers at the start of YJS work with a

child in care to agree how best to work together. As a result of these audits, some adjustments have also been made to the joint working practices between the YJS health team and the Child in Care health team, and between the YJS education workers and the Virtual School.

4.8 The YJS is a multi-agency partnership between Dorset Council, BCP Council, NHS Dorset, Dorset Police and the Probation Service, giving the team a multi-disciplinary identity. The YJS includes a part-time Clinical Psychologist, Nurses, Speech and Language Therapists, Police Officers, a Probation Officer, Education Officers, Activity Coordinators and Restorative Justice Practitioners. This means that support for each child can be tailored to their needs, using the resources within the YJS, and working in partnership with other services such as Children's Social Care, CAMHS, the Children in Care Health Team, the Virtual School and the Police.

4.9 Although each child receives an individualised approach, including assessment and plans based on their experiences of trauma and their speech and language needs, evidence indicates that children who have been in care are much more likely to reoffend than children who have never been in care. The latest YJS analysis of reoffending rates, focusing on children who received a criminal justice outcome in the period from October 2023 to September 2024, shows that 44% of children who were currently or previously in care reoffended within 18 months, compared to 19% of children who had never been in care (*these figures relate to the whole YJS caseload, including children in the BCP Council area*).

4.10 The YJS previously reviewed its work with a sample of children in care. These children were asked for their views on the work of the YJS and how well the YJS worker and the social worker joined up their support for the child. Some of the feedback from the girls indicated that they didn't feel, or weren't aware, that social workers and youth justice workers worked together, and they didn't feel that their social workers were helpful. The boys were more positive, saying that YJS workers and social workers did work together well, though one commented that: "They work together and try to help me as best they can….I feel like they are good people, most of them, who care and want to help. Good people with a bad system."

4.11 The different perspectives from the girls and the boys may reflect the length of their contact with the YJS; all the boys had had contact with the YJS for a longer period, over several interventions, and sometimes across placements in different local authorities. One of the boys also gave positive feedback about his work with a YJS Nurse, saying that she "talks to me about things and is there if I need to talk about things and we get things done".

4.10 An independent review of the criminalisation of children in care in 2016, led by Lord Laming, identified a pattern of residential settings calling the police to respond to incidents which would not have involved the police if they had occurred in a family setting. Locally we produced a multi-agency protocol in 2016 to provide guidance to

residential providers about when to call the police (when there is an immediate risk to safety), and when to handle incidents within the organisation's behaviour management policy. In 2018 the Ministry of Justice, the Home Office and the Department for Education produced a National Protocol, which was influenced by the Dorset document.

4.11 Oversight and review of our local protocol sits with a multi-agency group, chaired by the YJS, with representation from the local authority placement commissioning services, Children in Care services and fostering services, Dorset Police, and the Child in Care Health Team. The group reviews individual call-outs from residential settings to Dorset Police, to check that the protocol was followed and that it was necessary to call the police. Learning is shared with residential providers to support them to manage behavioural incidents without police involvement where this is appropriate. In the period between November 2025 and October 2026 the group did not meet, waiting for Dorset Police to reallocate its internal responsibility for this area of work. The group re-convened on 19 October 2026, reviewing police call-outs to children's homes in the previous quarter, and agreeing priorities for future meetings.

4.12 Despite the use of our local protocol to avoid criminalising children in care for behaviour in their place of residence, we still see over-representation of children in care in our local youth justice system. This reflects patterns of offending in public places, and other settings away from the child's home, often in the context of Extra-Familial Harm, beyond the scope of our local protocol.

4.13 During 2026, the Ministry of Justice led a cross-government working group to refresh and broaden the national protocol for reducing the criminalisation of children in care. As a member of the national working group, I have seen a draft version of the new protocol, which is due for publication in November 2026 and for implementation in July 2027. The new protocol significantly widens the expected scope of activity, to include the following headings:

- Identification, early intervention and prevention
- Relationships, stability and support networks
- Responding to incidents and police contact
- Diversion and safeguarding responses
- Information sharing, recording and accountability
- Support for those who enter the criminal justice system

4.14 The draft new national protocol also extends its application to care-experienced young people up to the age of 25. This means that our local protocol and arrangements will need to be reviewed in the period before July 2027, bringing in additional partners like the Probation Service and Housing colleagues.

## 5. Alternative options considered

5.1 This report does not contain proposals for change, meaning that alternative options are not applicable.

## 6. Legal considerations

6.1 No legal considerations have been identified from this report.

## 7. Financial implications

7.1 There are no financial implications from this report.

## 8. Natural environment, climate & ecology implications

8.1 When Dorset children are placed out of area, the resulting increase in staff travel to maintain contact with the child causes some environmental and climate consequences.

## 9. Well-being and health implications

9.1 This report refers to joint work between the YJS health team and the Child in Care health team to meet the health and wellbeing needs of children in care who have contact with the justice system.

## 10. Other implications

10.1 No other implications have been identified.

## 11. Risk implications

11.1 HAVING CONSIDERED: the risks associated with this decision; the level of risk has been identified as:

Current Risk: Low

Residual Risk: Medium

## 12. Equalities

12.1 The report does not relate to new working arrangements. Therefore an Equalities Impact Assessment has not been undertaken.

## 13. Appendices

13.1 None

## 14. Background papers

14.1 None

## 15. Report sign-off

15.1 This report has been through the internal report clearance process and has been signed off by the Director for Assurance & Governance (Monitoring Officer), the Director for Resources (Section 151 Officer) and the appropriate Cabinet Member(s)