



supporting voluntary organisations that
work with offenders and their families

Strategy for the Secure Estate for Children and Young People in England and Wales

Ministry of Justice

A response from Clinks and the National Council for
Voluntary Youth Services (NCVYS)

October 2011

Introduction

This response is submitted jointly from Clinks and NCVYS. It is supported by NCVYS and Clinks members Centrepont, the Foyer Federation, Platform 51 and the Prince's Trust.

Following the publication of the Consultation Paper, Clinks published a briefing on the issues and questions raised and Clinks and NCVYS both invited evidence from their Voluntary and Community Sector (VCS) members. This response also draws upon evidence gathered at a round-table convened by Clinks and NCVYS to debate issues facing the youth justice sector. The event was attended by twelve organisations who work with young people in contact with the criminal justice system.

Clinks and NCVYS welcome the direction of travel set out in the Consultation on the Secure Estate. In particular we support the principle of a distinct, specialist secure estate for children and young people and the focus on improving rehabilitation. Yet any strategy for the secure estate should be seen within the wider objectives of the Ministry of Justice to reduce the use of custody for young people. There is a clear need to develop effective alternatives for those young people for whom custody is not necessary. We support Unicef's statement that the detention of many children and young people after the August riots is very worrying and is a potential breach of the UN convention on the rights of a child. Article 37 states that the detention of children should only happen as a last resort in criminal proceedings.¹

¹ *Unicef criticises Britain for jailing children over riots*, The Guardian (Sunday 9 October 2011) <http://www.guardian.co.uk/uk/2011/oct/09/unicef-britain-riots-children-jailed>



3rd Floor Lancaster House
33 Islington High Street
London N1 9LH

T: (+44) 020 7278 1041
F: (+44) 020 7833 2491
E: mail@ncvys.org.uk
W: www.ncvys.org.uk

registered charity no. 1093386
registered company no. 4385383

Distinct and specialist estate for young people:

Clinks and NCVYS welcome the proposals to create a youth estate that is operationally separate from the adult system with distinctive governance arrangements. A specific and specialised approach is needed to support children and young people within custody. However, we would seek to qualify this approach with a number of sub-principles.

1.1 Children with needs or offenders requiring punishment?

The approach that underpins the creation of a distinct and specialist estate will be critical to its success or failure in reducing reoffending. The key objective of the secure estate should be the effective rehabilitation of children and young people. NCVYS's response to the Department of Education's Youth Policy discussion papers focused on the importance of (and our duty to) promote and protect the welfare and well-being of young people.² This principle is just as critical, if not more so, for children and young people in the secure estate.

There is evidence that an overly offence-focused approach to children and young people has led to failures to appreciate the degree to which young people coming into contact with the CJS are children disproportionately disadvantaged, with high levels of school failure, negative experiences of parenting, poor communication skills, and exposure to substance misuse and violence in their homes and local communities. The Prison Reform Trust (PRT) report, *Punishing Disadvantage*, is a recent and comprehensive review of these issues and their impact on the outcomes for young people in contact with the CJS.³ The practical implications of an offence-focused approach have been emphasised by a number of commentators, including the Office of the Children's Commissioner (OCC):

Children and young people were defined by their criminality rather than their needs or vulnerability. This meant that they also defined themselves by their criminality which had a detrimental impact on their ability and willingness to acknowledge that they needed help.⁴

A distinct approach to children and young people should be characterised as needs-based, with a focus on rehabilitation. We support the thoughts of Clinks and NCVYS member Catch 22 in their submission to this consultation:

Providing the right support for young people requires that agencies work together in a coordinated way and the strategy for the secure estate for children and young people must be seen in this context, particularly when considering the role of families, the importance of education and training, and meeting children and young people's right to dignity and respect under the UN Convention on the Rights of the Child...

The best way to prevent reoffending is to support young people's development and give them the opportunity to reach their potential. A distinct and specialist secure estate for young people would have a core principle of developing young people's skills and abilities similar to any other young people's service.

Interventions must address young people's educational needs and aspirations, health and wellbeing, family relationships, and support their rehabilitation and successful resettlement upon release.

² NCVYS. Sept 2011. *Response to Positive for Youth*. Online: <http://bit.ly/PositiveforYouthNCVYS>

³ Prison Reform Trust. 2010. *Punishing Disadvantage*. Online: <http://www.prisonreformtrust.org.uk/uploads/documents/PunishingDisadvantage.pdf>

⁴ Office of the Children's Commissioner. June 2011. *'I think I might have been born bad' Emotional wellbeing and mental health of children and young people in the youth justice system*. Online: http://www.childrenscommissioner.gov.uk/content/publications/content_503

1.2 Transitions

The principle of a distinct estate needs a caveat that provision will be made to support transitions. Currently the record is poor, both in terms of transitions from the secure estate back to the community (we suggest some good practice case examples in the Resettlement section) and from youth custody into adult services.⁵ In its recent report on the mental health needs of children and young people in custody, the OCC found there was poor transition between services and, in particular, a lack of support on leaving custody and transferring to adult services. There appeared to be little knowledge within the secure estate of exemplars for planning transitions within non-secure services that could provide working models. Members of the Clinks/NCVYS focus group emphasised the importance of 'continuity of care' and meaningful and sustained relationships. A more holistic and coordinated approach to service provision is vital.

We welcome the proposal to develop more effective processes and support for managing transitions into the young adult secure estate. The Transition to Adulthood (T2A) Alliance advocates the recognition of young adults as a distinct group within the criminal justice system, due to their levels of maturity and the economic, social and structural factors that specifically impact upon them. T2A Alliance work has shown that adult services are often not appropriate for young adults aged 18-24 and that young adults are often at risk of 'falling through the gap' between child and adult services. T2A advocates a tailored approach to working with young adults that is flexible and sensitive to their developmental maturity. T2A recommends that all young people up to the age of 21 be held in the youth estate as this would support the natural process of desistance. Young adults often feel extremely intimidated in adult prisons, where they are often seen as easy targets for intimidation and bullying by older inmates. Furthermore, the rules that govern Young Offender Institutions have a much stronger emphasis on education.⁶

1.3 Workforce Development

We welcome the Consultation's vision for the workforce in secure establishments to be recruited specifically to work with children. Staff should be committed to working with young people and adequately trained to deal with the challenges that this group presents. However, we echo concerns made by the Independent Steering Group of the Young Offenders Academy Project in their submission to this consultation. Currently many staff lack relevant training and are not primarily focused on the education and development of vulnerable and difficult children. Recruitment should focus on people with experience and expertise in working with young people and an interest in rehabilitation rather than those with a background in security and prison work. There should be ongoing workforce development to support and develop staff working with young people.

We propose an employer-led qualifications framework for the youth justice sector. We support Catch 22's proposals that:

Within this framework, staff would be able to supplement a core qualification with specialist learning, for example in criminal justice or housing policy, enabling them to adapt flexibly and take on additional responsibilities as required, rather than needing to take whole new qualifications. This would have a number of benefits, including providing consistency of qualifications which would benefit both staff and employers, as well as enabling staff to support young people with a range of different issues, rather than being curtailed into specific specialisms.

⁵ Office of the Children's Commissioner. June 2011. 'I think I might have been born bad' Emotional wellbeing and mental health of children and young people in the youth justice system. Online: http://www.childrenscommissioner.gov.uk/content/publications/content_503

⁶ T2A Alliance. MoJ Consultation: Strategy for the Secure Estate for Children and Young People in England and Wales. <http://www.t2a.org.uk/>

The Howard League for Penal Reform's recent report *Life Outside: Collective identity, collective exclusion* noted the importance of relationships between young people and staff in the secure estate.⁷ A number of the young people interviewed mentioned the benefits of a 'good worker'. This supports the findings of the national evaluation of Intensive Supervision and Surveillance (ISS), which found that the quality of the relationships between the young person and their worker could have a very strong impact on outcomes.

The Howard League report also noted that young people have been particularly complimentary about workers who have had personal experience of being in the criminal justice system. Catch 22's submission agrees:

[ex-offenders] with experience of youth work are a rich resource that is currently not sufficiently utilised within the secure estate. A mixture of people who are committed to working with young people, and those who can stand as role models through moving out of crime would contribute to creating a completely distinct secure estate for young people.

1.4 Restorative Justice

Any strategy to reduce reoffending should consider the possibilities provided by restorative justice (RJ) and mediation, which can be powerful tools for helping young people to understand the consequences of their actions. RJ is increasingly and effectively used when young offenders are given a community sentence and there is the potential for RJ to also be used in cases where young people have been sentenced to custody. Clinks and NCVYS member, Independent Academic Research Studies (IARS), has been engaged in a 3 year project entitled "Mediation and Restorative Justice in Prison Settings" (MEREPS). MEREPS' key objective was to explore the opportunities for implementing mediation and RJ practices in prison settings. A further aim was to test if such practices can help support victims of crime, raise offenders' sense of responsibility, facilitate peaceful and effective dispute resolution of conflicts between prison staff and prisoners, and help reintegrate offenders back into society post release.

IARS research highlights the need for joined up working between voluntary, private, community and public sector bodies in developing, delivering, and evaluating restorative justice practice, within the context of secure estates for children and young people.⁸ It also draws attention to the fact that the vast majority of voluntary activity takes place at a local level, often addressing the needs of society's most disadvantaged and marginalised groups. A national strategy on RJ's implementation in the secure estate will need to take the issue of locality and local service provision seriously. As partners, providers and advocates, voluntary organisations are ideally placed to work with local authorities to achieve results for local people - improving the quality of life and the quality of services in every area and encouraging strong and cohesive local communities. The IARS research into Restorative Justice also highlights its value in empowering young people to enable them to solve the problems that they face.

IARS research notes that many of those who had experienced RJ in prisons did not believe that its benefits could be achieved via any other practice or ethos. For instance, one practitioner said:

I have been working in prisons for most of my life. The anxiety and fear that young prisoners experience prevents them from hoping for something better, while their motivation to do something for others is non-existent. It is only through a process of transformation that they can genuinely be offered a chance to change. To help them deal with their realities, prisons should be more than just punishing them. The system should be about giving hope, skills... helping

⁷ *Life Outside: Collective identity, collective exclusion*, The Howard League for Penal Reform (2011) http://www.howardleague.org/7/?backPID=8&tt_products=319

⁸ T. Gavrielides (2011) 'Restorative Justice and the Secure Estate: Alternatives for Young People in Custody', IARS <http://iars.org.uk/content/publications>

them change their attitudes, educating them and yes even sometimes providing them with qualifications. I haven't come across any practice that can do all these and transform lives other than RJ.

Case study:

Catch22 **Wessex Restorative Justice** works within the community with people who have been affected by crime. We enable victims, offenders and the community to come together to discuss what has happened, who has been affected, what harm has been caused and find ways to repair that harm. Catch22 contacts the victim of the crime in question, offering them a chance to be part of the offender's attempt to make amends for what he or she has done. We give young people the opportunity to explain what happened in their own words, take responsibility and put right the harm they have caused.

Recognising Diversity:

While the Secure Estate consultation document provides in-principle recognition of diversity issues within the secure estate, no analysis of specific inequalities is woven into the strategy. Reductions in the use of youth custody have not affected all young people equally and evidence demonstrates that young people experience their time in the secure estate differently. In this section, we highlight the issues facing two disadvantaged groups within the youth estate; BAME young offenders and girls.

2.1 BAME (Black, Asian and Minority Ethnic) young offenders

The Impact Assessment accompanying this consultation identifies the overrepresentation of BAME young people in the under-18 custodial population compared to the national population. However, there is no acknowledgement in the consultation document or the Impact Assessment of the fact that reductions in the use of custody for young people have not applied as much to BAME children as to white children. Prison Reform Trust's analysis found that from 2007-8 to 2010-11, the percentage fall in the numbers of BAME children in custody was only 16%, compared to 37% for white children.⁹

The 2009-10 HMIP survey of children and young people in the secure estate found there were clear differences in a range of areas between the reported experiences of young people from BAME backgrounds, as compared with those from white backgrounds.¹⁰

This demonstrates that there are multiple structural disadvantages faced by young people in the criminal justice system from BAME backgrounds, and tackling this should be at the forefront of future policy and strategy making.

2.2 Girls and young women:

The Clinks/NCVYS focus group identified issues relating to girls and young women in the CJS as a priority, both in terms of funding and research. Current gender-specific provision within the youth estate is patchy and the All-Parliamentary Party Group (APPG) on Girls in the CJS is welcomed. The number of girls and young women in custody grew from less than 100 in 1990 to about 450 by 2008.¹¹ While girls were disproportionately affected by the rise in the use of custody for young people, recent reductions have been more pronounced for boys.¹²

⁹ Prison Reform Trust. July 2011. *Last Resort? Exploring the reduction in child imprisonment 2008-11*. Online: <http://www.prisonreformtrust.org.uk/PressPolicy/News/vw/1/ItemID/140>

¹⁰ HMIP and YJB. 2010. *Children and Young People in Custody 2009 – 10*. Online: http://www.justice.gov.uk/downloads/publications/inspectorate-reports/hmipris/Children_report_2010_rps.pdf

¹¹ Independent Commission on youth crime and antisocial behaviour. 2010. *Time for a fresh start*. Online: http://www.youthcrimecommission.org.uk/attachments/076_FreshStart.pdf

¹² Tim Bateman Sept 2011. *Child imprisonment: exploring 'injustice by geography'*. Prison Service Journal (197)

Research is needed to explore the distinct needs of young women within the CJS. Girls are more likely than young men to suffer from eating disorders, to be harassed by adults, to be victims of crime themselves, experience family crises and to live in poverty.¹³ Platform 51, a member of Clinks and NCVYS, emphasises that girls typically display different offending behaviour patterns than both boys and adult women:

*While girls and boys experience similar factors relating to their offending, girls' offending is more strongly associated with: low self-esteem; the influence of boys in risky situations; personal relationships, including problems with parents and family, neglect and conflict; and socio-economic indicators such as poverty, large family size, poor housing, and educational problems.*¹⁴

In Platform 51's view, girls can be treated inappropriately and over-punitively due to misunderstandings about their behaviour, or a lack of awareness of alternative ways of working with them. Qualitative evidence from the YJB indicates that girls prefer building one-to-one relationships and a female-only environment.¹⁵

Clinks and NCVYS would support the recommendation of Independent Commission on youth and anti-social behaviour to ensure that measures to deal with young female offenders are designed from the outset to meet their particular needs.¹⁶ We would support the Platform 51 recommendation for better staff training on the needs of vulnerable girls and a responsive and specialist system.

Maintaining the safety and well-being of children and young people:

3.1 Safeguarding and Restraint:

The 2011 Howard League report, *Twisted: The Use of Force on Children in Custody* reviewed recent reports and statistical information on the use of restraint in the juvenile estate. It cited almost 7000 incidents of reported use of restraint in 2009/10, of which 257 resulted in physical injury. The OCC's report found that there was a 'tendency to focus on physical controls to manage risk'.¹⁷ It also noted that custodial and care staff lacked understanding of the impact of previous abuse on young people within the secure estate. Together, these two factors make the use of restraint in the juvenile secure estate extremely problematic.

The routine use of strip searching in both male and female juvenile estates can be particularly disturbing for young people who have experienced abuse and need to be conducted sensitively. Practice is inconsistent across the estate in relation to the use of dressing gowns to preserve dignity and minimise embarrassment. Furthermore, we have concerns about the routine use of strip searching, rather than an 'intelligence-led' approach. We also have concerns about the use of separation (or segregation) as a form of punishment.

¹³ Independent Commission on youth crime and antisocial behaviour. 2010. *Time for a fresh start*. Online: http://www.youthcrimecommission.org.uk/attachments/076_FreshStart.pdf

¹⁴ Platform 51. 2011. *Platform 51's evidence to the All-Party Parliamentary Group on women in the penal system inquiry on girls and the penal system*.

¹⁵ YJB. 2009. *Girls and offending. Patterns, perceptions and interventions*. Online: http://www.yjb.gov.uk/publications/Resources/Downloads/girls_offending_fullreport.pdf

¹⁶ Independent Commission on youth crime and antisocial behaviour. 2010. *Time for a fresh start*. Online: http://www.youthcrimecommission.org.uk/attachments/076_FreshStart.pdf

¹⁷ Office of the Children's Commissioner. June 2011. *'I think I might have been born bad' Emotional wellbeing and mental health of children and young people in the youth justice system*. Online: http://www.childrenscommissioner.gov.uk/content/publications/content_503

An excellent source of intelligence would be the OCC and User Voice research on restraint in the secure estate, in which eighty-nine young people were consulted.¹⁸ The report showed that the use of restraint can differ greatly between institutions, and ‘where used and applied inappropriately has profound, lasting and negative impacts on young people’.

3.2 Youth participation

We support the commitment in the consultation paper to ‘actively seek and incorporate the views of children and young people into existing practice’. Young people often feel marginalised by services that do not reflect their circumstances. The Howard League recently published a series of reports drawing on findings from a national participation programme with young people in custody and released into the community. The reports demonstrate the importance of gaining an insight into young people’s perception of themselves and others for informing services that hope to reduce reoffending:

*Life Outside explores young people’s perceptions of themselves as separate from the rest of society, how the conditions and restrictions are imposed on them when they leave prison criminalise and exclude them further and the importance of positive relationships with professionals, their families and communities... children and young people in the youth justice system come from backgrounds of social and economic disadvantage. Their experiences within the system reinforce their perceptions as a ‘collective other’, furthering their feelings of being disenfranchised and detached from society and eroding their hopes of positive futures. Unless these fragile foundations are addressed, any attempts to build upon them will fail.*¹⁹

There are a number of things that the MoJ and YJB should consider in taking consultation with young people forwards.

Clinks recently concluded a review of service user involvement within secure settings in the criminal justice system, including YOIs.²⁰ The researchers interviewed eleven YOIs as part of the survey. Roughly 30% of YOIs spoke of currently running Wing Meetings and 70% had a Prisoner Consultative Committee or Prison Council. There was a considerable amount of staff buy-in to the notion that service user involvement should form part of the core business of YOIs, demonstrated by one Governor’s comments:

It provides the oil and cement for delivering transformational change – it provides a mechanism for people to talk to each other in a non-judgemental way, which provides solutions and the potential for change in organisations that have great difficulty contemplating such changes. It’s one of the most important and potent tools.

YOI Portland has used dialogue sessions to discuss deep-rooted problems with its young offender population. For example, to address the use of control and restraint within the institution.

Participation with young people can be tokenistic and the Clinks Review raises a number of recommendations for improving approaches to service user involvement, which we would urge the MoJ and YJB to consider when formulating a future strategy. One of the most important aspects of effective participation is meaningful training. In its recent consultations with young people, User Voice has used a variety of methods to train the young people involved, including, one-to-one support, public speaking

¹⁸ User Voice & Office of the Children’s Commissioner. March 2011. *Young people’s views on restraint in the secure estate*. Online: <http://www.uservoice.org/wp-content/uploads/2011/03/Young-Peoples-Views-on-Restraint-in-the-Secure-Estate-A-User-Voice-report-for-the-OCC.pdf>

¹⁹ Howard League. Sept 2011. *Life Outside: collective identity, collective exclusion*.

²⁰ Clinks. 2011. *A review of service user involvement in prisons and probation trusts*. Online: <http://www.clinks.org/publications/reports/service-user-involvement>

skills and in-depth briefings. YOIs may find it helpful to draw on successful youth-led practice in voluntary and community youth organisations working with hard-to-reach young people. For example Centrepoint's Parliament enables young people who have experienced homelessness, who are elected by their peers, to represent and champion their views to Centrepoint management and local and central government.

Clinks and NCVYS members have also emphasised the role of peer mentors for reducing reoffending. There is compelling evidence of the impact of peer mentoring on changing the lives of offenders in custody and in the community. The fact that peer mentors have faced similar challenges to the young people they are working with brings an extra dimension to the relationship.

Effective Resettlement

Clinks and NCVYS would like to see significantly more attention placed on resettlement, which is currently only mentioned in brief within the strategy. Poor resettlement has the potential to undermine any progress which has been made with a young person during their time in custody, as well as frustrating a young person's good intentions upon their release. As the Youth Resettlement Framework (2004) noted, getting resettlement from custody right is vitally important.

4.1 Existing practice

Resettlement must start before a young person leaves the secure estate. More work needs to be done to ready young people in custody for the challenges facing them on release, in particular for those who are living independently. We believe that skills and knowledge relating to issues such as sustaining tenancies are as important in preventing reoffending as behavioural programmes. We are concerned that young people who are not on a full care order are not fully entitled to services which provide a seamless transition between custody and community. This means this transition can be uncoordinated, with little contact from community services and social workers whilst a young person is in custody. 'Through the prison gate' services, where providers of community services also deliver services within custody, can help provide the opportunity for trusting relationships to be developed with key support workers prior to release.

The Howard League's report *Life Outside* found that many children and young people felt that they were 'set up to fail' before they had even left the prison gate.²¹

Some children and young people felt that this was because they were not listened to when their resettlement arrangements were being put in place.

The Howard League has also recently expressed concern that children and young adults are leaving custody without being issued a National Insurance number, which further hampers their chances of successful resettlement.²²

When Catch22 asked young people about the experiences they had found most useful whilst in custody, they frequently cited the resettlement work they had done on employability and 'preparing for life outside custody' was seen as the most worthwhile experience they had. This case study of Catch22's resettlement work is an example of how voluntary and community organisations can support young people.

²¹ Howard League. Sept 2011. *Life Outside: collective identity, collective exclusion*.

²² http://www.cypnow.co.uk/Youth_Justice/article/1095154/young-people-leave-custody-without-ni-numbers/?DCMP=EMC-CONYouth%20Justice%20News

Case study:

Catch22's **Inspire Resettlement Service** in east London supports young men aged 15 to 19 years old who are on remand, serving custodial sentences or on community orders to make positive changes in their lives. Resettlement Brokers build lasting relationships with young people: from getting to know them while they're still in custody, to helping them find a job or training opportunities when they're released. We also support them in finding accommodation and getting them help with any drug or alcohol problems they may have.

The young person will receive regular on-going support from a dedicated Resettlement Broker while they are in custody and for up to 12 months after that. This support will include personal development and employability skills designed to support their integration back into the community, as well as access to jobs or training. We focus on moving forward and draw on young people's strengths and personal resources to help them overcome their problems and encourage them to take control of their lives.

By listening to and working closely with the young person we will get them the right sustainable employment, education or training. We do this by:

- understanding their individual needs
- helping them to complete a CV
- producing an action plan, including activities that have been agreed by the young person and their Resettlement Broker
- offering activities and opportunities, from relevant group work, to providing employment opportunities, work trials and work experience.
- young people who are ready to access employment will also be supported by a trained volunteer mentor

4.2 Education, Training, Employment (ETE):

Young people who have been in custody typically have poorer educational outcomes than their peers – 90% of young men and 75% of young women in custody have been excluded from school and, according to Her Majesty's Inspectorate of Prisons (HMIP), 40% and 53% of young men and women respectively were under 14 when they last attended school.²³ Education and training provision within the secure estate must provide children and young people with the same level and standard of provision that they would be entitled to outside of the secure estate, but should work also to develop, encourage and meet young people's potential and aspirations to equip them for productive engagement in society and the workplace upon their release.

The importance of speech, language and communications for all children and young people in custody should be prominent throughout education, development and offending behaviour management. The Public Accounts Select Committee's inquiry into youth justice confirmed that:

70% of young offenders suffer from significant communication difficulties, but current forms of assessment do not give this sufficient weight. The justice system assumes a level of understanding on the part of young offenders that will in many cases be lacking. This increases the risk that young people will not engage with or understand the requirements of their sentence plan.²⁴

Therefore ETE provision in secure settings, especially YOI's, is crucial for successful resettlement. The HMIP Report which addressed resettlement issues in June 2011 found that planning and transitional

²³ Prison Reform Trust, *Bromley Briefing* 2011

²⁴ NCVYS's response to the Education Select Committee's Inquiry into Youth Services, December 2010
http://www.ncvys.org.uk/UserFiles/NCVYS%20response%20to%20Education%20Select%20Committee%20Youth%20Services%20Inquiry_1.pdf

arrangements were often haphazard, or indeed non-existent.²⁵ There was a lack of accurate aggregated information about the resettlement needs of young offenders in custody, and hence no effective strategic direction or commissioning of services. Individual training plans were often ‘tick box’ exercises, and although the majority of young offenders interviewed confirmed that they had seen their plans, most could not recall their specific targets for ETE. A key finding (and linked recommendation) was that there was no monitoring by establishments of the outcomes for young offenders returning to the community, hence little basis for improving their service.

The submission to this consultation from the Independent Steering Group of the Young Offenders Academy Project expressed serious concern about the current level of ETE provision in secure settings. It recommended:

collaboration with organisations and agencies outside the walls will be a requirement for achievement. As HM Chief Inspector of Prisons told The Guardian “few prisons holding young men manage to provide them with even 10 hours a day out of their cells”²⁶

Catch22 also note that intensive and tailored education aimed at developing young people’s skills and abilities should be similar to any other young people’s service. There should be a move away from simply looking at educational needs towards a stronger focus on development and aspiration.

At the Clinks/NCVYS roundtable, attendees also expressed concern that young people are often left waiting 3-5 months for an educational or vocational course to commence and this gap in provision can lead to that young person reoffending. It is also vitally important that education (and other services) are tailored to each individual’s needs, and courses must allow for flexibility.

Summer Arts Colleges are just one example of successful programmes to re-engage young offenders in ETE. 95% of young people participating in Summer Arts College programme gained a qualification (80% at level 1, 15% at level 2). In the four weeks immediately after the Summer Arts College, more than half (52%) of those previously not in any ETE had progressed on to further ETE provision. Around two-thirds of those with ETE arranged were attending full-time or at least 75% of the time and almost three-quarters were in mainstream education or training.²⁷

4.3 Accommodation:

In February 2011, Barnardo’s published *No Fixed Abode: The Housing Struggle for Young People Leaving Custody* which examined the arrangements for assisting young offenders in accessing suitable accommodation following release.²⁸ The report identified a range of issues that needed to be addressed, including the poor support for 16 and 17 year olds who are often placed in unsuitable B&B accommodation without any support, due to a lack of suitable alternatives or ineffective planning.

There was also evidence of children as young as 13 being resettled with families who were vulnerable and unable to meet the needs of their children. ‘Looked after’ children felt that they were forgotten once they were sent to custody, and the lack of contact and support meant that their return to their community was poorly planned and chaotic. We welcome the commitment to improve outcomes for the looked after children but there are a number of practical hurdles to overcome. The HMIP Thematic Report in May

²⁵ HMIP. June 2011. *Resettlement provision for children and young people. Accommodation and Education, Training and Employment*. Online: <http://www.justice.gov.uk/downloads/publications/inspectorate-reports/hmipris/Resettlement-thematic-june2011.pdf>

²⁶ HM Inspector of Prisons, Nick Hardwick. The Guardian. 15 September 2011.

²⁷ These are all from the Outcomes report for Summer Arts Colleges from 2010 which can be found at <http://www.artscouncil.org.uk/about-us/our-plan-2008-2011/children-and-young-people/>

²⁸ Barnardo’s. Feb 2011. *No Fixed Abode: The Housing Struggle for Young People Leaving Custody*. Online: http://www.barnardos.org.uk/no_fixed_abode_february_2011.pdf

2011 on 'looked after' children highlights the lack of communication between local authorities and key staff in the secure estate, as well as the poor standard of monitoring and information kept about looked after children in YOIs in particular – most establishments did not keep an accurate record of the looked after children currently held by them. This, of course, has serious implications for maintain family links and for subsequent resettlement planning.

4.4 Family

We believe that there should be significantly more emphasis placed on families and communities. Young people do not exist in isolation and should not be treated as such. Effective work with young people also needs, wherever possible, to involve work with their parents, carers and their families who are part of the solution.

We agree with the submissions of Catch22 and the Independent Steering Group of the Young Offenders Academy Project that the secure estate reconfiguration should lead to a larger number of small units, rather than a smaller number of larger units, enabling young people to be placed closer to home. This could facilitate an environment which is more conducive to young people's rehabilitation in contrast to a more 'prison-like' environment such as in many larger establishments. A larger number of small establishments would also enable young people to be placed closer to home, where appropriate. The average distance from home for young people in custody is around 50 miles.²⁹ This has a severe impact on the ability to sustain relationships whilst in custody; 30% of young men (aged 15-18 years) and 47% of young women in custody reported having had no visits in the last month or never having visits.³⁰

Sustaining the relationship between young people and their families has been shown to be key to effective resettlement. The further away a young person is placed from his or her family, the more likely it is that relationships will break down during a young person's period in custody. Placing young people closer to home also presents the opportunity for more integrated working with the families by professionals. Working with families can be a very effective intervention to prevent reoffending, and sustains the work done within the secure estate once a young person is released.

Services and agencies must take a joined-up approach to individual children, young people and their families. Better links and information-sharing between services, young people and families is crucial. The VCYS (voluntary and community youth sector) can facilitate this process as it is often in contact with the most hard-to-reach children, young people and families. However, it can only do this if it is recognised by government as a partner and funded to contribute to knowledge sharing.

Voluntary and Community Sector involvement

The Secure Estate strategy needs to be set in the context of the Government's wider strategy of meeting children and young people's needs and aspirations. Just as services for young people outside the secure estate need to be joined up, multi-agency working is necessary for the effective resettlement and rehabilitation of young people within the secure estate. An isolated secure estate risks compounding the chances of reoffending rather than reducing the risk.

The VCYS has a central role to play in supporting these wider needs of children and young people. The VCYS can offer the range of services necessary to break the cycle of reoffending, including education and training services; health services; arts-based interventions; resettlement and aftercare provision; and support to access mainstream children and youth services. VCYS organisations are well positioned to offer a holistic framework of 'wrap-around' support to assist in rehabilitation. The success of local based 'link worker' schemes where a single individual works with an offender from arrest (or release)

²⁹ Prison Reform Trust, *Bromley Briefing* 2011

³⁰ Prison Reform Trust, *Bromley Briefing* 2011

through to successful resettlement has demonstrated the effectiveness of innovative VCYS service delivery.

The VCYS offers the consistent, personal approach best placed to achieve transformational outcomes. The VCYS is well placed to reach marginalised groups in society through their expertise, innovation and commitment. Working with the voluntary and community sector can not only help develop a strong ethos of work in prisons, but also enable prisoners to make reparation.

There is an abundance of evidence that demonstrates the impact that the sector can make to reducing reoffending. For example, Catch 22 has shown that 90 per cent of its programme entrants who have been involved in crime will not reoffend while working with it.³¹ The Foyer Federation submission to the Ministry of Justice's Green Paper *Breaking the Cycle* shows that 75% of young people leaving Foyers progress to secure housing, education and employment pathways.

However, there is growing evidence that the VCYS is in a fragile state, with many NCVYS and Clinks members seeing reductions in programmes. NCVYS's *Comprehensive Cuts: Report on funding changes in the voluntary and community youth sector* documented a survey of our members in October 2010, which revealed that nearly 70% of the 135 respondents to the survey had seen a drop in income in the past year. Of those who hadn't seen a drop in income, over 75% are cutting projects in anticipation of cuts that they know will hit them next year.³² Further reports, *Comprehensive Cuts 2* and *Comprehensive Cuts 3*, showed further evidence to support this.³³ A Clinks survey of approximately 85 organisations and individuals also suggested that most organisations responding were undertaking programmes of redundancies with many seeking to reduce their staff complement by over 50%.³⁴ An alarming number were already spending reserves to keep their services operational, and many stated that they were unlikely to survive beyond April 2011 unless they could access additional funding in the near future. Cuts to other related services may also impact on attempts to create a more welfare-based approach to dealing with young offenders. For example, Young Minds have highlighted that some child and adolescent mental health services are losing funding.³⁵ This is likely to impact on the 23% of young men in custody who reported emotional or mental health problems in a report by the chief inspector of prisons. Homelessness and supported housing services, which provide an important resettlement option for young offenders, have also seen significant cuts. Homeless Link research has found that homelessness services have been subject to funding cuts of 25% on average, leading to an estimated 16% drop in bed spaces available across the country, equating to 7000 fewer spaces.³⁶

Voluntary and community groups and statutory services working together are a key part of the solution. Some representatives from the VCYS sector do not feel valued by those in authority and are often left out of decision making. We are concerned that the work of many VCYS organisations, including faith, BAME and smaller local projects remains undervalued and untapped by statutory agencies, and under the radar. There should be more opportunities for experienced voluntary sector organisations to be involved with the secure estate for children and young people to drive innovation and deliver effective services to those most in need.

³¹ *Life changing results: Our services are here to help you achieve them* Catch22 (October 09) <http://www.catch-22.org.uk/Files/Commissioners-brochure.pdf?id=4b3218c7-895d-4256-9a40-9dac00a2a49b>

³² <http://ncvys.org.uk/UserFiles/Comprehensive%20Cuts.pdf>

³³ http://ncvys.org.uk/UserFiles/Comprehensive_Cuts_Part_2.pdf and http://www.ncvys.org.uk/blogs.php?act=view_topic&id=236

³⁴ See Clinks submission

³⁵ <http://www.cypnow.co.uk/news/1048469/News-Analysis-Sentencing-plans-will-founder-without-investment/>

³⁶ <http://www.homeless.org.uk/cuts-monitoring>

Further information

This response is submitted jointly from Clinks and NCVYS. It is supported by NCVYS and Clinks members Centrepont, the Foyer Federation, Platform 51 and the Prince's Trust.

Clinks exists to provide infrastructure support to the VCS working with offenders across England and Wales. Our mission is to support, represent and campaign for the Sector, so that VCS organisations, and all those with whom they work, are engaged and informed to transform offenders' lives and reduce reoffending. We are a membership organisation with over 360 members, including the Sector's largest providers as well as its smallest, and our wider national network reaches 3,500 VCS contacts. Overall, through our weekly e-bulletin *Light Lunch*, we are in contact with over 6900 individuals and agencies with an interest in the Criminal Justice System (CJS) and the role of the VCS in the resettlement and rehabilitation of offenders.

The National Council for Voluntary Youth Services (NCVYS) is the independent voice of the voluntary youth sector in England. A diverse and growing network of over 280 national voluntary youth organisations and regional and local youth networks, NCVYS has been working since 1936 to raise the profile of youth work, share good practice and influence policy that has an impact on young people and the organisations that support them. Our mission is to work with our members from voluntary and community organisations to build thriving communities and sustainable networks that help all young people achieve their potential.

This response was produced as part of the work of the Catalyst consortium. Catalyst is co-ordinated by the National Council for Voluntary Youth Services with the National Youth Agency, the Social Enterprise UK and the Young Foundation. It is working with the Department for Education (DfE) as the strategic partner for young people, as part of the Department's wider transition programme for the sector. Catalyst will work to deliver three key objectives over a two year period. It will strengthen the youth sector market, equip the sector to work in partnership with Government and coordinate a skills development strategy for the youth sector's workforce

For further information on Clinks/NCVYS response to the secure estate consultation, please contact:

Clare Hayes

Policy Officer, Clinks

clare.hayes@clinks.org

0207 246 2562

Dom Weinberg

Policy Officer, NCVYS

dominic@ncvys.org.uk

020 7843 6472