

Justice Select Committee

By email

14 July 2020

Dear Justice Select Committee,

Thank you for inviting us to give evidence towards your inquiry into children in custody. Following our evidence sessions on 2 and 16 June, we are writing to provide some further information to support your work, as well as to provide some further clarity on a few of the areas covered in the previous sessions.

We have provided a supplementary briefing at Annex A, which covers off some additional information on our recent work on Resettlement and Disproportionality in the youth justice system, as well as some headline statistics on re-offending. We have also provided a copy of our Journey of the Child Document, which we referenced during our evidence session. We are due to release an updated version in the coming weeks and will share this with you once it has been published.

We would also like to take this opportunity to issue a small correction to the number of YOT recovery plans we are expecting to receive. We are expecting to receive 154 recovery plans to be submitted to us, one from each YOT, rather than 457 as recorded in the transcript of the evidence session.

We hope you find the additional information helpful to your inquiry. Please get in touch with Hannah Ellis (Hannah.Ellis@yjb.gov.uk), our Policy & Parliamentary Manager, should you have any follow up queries.

Yours sincerely,



Keith Fraser
YJB Chair
Youth Justice Board for England and Wales

E: Keith.Fraser@yjb.gov.uk

Annex A: Additional Information for the Justice Select Committee Inquiry into Children in Custody

Resettlement

Resettlement and transitions between services has been a priority area of work for the YJB for the last two years. In September 2018, the YJB published '[How to Make Resettlement Constructive](#)' which set out the evidence base for resettlement work, YJB thinking and our work plan to support an evidence-based approach in this area. The document introduced Constructive Resettlement (CR) as an approach to help the sector apply this research evidence across policy and practice.

We define Constructive Resettlement as collaborative work with a child in custody and following release that builds upon their strengths, to help them shift their identity from pro-offending to pro-social. Within this approach, the clear overall role for all agencies is to facilitate the child's identity shift.

Constructive Resettlement builds upon the work of Beyond Youth Custody, a six-year England wide research programme by University of Salford, University of Bedfordshire, NACRO and ARCS and funded by the Big Lottery Fund. Beyond Youth Custody identified five key characteristics of effective and sustainable resettlement, namely: that all work with children should be

- **Constructive** – centred on identity shift, future oriented, motivating, strengths based, empowering;
- **Co-created** – inclusive of the child, their family and supporters;
- **Customised** – individualised and diverse wraparound support;
- **Consistent** – resettlement focus from the start, seamless, enhanced at transitions, builds and maintains stable relationships;
- **Co-ordinated** – managed widespread partnership across sectors

The YJB has adopted these principles within Constructive Resettlement and views each to be essential in supporting the necessary shift in a child's identity.

It is important to recognise that successful resettlement is not about delivering a 'one size fits all' intervention with a child, but rather, it is about ensuring all work with children embraces the guiding principles above to create bespoke intervention and support which reflects the needs of the child. There are a number of case examples of effective resettlement work that is grounded in the principles of Constructive Resettlement on the Beyond Youth Custody [Website](#).

Findings from the recently published **Evidence Review of Recidivism and Policy Responses** by Department of Justice and Equality in Ireland, supports the principles of Constructive Resettlement. The report highlights that short-term intervention programmes that do not take account of external circumstances are not likely to have a radical effect on an individual's recidivism.

Since the publication of this document, we have been working with our partners to embed Constructive Resettlement into practice, a few examples are below:

- We have reflected Constructive Resettlement principles in the revised Standards for Children in the Youth Justice System, to move towards an outcome focused approach.
- We have worked with HM Inspectorate of Prisons to better reflect Constructive Resettlement principles within the inspection standards.
- We have hosted a cross-government and third sector roundtable to assess the accommodation issues in resettlement.

- We are closely involved in the roll out of constructive resettlement in the Youth Custody Service (YCS), with CR informing the development of the education offer for both existing and new contracts.
- In response to the YCS Review of Casework, we have worked closely with YCS to establish a co-chaired resettlement panel. We have been able to bring YJB's contacts within the community, such as the resettlement pathfinder, to work with us on the casework review to ensure a fully joined up approach that considers the whole youth justice system. The working group is well represented by both custody and community and is developing a new casework operating model underpinned by the principles of constructive resettlement.
- We are further developing the AssetPlus operating system through phase 3 of its implementation which will support greater data sharing between YOTs and the secure estate and should help facilitate better joint working on resettlement.
- We have been supporting the Association of London Directors of Children's Services in their efforts to develop a London Resettlement Partnership – a consortium of London Local Authorities, Cookham Wood and Feltham YOIs, committed to working together to improve resettlement. We are currently applying to jointly fund this group with MOPAC and London councils to address issues for resettlement in London such as accommodation, Education, Training and Employment (ETE) and health pathways.
- We are funding a three year 'resettlement pathfinder' in South and West Yorkshire to put the principles of Constructive Resettlement into operational practice and disseminate this across the sector. The pathfinder has produced initial training material to introduce the concept of this identity shift and have offered initial support to the London Resettlement Partnership to share best practice and aid their thinking around resettlement support across London.

Disproportionality

To bolster the responses given during the evidence sessions, we have provided a summary of work the YJB have taken forward in this area since the Lammy Review:

- We have been working to improve the ethnicity data collected by Youth Offending Teams (YOTs) to gain a better understanding of when disproportionality occurs and for which groups. YOTs case management systems were expanded to capture the 18+1 Office of National Statistics (ONS) ethnicity categories from the end of 2018. The YJB issued guidance for YOTs to update current live cases to the new 18+1 categories in September 2019. This will allow the us to analyse ethnicity data across the broader 18+1 categories with a full year's data from the year ending 2020. These additional categories will capture data on Gypsy, Roma and Traveller communities, which were highlighted in the Lammy Review as significantly over-represented within the YJS and were often hidden due to the lack of appropriate ethnicity category for this community.
- We have redesigned the Summary Ethnic Disproportionality Tool, which includes high level indicators of disproportionality and utilises a Relative Rate Index (RRI). This enables YOTs to understand the ethnicity of their cohorts and work with their partnership boards to consider locally-driven solutions. We hope that increasing local abilities and transparency will improve trustworthiness in the Youth Justice System.
- We have developed an Academic Liaison Network, utilising academics from a pool of approximately 50 universities to assist with research within the Youth Justice System. This Panel will commission research across areas requiring further evidence, including disproportionality, which was identified as the first area of focus. The Panel intends to consider the Journey of the Child and to identify available research and evidence gaps to be addressed through future research requests.
- The YJB is in discussions with the Association of Police and Crime Commissioners (APCC) to provide it with the data included in the Summary Ethnic Disproportionality Tool. This is so that ethnic disproportionality analysis is included in the development of Police Crime

Commissioners (PCCs) Police and Crime Plans. We also assisted the APCC in updating guidance to PCC's for completing PCPs to include disproportionality.

- We are updating the Disproportionality Journey of the Child (JoTC) with the most recent published Youth Justice statistics, which will be published in the coming weeks. This document demonstrates the levels of disproportionality during the early years of a child's life and throughout the Youth Justice System. We have used last year's JoTC to help facilitate the understanding of data and evidence and identify how to address the challenges, including with its Stakeholder Engagement Group and the YJS Oversight Group, which brings together senior members of government departments to discuss solutions to issues in the Youth Justice System.
- To address some of the pre-arrest factors identified in the Journey of the Child, we are seeking to influence issues, such as employability, and the role of sport as a means of diverting Black, Asian and minority ethnic children from the Criminal Justice System and helping them desist from harmful behaviour; To help improve the opportunities for BAME children, we are working with partners to develop an employment model that improves the flow between services, including job readiness, mentoring, apprenticeships and traineeships. We have also supported the Alliance of Sport 'Levelling the Playing Field' project bid, enabling the Alliance of Sport to secure funding of £1.7m, £1m of which has been provided by the London Marathon Charitable Trust. This is for an initiative aimed at using the power of sport and physical activity to engage and improve health and life outcomes for over 11,200 Black, Asian and minority ethnic children who are at risk of entering, or who are already involved in the Criminal Justice System across England and Wales. This will be a three-year pilot programme, with an evaluation, to provide support for this approach in future policy discussions.
- Additionally, we have commissioned research to better understand why disproportionality occurs at the points children are remanded or sentenced. This research is due to be finalised at the end of August 2020.
- We have completed a project looking at how stop and search is being applied to children and young people. The project also assessed how the YJB can add value to work already being undertaken by the Police, to ensure a child-centred approach is being applied consistently and fairly, particularly with regards to the Black, Asian and minority ethnic community. Recommendations from this work are now being taken forward with the College for Policing and the Independent Office for Police Conduct.
- We are also working with the Police to explore a pathfinder with reference to community resolutions and disparities that exist within them.
- We have worked with the NPCC to change guidance for scrutiny panels on Out of Court Disposals and Stop and Search to include the requirement to conduct thematic analysis of ethnicity.
- We are currently exploring a BAME COVID 19 Response pathfinder – which aims to provide funding to support BAME children who have been affected by the impact of COVID 19 and increased ACEs and trauma for the BAME community, preventing entry to the YJS.

Reoffending

- There has been a continued decrease in offenders, reoffending and reoffences in the youth justice system.
- However, the reoffending frequency rate (average number of reoffences per reoffender) has increased to 4.05
- The reoffending rate (proportion of children who reoffend) has seen the greatest year-on-year fall in the last ten years (-2.5pp) to 38.4%. This means, of the 28,393 children and young people in the annual aggregated cohort, 38.4% reoffended within 12 months.
- While this is a decrease of 2.5 percentage points compared with the previous year, the reoffending rate is still higher than the year ending March 2008 (when it was 37.1%)

	Year ending March										
Reoffending data	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
Number of reoffenders	73,246	62,979	52,277	44,190	34,977	26,374	22,462	19,186	16,184	13,686	10,906
Number of children and young people in cohort	197,607	167,476	136,648	108,164	86,536	64,281	52,339	45,042	38,324	33,426	28,393
Reoffending rate (% of children who reoffend) - Total	37.1%	37.6%	38.3%	40.9%	40.4%	41.0%	42.9%	42.6%	42.2%	40.9%	38.4%
Reoffending rate – Asian	29.9%	29.6%	31.3%	34.8%	34.7%	36.0%	36.8%	36.3%	37.8%	35.9%	31.1%
Reoffending rate – Black	42.4%	42.2%	43.7%	47.9%	46.4%	48.1%	50.1%	49.9%	50.8%	48.6%	47.1%
Reoffending rate – Other	28.5%	28.4%	31.7%	36.0%	38.1%	40.6%	40.9%	43.0%	42.3%	39.5%	37.4%
Reoffending rate - BAME	38.1%	37.6%	39.4%	43.6%	42.7%	44.4%	45.9%	45.9%	47.1%	45.0%	42.8%
Reoffending rate – White	37.6%	38.0%	38.5%	40.8%	40.5%	41.0%	43.1%	43.0%	42.6%	41.9%	39.5%

The journey of the child

exploring racial disparity in the youth justice system

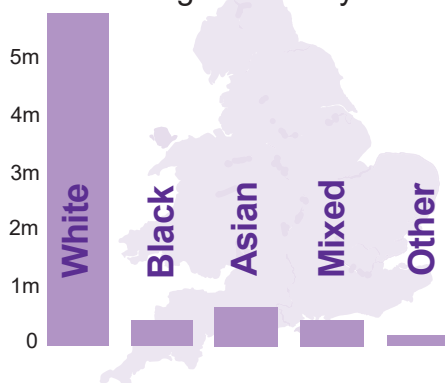
To find out more visit: <https://prezi.com/view/kDYgkz2Sf4EuIJ8Zvlkr/>



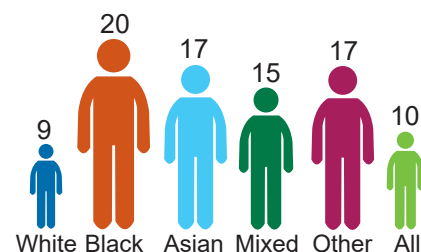
Black children
are over
four times
more likely
to be arrested
than white
children₁

Of all children arrested, white children are more than **twice** as likely to get a caution than black children.

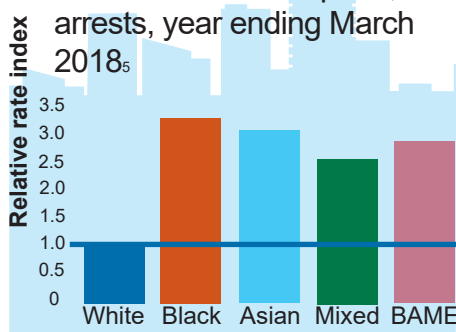
The number of children in England and Wales aged 10-17 by ethnicity⁴



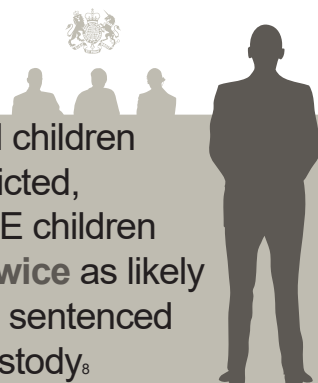
The proportion of people living in the most deprived 10% of neighbourhoods, by ethnicity⁷



The rate of remand per 1,000 arrests, year ending March 2018⁵



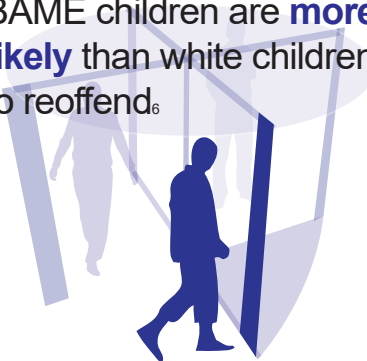
Of all children convicted, BAME children are **twice** as likely to be sentenced to custody₈



Black pupils are more likely to be **permanently excluded** from school than the rest of the population.



BAME children are **more likely** than white children to reoffend⁶



A **quarter** of children
in custody
are black₉

