



Ministry
of Justice

Sir Nic Dakin MP
Parliamentary Under-
Secretary of State for
Justice

Rt Hon. the Lord Foster of Bath, Chair
Justice and Home Affairs Committee
House of Lords
London
SW1A 0PQ

17 January 2025

Dear Lord Foster,

HM INSPECTORATE OF PRISONS CHILDREN IN CUSTODY 2023/24 ANNUAL REPORT

Thank you for your letter of 17 December 2024 to Lord Timpson OBE as Minister for Prisons, Probation and Reducing Reoffending, in relation to the Justice Home Affairs' inquiry on Prison Culture: Governance, Leadership and Staffing.

With regard to your specific query on the HM Inspectorate of Prisons (HMIP) Children in Custody 2023/24 Annual Report, I am responding as the Minister responsible for youth justice. A formal Government response was not issued following the publication of the report. This is a summary of inspection reports issued within the year where responses have been issued. The Youth Custody Service (YCS) has been in dialogue with HMIP throughout the 2023/24 period and a summary of responses from the YCS are provided to the committee below.

Overview

There is a concern that our current performance in public Young Offender Institutions (YOIs) within the Children and Young People's Secure Estate (CYPSE) is not delivering the safety and stability that is at the foundation of effective delivery. This consequently applies pressure on staff, as well as the quality of regime that staff can offer children and young people, including education.

Safety & Violence

Children and young people are sent to custody as a last resort. Their number has reduced considerably over the past 10 years, but this has resulted in an older, more complex cohort, often presenting risk of harm to themselves and/or others. Many children in our care have complex needs, including but not exclusive to traumatic childhood experiences, mental health issues, and special educational needs. There is also now a higher proportion of children who have been charged or sentenced for more serious offences overwhelmingly including the use of violence against the person.

To respond to the change in population and drive performance improvements in YOIs, we are developing a clear roadmap to effective practice, in partnership with NHS England, education providers and psychology services. The roadmap will be in line with the principles of our Framework for Integrated Care (SECURE STAIRS) and will focus on outcomes in areas such as safety, behaviour management support and education. This must be at the heart of how we work to deliver a child-centred service.

Additionally, in 2022, the previous Government decided that children who turn 18 years should remain in the youth estate until to their 19th birthday. Following a review conducted by the Ministry of Justice (MoJ), Ministers decided to end the interim policy, with a phased reversal to the previous policy commencing at the beginning of October 2024. This will have a positive impact on population in settings such as HMYOI Feltham A, where a higher population can impact performance and stability. It will take time to reduce the current number of 18 year olds with a focus on safe transitions to the adult estate.

All children and young people who require additional support will receive a higher level of intervention and support using custody support plans (CuSP). Enhanced Support services and Complex Case management offer assistance to guide the best approach to meet individual needs and risks,

The ability for children and young people to safely engage in the regime of the YOI is an ongoing focus, with dedicated staff responsible for Conflict Resolution and a focus on creating suitable community groups where children do not need to be kept apart from one another due to a conflict that originates from the community or has arisen in custody.

The presence of homemade weapons and the instances of serious violence in custody are a concern. Each YOI has a Safety Strategy and Weapons Strategy to guide the right local response, including proactive policing and searching. All use of restraint and supervision have very close oversight nationally and are subject to ongoing review.

Education

Improvements in the quality of education provision are being driven by working alongside subject matter experts, the education providers and Governors to develop broad and balanced curriculums. Where required the contracts in place are being utilised to require performance improvement with providers being held to account. This is however a shared challenge closely associated to the level of conflict and violence in an establishment.

The YCS is working closely with education providers in the community, in particular Social Emotional Mental Health (SEMH) focused schools and Alternative Provision providers as cohorts of children in these schools reflect the needs of children in custody, for example, high numbers of children who have experienced school exclusion, children with special educational needs and children who have previously experienced or are at risk of NEET (not in employment, education and training). These partnerships will be crucial to both developing practice but also offering some continuity for the children who will return to these settings on release.

Work is underway to apply new learning frameworks to the current delivery that will provide a wider range of pathways for children and the roadmap will be used to drive these improvements.

Staffing

The YCS is committed to recruiting a child focussed specialist workforce who have the appropriate skills and motivations to work with children, distinct from the adult estate. As part of this, in March 2020 the YCS introduced a requirement for Youth Justice Workers (the youth estate equivalent of a prison officer) to undertake a child-focussed qualification necessary to work with children and young people. This has been subject to review and the further development of this qualification and the best utilisation of staffing resources is active work to improve the consistency and quality of relationships with children and young people.

Future of the CYPSE

A YCS/HMPPS Operational Children and Young People Strategy is currently in development that will set out the ambition for the future of the CYPSE for the next five years and how improved outcomes for children will be achieved in the longer term. There has been extensive engagement with stakeholders, frontline staff, and children and young people themselves to inform the development of the strategy. All larger changes to the CYPSE will be subject to consideration of other priorities and funding.

The newly opened Oasis Restore Secure School (ORSS) is part of our vision to develop a network of smaller secure settings, which provide the best possible environment for children and young people's care and rehabilitation, whilst also improving the wider youth estate. ORSS is gradually increasing the number of children in its care and working with Ofsted to formally register all places for full occupancy.

I remain focused on driving improvements in the YOI sector, notably in violence and education, whilst seeing the full utilisation of the other sectors of the CYPSE such as ORSS and the Secure Children's Homes. The development by the YCS of their operational strategy and roadmap will be a key aspect of guiding this work and delivering better outcomes.

I hope this is helpful.

SIR NIC DAKIN MP