

**Report for:** Corporate Parenting Advisory Committee  
15<sup>th</sup> October 2019

**Item number:**

**Title:** Response to CPAC questions on Looked After Children and Youth Justice system



**Report authorised by :** Ann Graham, Director, Children & Young People's Service

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**Ward(s) affected:** N/A

## 1. Describe the issue under consideration

- 1.1 A report by Jennifer Sergeant, Head of Youth Justice and Targeted Response, was submitted to CPAC regarding Haringey Children in Care who were also known to Youth Justice. The initial report was based on live data as at 12 January 2019. Since that date the number of young people on remand has increased.
- 1.2 At the meeting in April, Councillors raised the following questions to which officers undertook to respond through an updated report:
- What strategies the Council had in place to address the disparity between custodial sentences received for looked after children and non-looked after children.
  - What support was offered to foster carers to help prevent young people from being drawn into the type of behaviour that might lead them to being involved with the Youth Justice Service.
  - Regarding page 30 and "*range of interventions*" offered to young people, what specifically was offered to looked after children to support them.
- 1.3 Following this request council officers met to consider the questions in order to review the current arrangements (both strategic and operational) and provide a summary of the current offer from both Youth Justice and Safeguarding service, evaluate the impact of the services provided and considered further recommendations to improve service delivery, systems and outcomes to this cohort. The responses to the specific questions follow below.

**Question 1: What strategies the Council had in place to address the disparity between custodial sentences received for looked after children and non-looked after children.**

The YJS and Children Services have a joint protocol that sets out partnership arrangements for children on the verge of being remanded into local authority or secure and sentenced to a custodial setting. The protocol relies on research from the youth courts and the Howard Justice League which suggests that young people who are looked after and known to the Youth Justice system appear to attract a higher sentencing tariff and are more vulnerable. The complexity of preventing this is highlighted in the June CPAC report under table three which links to the type of offences committed and custody thresholds being met for public protection purposes.

The Safeguarding Exploitation Prevention Panel is jointly led by Youth Justice and Community Safety to ensure that the risks of criminal exploitation are considered and action plans created to prevent and disrupt criminal behaviour by linking victims and offenders. This further enables stronger links between safeguarding and Youth Justice risk management panel to ensure a holistic approach to the needs of looked after young people is embedded into each aspect of the care plan, for example:

- **Bail:** The YJS court staff will support and recommend intensive bail support programmes with strict conditions at court to prevent LAC being remanded. This includes dialog with the social care Safeguarding team and Placements team for alternative addresses to be sourced often outside of Haringey to keep the child and victim safe.
- **Remand into Local Authority:** The YJS court staff explore and design robust plans alongside safeguarding and placement teams to be presented to the court to ensure that suitable risk assessments and placements are found for a child which prevent children going into a secure custodial setting.
- **Remand into custodial secure setting:** Whilst a young person is on remand, the YJS social worker ensures that monthly remand planning meetings take place with the secure setting, to ensure that the child has access to all the key services within the secure establishment. Escalation processes can be followed up by the YJS and safeguarding team with the custodial establishment if it is felt the young person's needs are not being met.
- **Trial:** During this process the young person's welfare is reviewed, ensuring that any health support is offered during this difficult period either within custodial or community setting. If there are learning needs or mental health capacity concerns an intermediate will be requested to ensure that the young person's needs are adhered to during this process. Escalation processes can be followed up by the YJS and safeguarding team with the custodial establishment if it is felt the young person's needs are not being met.

Haringey YJS along with other Authorities has reviewed its courts processes and procedures to strengthen practices within the court settings.

The current offer to looked after young people at risk of or engaged in criminal activity is split into prevention; informing and advocating for the needs of looked after young

people who enter the criminal justice system; and when looked after young person is placed in custody the specific support offered consists of:

- a) To support escalation of criminal activity for looked after young people there is a weekly out of court disposal panel that enables the youth justice officers to review the charges for looked after young people to ensure they are satisfied that the charge is appropriate and welfare needs are considered. This process is governed by a quarterly scrutiny panel made of a range of members including; safeguarding, magistrates, police, Youth Justice and Early Help workers.
- b) To ensure that the magistrates and judges are aware of the vulnerabilities of our looked after young people with the criminal justice system, there are established links with local courts (magistrates and crown courts) with the Haringey Youth Justice service. This includes attending quarterly meetings with the courts to present key issues which includes that looked after cohort and disproportionality based of local statistics are shared with the court service.
- c) Many of the looked after young people that are charged with a criminal offence are placed outside of Haringey, sometimes for their own safety. Therefore, many of the cases are heard in courts that Haringey do not have established links with, this also includes the higher courts such as the Old Bailey and Crown courts where more serious offences are heard. Haringey's representation has allowed the Judicial system to be more sensitive to the disadvantage faced by young people in these circumstances and whilst there are currently no links with Haringey Youth Justice and the CPS and this is noted as an area to development under the Youth Justice Board to ensure that the CPS is more child centred when reviewing cases.
- d) Following work by the Local Authority and Howard League, the Youth Justice team will assess the need for an intermediary to support the mental capacity and learning needs within the criminal court to ensure young people are effectively supported and the social context in which they live is understood.

**Question 1 Recommendations:**

- Haringey Gold initiative to be utilised more for looked after young people at risk of or charged with criminal activity when placed out of borough.
- Youth Justice Board to continue establish links with the CPS through the judicial process.
- YJS to ensure that all Pre-sentenced reports and Breach reports have safeguarding teams' view on the sentencing proposal and to ensure that a joint plan is in place prior to sentencing.
- YJS to continue to update CPAC and meet with Safeguarding and Young Adults services to discuss findings.

**Question 2 *What support was offered to foster carers to help prevent young people from being drawn into the type of behaviour that might lead them to being involved with the Youth Justice Service.***

The range of vulnerabilities that adolescents experience has changed over time with increasing risk of CSE (child sexual exploitation), CCE (child criminal exploitation) and radicalisation. To ensure that in-house foster carers have the necessary knowledge and skill set, CSE training was offered from the CSE Safer London commissioned service and the gangs unit offered bespoke training to carers around gangs and violence. All in-house foster carers are also offered PREVENT training. The forward plan to support foster carers will be offered via LEAP to upskill carers in conflict resolution, to support looked after young people and their carers to be targeted specifically to address areas of risk. This is captured in the looked after plans.

Commissioned foster carers also require the same level of training and skill set as in-house foster carers. Therefore, commissioning needs to ensure that commissioned foster carers meet the same standards for training and skill set as in-house carers. Currently there is no training for carers to understand the link between safeguarding and youth justice. Foster carers need to understand the youth justice landscape if they are effectively to support the young people in their care. Therefore a programme of joint training by Youth Justice Service Offending teams and Safeguarding teams should be developed and delivered.

Looked after young people who are placed out of borough but have been convicted of an offence should continue to get a local support from the area in which they are living. Haringey provides oversight for the Looked After young person's care planning, with their placement provider. Haringey Youth Justice teams will have regular contact with the local youth provision and the frequency of this is determined by need.

The offer could be strengthened by offering looked after young people who are either at risk or charged with a criminal offence an independent visitor who has the knowledge and skills to work with this cohort.

### **Question 2 Recommendations :**

- Joint training by Safeguarding and Youth Justice for foster carers and preferred residential providers by December 2019, and then offered through the Haringey Academy.
- Placement contingency planning to ensure that the looked after young person is linked to local provision within 72 hours of placement – measures to be in place by January 2019.
- Commissioning to ensure that external fostering contracts are monitored and measured in relation to the offer to support the young person by providing specific youth justice support and ensure that carers meet the required standard of knowledge and skill set.
- Where required, joint visiting by youth justice workers and social workers for high risk young people, to ensure collaborative working and that plans are holistic to address the young person's needs and prevention work is central to the care planning.
- Independent Reviewing Officers (IROs) to be offered specialist training to advocate for looked after young people placed out of borough by December 2019.

**Question 3 Regarding page 30 and “range of interventions” offered to young people, what specifically was offered to looked after children to support them.**

Each young person has a young person’s care plan that is tailored to their individual needs, and the Youth Justice Service has a range of interventions that all young people within the service can access. There is no specific programme of interventions for looked after young people which is one of the challenges to the service given its limited resources.

YJS submitted, jointly with Islington YJS, through the Youth Justice Board, a proposal to tackle serious youth violence with a view of improving outcomes for BAME (Black and Minority Ethnic) young people and families. We were successful in the bid and joint commissioning arrangements have been successful. This project started in September 2019 and will also be rolled out to Haringey Targeted Response Team and Early Help and LAC whom are BAME will be a focus. This will allow us to capture the views of the children whom are BAME and LAC involved in the criminal justice system and a final report will be produced to support with the findings of this project and recommendations for future service delivery.

**Question 3 Recommendations:**

- YJS and Safeguarding to explore any commissioning opportunities for programme/interventions for looked after young people whom are placed in and out of Haringey by November 2019.
- YJS to creatively think about a specific looked after young people programme by November 2019.

**2. Contribution to strategic outcomes**

The issues within this paper will be absorbed into the annual action plan of Haringey Youth Justice Board to ensure that the required changes are delivered.

**3. Use of Appendices**

N/A

**4. Local Government (Access to Information) Act 1985**

Report to CPAC dated 23 April 2019  
Haringey Youth Justice Service - Looked After Children