



# Her Majesty's Inspectorate of Probation

**HM Inspectorate of Probation**  
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**To: Josh MacAlister**  
**Chair of the independent review of children's social care**  
**C/O the review team**

Date: 13 August 2021

## **HM INSPECTORATE OF PROBATION: RESPONSE TO THE CASE FOR CHANGE CONSULTATION**

HM Inspectorate of Probation is in a unique position to contribute to your review based on our independent expertise and experience of inspecting youth offending services. In addition to our core programme of inspections of every local youth offending service in England and Wales we also undertake child safeguarding inspections (Joint Targeted Area Inspections; JTAI) led by Ofsted with HMICFRS as an additional partner; and single and joint thematic inspections into systemic issues, for example the impact of Covid on delivery of youth offending services and into the quality of resettlement support for children released from custody. Our work covers both England and Wales. In addition, we add to the evidence base for effective service delivery through the work of our research team. All our inspections pay close attention to, and comment on, the relationship between youth offending teams and children's social care.

Children who are looked after make up a significant proportion of the cases we inspect and of all the children dealt with by the criminal justice system. Of the 24,000 young people starting a court order or caution in 2018/2019, we estimate that 4,500 children may have been looked after, including nearly 700 children starting custodial orders. Of the cases we inspected over the two years prior to autumn 2020, 26 per cent of children subject to a court order had been placed in the care of the local authority at some point during their sentence. Furthermore, 21 per cent of children had been subject to a child protection plan or Section 47 enquiry at some point during their sentence.

Our inspections show that the quality of support offered to children looked after on YOT caseloads is worse than for children who do not have a history of care – particularly for out of area placements.

**Table 1: Aggregate ratings from 2018/2019 and 2019/2020 for 1,253 court cases inspected across 42 YOTs Assessment<sup>1</sup>**

	<b>Assessment</b>	<b>Planning</b>	<b>Delivery</b>	<b>Reviewing</b>
<b>Children not in care</b>	Good	Good	Good	Good
<b>Children in care living inside the inspected area</b>	Good	Requires Improvement	Good	Requires Improvement
<b>Children in care living outside the inspected area</b>	Good	Requires Improvement	Requires Improvement	Requires Improvement

Key documents that are relevant to your review include:

- [HM Inspectorate of Probation Annual report: inspection of youth offending services \(2019 - 2020\)](#)
- [A thematic review of the work of youth offending services during the covid-19 pandemic \(2020\)](#)
- [HM Inspectorate of Prisons and Probation: Youth resettlement work. Final report into work in the community \(2019\)](#)
- [HM Inspectorate of Prisons and Probation: Youth Resettlement Thematic Inspection \(2019\)](#)
- HMI Probation Thematic Inspection of Black Boys in the Youth Justice System (due to be published in September 2021)

Based on our local and thematic inspection findings, we highlight the following areas for consideration by the review.

- Consideration should be given to intra-familial violence. Our Covid-19 thematic review found examples of violence by children against parents during the Covid pandemic lockdown periods. Further research and new interventions are needed to support the parents affected.
- The provision of timely accommodation for children looked after following release from custody was highlighted as a weakness in the 2019 HMI Prisons and Probation Thematic Youth Resettlement Inspection. Some children did not know where they would be going until the day of release and sometimes this could be far from home. This impacted also upon the child's ability to access other services which are dependent on location of residence, such as mental health support and education.

Based on this finding, we made the following recommendation:

The Ministry of Justice, Department for Education and Ministry of Housing, Communities and Local Government should:

- develop a national accommodation strategy for children released from custody, including a national network of community based accommodation suitable for children who pose the highest risk and central payment of accommodation retainers where necessary to

<sup>1</sup> [HM Inspectorate of Probation Annual report: inspection of youth offending services \(2019 -2020\)](#) (p17)

ensure that children have suitable accommodation arranged at least a month before release.

This has yet to be implemented nearly two years on from publication of the report.

- Our inspections repeatedly show the difficulties local authorities experience in trying to manage risks emanating from outside the family, within a children's social care system that was not designed to mitigate such external risks to children. Child protection categories should be broadened to incorporate contextual risks outside of the family unit e.g. child exploitation and a consideration of how partnerships can best identify and reduce these risks.

I hope this is helpful and I would be happy to meet to further describe the findings of our inspection activity and how it relates to your review.

A handwritten signature in black ink that reads "Justin Russell". The signature is written in a cursive, flowing style.

**Justin Russell**

*HM Chief Inspector of Probation*

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