



HM Inspectorate
of Probation

2022 Annual Report:
inspections of youth offending services



High-quality probation and youth offending services that change people's lives for the better

HM Inspectorate of Probation is the independent inspector of probation and youth offending services in England and Wales. We set the standards that shine a light on the quality and impact of these services. Our inspections, reviews, research and effective practice products provide authoritative and evidence-based judgements and guidance. We use our voice to drive system change, with a focus on inclusion and diversity. Our scrutiny leads to improved outcomes for individuals and communities.

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Please note that throughout the report the names in the practice examples have been changed to protect the individual's identity.

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Chief Inspector's overview



This will be my fourth and final annual report on HMI Probation's inspections of youth justice services (YJSs), so it's an opportunity to reflect on both the past four years and our 2021/ 2022 inspections.

I'm pleased to say that this is a generally positive report. A significant majority of the services we inspected last year were rated 'Good' or 'Outstanding', and we've seen a real improvement in our scores for the quality of out-of-court disposal work since 2019. Our focus on resettlement, since 2021, has paid dividends.

Children are now receiving better support after leaving custody and there's been significant improvement in the services we previously rated as 'Inadequate', such as Surrey and Cardiff, when we've gone back to reinspect. The multi-agency model embodied in each YJS and their management boards has remained a great source of strength through some difficult times. Additionally, the range and depth of specialist services that YJSs can provide the children on their caseloads, from speech and language therapy to educational welfare and psychological support, continue to impress.

It has been a period of huge challenge and significant change for those working in local services. The start of the Covid-19 pandemic in March 2020, just nine months after I became Chief Inspector, forced every service to radically adapt their delivery model overnight and led to huge changes in the way that key local partners, like the youth courts and children's services, had to operate. While most are now back to full operational delivery, some issues remain (for example, in terms of lengthy Crown Court backlogs for the most serious youth cases). But some of the more positive innovations of the pandemic period, for example virtual multi-agency meetings over MS Teams or similar platforms, have continued.

The pandemic also seems to have accelerated some of the trends in youth justice that have been evident over the past decade. The number of cases coming through the youth courts for sentence, for example, was down 50 per cent in the year ending March 2022, compared with 2017/2018; police cautions were down too, by 52 per cent. And the average youth custodial population was down 49 per cent to just 454. A vanishingly small proportion of children are now processed through formal criminal justice processes, whether through the courts system or statutory police caution/conditional caution (only 13,800 children received a sentence or police caution across the whole of England and Wales in 2021/2022 compared with almost 70,000 10 years ago).

Growing use of out-of-court disposals

This reflects an accelerating trend towards children being dealt with informally by the police and/or YJSs, with 'community resolutions' (informal case disposals, usually agreed jointly by panels including police and youth offending staff) now making up a majority of many of the YJS caseloads that we inspect.

Given the overwhelming importance of these informal processes, it is very disappointing that five years after we recommended that the Ministry of Justice publish national data on the number and effectiveness of this sort of out-of-court disposal in our 2018 thematic report on this topic, this information is still not available. It remains the case that what is now the predominant way of dealing with children who have committed an offence remains uncounted and unevaluated. There is no reliable national or local data on what proportion of children complete the (voluntary) interventions recommended by local out-of-court panels or come back to attention of a local YJS because of further offending. Published data on

reoffending and first-time entrant rates by children – which counts only those cases dealt with by the courts or formal police caution/conditional caution – has, in my view, become virtually meaningless as a measure of real underlying local youth offending rates or YJS performance.

HM Inspectorate of Probation funded research on community resolutions by Manchester Metropolitan University (MMU), which was published earlier this year.¹ It found significant national variation in the way they have been delivered, including variations in eligible offences, in the types of intervention delivered and the length of time over which this happens. While we have seen an encouraging trend in our inspections of police forces notifying their local YJS of all of the community resolutions they deliver, the number of children being given repeat community resolutions with no escalation remains a concern.

We have also seen increasing use of police Outcome 22² as the preferred form of informal resolution. However, the MMU research suggests a lack of understanding about the difference between Outcome 22 and community resolutions, and variations in whether the lack of cooperation with the interventions offered through this option does result in a prosecution (the original intention of this form of diversion) if a child has not engaged with the identified diversionary interventions or activities.

Quality of casework

Fortunately, given the increased importance of these out-of-court processes, our local inspection data shows some significant improvements in the quality of work being done with these cases. In my first annual report, for our 2018/2019 inspections, we found many differences in the sufficiency of out-of-court disposal work, when compared to court disposals, against our standards. This was across assessment, planning, and implementation and delivery, with community resolutions often scoring significantly lower than formal out-of-court disposals (youth cautions or conditional cautions). By last year, there had been improvements in out-of-court disposal scores for all nine quality questions, with some scores jumping by 10 percentage points or more. Of the out-of-court disposals we inspected last year, in relation to the risk of harm to others, 76 per cent were satisfactory on our key questions around the quality of planning, 78 per cent sufficient for implementation and delivery, and 66 per cent in relation to the sufficiency of assessment activity. This is a very welcome improvement since my first annual report, driven, at least in part I hope, by HM Inspectorate of Probation's focus on the quality of this aspect of work. For court cases too – now a much smaller proportion of YJS caseloads – performance has been strong. At least two-thirds of the cases we inspected last year scored as sufficient on all our key quality questions. We saw particularly strong performance around assessment, planning and delivery of services and interventions to meet the needs of children that might be linked to their offending, where well over 80 per cent of cases were rated as sufficient.

I've been particularly pleased to see an improvement in the scores for the quality of work local services are doing to assess and manage the potential risks of harm that children on YJS caseloads may present to those close to them or the wider public. Far from being in

¹ HM Inspectorate of Probation (2023). The implementation and delivery of community resolutions: the role of youth offending services. <https://www.justiceinspectorates.gov.uk/hmiprobation/wp-content/uploads/sites/5/2023/03/The-implementation-and-delivery-of-community-resolutions-the-role-of-youth-offending-services-1.pdf>

² Outcome 22 is a police outcome code indicating a police decision to defer prosecution for a low-level offence while a child is given the chance to engage with a diversionary activity, including if they have refused to admit responsibility or offered a no-comment interview. If the offer is taken up, this leads to a 'no further action' record of the incident.

opposition to a child first philosophy, I see the work around risk as an essential complement to this principle – not least because many of the potential victims of children on YJS caseloads may be children themselves. And as an important research bulletin from the HM Inspectorate of Probation team showed last year,³ there is in any case a huge overlap between the children who are most at risk themselves and those who present a risk to others. Our analysis of almost 2,000 cases, both court and out-of-court, found that three-quarters of the children who were classified as presenting a high or very high risk of serious harm to others were also assessed to face high or very high risks to their own safety and wellbeing.

Our overall ratings

In marked contrast to the Probation Service, our overall ratings for YJSs have borne up remarkably well during the pandemic. Across the 108 services we have reported on over the past four years in our annual reports, 55 have been rated 'Good' and 12 'Outstanding'. Last year we rated 70 per cent of the 33 services inspected in these top two categories, compared with 58 per cent pre-pandemic in 2018/2019 – with particularly strong scores on our ratings for staffing, partnerships, and IT and facilities.

As our inspection teams move around England and Wales, we are generally finding low vacancy rates; manageable caseloads; strong relationships with local partners; and a good range of services for children being delivered in-house. The multi-agency management board model continues to work well too, with many dedicated and involved chairs (now usually Directors of Children's Services) providing strong leadership and scrutiny of the work of their services. We have rated six out of every 10 services reported on in the past year as 'Good' or 'Outstanding' on leadership, and only one as 'Inadequate'.

While staffing remains a strength for the great majority of services, with ratings of 'Good' or 'Outstanding' for 25 of the 33 services covered in this report, we continue to see vacant probation posts in the local services we visit – an issue I raised concerns about in my last annual report. While I recognise the strain the Probation Service is under to meet its own staffing requirements, it has a statutory obligation to fill these roles, which are essential to the effective transition of children from YJS to adult probation services and to the assessment and management of risk. As the staffing situation in the Probation Service improves over the coming year, I expect these posts to be filled as an important priority.

In those rare cases where we have had to rate a service as 'Inadequate' over the past four years, I'm pleased to report that all four have shown an improvement following reinspection, some significantly so. In my last annual report, I highlighted that Blackpool YJS had moved from 'Inadequate' to 'Good'. In this report I am pleased to say that Surrey YJS has made the same journey, by engaging positively with our recommendations. And we have seen improvements at Cardiff and Bridgend too.

Services to children on YJS caseloads

I continue to be impressed by the range of embedded specialist services that YJSs are able to offer to children on their caseloads, which are growing in range and expertise, and we rated six services as 'Outstanding' on our partnerships and services standard last year. Almost every service I visit now has access to a dedicated full or part-time child and adolescent mental health service (CAMHS) practitioner, and speech and language therapist. Additionally, there are specialist substance abuse staff, educational psychologists and

³ HM Inspectorate of Probation (2022). The identification of safety concerns relating to children. <https://www.justiceinspectores.gov.uk/hmiprobation/wp-content/uploads/sites/5/2022/09/Identifying-safety-concerns-RAB-1-2.pdf>.

educational welfare staff who are able to assess children coming on to the caseload and either refer them on for further help or therapy or provide direct support in-house. Given the high levels of neurodevelopmental conditions in children on YJS caseloads, it's also been good to see more services ensuring that their children are getting the assessments they need for autism spectrum disorder (ASD) and attention deficit hyperactivity disorder (ADHD). However, it's worrying how many children have not had these issues previously identified before coming into the youth justice system, often in their mid-teens. And in 'Good' and 'Outstanding' services, we're finding strong relationships with children's social care too, with a clear and shared understanding of each other's roles and proper coordination of plans.

One area where I still have concerns, however, is in relation to education and training, where the number of recommendations we made in our reports on this theme in 2022 (18) was over double that in the year before (eight in 2020/2021). We are still visiting services with high proportions of older children who are not in any form of education or training after the age of 16. We know that young children on YJS caseloads experience high levels of temporary and permanent exclusion from mainstream education, and when they are in school may often be on very part-time timetables.

These concerns led us to undertake a dedicated thematic inspection on this topic in 2022 with colleagues from Ofsted and Estyn. The results are summarised later in this report, but they were concerning. Of the 181 cases we inspected across six local services, 64 per cent had been excluded from school at some point, 29 per cent (of the total case sample) had been permanently excluded and 25 per cent were not in any form of education, training or employment. Many had been disengaged from education for a long time. It wasn't unusual to see children who hadn't been engaged in school or college for two years or more, and, in one case, a child had not been in school for five years. With nothing else to fill their time during school days, and parental supervision often lacking as well, the risks of involvement in crime or of criminal exploitation must be massively increased.

Not surprisingly, almost 30 per cent of the children in our sample, far higher than in the general population, were on an education, health and care plan (EHCP), indicating the need for significant additional support with their learning (though, given the levels of unidentified need before children arrive through the YJS door, I suspect this number should have been even higher). Worryingly, this group of EHCP children were receiving the poorest quality of support and supervision from YJS case workers, with insufficient delivery of services in almost half of these cases that we inspected.

We made seven recommendations for improvement to the Department for Education, YJB and local YJS management boards, aimed at ensuring comprehensive assessment of the children's education and training needs. This includes much more robust monitoring of attendance and exclusion rates of children on YJS caseloads at local and national level, and a stronger focus on children with special educational needs (SEN) and/or EHCPs.

Resettlement of children leaving custody

One area where I'm pleased to have seen some progress over my period in post is in relation to support for children leaving custody. In October 2019, we published a joint thematic review with HM Inspectorate of Prisons of the outcomes for 50 children leaving custody that year – my first thematic inspection as Chief Inspector. The results were very disappointing, with little evidence of progress since our previous review of this topic in 2015, and poor outcomes for many of these children in relation to their health, education or accommodation needs – or further involvement in crime. Although the latest cohort show a slight reduction in reoffending, overall, reoffending rates for children leaving custody have

remained stubbornly high over the past decade, at more than 60 per cent within the year after release.

To stimulate greater action in this area, I asked my team to work up a new, separate standard for our local YJS inspections on the quality of resettlement work by local services, and this went live in the summer of 2021. There are encouraging signs that our focus on this area is already making a difference, with a revival of resettlement consortiums in areas like London and almost all services now having the necessary policies and guidance in place. We rated almost 80 per cent of the services we inspected against this standard as 'Good' or 'Outstanding' last year, with effective information-sharing with young offender institutions in over 90 per cent of cases and good planning for post-release healthcare.

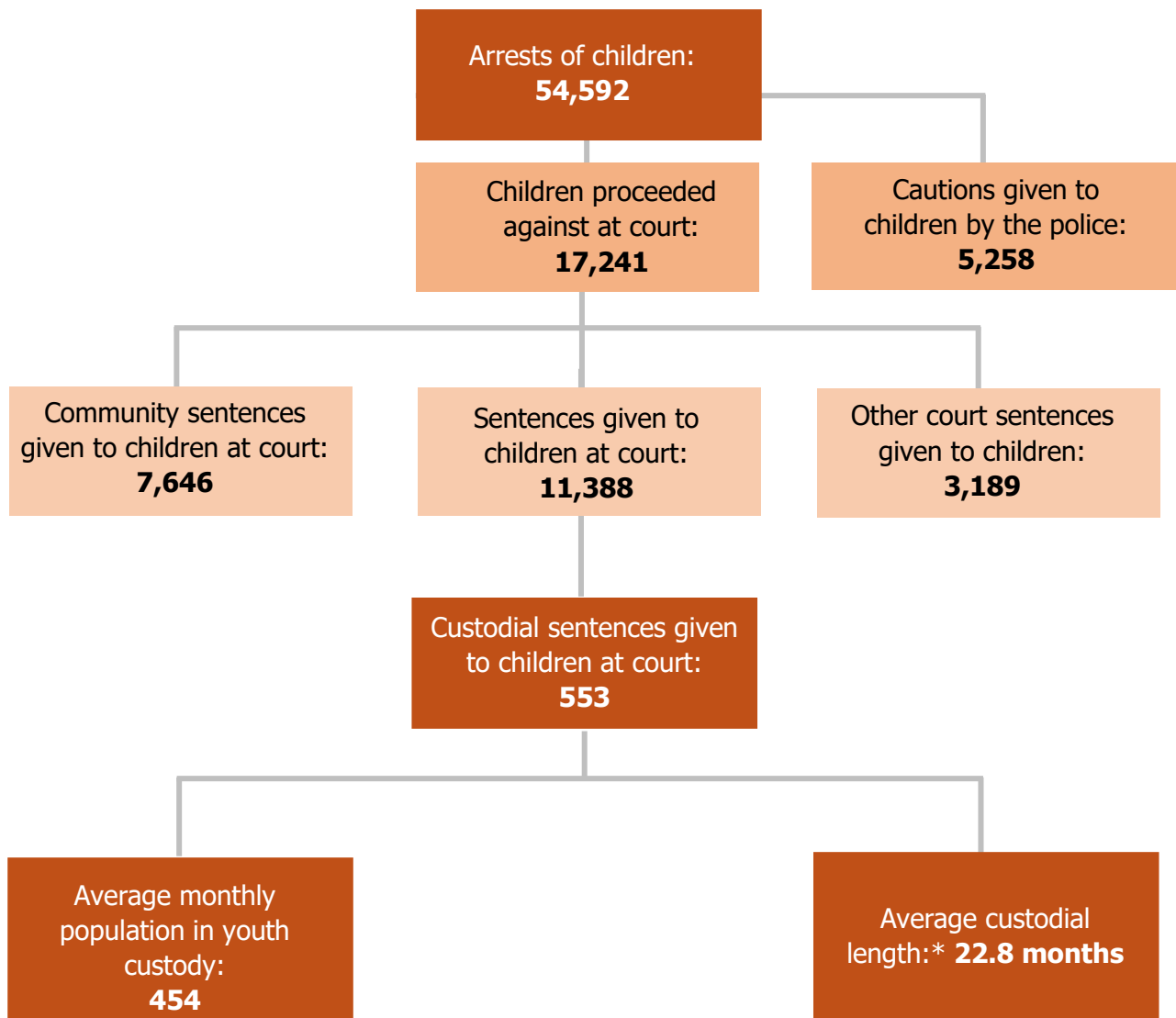
I conclude this overview, and my term as Chief Inspector, by paying tribute to the staff and managers of all of the YJSs we have inspected over the past four years, and thank all those I have visited myself during this period for welcoming me to their services. The resilience, compassion, commitment, and imagination they have shown in keeping their services going through the most challenging of times, to meet the needs of the children on their caseloads and keep the wider public safe, have been truly inspiring to me and to our inspectors.

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

Contextual facts 2021/2022

The flow of children through the youth justice system April 2021 to March 2022 (information provided by Youth Justice Board)⁴



Note on flow chart:

* Average custodial sentence length refers to the full custodial term imposed (for sentences of a fixed length only), not just the period actually spent in custody.

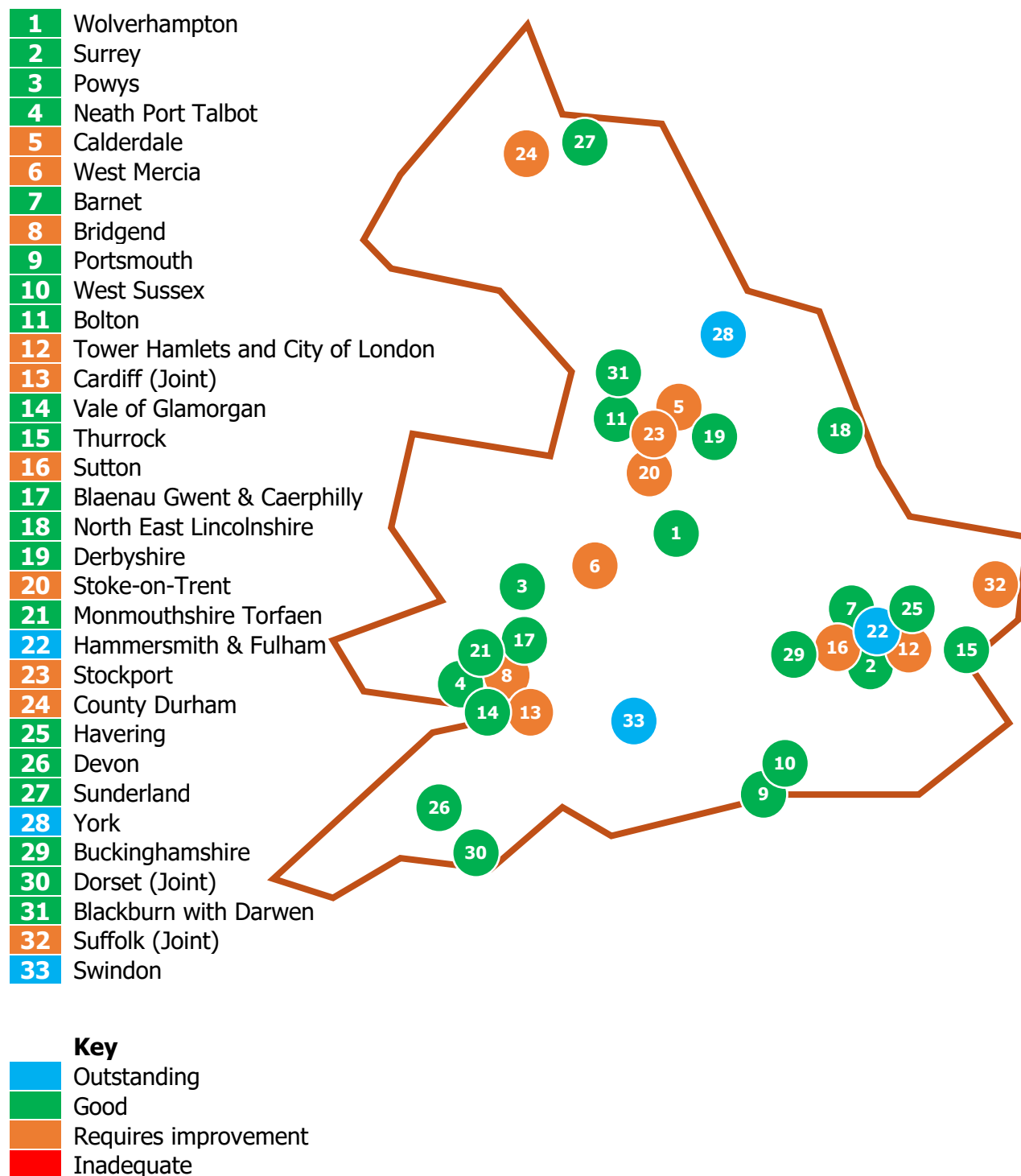
⁴ Youth Justice Board for England and Wales (2023). Youth justice statistics: 2021 to 2022. <https://www.gov.uk/government/statistics/youth-justice-statistics-2021-to-2022>.

Our youth inspections 2021/2022

Single and joint youth inspections

Single inspections involved inspectors from HM Inspectorate of Probation only. Joint inspections were led by HM Inspectorate of Probation along with colleagues from health, police, education and social care inspectorates.

The following 33 services were inspected between October 2021 and October 2022:



Inspection ratings table October 2021 to October 2022

Each YOS is given an overall rating on a four-point scale: 'Outstanding' ☆, 'Good' ●, 'Requires improvement' ● and 'Inadequate' ●. The scores from the individual standards are aggregated to produce the overall rating. Adding these scores produces a composite score ranging from 0–36, which is banded to produce the overall rating, as follows: 0–6 = 'Inadequate', 7–18 = 'Requires improvement', 19–30 = 'Good', 31–36 = 'Outstanding'.

Resettlement is rated in inspections from July 2021 onwards. This standard is not rated in YJSs where there have been no resettlement cases in the inspection sample period. In those circumstances, the inspection report provides a narrative explanation of policy and provision.

Service inspected	Published	Composite score	Overall rating	Organisational delivery				Court disposals				Out-of-court disposals				Resettlement
				1.1	1.2	1.3	1.4	2.1	2.2	2.3	2.4	3.1	3.2	3.3	3.4	4.1
Wolverhampton YOT	08/02/2022	28	●	●	☆	☆	☆	●	●	☆	●	●	●	☆	●	☆
Surrey YOT	15/03/2022	27	●	●	●	●	●	●	●	☆	●	●	☆	☆	●	●
Powys YOT	22/03/2022	19	●	●	●	●	●	●	●	●	☆	●	●	●	☆	Not rated
Neath Port Talbot YJS	12/05/2022	25	●	☆	●	●	●	☆	●	☆	●	●	☆	●	●	Not rated
Calderdale YJS	17/05/2022	18	●	●	●	●	●	●	●	●	●	●	●	●	●	●
West Mercia YOS	19/05/2022	14	●	●	●	●	●	●	●	●	●	●	●	●	●	●

Barnet YOS	31/05/2022	21	●	● ● ☆ ●	● ● ● ●	● ● ● ●	● ● ● ●	●
Bridgend	14/06/2022	11	●	● ● ● ●	Not rated	Not rated	Not rated	Not rated
Portsmouth YOT	21/06/2022	22	●	● ● ● ●	● ● ● ●	● ● ● ●	● ● ● ●	●
West Sussex YJS	22/06/2022	26	●	● ☆ ● ●	● ● ● ●	☆ ☆ ☆ ●	●	
Bolton YJS	06/07/2022	29	●	● ● ☆ ●	● ☆ ☆ ☆	● ● ☆ ●	☆	
Tower Hamlets and City of London YJS	26/07/2022	8	●	● ● ● ●	● ● ● ●	● ● ● ●	●	
Cardiff YJS (Joint)	01/08/2022	11	●	● ● ● ●	● ● ● ●	● ● ● ●	●	
Vale of Glamorgan YOT	15/08/2022	22	●	● ● ● ●	● ● ☆ ●	● ● ● ●	Not rated	
Thurrock	29/08/2022	26	●	☆ ● ● ●	☆ ● ☆ ☆	☆ ● ● ●	☆	
Sutton YJS	06/09/2022	18	●	● ☆ ● ●	● ● ● ●	● ● ● ●	●	

Blaenau Gwent & Caerphilly YOS	22/09/2022	28	●	● ● ● ☆	☆ ● ● ☆	☆ ☆ ☆ ●	Not rated
North East Lincolnshire YOS	27/09/2022	27	●	● ● ● ●	☆ ● ● ●	☆ ☆ ● ☆	●
Derbyshire YJS	28/09/2022	24	●	● ● ● ●	☆ ● ☆ ●	● ● ☆ ●	●
Stoke-on-Trent YJS	28/09/2022	18	●	● ● ● ●	● ● ● ●	● ☆ ● ●	●
Monmouthshire Torfaen YOS	20/10/2022	22	●	● ● ● ●	● ● ☆ ☆	● ● ☆ ●	●
Hammersmith & Fulham YJS	20/10/2022	31	☆	● ● ☆ ●	☆ ☆ ☆ ☆	● ☆ ☆ ●	☆
Stockport YJS	01/11/2022	18	●	● ● ● ●	● ● ● ●	● ● ● ●	●
County Durham YOT	01/11/2022	11	●	● ● ● ●	● ● ● ●	● ● ● ●	☆
Havering YJS	01/11/2022	20	●	● ● ● ●	● ● ● ●	● ☆ ● ●	●
Devon YJS	22/11/2022	26	●	● ● ● ●	● ☆ ☆ ☆	● ● ● ●	●

Sunderland YOS	13/12/2022	26	●	● ☆ ● ☆	● ● ● ●	☆ ☆ ☆ ☆	Not rated
York YJS	15/12/2022	32	☆	☆ ☆ ☆ ●	● ☆ ☆ ☆	● ● ☆ ☆	☆
Buckinghamshire YJS	10/01/2023	27	●	● ☆ ● ☆	☆ ☆ ☆ ☆	● ● ● ●	☆
Dorset YJS (Joint)	17/01/2023	24	●	● ● ● ●	● ● ● ●	● ☆ ● ●	●
Blackburn with Darwen YJS	17/01/2023	29	●	☆ ☆ ● ●	☆ ● ☆ ●	☆ ☆ ● ●	●
Suffolk YJS (Joint)	18/01/2023	9	●	● ● ● ●	● ● ● ●	● ● ● ●	●
Swindon YJS	24/01/2023	31	☆	☆ ☆ ☆ ●	☆ ● ☆ ●	☆ ☆ ● ●	●

The youth justice landscape in 2022

The period of this annual report (October 2021 to October 2022) and the period of publication (up to June 2023) have seen ongoing changes and further developments to the youth justice landscape. We have continued to see increased numbers of children diverted from the youth justice system, with fewer children progressing to court and receiving court orders. The number of children in custody has reduced, and children are increasingly receiving out-of-court disposals. Across England and Wales, we have found a wide range of options and opportunities for children who have committed offences but not progressed into formal court settings. Our research and analysis bulletin on the implementation and delivery of community resolutions, published in March 2023,⁵ states that there continues to be no national data published on the use of community resolutions with young people, and that there remain significant variations in the delivery and implementation of out-of-court disposals.

We have also found an increasing number of YJSs using Outcome 22⁶ during this period, although again we have seen variations in the delivery of these. We welcome the recently published guidance for police and other practitioners on the use of Outcome 22,⁷ and look forward to the revised Association of Chief Police Officers (ACPO) youth gravity matrix⁸, which we hope will assist in providing greater clarity and consistency for youth justice services and the children who receive out-of-court disposals. We are mindful that there is much work in relation to out-of-court disposals currently being progressed, including the development of an out-of-court assessment tool by the YJB and anticipated updated out-of-court case management guidance, but there is still much work to do. The report by the YJB on its prevention and diversion project⁹ identified that, on average, more than half of a youth justice service caseload is made up of children receiving preventative or diversionary support, and that there remains widespread confusion about the definitions of early intervention practices, inconsistent practice owing to a lack of central guidance, and ongoing significant gaps in data.

The revised Ministry of Justice key performance indicators, introduced from 01 April 2023, will require youth justice services to report on 10 new key performance indicators as part of improved monitoring by the YJB, alongside the introduction of its 'oversight framework'. We are pleased to see, as part of this, the inclusion of a focus on post-inspection action plans and the monitoring of progress against these.

In Wales, work continues on the development of the Youth Justice Blueprint (YJBP), with a clear focus on prevention, pre-court diversion, community-based work and custody and resettlement, which reflects the devolved landscape in Wales.

We have also seen the implementation of the Turnaround Programme, part of the Ministry of Justice's investment in the youth justice system. This funds youth justice services across England and Wales to intervene early, with the intention of preventing children from entering the justice system.

⁵ HM Inspectorate of Probation (2023). Research and Analysis Bulletin 2023/01. The implementation and delivery of community resolutions: the role of youth offending services.

⁶ Outcome 22 is a deferred prosecution involving diversionary, educational or intervention activity.

⁷ National Police Chiefs' Council (2022). Outcome 22 (O22) Guidance 2022.

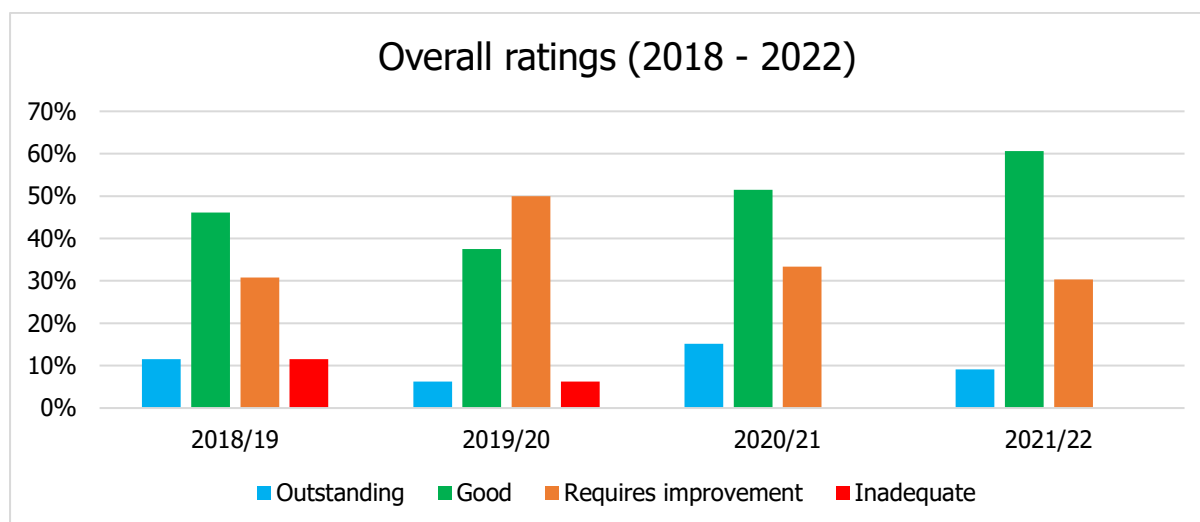
⁸ Publication expected June 2023

⁹ Youth Justice Board (2023). Final report: prevention and diversion project.

Overview of inspection performance 2021/2022

Over the period October 2021 to October 2022, HM Inspectorate of Probation published 33 YJS inspection reports.

Figure 1: Overall ratings, 2018-2022



Compared to our 2021 annual report, a slightly smaller proportion of services were rated 'Outstanding' (three services) and a slightly larger group rated 'Good' (20 services). The proportion of YJSs rated 'Requires improvement' has remained similar, at around 30 per cent (10 services). As with last year, no YJS was rated 'Inadequate', and we have not published a report rating a YJS as 'Inadequate' overall since July 2020. The YJS with the highest overall inspection score over the period covered by this report was York, where we found a well-managed service with access to the resources needed to deliver high-quality provision, strong partnerships, and committed and effective staff.

Case study: York

In York, the culture of putting the needs of children first was clear at operational and strategic levels and across the partnership. It had been developed and sustained over time and was impressive in how it translated into services for children.

A skilled and committed staff team was ably led and motivated by a strong management team. All were ambitious for children and unrelenting in their desire to improve the future prospects of children. The team drove service improvements and developed excellent relationships with other agencies, resulting in effective assessment, planning, and delivery of interventions, both for statutory orders and out-of-court disposals.

All partnerships were strong and made a significant contribution to the work of the YJS. We were impressed with the way in which the partnership had responded to the accommodation needs of children, particularly children coming out of custody. This is an area of practice where, despite their best efforts, many local partnerships struggle to provide access to suitable accommodation. In York, named accommodation was identified quickly and reserved if needed. Specialist youth homelessness workers had effective links with accommodation providers and were able to secure placements. This enabled partners to make effective plans for release and also ensured that children, and their parents or carers, knew where they would be living on release.

We were impressed by the consistently high quality of service delivery and range of interventions that children could access, including how well the findings from speech and language communication assessments were shared and used by the partnership to support children. Joint work between the speech and language therapist (SALT) and YJS police officer resulted in a SALT guide being made available to all police officers via handheld electronic devices. Officers coming into contact with children could identify if the child was working with the YJS and quickly access the guide. York identified that this had improved the way that their police spoke with and interacted with children.

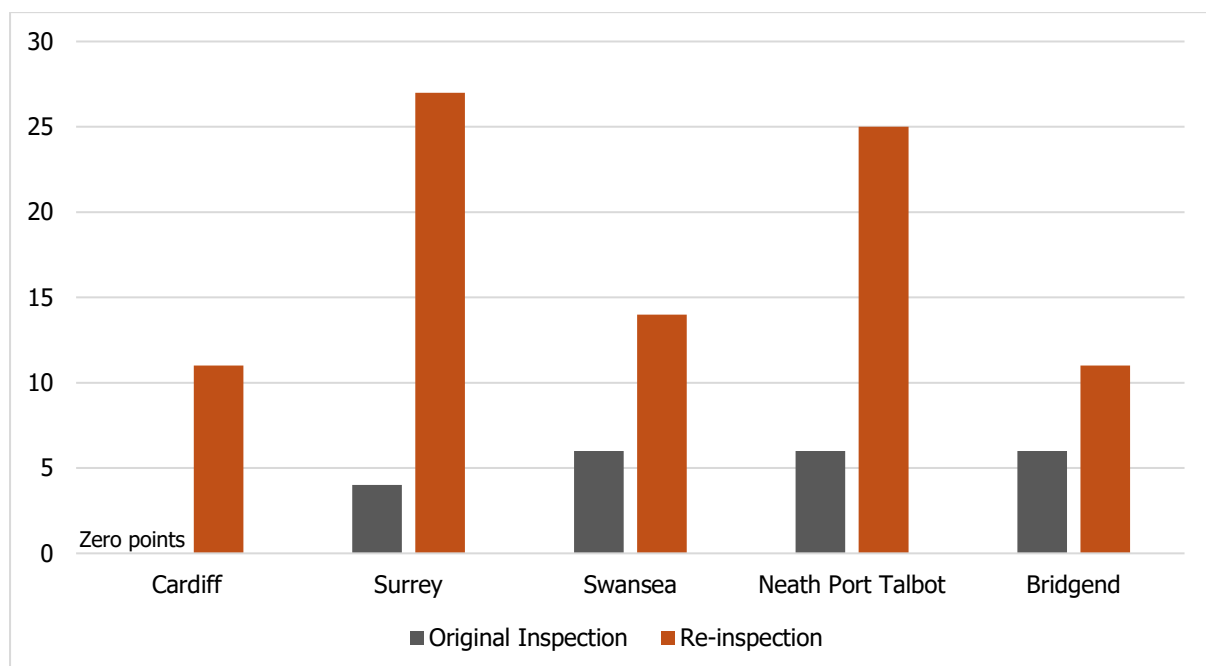
Impact of inspections

The stated purpose of HM Inspectorate of Probation is to *shine a light on the quality and impact of services*.¹⁰ Our inspections provide authoritative and evidence-based judgements and guidance. We use our voice to drive system change, with a focus on inclusion and diversity. Our scrutiny is intended to lead to improved outcomes for individuals and communities. YJSs will normally be inspected once in each cycle of our core inspection programme. However, where we have particular concerns about a YJS, because we have rated it as 'Inadequate' overall, we will reinspect the service in order to drive necessary improvement.

Previous inspections of Western Bay (2018), Surrey (2019) and Cardiff (2020) were all rated 'Inadequate' overall, requiring reinspection. Western Bay was a consortium of YJSs in South Wales, which subsequently disaggregated into the three local authority constituent areas of Swansea, Bridgend, and Neath Port Talbot. Reinspections of Bridgend and Neath Port Talbot were undertaken in 2021/2022.¹¹

All of these areas made improvements, with Surrey and Neath Port Talbot achieving an overall 'Good' rating, and Cardiff and Bridgend rated 'Requires improvement'.

Figure 2: Comparative overall scores between original inspection and reinspection¹²



¹⁰ HM Inspectorate of Probation. Our vision, purpose and values.

<https://www.justiceinspectorates.gov.uk/hmiprobation/about-hmi-probation/statement-of/>

¹¹ Swansea was inspected in 2021 and included in annual report 2020/2021.

¹² Bridgend YJS had too few cases to be rated for domain two. Its reinspection score was a maximum 24 rather than 36. Cardiff's first inspection in 2020 scored 0/36.

Surrey reinspection – significant improvements seen, and effective changes made

Surrey was the area that had made the biggest improvement between the initial inspection and reinspection. In our 2019 inspection of Surrey, we found a service that had recently become integrated into local authority children’s services. While integrated models can be successful, it was not effective in Surrey at the time of that first inspection, and we found a loss of focus on youth justice.

The initial inspection identified that there were many areas where practice was poor. The needs of children and young people involved in, or at risk of, offending were not understood properly or responded to at a strategic or operational level.

We were concerned that the delivery of specialist youth justice services in Surrey had not been adequately prioritised for some time. We found that staff were motivated to deliver good-quality services and engaged well with children and families, and there were some pockets of good practice, particularly in the work delivered to support desistance. However, we were not satisfied that staff had the level of knowledge, experience or understanding required to respond to issues of safety and wellbeing and risk of harm to others. Too many children were not receiving their legal entitlement to education, and the reasons for this were not understood. Health provision was insufficient and there were gaps in available services and long waiting lists for appointments.

Overall, we found that agencies and services needed to be better coordinated in the delivery of interventions if they were to be effective.

In the reinspection we found that significant changes had occurred, and the work delivered by the service was much improved, with noteworthy progress being made since its first inspection. The integrated model was still in place; however, youth justice had a greater prominence. Learning and development had improved, and staff had a better understanding of risk in their cases. Access to both health and education services had improved.

The partnership had taken a systematic approach to service improvement, with notable results. The quality of the casework inspected in both court and out-of-court work was impressive. Provision for resettlement was also strong. The YJS management team and practitioners knew their children well and had access to an impressive range of services to address their needs. We also saw innovative practice and the daily multi-agency risk briefings were an effective way of intervening with children at an early stage.

The inspection found that the YJS leadership team had been central to the improvements, and they had developed a well-motivated and knowledgeable service. We felt that they and the team should be congratulated on the progress made in the course of two years.

Recommendations made in inspection reports in 2022

Every inspection report includes a number of recommendations, designed to address the key policy and practice issues identified in the inspection. YJSs are then required to develop action plans, which are designed to ensure that our recommendations are followed through into actions to improve practice. The recommendations reflect the areas for development within the YJS, with a clear focus on improving practice and strategic governance. In areas where practice is weaker, recommendations do not cover every aspect of practice, but focus on key areas of improvement.

The most frequent recommendations in 2022 related to case practice with children (primarily children's safety and wellbeing and the risk of harm they present to others) followed by a focus on improving management boards and partnerships.

Summary of key themes from analysis of recommendations

- There has been an increase in the number of recommendations relating to resettlement, disproportionality and out-of-court disposal policy and provision. Recommendations in relation to disproportionality and/or diversity have increased, from nine in 2020/2021 to 20 in 2021/2022. This reflects our approach to driving system-wide improvement in this area.
- Recommendations in relation to practice cover a wide range of activity, including the core activities of assessment, planning, delivery, and review, and most commonly are linked to improving practice in relation to a child's safety and wellbeing and risk of harm to others.
- For education provision for children under YJS supervision, recommendations typically centre on ensuring children under YJS supervision had access to good-quality full-time provision appropriate to their needs.
- There have been fewer recommendations in relation to children and parents' participation. A child-first focus is now well embedded in many YJSs, and many have recognised the need for meaningful involvement of children and parents in service development, delivery and evaluation.
- Recommendations made directly to the Probation Service have increased since our last annual report period and reflect our concerns about the current low numbers of probation officer secondments to YJSs.

Organisational delivery of youth justice services

In our inspections we examine four aspects of organisational delivery when inspecting youth justice services. Across the 33 services included in this annual report we gave the following ratings for our standards on leadership and other aspects of organisational delivery.

Governance and leadership			
★ Outstanding 5 services	● Good 15 services	● Requires improvement 12 services	● Inadequate 1 service
Staff			
★ Outstanding 8 services	● Good 17 services	Requires improvement 8 services	Inadequate 0 services
Partnerships and services			
★ Outstanding 6 services	● Good 19 services	Requires improvement 8 services	Inadequate 0 services
Information and facilities			
★ Outstanding 4 services	● Good 22 services	Requires improvement 6 services	Inadequate 1 services

Governance and leadership

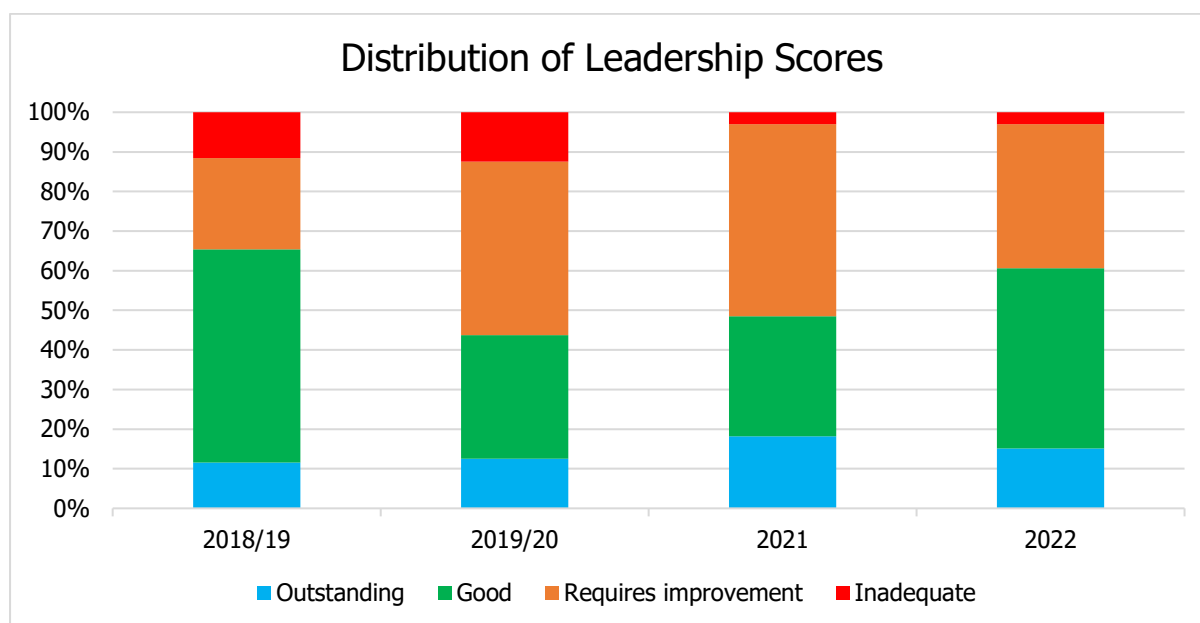
When assessing governance and leadership, we consider three key questions, which cover the following:

- whether there is an effective local vision and strategy for the delivery of a high-quality, personalised and responsive service for all children
- whether the partnership arrangements actively support effective service delivery
- whether the leadership of the YJS supports effective service delivery.

These key questions cover the strategic management of the service, through the management board; the role of senior officers; and the operational management of the day-to-day service.

Over the past four years, we have consistently rated between 40 and 60 per cent of inspected services as having good or outstanding leadership and governance, and it was pleasing to see a year-on-year improvement in this proportion last year, to 60 per cent.

Figure 3: Distribution of leadership scores October 2021 to October 2022



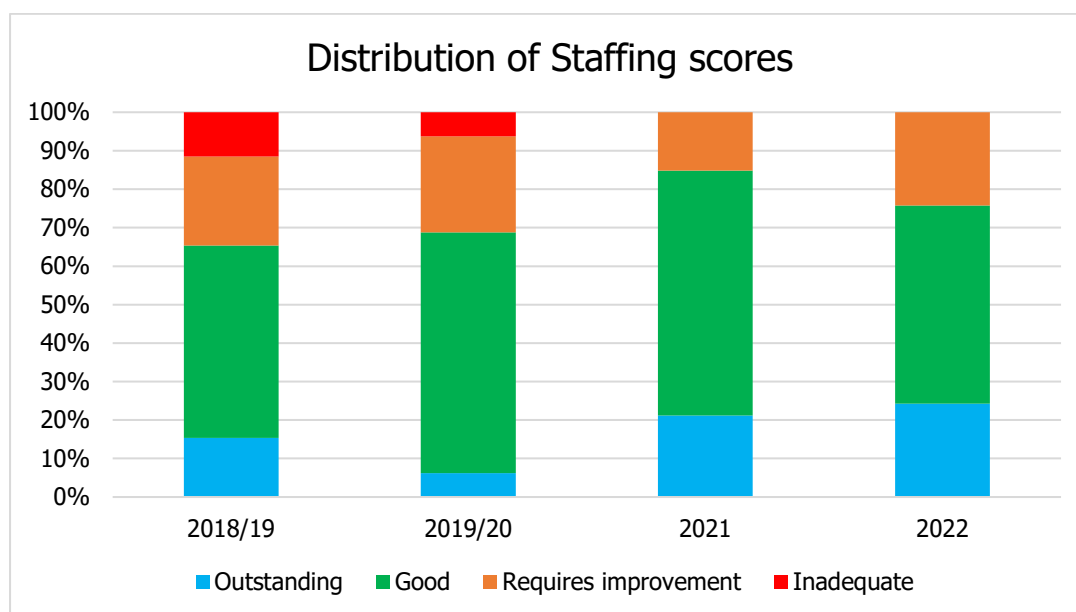
The five services rated 'Outstanding' in 2022 had high levels of board engagement and commitment. In those areas, we typically found effective relationships between partner agencies and their representatives outside of the board to support the service to respond to new developments quickly. Board members worked actively to support, monitor, and challenge the work of the YJS, and they were fully engaged and immersed in its work. The most successful boards were active in their engagement with children, heard their views and could clearly evidence the impact of those views on strategic decision-making and service delivery.

In the areas we rated 'Requires improvement', there were a range of factors that led to shortcomings in governance and leadership. We found inconsistent membership of the management board, with board members who did not understand their roles or responsibilities and had limited knowledge of the work of the YJS. Often, we found board members who were of insufficient seniority to make decisions and limited evidence of board members advocating for YJS children in the wider partnership. The voices of children and parents or carers were not being sufficiently heard at board level or had little impact on influencing decisions on service delivery. In the less effective areas, we found that boards were not successfully monitoring the delivery of the youth justice plan or were failing to drive forward the priorities identified in their plans. Diversity and disproportionality strategies were often underdeveloped.

Staff

Over the past four years, staffing has been one of our highest rated standards, with 65 per cent or more of inspected services rated 'Good' or 'Outstanding'. It was pleasing to see over three-quarters hitting this mark in 2022.

Figure 4: Distribution of staff scores October 2021 to October 2022



Services rated 'Good' or 'Outstanding' had stable staff groups, who were motivated to deliver a quality service and who received effective supervision that included space for reflective discussions and practice. Workloads were reasonable and actively managed, and allocation of work considered the capacity of case managers to enable them to deliver a high-quality service. There were effective strategies in place to maintain the quality of delivery during periods of planned and unplanned staff absences. The workforce broadly reflected the diversity of the community, and there were opportunities for training, learning and discussion to build practitioners' knowledge, skills, and confidence around understanding children's diversity.

In those areas we rated as 'Requires improvement', we found recruitment and retention difficulties, too many vacancies, interim arrangements or delayed recruitment for key roles. We found evidence of poor communication with practitioners and fragmented relationships or incoherence between operational staff, managers and senior managers. We saw examples of staff's learning needs not being met and found evidence that staff lacked confidence around key practice issues, such as identifying and managing the risk of harm to others and risks in relation to children's safety and wellbeing. We also found staff who did not understand or feel confident in discussing children's diverse needs, and a lack of training to support them in developing these skills.

Staff survey feedback

For each inspection, we provide the opportunity for staff to complete a survey that asks a number of questions about their experiences of working in their YJS. Across the 33 YJSs inspected in this period, we had 680 completed replies to our survey.

	<p>Staff reported that they were broadly experienced, with half having worked at the YJS for more than five years; 17 per cent for three to five years; 17 per cent for one to two years; and only 15 per cent for less than a year.</p>
	<p>Two-thirds of staff were female, a quarter male and seven per cent chose not to state their gender.</p>

	Staff ranged in age, with 10 per cent aged 18 to 30; 26 per cent between 31 and 40; 29 per cent between 41 and 50; 22 per cent 51 to 60; and 4 per cent over the age of 60. Eight per cent of staff chose not to tell us their age.
	Staff were overwhelmingly from a white ethnicity (84 per cent), with only small numbers from black (four per cent), Asian (two per cent) and mixed or multiple ethnic backgrounds (three per cent). Seven per cent of staff preferred not to state their ethnic background.
	94 per cent of staff said they understood their service's vision or strategy quite or very well.
	97 per cent of staff said they understood their roles and responsibilities quite or very well.
	Staff's understanding of the activities of management boards was variable, with nearly a quarter saying they weren't very aware or were entirely unaware.
	Staff felt that they were able to challenge their managers and provide ideas, with only four per cent saying that they rarely or never did so; 70 per cent of respondents said that they often did so.
	Staff felt that they received the right amount of management supervision, with 94 per cent of respondents saying that the frequency of their supervision was just right.
	Staff also felt that the quality of their supervision was good, with 96 per cent saying it was either very good or quite good.
	Staff broadly felt that they had the right skills for their role, with 64 per cent saying that they were fully equipped with the right skills.
	Staff reported that their individual diversity needs were recognised and responded to very well or quite well in 94 per cent of cases.
	Staff understood the YJS's policies and procedures very well or quite well in 99 per cent of cases. Only 10 youth justice service staff (of 679) said that they did not understand the policies and procedures very well.

Across our inspections we found a range of caseloads, with some practitioners holding an average of five or six cases, and others managing caseloads of up to 13 or 14 children at a time. Workloads were generally manageable, with only 11 per cent of staff saying that they did not have a manageable workload.

YJSs also had a variety of different methods for allocating cases. We have seen practitioners exclusively managing out-of-court disposals or court cases, while other services had practitioners with mixed caseloads, including out-of-court disposals, court disposals, and

resettlement cases. We also found a mixed picture across the 33 youth justice services in terms of vacancy rates, staff sickness and staff retention. Vacancy rates and staff sickness in some areas were consistently low, with very low staff turnover, while in other areas these were markedly higher.

Probation secondees

We continue to be concerned about areas where minimum statutory staffing was not in place for YJSs, and we found, most notably, ongoing vacancies in probation officer posts. Such absences continue to have wide-ranging implications, including an impact on effective transitions from youth to adult services. The role of probation in the partnership is a central one. When working well we can see the many benefits, including smooth transitions and effective information-sharing. Where probation officers were in post, we saw positive evidence of their impact and the valuable skills and knowledge they contributed to services.

However, in too many areas we are seeing vacancies in the probation provision to YJSs. The YJB, Youth Justice Policy Unit (Ministry of Justice) and the Association of YOT Managers (AYM) are all proactively monitoring unfilled probation secondee roles and a snapshot completed in March 2023 suggests there are significant gaps in staffing across a number of areas, including Wales, London, East and North East of England, Yorkshire and Humberside, and Greater Manchester.

We remain concerned that these gaps also have a negative impact on the quality of risk assessments and analysis, youth justice services' understanding of risk, and their understanding and knowledge of multi-agency public protection arrangements (MAPPA). While we recognise the significant staffing pressures the Probation Service is currently facing, it does have a statutory responsibility to provide staffing resource to youth justice services, and we consider that this is an area that requires urgent attention.

Management oversight

Management oversight was only sufficient in 58 per cent of inspected cases involving court orders and 62 per cent of cases involving out-of-court disposals.

While oversight is often frequently providing an opportunity for the practitioner to discuss cases, this was not always producing clear guidance, actions, or support that drove improvements. Effective management oversight is also about ensuring that any agreed actions or amendments are subsequently completed, and that practice remains on track without drift. This is an area where we consider that additional training and support to managers is essential to enable and facilitate them to provide effective management oversight. Additionally, YJSs need to ensure that managers' span of oversight is manageable, and where oversight was lower, we often found examples of managers holding very broad portfolios and/or managing high numbers of staff alongside this.

Partnerships and services

In assessing partnerships and services we consider whether the YJS has a comprehensive range of high-quality services in place, enabling personalised and responsive provision for all children. Our recently published evidence base¹³ shows that:

- Strong partnerships can result in greater effectiveness and efficiency through coordinating services and pooling resources, while improving the engagement and

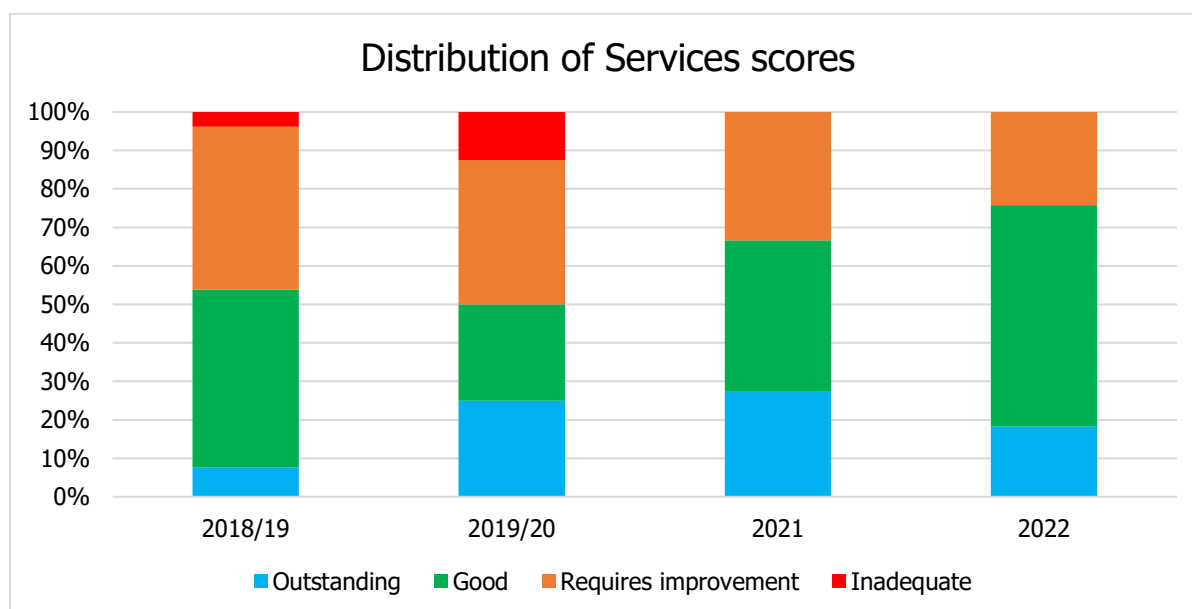
¹³ HM Inspectorate of Probation. Partnerships and services. <https://www.justiceinspectors.gov.uk/hmiprobation/research/the-evidence-base-youth-offending-services/organisational-delivery/partnerships-and-services/>.

participation of children and their families by creating new opportunities and resources in their lives.

- It is particularly important to develop effective systems of cooperation between services to ensure that children can access the resources they need most, opportunities for integrated services and clear pathways need to be well developed and access to them maximised wherever possible.
- There should be a strong mix of targeted, specialist and mainstream services, and practitioners should consider the continuity of community support at the end of youth justice supervision. Positive connections need to be built in families, schools and local communities.
- Systemic resilience involves putting the child at the centre and strengthening the protective factors around them, including within their family, their community and in the services that are available to support them.

Over the past four years we have rated over half of services as 'Good' or 'Outstanding' on this standard, and it was pleasing to see this proportion reaching over 75 per cent in 2022, with six services rated 'Outstanding'.

Figure 5: Distribution of services scores October 2021 to October 2022



In the strongest areas, we typically found that all agencies across the partnership demonstrated a commitment to the principle of seeing the child as a child first. This often led to a trauma-informed approach to working with children and families, which was evident in the language used by staff and a creativity in the interventions delivered.

In areas we rated as 'Outstanding' we typically found strong partnerships, with a depth of well-established links across a variety of partners, where children were provided with a wide range of services and support, and there were limited or no delays in accessing appropriate provision. We also found that YJSs used the views of children, parents and carers effectively to inform and develop service provision. We saw examples of YJSs that ensured effective neurodevelopmental pathways for their children, such as specialist services responsible for assessing neurodevelopmental conditions such as ASD and ADHD. This allowed practitioners to make timely referrals to specialist services such as speech and language, learning disability or mental health services. Many services had access to substance misuse workers who understood the children's needs and could motivate them to access community-based

drug and alcohol services. Relationships between the YJS and children's social care were strong, with a shared understanding of their respective service's roles, which resulted in the development of complementary and coordinated multi-agency plans. In these areas there was effective integration of youth justice and early help services, and access to speech and language expertise was widespread. We also found strong partnerships with courts, the police, and accommodation and education providers. This enabled staff to share information effectively and gain a good understanding of what different services were able to provide, as well as to ensure children's needs were met.

In those areas we rated as 'Requires improvement' we found a range of deficits. Typically, the analysis of the profile of children did not capture the full range of desistance needs, safety and wellbeing factors, risks of harm, or diversity factors. There were no specific services identified for children with diverse needs. There was a gap in probation provision and/or inadequate transition processes that did not consistently follow the transition arrangements. We also found ineffective relationships with statutory partners in safeguarding and public protection work. Often there were long waiting lists for specialist provision for neurodivergent conditions, resulting in children's needs not being met, and we found limited or absent quality assurance processes in place to monitor the impact of the interventions delivered.

Where staff thought there were gaps in the services available, the most commonly reported in our surveys was the sense that there was insufficient support for mental health. Many staff reported that CAMHS was oversubscribed and had long waiting lists across different areas. Several staff reported that they had no, or insufficient, CAMHS support in-house. There was also a commonly reported need for support below the threshold at which CAMHS or other services would become involved, particularly around neurodiversity such as ADHD and autism, and around emotional and wellbeing support. Some staff reported that CAMHS will only work with children who have very high needs. If children did not meet that high threshold, then after assessment YJS staff were left to provide interventions that they did not feel qualified to deliver. There were also a number of comments from staff who identified a lack of resources around speech and language therapy in their area.

Staff also reported gaps in services to support children's physical and general health. Several reported that they had access to an in-house nurse, but only for a day or two per week and that this was insufficient for the children's needs. Other staff did not have an in-house nurse but identified a need for one. As with mental health, there was often a lack of interventions available, with health services providing only screenings for all but the children with the highest needs. Staff also reported a lack of sexual health and substance misuse services, with both commonly being mentioned as something the YJS had previously had access to but lost.

Another very common gap was in the provision of education. The issues here varied, but many staff wanted more in-house support, such as from an educational psychologist or education welfare officer. Commonly reported was a lack of educational provision, particularly for children who could not attend mainstream education or who had special educational needs (SEN). Related to the education gaps was a lack of education, training and employment (ETE) resources for young people aged 16 and over, particularly where they had additional needs, and for children not in education, employment or training (NEET), and a lack of a careers service to refer these children to. Some areas also reported a lack of employment opportunities in their area for children to apply for.

Communicating and working with children's services was an area where some staff reported some challenges, with a number of practitioners indicating that children's services were hard to reach, did not return calls, or had a turnover of staff high enough to inhibit building

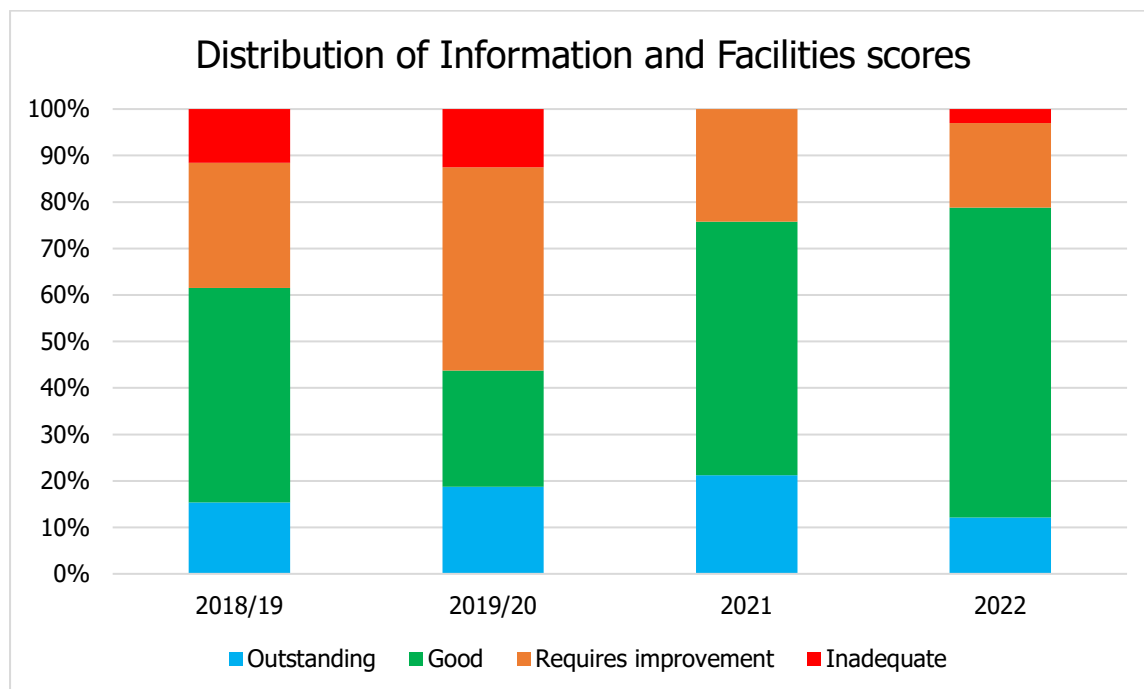
working relationships. Some staff reported that children’s services were themselves under very high amounts of pressure.

Information and facilities

When inspecting information and facilities, we expect timely and relevant information to be available and appropriate facilities to be in place to support a high-quality, personalised and responsive approach for all children. We explore whether appropriate policies and guidance are in place and whether the YJS environment meets the needs of all children and enables staff to deliver a high-quality service. We also consider whether appropriate information and communication technology systems enable and support service delivery, and explore whether the YJS uses analysis, evidence and learning effectively to drive improvement.

It was pleasing to see that in 2022, 79 per cent of services inspected were rated ‘Good’ or ‘Outstanding’ on this standard – the highest proportion in four years. Four services were rated ‘Outstanding’.

Figure 6: Distribution of information and facilities scores October 2021 to October 2022



In the areas we rated as ‘Outstanding’, we found YJS facilities to be of a high quality. The venues for seeing children were welcoming, safe, child-friendly spaces. In some of these areas, children had contributed to the interior design of premises and amenities, which ensured they were welcoming and accessible, and assisted in encouraging their attendance. We found spaces that had been developed specifically for girls to access and facilities that provided a range of opportunities for children to engage in activities, including craft, woodworking, pottery and cookery. We also found some excellent outdoor spaces that children had participated in developing, including covered seating areas, wall murals and vegetable and flower gardens.

We saw evidence that YJSs had continually used learning and research to develop the services provided. We saw good use of technology, such as online surveys, to engage children and families and gather feedback from them, which was then used to influence and inform service provision. YJSs promoted a learning culture, with robust quality assurance frameworks in place that accurately assessed the standard of work. IT systems supported

effective and integrated service delivery and staff could access key information whenever and wherever required. There was a comprehensive set of policies in place, which were kept up to date and accessible to staff.








In those areas rated 'Requires improvement' or 'Inadequate', we typically found that YJS staff did not know how to access appropriate services and providers. IT was often outdated, the accessibility to it was limited and it did not support remote working. The YJS did not have the processes and/or tools to understand the quality of practice being delivered, and performance and quality-assurance systems did not sufficiently drive improvement.

Across the inspection programme, there were a number of trends in IT development that were supporting services. We saw improved attendance at YJS management board meetings, which was attributed to the widespread use of online meeting technology. The YJB guidance and the development of a standardised template for annual youth justice plans had been beneficial in ensuring consistency in the quality of youth justice plans. We also found an increasing awareness of our inspection standards, thematic inspection findings and effective practice guides, which were accessed through the HM Inspectorate of Probation website.

The supervision of court orders

Summary findings

Our key findings for work with children who are subject to court orders can be summarised as follows:

	YJSs continue to have access to a wide range of services
	An increasing proportion of children on court orders present a serious risk of harm to others and have committed offences involving violence
	Work to promote desistance is generally stronger than work to address safety and wellbeing and risk of harm to others, and YJSs that do not manage the risks associated with harm to others and safety and wellbeing effectively tend to have poorer inspection outcomes
	Effective management oversight is crucial to effective practice
	Contingency planning needs to be child-specific, setting out clear and tailored actions, and how to respond if risks and concerns increase
	More attention needs to be given to the needs of victims
	Committed staff dedicated to developing strengths and protective factors and to involving and encouraging the child are central to a successful YJS

The supervision of children who are subject to court orders is a central part of the work of a YJS. These children's offending is often too serious to be considered for an out-of-court disposal, and the courts may have given or have been considering a custodial sentence for many of them. There has been a steady reduction in the numbers of children receiving both custodial and community sentences. In the last four years we have seen a trend in YJS caseloads moving away from court orders to predominantly consisting of out-of-court disposal work. The group of children who remain on court orders often present multiple risks and complexities, as well as having significant concerns in relation to their safety and wellbeing, and court work remains a critical aspect of work delivered by youth justice services. On average, court orders now make up less than half of YJSs caseloads.

In the year to March 2022 there were just under 11,400 occasions in England and Wales where children were sentenced at court, which is seven per cent lower than the previous

year. This continues the reductions seen in each of the last 10 years. This trend appears to have been accelerated by the Covid-19 pandemic, but also coincides with the increasing focus on diverting children away from the formal youth justice system, whenever appropriate, and an increase in the use of community resolutions and (more recently) Outcome 22. Despite this, there remain significant delays in the average time from a child committing an offence to being sentenced (completion), which in the year ending March 2022 stood at an average of 217 days – up from 98 days in the year ending March 2012.

Our inspection standards for court cases are based on the ASPIRE model for case supervision. We consider quality in relation to (i) supporting desistance; (ii) keeping the child safe; and (iii) keeping other people safe, across assessment, planning, intervention and delivery, and reviewing.

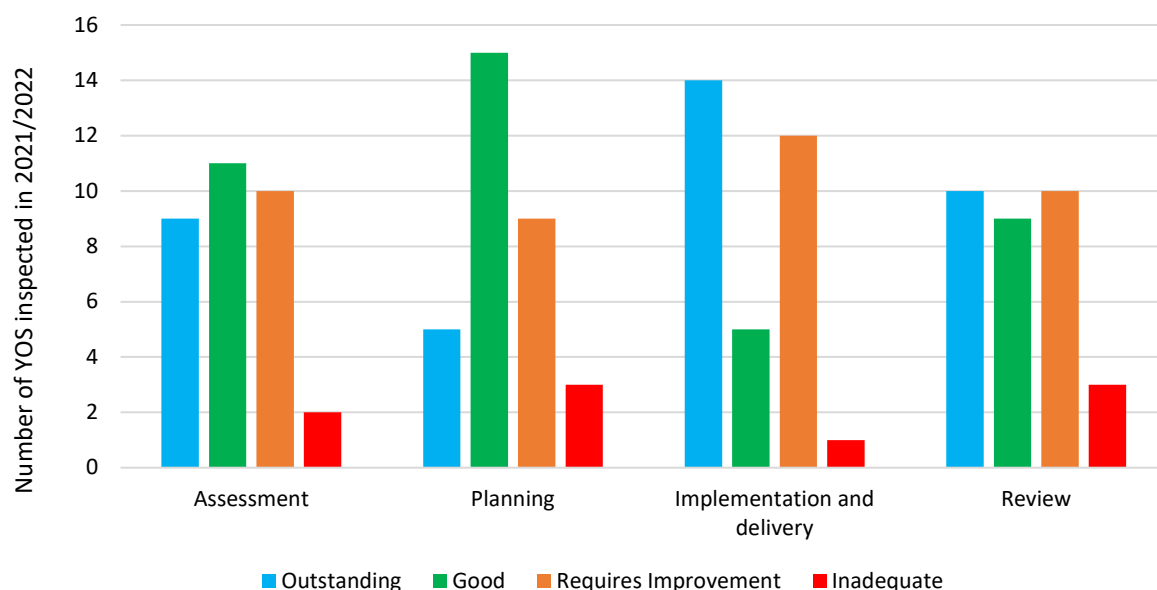
For each standard, the rating we assign is aligned to the key quality question that receives the lowest score in terms of the percentage of inspected cases rated as sufficient in relation to supporting desistance, keeping the child safe, and keeping other people safe. This recognises that each element plays an equally important role in working with children involved in youth justice. Each case is assessed according to its sufficiency across these key elements and case data is aggregated to achieve an overall rating for each standard:



Lowest banding	Rating
Minority < 50% cases	Inadequate
Too few: 50 – 64%	Requires improvement
Reasonable majority: 65-79%	Good
Large majority: 80%+	Outstanding

Figure 7 combines the ratings across each of the four stages of assessment, planning, intervention and reviewing. It shows that, broadly, for each standard, just under two-thirds of YJSs were rated 'Outstanding' or 'Good' and just over one third were 'Requires improvement' or 'Inadequate'. The proportions rated 'Outstanding' or 'Good' varied considerably and between one and three services were rated 'Inadequate' within each standard.

Figure 7: Distribution of ratings across each of the court case standards, 2021/2022



When assessing each case against each of these standards, our inspectors are making judgments against three key questions:

- Do assessment, planning, sentence implementation and reviewing support the child's desistance from further offending?
- Do assessment, planning, sentence implementation and reviewing keep the child themselves safe?
- Do assessment, planning, sentence implementation and reviewing keep other people safe from the potential risks that the child may pose to them?

Trends in the aggregate scores for these key questions can be plotted to track whether the quality of case work in the cases we inspect has improved over the past four years, and this data is shown in the sections that follow.

Assessment

When considering assessment within our inspections, we expect assessment activity to be well informed, analytical and personalised, and to actively involve the child as well as their parents or carers. Assessment includes all assessment activity, not just the preparation of a written report. We expect to see assessment activity that sufficiently analyses how to support a child's desistance, and analyses how to keep a child and other people safe. We consider whether activity has sufficiently analysed a child's diversity issues, used information from other agencies effectively, and focused on a child's strengths and protective factors, as well as assessed any key structural barriers facing the child. We also expect to see practitioners consider victims' needs and wishes, and explore opportunities for restorative justice.

Of the 33 YJSs we inspected, 32 were rated against our standards for court cases. One YJS had fewer than six cases in the sample and therefore could not be rated. Of the 32 rated services, nine were 'Outstanding', 11 were 'Good', 10 were 'Requires improvement' and two were 'Inadequate' for assessment.

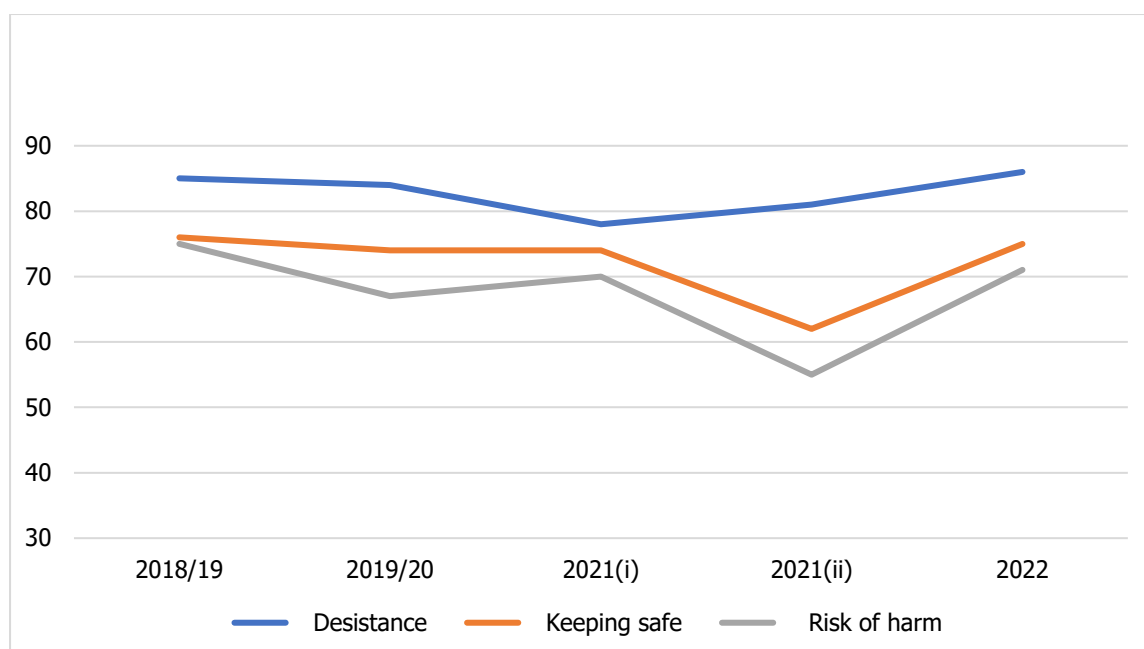
Areas that received an 'Outstanding' rating for assessment had common characteristics, which included a thorough use of a range of information sources, evidence of the child's voice being captured and an approach that balanced risks and concerns with strengths and protective factors. We found that assessment activity focused on strengths and protective factors in the majority of cases (92 per cent or 338 cases).

The involvement of children, and their parents or carers, continues to be a strength in assessment activity. In the majority of cases we reviewed, practitioners were skilled at developing and maintaining positive relationships with children and families, which encouraged engagement. We have seen tenacious efforts, and practice that places the child at the centre, enabling their voice to be heard and evident in assessment activity. We found the involvement of children and their parents or carers in assessment sufficient in almost all of the cases we reviewed.

When assessing risk of harm to others and children's safety and wellbeing, a number of common themes were present in the most effective work we saw. These included being able to identify all potential adverse outcomes and risks posed by the child and a clear understanding of the nature and context in which these could occur. Practitioners were skilled at recognising and understanding complexities of risks to and from the child, including adverse childhood experiences (ACEs), exploitation, and other extra-familial risks.

Data from the past four years shows that desistance-related aspects of assessment – linked to identification of the underlying needs most strongly related to offending – have been consistently well done. Over 80 per cent of cases were generally satisfactory on this aspect of practice. Work related to the assessment of risk of harm to others has been the weakest area, though it was still satisfactory in over 70 per cent of the cases in the inspections covered by this report.¹⁴

Figure 8: Court cases – % of cases rated as sufficient against key questions on assessment quality 2018 to October 2022



¹⁴ Please note, our methodology changed in July 2021; therefore, there are two sets of data for 2021: one for before the methodology changes, and one for after.

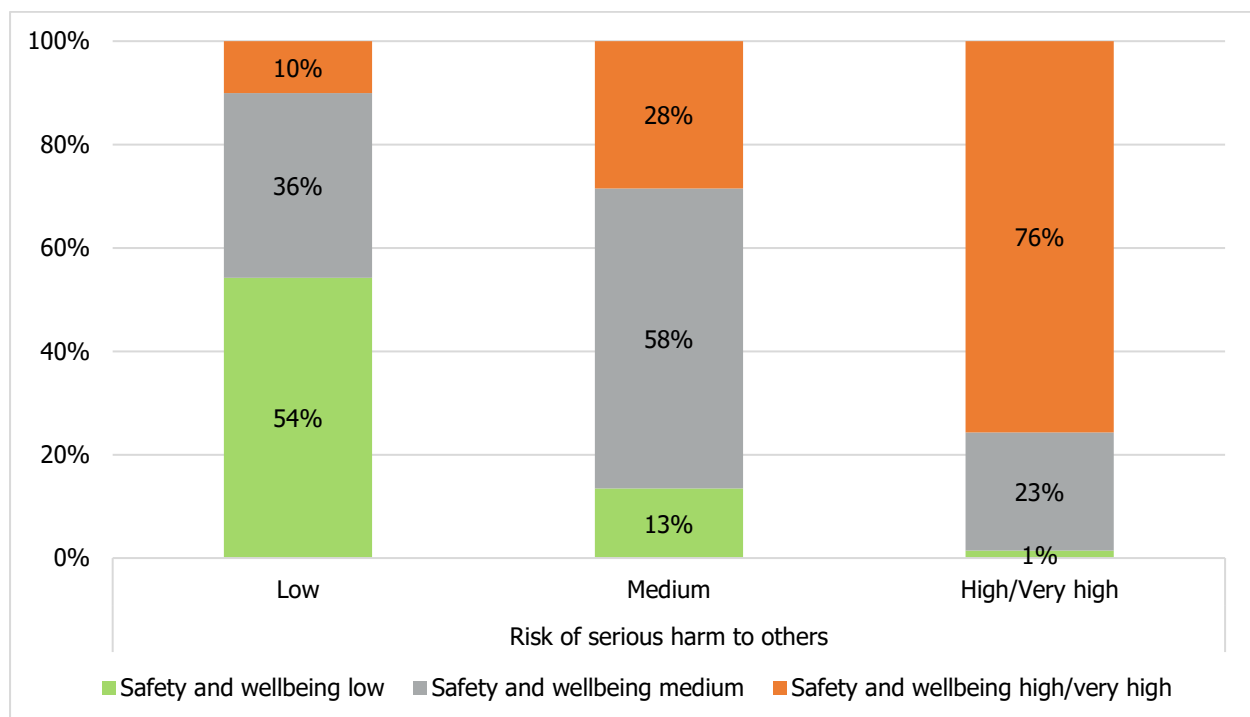
The identification of safety concerns relating to children

Our [September 2022 Research & Analysis Bulletin](#) focused on the assessment stage of youth justice work. We explored the types of safety concerns that children face, as well as those they pose, and gave examples that highlighted what good assessment looks like in practice. We also provided insights into the main reasons why inspectors deemed some safety classifications to be incorrect.

'It is clear that robust assessment is more likely when YJS case managers are organisationally supported by strong partnership arrangements with statutory, community and voluntary agencies which facilitate good information flows... Robust assessment is further supported when case managers have the time to reflect and review their practice with managers and colleagues, and where they display professional curiosity and an analytical mindset in understanding the life of the child.'

It is emphasised in the bulletin that understanding and minimising the safety concerns that a child faces, and that they may themselves pose, does not in any way undermine the constructive and nurturing work that should be undertaken with children to foster their positive development. It is also highlighted that the safety concerns relating to the children themselves and to other people (commonly other children) are often intertwined, with links to a number of areas, including the carrying of knives or other weapons, drug and alcohol misuse, adversity and trauma, domestic abuse, care experience, criminal exploitation, and mental health issues. Three-quarters of cases where our inspectors assessed there to be a high or very high risk of harm to others involved children for whom there were also high or very high concerns about their own safety and wellbeing.

Figure 9: Safety and wellbeing classifications by classification of risk of serious harm to others



Understanding, assessing and analysing concerns about children's safety and wellbeing and the risks they pose to others are therefore essential in the work completed by YJSs.

In areas rated 'Inadequate' or 'Requires improvement', it was often the judgements on sufficiency for risks to and from the child that led to the overall lower rating. While

desistance was consistently strong, it was common to find that the practitioner had not sufficiently analysed potential adverse outcomes and risks posed by the child, and the risk and safety classifications underestimated concerns. In those lower rated areas, information from other services was not always routinely sought and analysed. When practitioners received this information, they did not always consider previous behaviours to inform their analysis.

Work with victims requires development to ensure that their needs and wishes are consistently considered and that planning, and delivery, promote the safety of actual and potential victims. We found that assessments only gave sufficient attention to the needs and wishes of victims in 61 per cent (226) of cases.

Planning

When considering planning, we expect planning activities to be well-informed, holistic and personalised, while actively involving the child and their parent or carers.

Of the 32 YJSs that were rated for their work with court cases in 2022, five were rated as 'Outstanding', 15 as 'Good', nine as 'Requires improvement' and three as 'Inadequate' for planning.

In those areas that received an 'Outstanding' rating for planning, we found excellent involvement of the child and their parents or carers when planning, particularly for risk of harm to others and in planning to support a child's safety and wellbeing, and a balanced approach to addressing concerns and building on strengths. We found that YJSs were skilled at aligning children's plans with other plans (such as child protection plans) and clearly set out the roles of other services. Other features included easy to understand, realistic targets, which were tailored to the child.

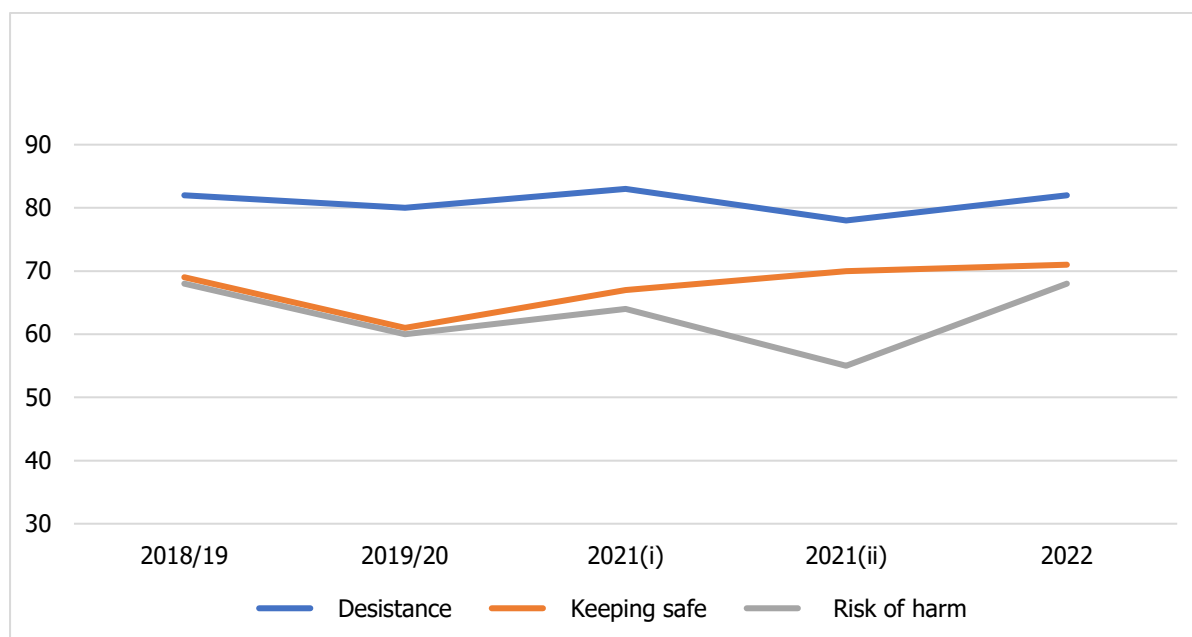
In many of the services rated 'Inadequate' or 'Requires improvement', planning had been undermined by poor assessment activity, as the child's needs and risks had not been identified or analysed effectively, and therefore did not translate into effective plans. Plans lacked fundamental details, including clear, specific targets that identified how and who would be delivering the work to meet the targets. This was often a generic list of actions and was not tailored to the child or their needs.

Contingency planning remained an area requiring improvement or development, even in some of the areas rated as 'Outstanding'. Most frequently, this was because contingency plans tended not to be tailored to the child's specific needs or risks, but, rather, were generic and did not explicitly consider the actions required should risks change or increase. Contingency planning was sufficient in only 53 per cent of all cases for safety and wellbeing (three per cent did not require planning) and 50 per cent of all cases for risk of harm (four per cent did not require planning).

Where working with other professionals was not effective, common factors included planning not being aligned with other existing plans, such as child in need plans, or a lack of a collaborative approach with other services involved with the child. Coordinated, multi-agency and joined-up working with other services to promote the safety of the child and others required further development. Other common themes included a lack of shared responsibility or accountability for managing risk and safety, and deficits in information-sharing to and from the YJS.

Data from the past four years shows slightly lower scores for our key quality questions relating to planning, particularly for planning linked to risks of harm to others, where the proportion of cases rated as sufficient has ranged from 55 per cent to 68 per cent.

Figure 10: Court cases – % of cases rated as sufficient against key questions on planning



Implementation and delivery

When considering implementation and delivery in our inspections, we expect YJSs to deliver high-quality, well-focused, personalised and coordinated services that engage and assist the child. We expect to see service delivery build on a child's strengths and protective factors. We also expect service delivery to promote opportunities for community integration and to consider access to services for the child once the court order has ended.

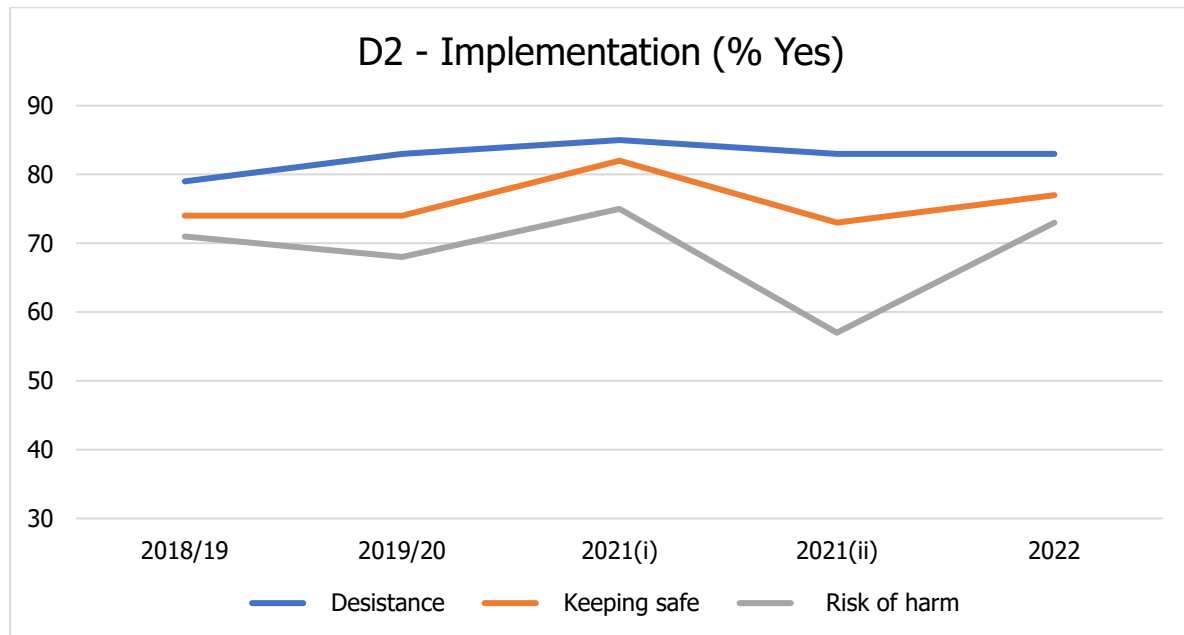
Of the 32 services rated against this standard for their court work, 14 were 'Outstanding', five were 'Good', 12 were 'Requires improvement' and one was 'Inadequate' for implementation and delivery.

Those areas that received an 'Outstanding' rating had common themes of commitment and dedication to children, with tailored interventions to meet the child's needs and promote desistance. Work with other professionals was coordinated, and prioritised the child's safety and, where required, the safety of actual and potential victims. There was also quick and easy access to a range of services and provision to meet needs. These included services to address concerns, as well as those that built on protective factors such as mentors, sports, health, including physical and mental health, substance misuse, and SALT.

As with assessment, desistance was consistently sufficient for intervention and delivery, but delivery to keep the child and others safe drove the 'Inadequate' and 'Requires improvement' ratings for those areas where we considered intervention and delivery to be insufficient. Common themes in these areas included poor coordination between services, such as limited information-sharing, or failure to have shared accountability. Mechanisms to promote risk and safety in many services were underdeveloped, and monitoring of these was inconsistent.

The proportion of cases rated sufficient against our key quality questions on implementation has varied significantly over the past four years, but we saw strong performance in 2022, with all three key quality questions rated sufficient on at least 73 per cent of cases.

Figure 11: Court cases – % of cases rated as sufficient against key questions on implementation and delivery



Review

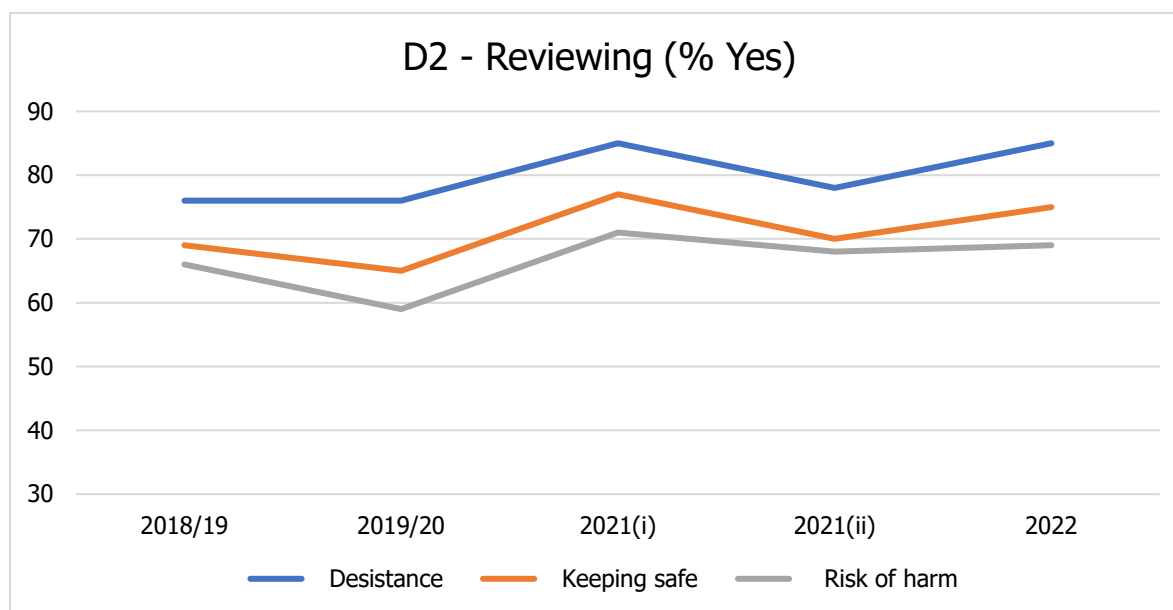
When we inspect reviewing, we expect to see well-informed, analytical and personalised reviews of progress that actively involve the child and their parents or carers.

Of the 32 YJSs that were rated for court cases, 10 were 'Outstanding', nine were 'Good', 10 were 'Requires improvement', and three were 'Inadequate' for review.

Those areas rated 'Outstanding' had common features, including being proactive in reviewing activity, involving the child and their parents or carers to gain their perspectives on progress, and adjusting ongoing work to meet the child's changing needs. A common issue in areas rated 'Inadequate' was that practitioners did not always identify or recognise changes that increased risks to and from the child, and therefore the response did not effectively manage or mitigate risks or promote a child's safety. Poor contingency planning for some services had a knock-on effect on reviewing, for instance where there were changes to risks, the contingency plan did not contain adequate details of actions/responses when risks changed.

Aggregate scores for each of the key questions on this standard in 2022 were some of the strongest we have seen in the past four years.

Figure 12: Court cases – % of cases rated as sufficient against key questions on reviewing



Multi-agency public protection arrangements

MAPPA are in place to promote effective information-sharing and collaboration between agencies to manage dangerous individuals. While criminal justice agencies can never eliminate risk, the public has a right to expect that they take all reasonable steps to reduce the potential for further harm by individuals who have committed serious violent or sexual offences. In youth justice work, cases that meet the threshold for MAPPA are rare – some services and practitioners may never manage a case, while others will have more experience of holding higher-level risk cases. These cases are considered as the ‘critical few’, and as such we do not expect to find them in high numbers.

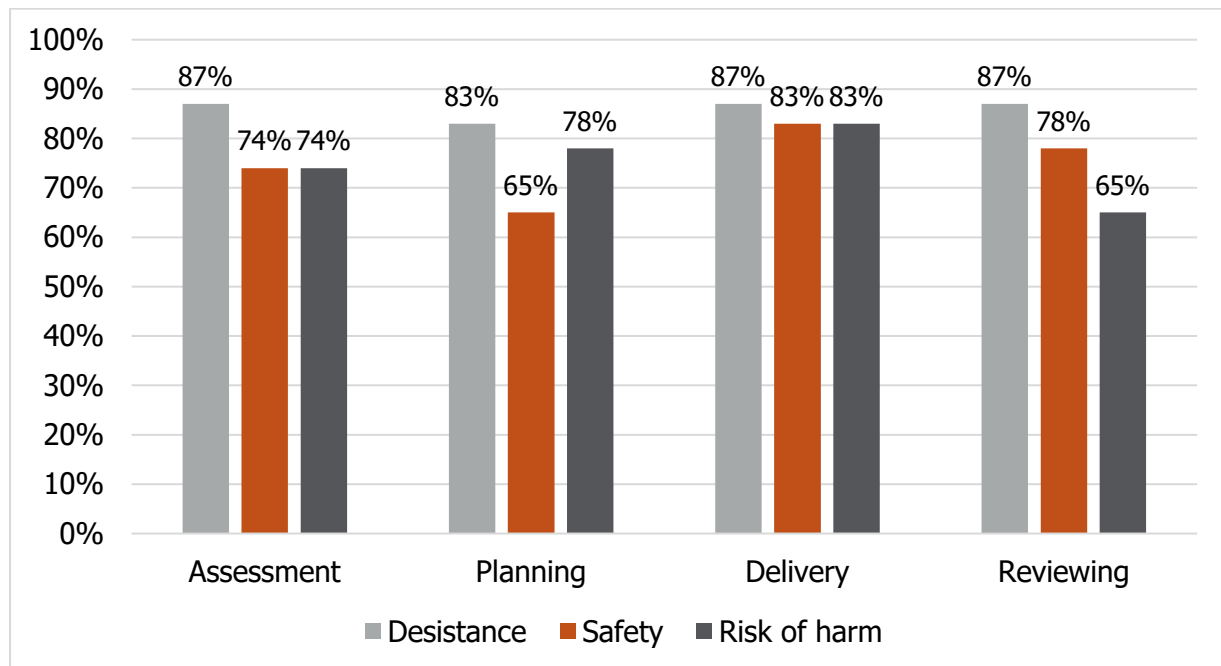
The responsibility for operating MAPPA is with the police, probation and prisons. YJSs have a ‘duty to cooperate’ (DTC). We undertook a thematic review of MAPPA,¹⁵ focusing on work with adults, but one of the findings was the need for appropriate representation of YJSs on the strategic management boards (SMB). The report states:

‘We found that all SMBs met regularly and had representation from key DTC agencies. However, some local authorities nominate one representative to cover more than one specialism due to resources pressures, for example, children’s social care and youth justice, which was not helpful as they were not fully equipped to speak for both services.’

Despite the low number of eligible cases, knowledge and use of MAPPA is a critical public protection function for YJSs. As such, we expect each service to have effective arrangements to identify potential cases and for staff to have suitable links and knowledge to deal with referral processes and maximise the benefit of this type of multi-agency work. It is important that this statutory framework is properly understood at strategic and operational levels. Although the management of MAPPA cases can be supplemented by other forms of multi-agency risk-focused systems, it must not be replaced.

¹⁵ HM Inspectorate of Probation (2022). Twenty years on, is MAPPA achieving its objectives? <https://www.justiceinspectorates.gov.uk/hmiprobation/inspections/mappa-thematic/>

Figure 13: Percentage of MAPPA court disposal cases where the overarching standards questions were assessed as positive, broken down by desistance, safety, and risk of harm



The quality of work in MAPPA cases was rated as sufficient against our standards in a good proportion of cases, particularly in relation to risk of harm to others. However, the quality of reviewing activity for risk of harm to others needs to be consistent with the quality of reviewing in relation to desistance.

Some of the services we inspected had effective MAPPA systems in place.

Good practice example

In Bolton, we found effective risk management processes, with staff and managers who had a good understanding of their public protection responsibilities. Practitioners described the multi-agency risk management (MARM) meetings as a good mechanism for sharing information. These enabled agencies to convene, and contribute to and accept a shared responsibility for managing risk. There was good use of MAPPA in relevant cases. The MAPPA chair described how the process worked well to meet complex and high-risk needs of children. In one case, the involvement of MAPPA had been instrumental in services identifying and funding a placement at a specialist mental health unit. Cases for MAPPA were identified in a timely manner and resulted in all relevant parties attending and contributing to multi-agency planning meetings.







In some instances, for other services, we highlighted where improvements were needed:

- 'The information-sharing agreement document relating to MAPPA requires updating. This needs to be reviewed urgently to ensure that information-sharing arrangements are fit for purpose.'
- 'Although the service manager takes the strategic lead for MAPPA in the absence of a probation officer, inspectors noted that staff knowledge of the processes is limited and needs further development.'

Out-of-court disposals

Summary findings

Our key findings for work with children who are subject to out-of-court disposals can be summarised as follows:

	<p>An increasing number of children are dealt with through out-of-court disposals, but decision-making processes are designed locally and there is currently no clear national template</p>
	<p>Most areas have consultation arrangements in place that involve the YJS, police and other relevant organisations agreeing the outcome for all but the most minor offending</p>
	<p>Inspectors found that in 92 per cent of cases the panel agreed the out-of-court disposal outcome without the need for escalation</p>
	<p>There were too many instances where the YJS had incorrectly classified the child's level of safety and wellbeing needs and the risk of serious harm they posed to others</p>
	<p>In some YJSs, case managers had no knowledge about a case until it was allocated to them, after the disposal decision had been made</p>
	<p>The agendas of many management board meetings often included, as a priority discussion, the diversity and disproportionality of Black, Asian and minority ethnic children</p>

Over the last few years, we have seen a significant increase in the use of disposals to keep children out of court, and a decrease in the number of children subject to statutory orders. Although the Covid-19 pandemic has clearly had an impact on (and accelerated) this trend, it has also been influenced by key policy and strategic changes, which have focused on ensuring that children are diverted from the youth justice system, where appropriate, and avoiding the unnecessarily criminalisation of children.

From the overarching principles of *Sentencing Children and Young People 2017*,¹⁶ where the importance of avoiding criminalising children unnecessarily was highlighted, to the focus on 'child first' by the YJB, through to the child-centred policing best practice framework in 2021, there has been a clear priority to ensure that every opportunity to divert children from offending is maximised.

This has resulted in YJSs developing a wide range of options to offer as out-of-court disposals, and we know that these cases now make up a much greater proportion of YJSs caseloads.

¹⁶ Sentencing Council (2017). [Sentencing Children and Young People – Sentencing \(sentencingcouncil.org.uk\)](https://www.sentencingcouncil.org.uk)

Typically, children are offered an out-of-court disposal when they have committed low-level, often first-time, offences, and there is a range of options available to offer as an alternative to progressing to court. These include:

- community resolutions
- no further action
- Outcome 22 (no further action where diversionary or educational activity has been undertaken with the child)
- youth caution (first, second and subsequent)
- youth conditional caution.

Although there is no national data on the volumes of these disposals, our inspection sample gives some sense of their relative importance:

Figure 14: Types of out-of-court disposals reviewed in inspections in 2021/2022

Type of out-of-court disposal	Number	%
Youth caution (first caution)	81	15%
Youth caution (second or subsequent caution)	9	2%
Youth conditional caution	126	24%
Community resolution (or other restorative resolution)	283	53%
Unclear or other	32	6%

Often decisions regarding a child's suitability for an out-of-court disposal are made jointly between YJSs and the police, but we continue to see a range of practices for determining the most suitable outcome following an offence by a child. Decision-making processes that agree whether a child receives an out-of-court disposal are designed locally and there is currently no clear national template for this work. Out-of-court disposal arrangements are typically developed either at YJS or police force level, with arrangements often applying across neighbouring YJSs or police force areas. The lowest level of outcome is often delivered directly by police; however, we are increasingly seeing that most areas have consultation or joint decision-making arrangements in place that involve the YJS, police and other relevant organisations, to agree the outcome in all but the most minor offending.

The limited and variable national and local oversight of out-of-court disposals, along with outdated guidance on them, has resulted in wide variation in their application across England and Wales, and we have found significant differences in the way they are deployed across the areas we have inspected during this period. This has included differences in the options available to YJSs; differences in the language and terminology used; differences in policing practices and YJS policy and provision; differences in determining which out-of-court disposal might be most suitable and why; a lack of data on or analysis of their impact, effectiveness and use; and inconsistent application of the youth gravity matrix in deciding a child's eligibility for an out-of-court disposal.

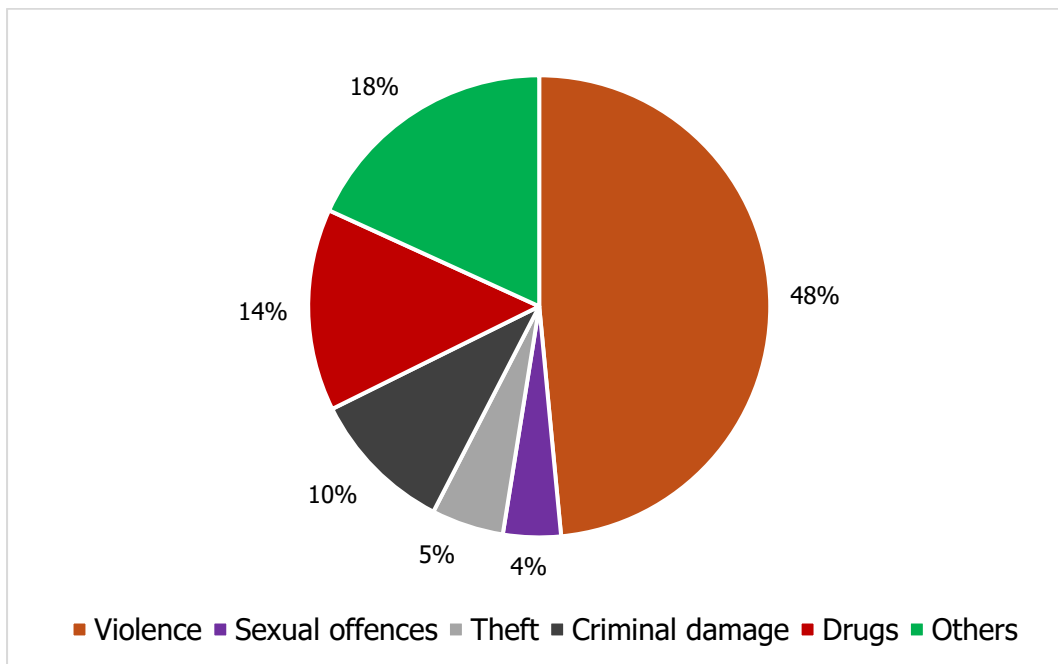
How areas make decisions on out-of-court disposals

- In 39 per cent, decisions were made jointly by the police and YJS.
- In five per cent, decisions were made solely by the police.
- In just over half of the cases reviewed, decisions were made by a multi-agency panel.

- Panels often consisted of police officers and YJS members, plus a number of other services, such as education, health, children’s social care and victim services.
- In 92 per cent of cases, the panel agreed the outcome without the need for escalation.
- Decision-making was based on a locally agreed assessment process that included an interview with the child in 79 per cent of cases we reviewed.
- In 28 per cent of cases, the full youth justice assessment tool, AssetPlus, was used for informing a panel’s decision, although we are increasingly seeing the YJS use locally developed assessment tools.
- In 23 per cent of cases, a screening process was carried out. This typically involved a review of agency records, without the child and parents or carers having the opportunity to inform decision-making.

We have also seen significant variability in the offences and seriousness of offences for which children will receive an out-of-court disposal.

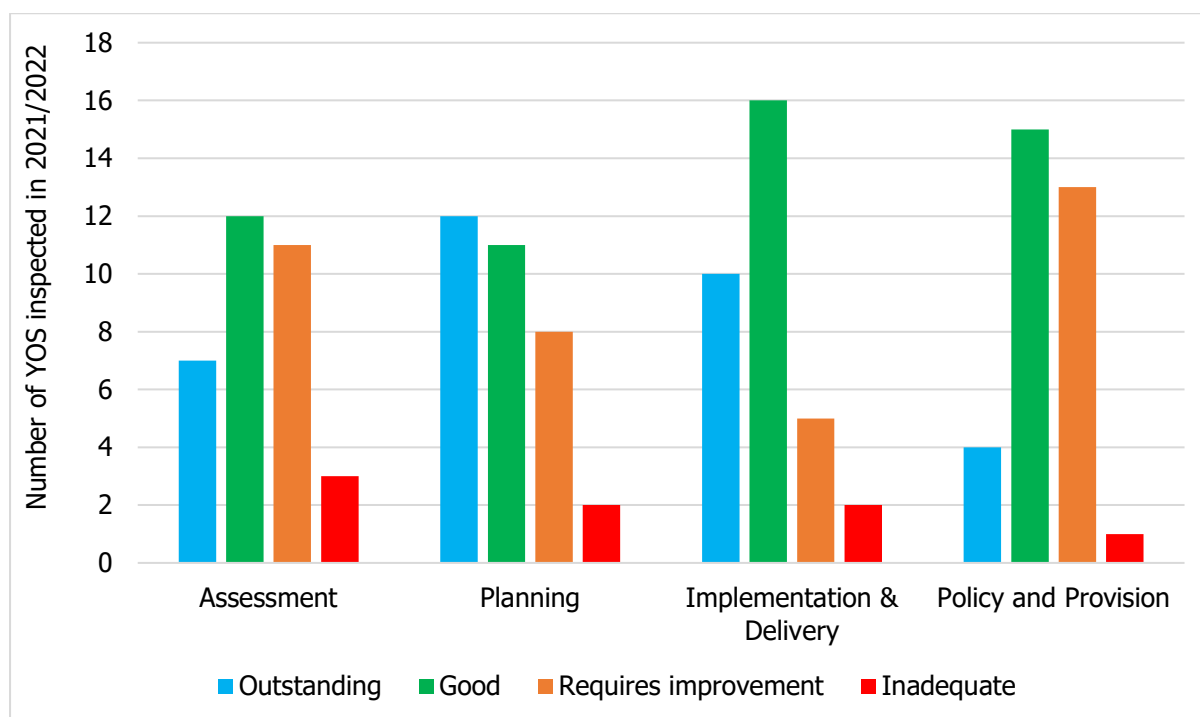
Figure 15: Out-of-court disposals – offence types



Inspection standards: out-of-court disposals

The process for inspecting out-of-court disposals is similar to the process for inspecting court orders. We follow an ASPIRE model, and review the quality of assessment and planning activity, as well as the quality of implementation and delivery. We also consider activity in relation to supporting desistance, keeping a child safe and keeping other people safe. However, we do not assess the quality of reviewing for out-of-court disposals, because the interventions are often of short duration. We review the quality of policy and provision, as we acknowledge that out-of-court processes are locally designed and implemented. This component of our inspection methodology is known as domain three.

Figure 16: Distribution of ratings across each of the domain three standards 2021/2022



Assessment

In this annual report period, seven areas were rated 'Outstanding', 12 were 'Good', 11 were 'Requires improvement', and three were 'Inadequate'.

In some YJSs, case managers had no knowledge about a case until it was allocated to them, after the disposal decision had been made. We saw cases where the decision on the disposal had been made in isolation, without including the child or taking their views, or those of their parents or carers, into consideration before deciding the outcome. This also meant that case managers had less opportunity to meet and build a relationship with the child and encourage their engagement in voluntary activities until after the decision was made. We found that this could have a stark impact on whether or not a child chose to engage in those activities.

In a minority of cases, we found that disposal decisions were 'up-tariffed'. This is where children are given, for example, a youth conditional caution, to make sure they engage with an intervention, when a community resolution could have been more suitable. We also found examples where cases had progressed to court, despite an out-of-court disposal being appropriate.

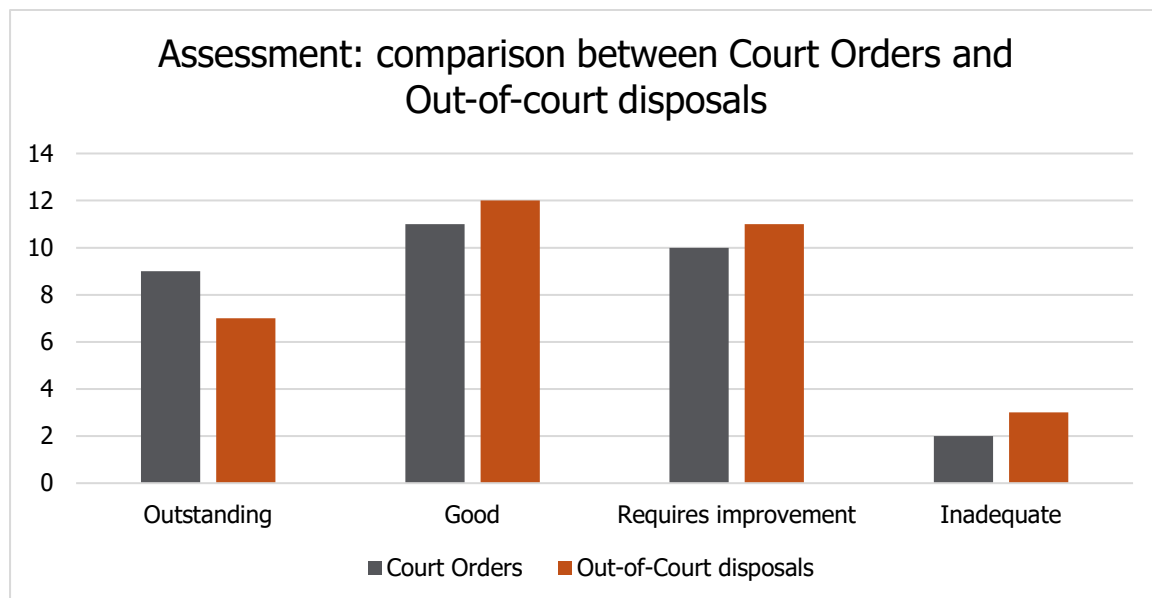
Increasingly, we are seeing areas use locally developed assessment tools for out-of-court disposals, and there is variation in both the quality of the tools themselves and how well they are completed, particularly in the depth of analysis and consideration of children's safety and wellbeing and the risks they may present to other people. The needs, complexities, and risks of children receiving out-of-court disposals vary across a considerable spectrum, and we have seen cases where children who present significant risks to others have received an out-of-court disposal. This can often present a challenge to YJSs, in striking a balance between being proportionate and avoiding criminalising a child, but also recognising the risks they may present and the seriousness of some of the offences committed. We also found instances where concerns about a child were not identified

effectively or considered because of the 'low-level' disposal they had received. In some inspections, we have found that YJSs are struggling to resolve these challenges. We found examples where some tools (such as an early help assessment tool) did not consider or provide the opportunity to consider a child's safety and wellbeing, or prompt case managers to assess the risks the child presented to others. Because of this, there were instances where assessment activity lacked a depth of analysis or understanding.

There were too many instances where the YJS had incorrectly classified the level of safety and wellbeing needs and risk of serious harm a child posed to others. In both safety and wellbeing, and risk of serious harm to others, inspectors judged that the case manager's classification was incorrect or insufficiently clear in one-quarter of cases.

Are there differences in the quality of assessment activity between court orders and out-of-court disposals?

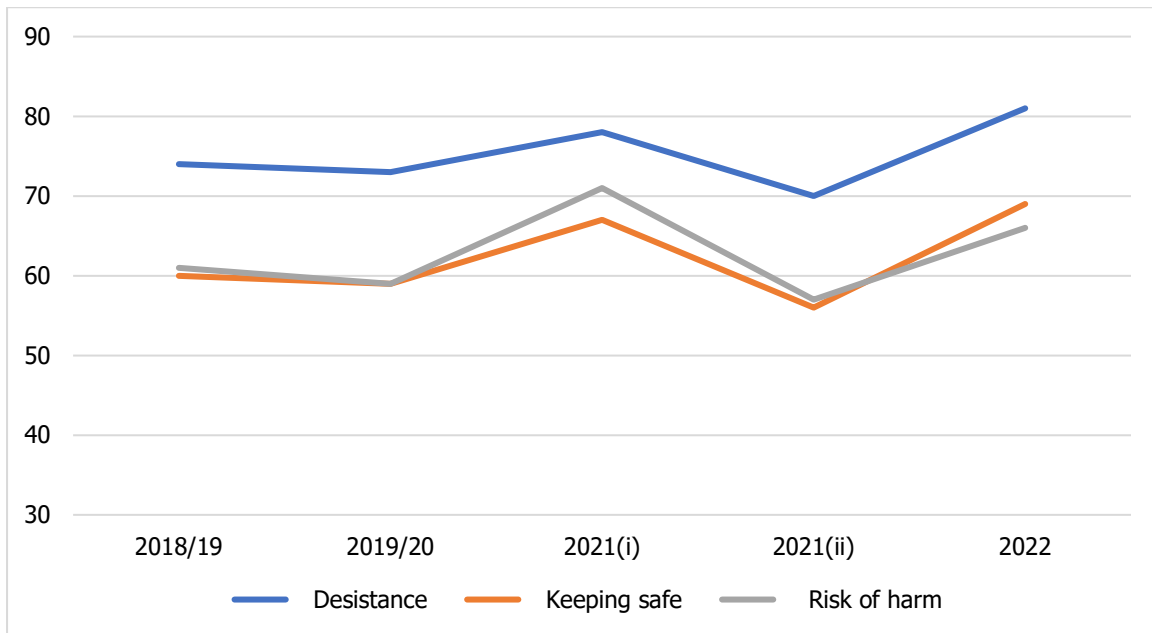
Figure 17: Ratings comparison of assessment activity between court orders and out-of-court disposals, 2021/2022



In previous annual reports, we have found that the quality of assessment, planning and delivery for out-of-court disposals was significantly poorer than for statutory out-of-court options (youth cautions and youth conditional cautions) and court orders. However, we can see that the gap between the quality of work in assessment seems to have closed. Although fewer areas were rated as 'Outstanding' for their work on out-of-court disposals when compared to court-ordered work, and more areas were rated as 'Requires improvement', we saw a number of areas rated as 'Good' in their assessment of out-of-court disposals.

Looking back over a longer period, it was encouraging to see that the proportion of assessment activity for out-of-court cases rated as sufficient in 2022 against our three key quality questions around desistance, wellbeing and risks as amongst the highest it has been in the past four years, with at least two-thirds of cases rated as sufficient against each key question.

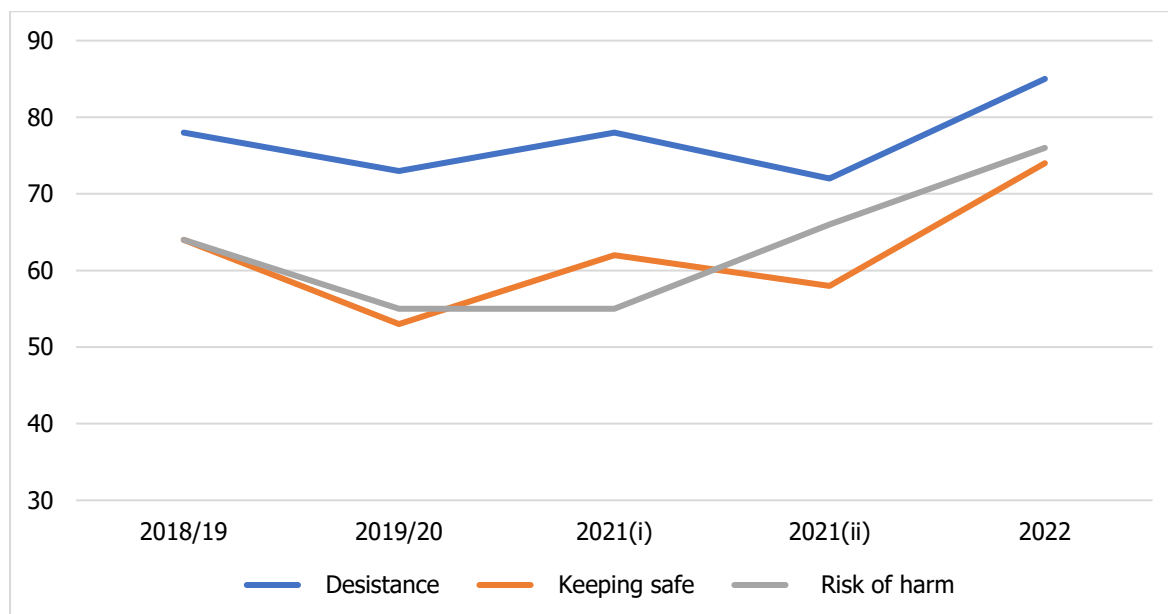
Figure 18: Out-of-court cases – % of cases rated as sufficient against key questions on assessment quality



Planning

We have seen a marked increase in the number of areas rated 'Outstanding' for planning in relation to out-of-court disposals and an improvement in the number of YJSs rated as 'Good', with a reduction in those assessed as 'Requires improvement' or 'Inadequate'. Aggregate scores against our key quality questions on this quality standard were the highest we've seen in any of the past four years, and significantly up on 2018/2019.

Figure 19: Out-of-court cases – % of cases rated as sufficient against key questions on planning



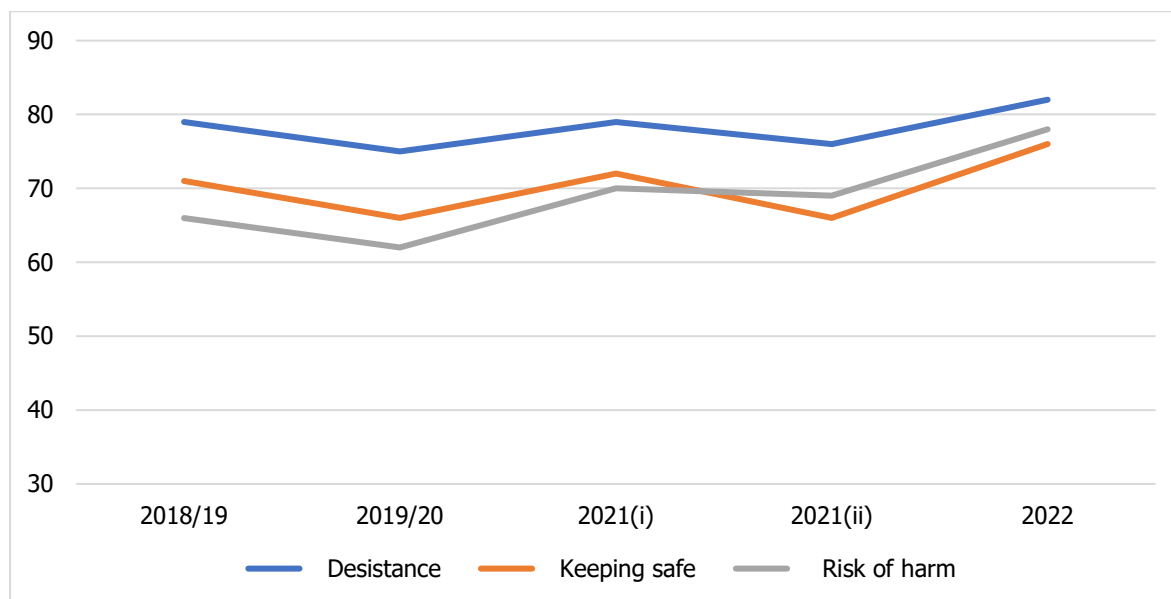
As with statutory orders, contingency planning is an area that requires strengthening in many of the cases we reviewed, to ensure that practitioners know what action to take if there is a change in circumstances, particularly if there is an increase in concerns about a child’s safety and wellbeing or their risks to others.

Exit planning also requires strengthening, particularly when many out-of-court disposals are short, so that there is a focus on integrating or reintegrating a child into mainstream services when the YJS intervention ends.

Implementation and delivery

In this annual report period, we have seen ten areas rated ‘Outstanding’ for the quality of delivery of out-of-court disposals. There has been a marked increase in the proportion of areas rated ‘Good’ compared with last year’s annual report period (16 areas compared to 10), and fewer areas rated ‘Requires improvement’ or ‘Inadequate’ (five and two respectively). Over three-quarters of cases were rated as sufficient on the three key quality questions, with the highest scores on these questions in the four years we have been asking them.

Figure 20: Out-of-court cases – % of cases rated as sufficient against key questions on implementation and delivery



In many YJSs we now find that children given out-of-court disposals can access the same services and resources as children subject to statutory court orders. There are a range of interventions available, including access to speech and language therapists, CAMHS, and support for education, training and employment.

We noted that some YJSs worked with children on out-of-court disposals for as long as they needed support. While it is positive that support is in place for children, this raised questions for us about the possibility that YJSs are undertaking work that should be provided by partners, such as early help services. This was particularly notable in authorities where early help services did not play an integral role or link to the YJS out-of-court disposal schemes. This also raises questions about children being brought into YJSs (and the youth justice system) in order to access much-needed services, rather than the effective diversion that is intended by out-of-court practice.

Policy and provision

Our standards expect that, for all out-of-court disposal policies and provision, there will be a high-quality, evidence-based, out-of-court disposal service in place that promotes diversion and supports sustainable desistance. We expect to see clear joint protocols with the police in place, which set out locally agreed policy and practice, including joint and defensible decision-making. We expect YJSs and the police to ensure that criteria for eligibility are clearly defined and appropriately broad, to allow for discretion, while avoiding inappropriate net-widening (inadvertently bringing more children into contact with the youth justice system). We also expect to see policy and practice that consider children's diverse needs, keep children safe, and ensure the safety of other people, and practice that is regularly reviewed and evaluated to ensure it maintains alignment with the evidence base.

Areas rated 'Outstanding', such as York, had features such as:

- A clear joint protocol with the police
- Well-established schemes, subject to regular reviews
- Jointly made decisions on outcomes, with good-quality assessments that support the youth outcome panel in making decisions

- Panels that set out the level and nature of the interventions to be offered to the child and include detailed discussions on children’s needs and risks
- A consistent approach
- A victim liaison officer as a core member of the panel, who liaises and communicates well with victims, and who is able to represent their views and wishes effectively
- Panel members who challenge each other and offer alternative views about the child
- New police staff being invited to attend panels, to ensure that they understand the scheme and what can be offered to the child and victims – this gives officers and custody staff more confidence to propose out-of-court-disposals as a credible alternative to charge
- Children with access to the same range of interventions as those on court orders, and services being provided quickly
- Interventions to support desistance, keep children safe and prevent victims from further harm
- Specific pathways for children who exhibit harmful sexual behaviour, which provide clear support and swift intervention
- High levels of engagement with children, and building relationships from the start of the assessment process – this ensures that the child’s and parents’ or carers’ voices were taken into account when the youth outcome panel considered the most appropriate disposal
- Data, analysis and evaluation for all disposals, with positive results and very few children coming back for subsequent disposals
- Consistent panel chairing arrangements, which are child-focused
- An out-of-court policy that describes how diversity considerations are met and aligned with the YJS diversity policy.

In most areas, we found strong and trusting working relationships between YJSs and the police. We found examples of schemes being reviewed and strengthened, to reflect new evidence, and a number of new approaches being piloted, including ‘no admission of guilt’ schemes (where children were not required to admit an offence in order to be eligible for an out-of-court disposal), and diversion pathways for first-time class B drug possession offences.

There is a growing trend for the police to offer an Outcome 22, which enables them to record a final ‘no further action’ once a child completes an appropriate diversionary or educational activity. We welcome the review of the youth gravity matrix – used to determine whether children should be considered for out-of-court disposals – and the YJB’s recent guidance on the use of Outcome 22. We hope this will go some way to ensuring that the use of out-of-court disposals is more consistent, and also meets the needs of the child.

Many YJS management boards received performance and trends reports, which provide basic information about out-of-court disposals. Some commissioned further analyses to help them understand more fully the experiences of these children, and to identify how out-of-court disposal work supported their aim to reduce the number of children entering the criminal justice system. Where this was happening, they could identify positive outcomes. The agendas of many management board meetings often included, as a priority discussion, the diversity and disproportionality of black, Asian and minority ethnic children. However, we found that often this did not result in meaningful internal scrutiny of out-of-court disposal work and its impact on the diverse needs of children and their victims.

Education, training and employment

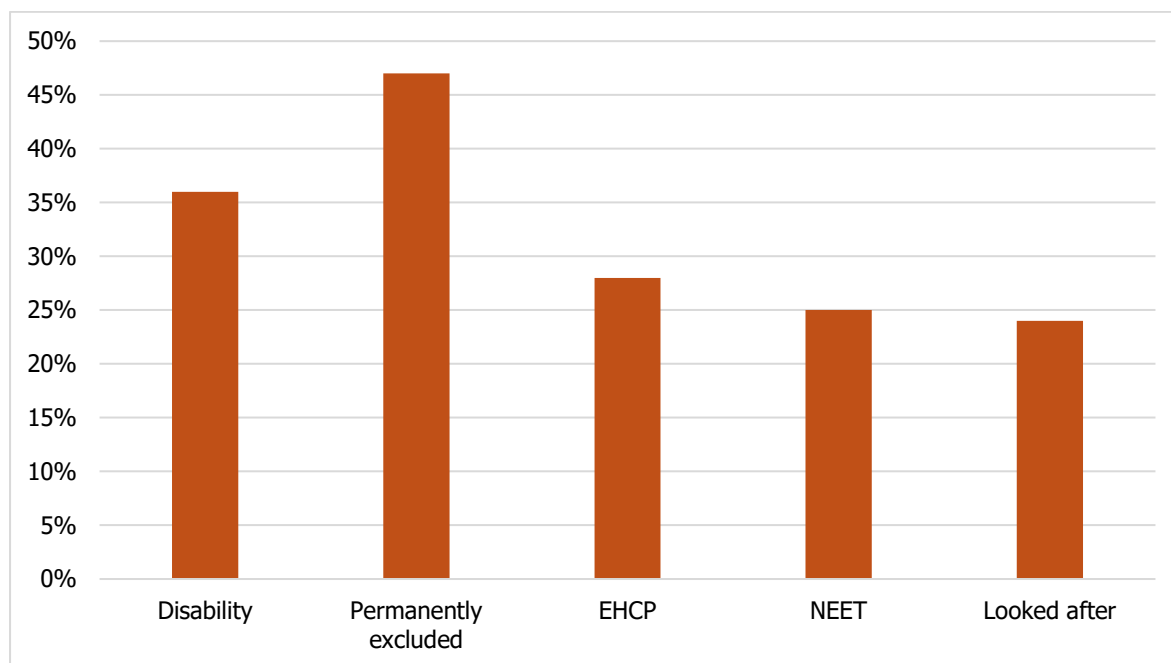
In June 2022, we published the findings of a thematic inspection of ETE services in youth justice services in England and Wales. The inspection was carried out jointly with Ofsted in England and Estyn in Wales.¹⁷

Access to ETE opportunities is fundamental for children on YJS caseloads and critical in supporting them to prevent offending or reoffending. However, both the thematic and core inspections found gaps in provision and major barriers to children's participation in ETE.

In the thematic inspection, we found that too many children and young people known to the youth justice system did not have access to high-quality ETE. We saw examples where YJSs, schools, colleges and specialist support services were working hard to address this. However, for many children, ETE opportunities remain variable and inconsistent. Poor identification of SEN, the prevalence of long-term part-time timetables, poor attendance that went unchallenged, and high rates of both formal and informal exclusions fragment the potential for ETE to make a significant difference.

Even when these children were in school, far too many of them had only part-time timetables. Almost 29 per cent of the children in the thematic inspection case sample of 181 had been permanently excluded from school, and almost two-fifths of those over statutory school age were NEET. We found that many of the children were excluded or had been disengaged from ETE for a long time. In one case, a child had not been at school for five years, and it was not unusual to see children who had not been engaged in ETE for two years or more.

Figure 21: Groups in our sample of 181 children across six YJS caseloads



We found significant barriers to participation in ETE. Of the 104 YJSs that responded to our thematic inspection survey, 68 said that more than 20 per cent of children on their caseload

¹⁷ HM Inspectorate of Probation (2022). A joint inspection of education, training and employment services in youth offending teams in England and Wales. <https://www.justiceinspectorates.gov.uk/hmiprobation/inspections/ete-thematic/>

had SEN or additional learning needs. Also, 56 of these 104 YJSs told us that over 20 per cent of their caseload had an EHCP or, in Wales, an individual development plan (IDP).

In our case sample, 36 per cent of the children had a disability or neurodivergent condition. Our case inspections showed that:

- Children with EHCPs/IDPs were the least well-managed group in our sample. Often, the defined needs of the child were missed in assessment, and this meant that fewer had effective plans in place to support their needs. As a consequence, the services they received were not tailored to their unique needs and were poorly or inadequately delivered. Reviews did not adequately consider the issues children faced or capture the changes needed to improve the services for the child.
- There were also differences in the EHCP/IDP support available to children who identified as mixed ethnic heritage, compared to the rest of the cohort. Assessment and planning work did not effectively consider the role ETE played in supporting these children to desist from further offending.
- The delivery of services for children with identified disabilities too often (in 35 per cent of cases) failed to provide the necessary support to sustain a child in education. The most prevalent disabilities identified in the sample were learning or other cognitive disabilities. We estimated that in half of the cases where a disability was identified, additional support was necessary to enable the child to make progress in education, and this had not been sufficiently provided.

Despite this, in all of the YJSs inspected, we were able to identify tangible ETE outcomes or progression towards outcomes that were attributable to the work being delivered. The improvements were mainly in better engagement with ETE or the development of improved social skills. However, these improvements need to be the basis for further progress, rather than an end in themselves.

We found little improvement in children's literacy and numeracy. We would like to see more focus on providing children with ETE services that help them achieve level 2 in English and mathematics – the standard required for entry into the workplace.

Overall, we remain concerned at the lack of provision to meet the ETE needs of post-school-age children supervised by YJSs, although a number of areas did demonstrate what was possible. In Hammersmith and Fulham, for example, we found that over 90 per cent of over-16s were in ETE.

Resettlement

Resettlement is the support a child receives to return to the community following a custodial sentence. The purpose of resettlement services is to help the child shape a more pro-social identity, and to build on their individual strengths, social capital and resources to help them remain safe and live a crime-free life. The cases of children sentenced to custody are some of the most complex in the youth justice sector. These children are often highly vulnerable, and many have additional needs. In addition to concerns about their safety and wellbeing, many of these children also present a risk to others.

A resettlement standard was introduced into our inspection methodology in 2021, enabling us to rate individual youth offending services on their arrangements for effective resettlement provision on a consistent basis.

When inspecting resettlement, we consider policy and provision and – where there are relevant cases – we also examine service delivery. If there are no resettlement cases in the 12 months before the inspection, then the resettlement policy and provision are reviewed but the standard is not given a rating. The resettlement standard is rated separately and does not count towards the overall YJS rating. However, a limiting judgement is applied, whereby any YJS that receives an 'Inadequate' rating for the resettlement standard is unable to achieve an overall 'Outstanding' rating.

We expect there to be a high-quality, evidence-based resettlement service for children leaving custody. We expect to see constructive, suitable, timely and personalised resettlement pathway services for all children, which include accommodation, education, training and employment, healthcare. We want to ensure that children's diverse needs are met, and that YJSs take an approach to resettlement that addresses the needs of victims and protects those at risk, as well as ensuring the safety of the child.

YJB statistics for 2021/2022 tell us:

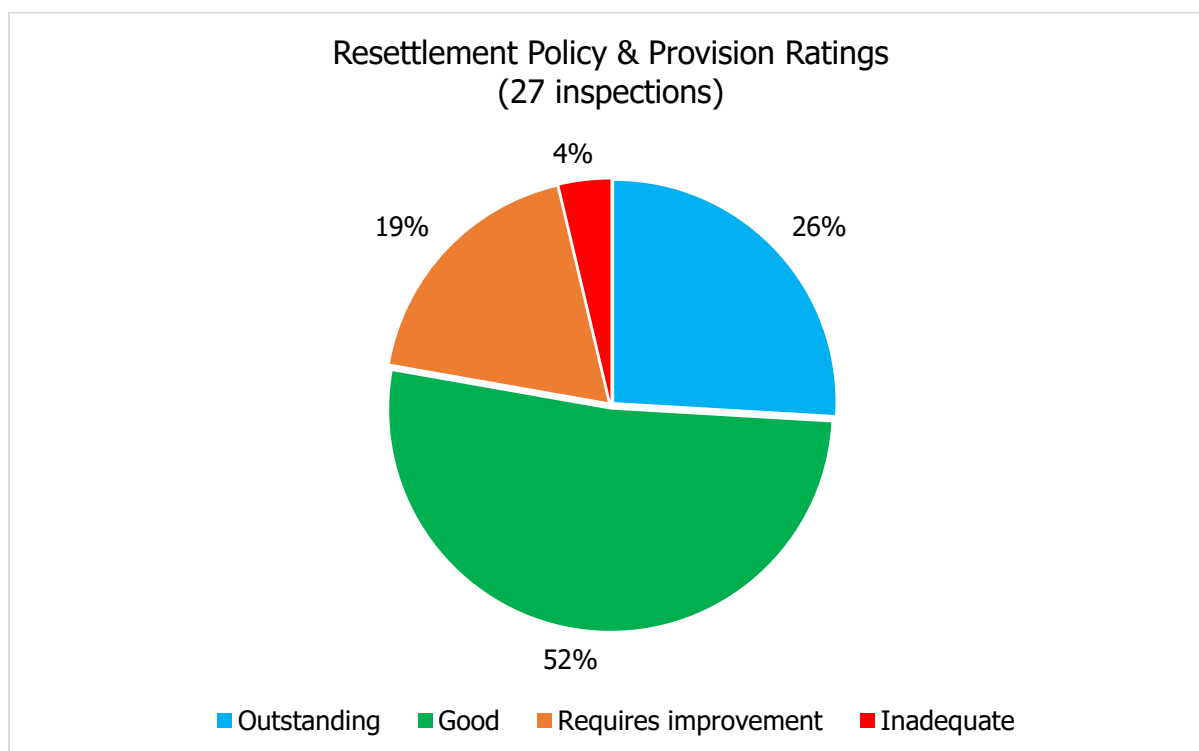
- An average of around 450 children were in custody at any one time during the year, a fall of 19 per cent against the previous year and the lowest number on record.
- The proportion of children held in custody on remand increased from 40 per cent to 45 per cent compared with the previous year, the largest proportion since the time series began.
- The number of black children in custody fell by 23 per cent compared with the previous year, the first instance in the time series where this group had a larger year-on-year decrease than white children. Black children accounted for 28 per cent of the total youth custody population, while White children accounted for 48 per cent.
- The number of custodial episodes ending fell by 10 per cent compared with the previous year, which reflects the fall in the custodial population.
- Children spent an average of nine nights longer on remand than the previous year. The proportion of remands that lasted three months or more increased from 38 per cent to 43 per cent compared with the previous year.

Although the number of children receiving custodial sentences has reduced, from more than 4,000 in 2011/2022 to an average of 450 in 2021/2022, providing effective services for them can be challenging.

In this annual report period, we reviewed at 63 resettlement cases across 27 YJSs.¹⁸ Of these 63 cases:

- 48 per cent were children looked after by the local authority
- all were aged 15 or over
- 94 per cent were male
- 65 per cent were white.

Figure 22: Resettlement policy and provision ratings, 2021/2022



The introduction of the resettlement standard to our inspection programme appears to have had a positive impact. We have seen services increase their focus on resettlement, and many have reviewed resettlement policies or recently introduced them. The majority of inspected services during the period of our annual report are now delivering effective resettlement interventions. Provision has been rated 'Outstanding' in Wolverhampton, Bolton, Thurrock, Hammersmith and Fulham, County Durham, York and Buckinghamshire. A sufficient number of YJSs have now been inspected to provide a body of evidence of effective practice, and we published an effective practice guide on resettlement in 2022.¹⁹

Almost all YJSs inspected had in place, or were developing, a standalone resettlement policy that promoted a high-quality, constructive and personalised resettlement service for all children. Where policies were effective, they addressed all aspects of 'constructive resettlement', which involves three core elements: constructive casework, the '5C's' (constructive, co-created, customised, consistent and coordinated) and identity awareness.

¹⁸ Twenty-seven out of 33 YJSs – five YJSs did not have relevant resettlement cases to inspect.

¹⁹ HM Inspectorate of Probation (2023). Resettlement effective practice guide.

<https://www.justiceinspectorates.gov.uk/hmiprobation/wp-content/uploads/sites/5/2023/02/Resettlement-EP-v1.3.pdf>

5

Constructive: builds on the child's strengths by being future-orientated and empowering.

Co-created: enables the intervention to be meaningful and productive for the child.

Customised: recognises barriers to change and responds to individual needs and diversity.

Consistent: is an essential element if a positive working relationship is to be developed and sustained.

Coordinated: connects learning across all aspects of supervision and community integration.

In YJSs where policy was implemented successfully, we found effective and collaborative governance arrangements for overseeing resettlement activity. This was not an area of intervention left simply for the YJS to coordinate, and there was a commitment from partners to support effective joint agency working. As a consequence, information-sharing and communication between services and individuals has developed significantly since our thematic inspection.

- We saw evidence of appropriate contact with parents or carers in 95 per cent of cases inspected.
- Information-sharing between the YJS and custodial institution to keep the child and others safe was completed satisfactorily in 94 per cent of cases

Planning for ETE provision was undertaken well in a reasonable majority of the cases we inspected, and we saw evidence of sufficient planning activity in 41 out of 56 relevant cases.

This indicates that some YJSs need to plan for provision earlier in the sentence than they are currently doing and may also reflect a need for ETE partners to engage with the resettlement activity earlier in the sentence.

Planning for healthcare was generally done well. There was sufficient planning in 49 of the relevant cases. This means a good number of children are being released from custody having been assessed for any healthcare needs, and services are aware of any future healthcare provision, such as mental health or substance misuse support.

The risks and complexities associated with the children within this cohort were significant. As well as 48 per cent of the children being looked after by the local authority, 52 per cent met the criteria for MAPP. YJSs gave due consideration to how to manage these risks, and sufficient attention to keeping the child safe was evident in 57 cases (92 per cent) inspected and keeping others safe in 55 cases (90 per cent)

Of the cases we reviewed, 16 children had either one or no previous sanctions. Those children then became involved in serious offending, that resulted in a custodial sentence, with little or no previous involvement from YJSs. It is possible there were opportunities to provide these children with preventative services or early intervention, earlier in their lives, and it is important this is analysed to provide a fuller understanding of children's journeys into serious offending.

We found 23 children who turned 18 when in custody. While most policies we saw had good arrangements in place for this transition, the findings from our adult inspections indicate that transition arrangements are not always supported by well-resourced probation services.

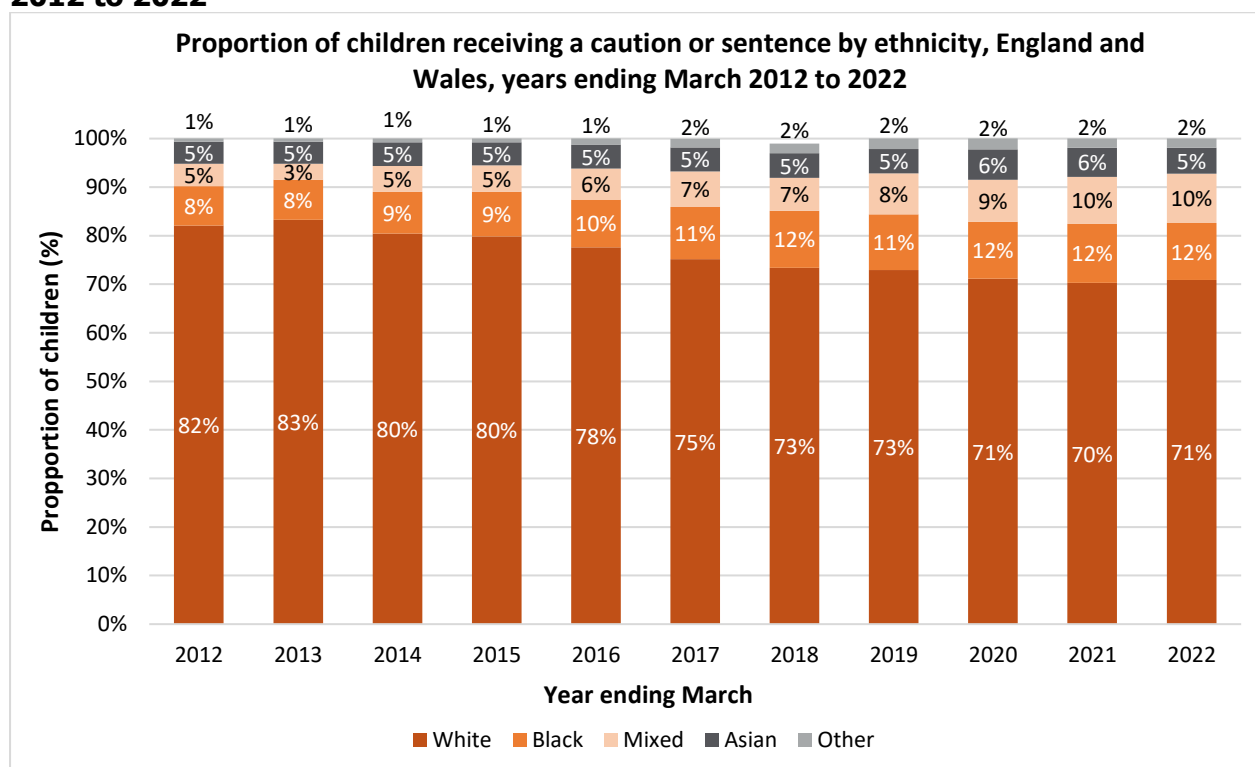
Therefore, YJSs should consider working with partners, at a multi-agency level, when looking at transition from youth to adult services, and ensure that all available information about resettlement needs are included in any planning for when they are released as an adult.

Overall, it appears YJSs have acted on the findings of our thematic inspection and are working hard to improve the life chances of this small and complex cohort of children.

Diversity

Revisions to our inspection standards in July 2021 mean we now have much more explicit references to diversity across all the domains of our youth inspections. In our inspections, we consider strategic and organisational effectiveness and the quality of practice delivered. We look for evidence that the YJS identifies and responds to a wide range of diversity needs at every stage of the youth justice process. At a strategic level, this includes whether the YJS’s vision and strategy addresses diversity considerations and sets out equality objectives, whether there is a deliberate, strategic and informed approach to meeting diverse needs and whether the workforce adequately reflects the diversity of the local population and provides the skills to meet diverse needs. In our case inspections, we expect to see sufficient analysis of diversity issues at assessment stage, planning that takes diversity issues into consideration, and service delivery that takes into account the child’s diversity issues. This has led to a much greater focus on diversity and disproportionality in our inspections.

Figure 23: Children cautioned or sentenced by ethnicity, years ending March 2012 to 2022²⁰



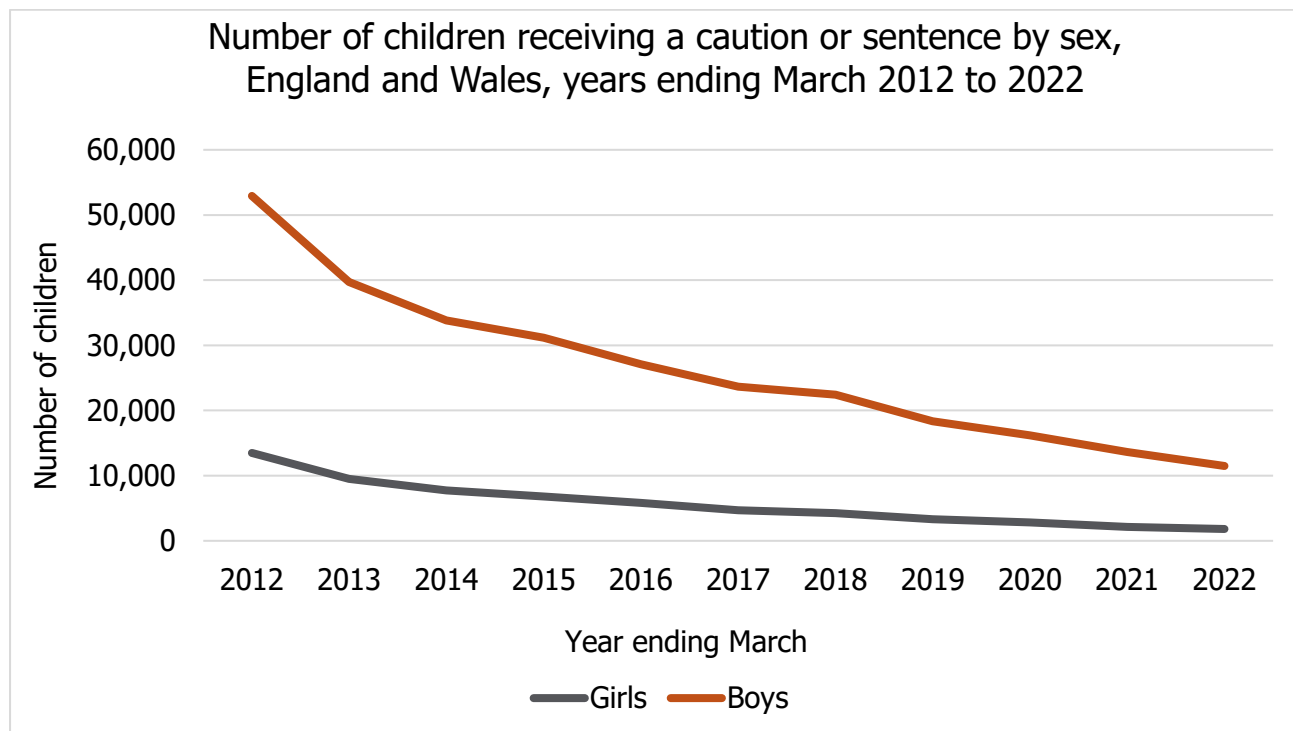
We can see that the percentage of black and mixed heritage children receiving a caution or sentence has increased in the last 10 years, while the percentage of white children has decreased. The diverse needs of a child can be many and complex. Therefore, it is vital for YJSs that they consider children’s diverse needs in all aspects of their work, and that they explore and understand any disproportionality in their caseloads. Many children under YJS

²⁰ Youth Justice Board (2023). Youth justice statistics 2021/22 England and Wales.

<https://www.gov.uk/government/statistics/youth-justice-statistics-2021-to-2022>. Proportions are calculated where ethnicity was known. In the year ending March 2022, ethnicity was unknown for 4% of children who received a youth caution or sentence.

supervision have two or more protected characteristics, and if the work with children is to be effective then YJSs must identify and respond effectively to these aspects of a child’s life.

Figure 24: Children cautioned or sentenced by sex, years ending March 2012 to 2022²¹

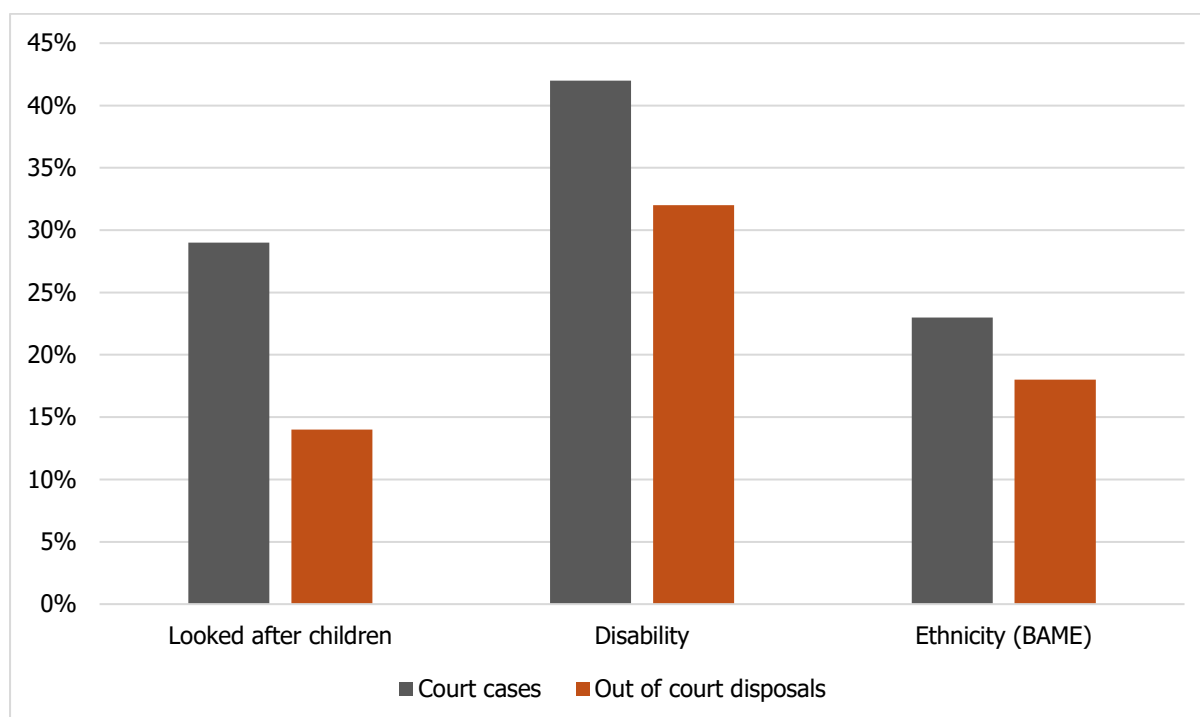


Girls make up a much lower proportion of YJS caseloads; however, we have seen some areas where the number of girls on the caseload is disproportionately high (although we recognise these numbers are generally small). Many YJSs report that they are finding that the number of girls coming into their local services is increasing. Although numbers are low, more attention to the needs of girls is required, and few inspected services took a clear gendered approach to practice. The unique circumstances of girls and what leads them into offending requires greater attention and better understanding, to ensure that services meet their needs.

Each inspection report now has a specific section on diversity, where we summarise our findings, and we refer throughout our reports to the YJS’s overall response to diversity.

²¹ Youth Justice Board (2023). Youth justice statistics 2021/22 England and Wales. <https://www.gov.uk/government/statistics/youth-justice-statistics-2021-to-2022>. Where sex is known. Sex was unknown for around 470 (3%) of children cautioned or sentenced.

Figure 25: The characteristics of children on YJS caseloads



We found that almost 30 per cent of the court cases we inspect are children who are looked after by the local authority, with a third of these being out-of-area placements.

42 per cent of the children in the court cases we inspected had some sort of disability. Most commonly, this was a form of learning disability, but there were significant levels of mental illness too. Worryingly, we also found that rates of both children in care and children with identified disabilities are significantly higher among children committing the more serious offences dealt with by court. Black and minority ethnic children are more likely to feature in the court-ordered cases in our inspection samples, where they account for just under a quarter of the cases we inspect.

Children in care

Children in care and care-experienced children represent some of the most vulnerable children that YJSs work with. Many YJSs are working proactively to understand and address the issues of children in care coming into contact with the youth justice system. We have seen examples of areas working with residential homes to embed restorative practices, or YJSs working closely with partners, including children's social care, to reduce the unnecessary criminalisation of children in care.

Overall, our 2021/2022 inspections suggest there is little difference in the quality of case work for children who are in care and for those who are not, both for court orders and out-of-court disposals. However, like last year, the sample is relatively small.

In the quality of planning work, we have found variability in the quality of practice for children in care, particularly in relation to keeping them or keeping others safe from harm. There are often multiple agencies or individuals working with children in care, and it is therefore essential that practitioners work effectively with other professionals and agencies in a coherent manner, and that plans pull this work together cohesively.

The YJSs that were performing effectively in this area had good partnerships with children's services and some private care providers. They also had management boards who

understood their role in driving successful partnerships and ensuring that staff felt fully equipped to identify and support the needs of their children in care.

Ethnicity

Good practice example: Buckinghamshire

At the time of our inspection, Black, Asian and minority ethnic children were significantly overrepresented in the YJS caseload. Understanding and addressing this disproportionality was a priority for the YJS and the partnership. The YJS strategy focused on meeting the diverse needs of children at the earliest opportunity and was driving this approach across the partnership.

In recognition of the higher exclusion rates for children of ethnic minority backgrounds, Spark2life had been commissioned to work with children when they transitioned from primary to secondary school. The YJS was also offering advice to help other providers consider their practice, and partners recognised the role the YJS was playing in highlighting disproportionality and promoting trauma-informed and restorative practice.

The YJS had carried out recruitment activity specifically to promote diversity within the workforce, so that it was more reflective of the community of YJS children.

The workforce development plan was developed in response to quality assurance findings and provided excellent learning opportunities for staff. Training was effective in supporting staff to work with a diverse range of children and meet their distinct and specific needs

The ethnic diversity of the board also reflected the community.

Overall, we can see fairly consistent analysis of children's diversity issues across assessment, planning, and service delivery for both court orders and out-of-court disposals. However, for court orders, diversity needs to be considered consistently during the process of reviewing.

The response to protected characteristics was variable across the YJSs inspected during this annual report period:

- The majority of YJSs understand the significance of speech, language and communication difficulties and the challenges these present for children in the youth justice system, and they have services in place to identify and support children's needs.
- YJSs focus on children's mental health needs, and support and interventions are in place in most services.
- Some YJSs have rapid access to assessments in highly specialised multidisciplinary neurodevelopmental services. We noted positive examples of practice in Swindon and York, where children with speech, language and communication difficulties had been assessed and given 'communication passports'. These drew together complex information in a clear and accessible format that described the most effective way of communicating with a child. They were made available to those working with the child across different services.
- Information relating to a child's sexuality and religion was not always recorded on YJS case records, raising questions for us about whether YJSs consider and explore these issues.

- In nearly three-quarters of the resettlement cases, sexuality was not clearly recorded. This resulted in a limited understanding of the impact of this protected characteristic on a child in custody.

We found that that leadership teams need to offer clear direction to staff on what is expected of them in relation to diversity in youth justice practice. We have noted the increased focus on addressing disproportionality; however, not all services have a diversity strategy or guidance for staff in place. This is vital for ensuring that staff know what good diversity practice looks like.

We have found an increasing number of services with a specific plan in place to address disproportionality and, as a result, a higher number of staff who understand the importance of this aspect of their work.

Most services were using data reports to analyse their profiles of children, although this did not always include the full range of diversity needs. Not all policies and procedures sufficiently address diversity and its significance in practice. For example, out-of-court disposal policies do not always set out how to consider and respond to diversity issues when deciding on the right disposal for a child. In a small number of services, decisions on out-of-court disposals did not always take account of information provided by the child and their parents or carers. This means that diversity issues may not be fully understood at the point of decision-making, and so services may not meet the child's needs and limit the success of deterring them for further offending.

We made recommendations in relation to improving diversity work, in both the organisation and practice, in 20 of the 33 inspections covered by this annual report.

In October 2021, we published a thematic review of the experiences of black and mixed heritage boys²² in the youth justice system. Inspections following the publication of the report found that YJSs were focusing more on disproportionality (the overrepresentation of children from a black, Asian or minority ethnic background in the justice system). Most services have now provided some degree of culturally informed practice training for staff, and this has enhanced practitioners' knowledge and understanding of the additional challenges some groups of children face, and the structural barriers that can get in the way of progress. We have found more evidence that staff are able to engage in discussions with children about their diversity and what this means to them, for example their cultural heritage, ethnicity and experiences of discrimination. Most YJSs analyse data to identify any disproportionality and discrimination in their local areas.




There is not always sufficient representation of the more diverse local communities at board level, although staff are largely representative of the local community. Some YJSs are taking a targeted approach to recruitment to encourage applicants from more diverse backgrounds. Some YJSs have found it difficult to recruit volunteers who are representative of the local community. Where there have been challenges in this area, we have seen examples of third-sector organisations being used to provide staff or volunteers who have a shared heritage with the child.

Participation of children and their parents or carers

At the inspectorate we are committed to hearing children's and their parents' or carers' feedback on the service they receive from their YJS. We are currently exploring how best we can achieve this, and offer text surveys, telephone contact and face-to-face meetings to

²² HM Inspectorate of Probation (2021). A thematic inspection of the experiences of black and mixed heritage boys in the youth justice system. <https://www.justiceinspectors.gov.uk/hmiprobation/inspections/black-and-mixed-heritage-boys/>

hear what children and their parents or carers have to say. We also look at the work the YJS is doing to incorporate children’s experiences and views in the development of services, and inspect this as part of our standards.

Over the period covered by this annual report, we spoke to:	
	138 children
	34 parents
	2 carers

Nearly all children and parents/carers who responded understood the aims of the YJS that supervised their child. Additionally, 158 out of 160 respondents²³ agreed that the YJS worker had the right skills to work with the child, and most children were positive about their YJS worker.

Many of the responses evidenced a real commitment to children from staff working in youth justice.

Comments made by children in our surveys included:

“The best thing about my YJS worker was that she didn’t make me feel like a bad person and listened to me.”

“My YJS worker is amazing, knows her stuff and looks out for me”.

“100 per cent. My case manager was brilliant. She was a good listener, always came with a good mind set. She was always smiley and enthusiastic. She was good at challenging which I liked.”

“Yes 100 per cent. She's always there for me. I've been low in my life; at times I can't afford to get to college, but my worker was there. She picked me up and got me to college. It mattered to me and I mattered to her. When I get issues, my worker is there. She speaks up for me and when I had problems at college, she was there next to me.”

Parents and carers were also mostly positive, in one typical comment a parent described how they felt trust between them and the YJS worker and that they were grateful for help in obtaining a college place. YJS workers were often described as able to put parents at ease.

²³ Not all participants answered this question

When asked if the child had been able access the right services and support to help them stay out of trouble, there was also a strong positive response. Of the 162 that answered the question, 150 said 'yes'. Statements made by the children included:

"We would have a chat and cup of tea and talk about what was happening with me. She gave me good advice and was stern when she needed to be. I could ask for help when I needed to. I go to a music studio and do rapping and I play piano they [the YJS and other partner agencies] helped me to do this. I also go to boxing. I had to do community service and they helped me with a housing association and I'm still working with them now. They helped me get mental health support. My Dad passed away and they got me bereavement support. Still accessing it now. They helped me with everything I needed. She literally would do anything; I miss working with her."

"I love my music – I want to be an artist – I did a rap. I have seen a different approach to life. They have helped me with my mental health. I am achieving lots – food hygiene course and working with a music studio and attending Careers Wales – they gave me motivation to achieve things and not to hurt myself."

Parents were also mostly positive about access to services. Examples given highlighted help and support with improving school attendance and gaining access to specialist resources such as speech and language services.

A small number of parents were less positive. Typically, their concerns were about services they were expecting to receive, such as a referral to an arts or sports activity, which then failed to materialise.

When asked if the places where the YJS see children are safe and easy to get to, of the 163 that responded, 159 stated yes. The responses indicated that YJS staff were flexible about where they saw children, and would come to visit children where they were living or use a neutral venue such as a coffee shop. Most were satisfied with the quality of YJS premises, which they found to be safe and often offered opportunities to undertake activities.

There were, however, a small number of negative comments in relation to places where the YJS workers saw the children. These typically related to it being obvious to others that they were attending premises for children who had offended. Some commented that they did not feel the office location was safe for them.

Our work to ascertain the views of children and their parents or carers continues to evolve. Focus group methodology and informational video material are being developed to encourage children to engage with us on future inspections. We are also seeking to ensure that children and their parents or carers have the opportunity to influence and contribute to the development of our next youth inspection programme.

Annex 1: Terminology

The *Crime and Disorder Act 1998* requires every local authority to establish a multi-agency Youth Offending Team (YOT). The Act came into force in 2001 and since then YOTs have delivered services to children who have offended across England and Wales. As YOTs grew, many were renamed youth offending services to reflect their size and scope of activity. More recently, the term youth justice service (YJS) has become commonplace and is seen as a title that better reflects the work being done with children, parents and carers, victims and communities. In this report we mostly use the term YJS unless we are referring a specific local area that uses YOT, YOS or another term to describe its activity. We also use the term YOT in sections where it is consistent with our earlier publications.