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Special edition:
Care Leavers and the Criminal Justice System

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Editorial Comment

This special edition focuses on the people in our prisons who have experience of the care system.

Children in care and care leavers are vastly over-represented in the Criminal Justice System. It is estimated that over 24 per cent of the adult prison population has previously been in care.[1]

It is only over recent years that we are starting to understand just how many of those have experience of local authority care and more importantly what these experiences mean to them. Many children are taken into care to protect them from abuse or neglect, and others as a result of bereavement, the inability of their families to look after them for many reasons and family breakdown. These experiences will be traumatic and the impact of them, like all our childhood experiences, will impact them throughout their lives.

The pathways between care and the Criminal Justice System are starting to be explored and there are moves towards diverting children in care away from prison. However, those who do end up in the secure estate are worthy of our attention and support.

> *'Care leavers are more likely to have experienced significant trauma and abuse and other disadvantages that can put them more at risk of violence, self-harm and suicide when in prison. Many can come to prison feeling extremely isolated and angry'*[2]

Since the publication of the Cross Government Strategy for Care Leavers in 2013[3] and the creation of the HMPPS led National Care Leavers Forum, there has been greater recognition that care experienced people in our prisons and under probation licence supervision have unique and often complex needs. Furthermore there has been an increased realisation that more needs to be done to support this group of people and improve the outcomes for them both whilst they are in custody and upon release.

In this edition the wide range of contributors offer us a better understanding of the issues facing care experienced people in our prisons. Some present their academic research, some are practitioners, and some draw from their own life stories. These insights are essential in informing our policy and ensuring that we improve outcomes for this group.

In the opening article, Dr Kate Gooch and her colleagues summarise the findings of their recent research. The article considers the barriers for identification, arguing that this needs to be addressed in order to support these individuals within custody and after release. Furthermore it points out that although there is a greater focus on this group, this hasn't yet filtered down to consistent good practice within the prisons.

In the next article, Dr Katie Hunter draws on the findings of her PhD which explores the over-representation of looked after children and children from black and other ethnic communities in the Youth Justice System. She describes the 'double whammy' of disadvantage experienced by these children examining the relationship between stability and 'difficult' behaviour as well as the possible explanations for over criminalisation for this group. The important topic of stigmatisation both by their ethnicity and their status of being in care is also explored.

It is essential that the differences between care experienced men and women are recognised. Dr Claire Fitzpatrick focuses on three key themes — the complexities of social expectations; damaging staff cultures; and the importance of moving beyond negative labels to raise aspirations for girls and women who have experienced care. Research suggests that children, particularly girls in care, experience negative stereotypes and may therefore be not be perceived as victims but instead be seen as manipulative or difficult. There is evidence that girls in care are more susceptible to this than boys. This is reflected in the attitudes and actions of staff in the institutions they come into contact with, including potentially prisons. This article urges us to understand that is crucial therefore to dig deeper and understand the people behind the labels in order to support them and help them fulfil their aspirations.

1. Berman, G. and Dar, A., 2013. *Prison Population Statistics.* Social and General Statistics. [online] London: House Of Commons Library. Available online: <http://www.parliament.uk/briefing-papers/SN04334.pdf>
2. Evidence of Care Leavers Association to the Lord Farmer Review. See Lord Farmer (2017) *The Importance of Strengthening Prisoners' Family Ties to Prevent Re-offending and Reduce Intergenerational Crime*. London: Ministry of Justice. Available online: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/642244/farmer-review-report.pdf. p.73.
3. HM Government (2013) *Care Leavers Strategy: A Cross-Departmental Strategy for Young People leaving Care*. London: HM Government.

Dr Justin Rogers and Ian Thomas reviewed over 400 PPO reports to see where experience of care has been mentioned and if any specific themes have emerged. These included mental health, sentencing and transition including prison / wing moves, challenges and issues with social networks, bullying, support from local authorities, and the lack of enquiry around care experience particularly for older people. They finish by making a number of recommendations for policy and practice.

Dr Michelle Baybutt and Dr Laura Kelly-Corless from the University of Central Lancashire examine arts based creative methods in their article and look at how these can be used to enable positive change in vulnerable populations.

It is important to recognise areas of good practice as our work with care experienced people develops. There are three interviews in this special edition which focus on this. The first follows the work of the Innovations Unit with HMPPS and other partners. The second explores the work of NEPACs in HMYOI Deerbolt. In the final interview we speak to the Leads for Care Experience People in HMPs Lincoln and Preston about the work they are doing within their establishments to improve outcomes for those in their care.

We have reflections from Teresa Clarke, the Care Experienced People Champion for the Prison Service and from Tassie Ghilani, policy advisor for the Prison Leavers Team. Teresa speaks about her 8 year journey in this role with particular emphasis on the people who have helped shaped the direction of travel and her own learning.

Tassie provides an account of her experiences and the support she was given which inspired her to support other care experienced women in the prison. She speaks about the work she did around setting up peer support groups and some of the issues with identification and how they were overcome.

The book reviews in this special edition have been produced by Shannon Trust mentors in HMP Northumberland.

Guest Editors:

Debbie McKay
HMPPS Operational Lead for Care Experienced People in Custody

Dr. Kate Gooch
Associate Professor in Criminology and Deputy Head of Department at the University of Bath

After Care, After Thought?: The Invisibility of Care Experienced Men and Women in Prison

Dr Kate Gooch *is Associate Professor in Criminology and Deputy Head of Department at the University of Bath;* ***Dr Isla Masson*** *is Senior Lecturer in Criminology and Programme Leader for Criminology and Sociology at Arden University;* ***Emmy Waddington*** *is a Research Assistant at the University of Bath, and;* ***Amber Owens*** *is a Research Assistant at the University of Bath*

Introduction

'I see them [the boys and girls from the residential care home], I have seen like a few of them in jail. You just say oh it happened to you as well. You just look at each other, you know! Like you don't blame each other, because you know what … I don't know how to describe it, but you just know it is not their fault.' (Harriet, 27 years old)

'Everyone that I've known that's grew up in the care system have ended up in prison. There's got to be something wrong because like, you know, all the lads I know — even the lads that I lived with in a care home — they're in prison, Cory's in prison. *Mark's in prison. Carl's in prison. Pete's in prison. They're all in prison.' (Max, 20 years old)*

Current and former looked after children continue to be over-represented in youth custody and adult prisons. In 2002, the Social Exclusion Report suggested that 27 per cent of the prison population had been in local authority care as a child, compared with 2 per cent of the general population.[1] Thus, adult prisoners were thirteen times more likely to have experienced local authority care.[2] Reflecting the difficulties in obtaining accurate figures, subsequent studies and reviews have estimated that as many as 24 per cent — 50 per cent of those in youth custody or prison have been in care.[3] Not all children who have been in local authority care will offend, or be remanded or sentenced to youth custody or imprisonment, but it is the disproportional number who are that not only merits attention, but sustained and focused systemic change. The relationship between, and transitions to, the care system and the criminal justice system is certainly not a 'new phenomenon',[4] nor is it a problem that is isolated to the U.K,[5] yet we still know relatively little about the true number of care experienced people in prison and why such a disproportionate number continues to be imprisoned (sometimes repeatedly). To date, much of the focus has (rightly) been on the criminalisation of children in local authority care and the transition from

1. Social Exclusion Unit (2002) *Reducing Re-Offending* by Ex-Prisoners. London: Social Exclusion Unit, 18. Available Online: https://www.bristol.ac.uk/poverty/downloads/keyofficialdocuments/Reducing%20Reoffending.pdf.
2. Ibid, 6.
3. Williams, K., Papadopoulou, V and Booth, N. (2012) *Prisoners' Childhoods and Family Backgrounds.* London: Ministry of Justice. Available Online: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/278837/prisoners-childhood-family-backgrounds.pdf; Lord Laming (2016) *In Care, Out of Trouble*. London: Prison Reform Trust. Available Online: http://www.prisonreformtrust.org.uk/Portals/0/Documents/In%20care%20out%20of%20trouble%20summary.pdf; Lord Farmer (2017) *The Importance of Strengthening Prisoners' Family Ties to Prevent Reoffending and Reduce Intergenerational Crime*. London: Ministry of Justice; Taylor, C. (2003) 'Justice for Looked After Children,' *Probation Journal* 50(3): 239-251.
4. Taylor, C. (2003) 'Justice for Looked After Children,' *Probation Journal* 50(3): 239-251, p.239.
5. See, for example, Gerard, A., McGrath, A, Colvin, E. and McFarlene, K. (2019) 'I'm not getting out of bed!: The criminalisation of young people in residential care,' *Australia and New Zealand Journal of Criminology* 52(1): 76-93; McFarlene, K. (2019) 'Care-criminalisation: The involvement of children in out-of-home care in the New South Wales criminal justice system,' *Australia and New Zealand Journal of Criminology* 51(3): 412-433; Ryan, J.P. and Yang, H. (23005) 'Family Contact and Recidivism: A Longitudinal Study of Adjudicated Delinquents in Residential Care,' *Social Work Research* 29(1): 31-39; Vaughn, M.G., Shook, J.J. & McMillen, J.C. (2008) 'Aging out of foster care and legal involvement: Toward a typology of risk,' *Social Service Review* 82(3): 419-446;

care to youth justice settings during childhood.[6] However, and with few exceptions,[7] we know relatively little about how care experience might shape transitions to, responses to, and behaviour within, prison long into adulthood. This dearth of research led Lord Farmer to conclude: 'There is a lack of evidence directly from men with weak or complex family ties, including care leavers.'[8] Moreover, we know relatively little about differences across life course and according to gender[9] and ethnicity.

This article — and the underpinning research study — seeks to develop the evidence base regarding the experience of adult, care experienced prisoners. It highlights findings from an empirical study regarding the experiences of 'care leavers' in prison. Drawing on qualitative interviews with 94 care experienced men and women in prison, we reveal the invisibility of care experienced individuals in prison. Whilst there is greater acknowledgement of the specific needs of care experienced prisoners in official strategy, policy documents and reviews,[10] this has not yet filtered down to consistent good practice within prisons. We argue that there are structural obstacles that prevent identification of care experienced prisoners. These barriers fall into two distinct but overlapping categories: barriers to recording (not asking the right questions at the right time) and barriers to reporting (including shame/stigma and lack of trust in professionals/the system). Overcoming these barriers to develop our knowledge and understanding is crucial. We found that some individuals are unable to access local authority support to which they are legally entitled. In addition, often their experiences prior to, and during, local authority care continues to structure their relationships, interactions with professionals, perceptions of authority, identity, and perceptions of safety into adulthood. Within prison, the acute needs of care experienced prisoners are easily overlooked, particularly in respect of resettlement provision, financial, social, and professional support and supervision. We argue that it is essential that care experienced prisoners are properly identified upon arrival, for individuals to be better supported within custody and on release. Essentially, we need to care about care experience and ensure that care experience is no longer an 'after thought'.

Methodology

The impetus for this research study first arose from a previous ethnographic project conducted in a young offender institution (YOI).[11] Stood in the Healthcare Centre, the lead author was chatting with three young men (all under 21 years old) whilst they cleaned the unit. It quickly transpired that those three young men had met each other in a residential care home only to reunite on their imprisonment within the same YOI. In addition, during the same study, it became increasingly clear that care leavers were at greater risk of victimisation and exploitation but were equally as likely to perpetrate harm against either themselves or others, sometimes quite serious harm. Quite why was beyond the scope of the study, but there was so little research available to us, or indeed to prison staff, that we were left with lingering questions about: 1) how care experience may or may not shape how (and why) young men and women transition to custody; 2) how they experience prison life and relate to prison staff and their peers; and 3) what additional support needs care leavers may have, either during imprisonment or on release. These 'lingering' questions informed the current study, as did our desire to not only understand

6. Blades, R., Hart, D., Lea, J. and Willmott, N. (2011) Care-a stepping stone to custody. *The views of children in care on the links between care, offending and custody*. London: Prison Reform Trust; Lord Laming (2016) *In Care: Out of Trouble*. London: Prison Reform Trust; Hayden, C. (2010) 'Offending behaviour in care: is children's residential care a 'criminogenic environment?' *Child and Family Social Wor*k 15: 461-472; Fitzpatrick, C. (2014) 'Achieving Justice for Children in Care and Care-Leavers,' Howard League *What is Justice?* Working Paper 14/2014. Available Online: https://howardleague.org/wp-content/uploads/2016/04/HLWP_14_2014.pdf; Schofield, G., Ward, E., Biggart, L., Scaife, V., Dodsworth, J., Larsson, B., Haynes, A. and Stone, N. (2012) *Looked After Children and Offending: Reducing Risk and Promoting Resilience*. University of East Anglia. Available Online: https://www.tactcare.org.uk/data/files/resources/looked_after_children_and_offending_reducing_risk_and_promoting_resilience_full_report_final_pdf.pdf; Day, A., Bateman, T. and Pitts, J. (2020) Surviving Incarceration: The Pathways of Looked After and Non-Looked After Children Into, Through and Out of Custody. University of Bedfordshire. Available Online: https://www.beds.ac.uk/media/271272/surviving-incarceration-final-report.pdf.
7. Innovation Unit (2019) F*alling through the Gaps*. Oak Foundation. Available Online: https://drive.google.com/file/d/1MtFTWQGfOyiidndO9d33tmsSvpVMoFW1/view?ts=5ca5c6c5;
8. Lord Farmer (2017) *The Importance of Strengthening Prisoners' Family Ties to Prevent Reoffending and Reduce Intergenerational Crime*. London: Ministry of Justice, p.23.
9. For a summary of the existing literature regarding the transition of girls and women from care to the criminal justice system, note: Fitzgerald, C., Hunter, K., Staines, J. and Shaw, J. (2019) *Exploring the Pathways Between Care and Custody for Girls and Women: A Literature Review*. Available Online: http://wp.lancs.ac.uk/care-custody/files/2019/10/CareCustodyLiteratureReview.pdf
10. HM Government (2013) Care Leavers Strategy: *A Cross-Departmental Strategy for Young People leaving Care*. London: HM Government. Lord Farmer (2017) *The Importance of Strengthening Prisoners' Family Ties to Prevent Reoffending and Reduce Intergenerational Crime*. London: Ministry of Justice.
11. See Gooch, K. and Treadwell, J. (forthcoming) *Transforming the Violent Prison*. Palgrave; Gooch, K. and Treadwell, J. (2015) Prison Bullying and Victimisation. Birmingham: University of Birmingham. Available Online: https://www.birmingham.ac.uk/documents/college-artslaw/law/prison-bullying-and-victimisation.pdf

similarities and differences between men and women, but also across the life course for those who both did, and did not, qualify for local authority support.

The legal framework defining who is entitled to local authority support as a 'care leaver' is relatively obscure. Much depends on the age of the child when they were in local authority care, for how long, and when or how that experience ended.[12] For individuals in contact with the criminal justice system, these statutory distinctions may mean that local authorities are under an obligation to provide support, advice and assistance until the age of 21, or even 25. However, focusing only on this group is artificial. Even when children return to the parental home (as was the case for 29 per cent of children leaving care last year) or are placed in a family home by virtue of an adoption order or special guardianship order (24 per cent of children leaving care), children have typically spent more than 2 years in local authority care before doing so.[13] Thus, even when children return to their families, or legally become part of a new family, the experience of local authority care may still have an enduring impact — both positive and negative. Consequently, for the purposes of this study, we adopt the much simpler, and more inclusive, definition of 'care leaver' recommended by the Care Leavers Association: 'any adult who has spent time in care.'

After ethical approval for the project was given by both the National Research Committee of HMPPS and the Ethics Committee at the University of Sheffield, semi-structured interviews were completed within three different institutions in England and Wales: two dual-designated male sites (Category C and YOI) and a women's prison.[14] Across these sites, we interviewed 94 individuals, of whom 62 individuals were male, 31 were women and one identified as male but was held in the women's prison. The age of our interviewees varied as follows:

	18-21 years old	21-30 years old	30 years or older
Women's Prison	11	10	11
Cat C/YOI 1	30	3	1
Cat C/YOI 2[15]	22	6	0

All interviews were transcribed verbatim, and then quality control checked prior to analysis using NVIVO.

Why Care About Care Experience?

It has long been recognised that separation from parents and caregivers, either through bereavement or loss, can have profound and enduring effects on a child. 'Attachment theory'[16] suggests that infants and children need a warm and loving relationship with parents underpinned by a 'secure base … before launching into unfamiliar situations'[17]. Those individuals with a secure attachment learn that their needs will be met, perceive the caregiver as 'available' and view themselves positively.[18] Conversely, if that dependence is insecure, severed or disrupted, children can feel rejected, lack confidence, become self-reliant, or feel angry, helpless, anxious or frightened.[19] In addition, children may experience 'difficulties regulating emotions,' mental health problems, developmental delay, difficulties forming attachment relationships, and difficulties forming positive relationships with peers.[20] This can in turn also influence educational experiences and outcomes. For children in local authority care, and subsequently leaving care, insecure and disorganised attachments may not only form the background as to why a child comes into care, but also characterise their experience in care as they move between placements and then eventually leave care.[21]

In 2020, 80,080 children were 'looked after' by the local authority — a number that has been steadily increasing for the last three decades.[22] Legally, a 'looked after child' is one whom the local authority has provided

12. The Children (Leaving Care) Act 2000 makes distinctions between an 'eligible child', a 'relevant child', a 'former relevant child' and a 'qualifying child'.
13. Department for Education (2021) *Children looked after in England including adoptions*. London: Department for Education.
14. Our sincere thanks to Dr Kim Turner, Georgina Barkham and Dr Caroline Cresswell who assisted with data collection.
15. NB: This dual designated site accommodated young men aged 18-30 years old, hence the absence of people aged over 30 years old.
16. Bowlby, J. (1969) *Attachment and Loss.* New York; Basic Books; Ainsworth, M.D.S. and Eichberg. C. (1991) 'Effects of Infant-Mother Attachment of Mother's Unresolved Loss of an Attachment Figure, or other traumatic experience' In: Parkes, C.M., Stevenson-Hinde and Marris, P. (eds) *Attachment Across Life Course*. London: Routledge.
17. Bretherton, I. (1992) 'The Origins of Attachment Theory: John Bowlby and Mary Ainsworth,' *Development Psychology* 28(5): 759-775, p.760.
18. Stein, M. (2006) 'Young People Aging Out of Care,' *Children and Youth Services Review* 28(4): 422-434.
19. Ibid.
20. Golding, K. (2003) 'Helping Foster Carers, Helping Children,' *Adoption and Fostering* 27(2): 64-73, p.64
21. Ibid
22. n13

accommodation for over a period in excess of 24 hours, or who is the subject of a care order or placement order. This may include residential care in a children's home, placement in a secure children's home, and/or foster care placement. Whilst some children are forcibly removed from parental care, a parent can voluntarily agree to the placement of their child in local authority.[23] In addition, there are circumstances in which a child may be placed with family or friends but still be regarded as a 'looked after child'.[24] The vast majority of children, however, are accommodated by the local authority because of a judicially granted care order (77 per cent) and will be placed in foster care (72 per cent).[25] Abuse and neglect continues to be the most cited reason for a child becoming looked after (65 per cent of cases), with 'family dysfunction' accounting for a further 14 per cent of cases.[26] In addition, just under 300 children each year will become 'looked after children' as a consequence of their contact with the criminal justice system.[27] This includes children who are remanded to local authority accommodation or youth custody,[28] children who are placed with the local authority under the Police and Criminal Evidence Act 1984,[29] or those children who have a residence or intensive fostering requirement attached to a community-based youth rehabilitation order.[30]

In addition, just under 300 children each year will become 'looked after children' as a consequence of their contact with the criminal justice system.

Reflecting the wider care leaver population, those interviewed came into prison with a wide range of experiences, including: next of kin care (e.g. aunts and grandparents); foster care; residential care; adoption; and, adoption breakdown. As such, and although there were similarities, there was no 'typical' experience pre-custody. For a minority of individuals, entering care was believed to be positive and allowed them to achieve some sense of stability:

> *[Care] helped me a lot because I think if I'd have stayed with my mum or, well, I say my mum but if I'd have stayed trying to live there, it just I would have ended up a lot worse off than ending up where I am now and even though that's in prison, it's a lot, it's probably a lot less worse than what it could have been. I think it saved me from being worse than what I could have possibly been.' (Freddie, 19 years old)*

> *'The only time that I feel, felt settled was with [names foster carers]. I knew no harm would come to me.' (Catherine, 28 years old)*

However, such positive experiences did not obfuscate the need to identify all those with care experience or the requirement for additional and ongoing support. For individuals such as Catherine, it was often difficult for them to arrange social visits or continue contact with foster carers. In addition, despite Freddie and Catherine's positive views regarding care, they had still experienced, or been exposed to, circumstances which necessitated removal from their families. These pre-care experiences, lack of stability, and their experiences of the care system, still shaped them, and their lives in prison. For example, Rhys (29 years old) explained:

> *'It's impacted my life in jail. It has impacted my life quite heavily. It's turned me into the person I am today, it's made me who I am, the way I am and made me think the way I do. At the time, when I was going through all of that stuff, it did drag me to some very, very dark places — places where I have no wish to return, mentally, physically. It just, it just fucks with your head on so many different levels […] It's always there in the back of your head — the memories, the hardships, the struggles. For me personally, it's made me a fighter, maybe not physically with my fists but with my brain and my head and the way I think, my attitude, my mentality. I'm a survivor, fighter.'*

23. Children Act 1989 section 20
24. Department for Education (2010) *Family and Friends Care: Statutory Guidance*. London: Department for Education.
25. n13. NB: These figures have remained relatively consistent for the last three years.
26. Ibid.
27. Ibid.
28. Legal Aid, Sentencing and Punishment of Offenders Act 2012 section 104
29. Police and Criminal Evidence Act 1984 section 38(6)
30. Criminal Justice and Immigration Act 2008 section 1 and schedule 1

Whilst Rhys' *'survivor'* mentality might — at first glance — represent a relatively resilient response, memories that appeared lodged in the *'back of the head'* could quickly resurface.

In fact, for the vast majority of care experienced prisoners interviewed, their experiences before, during and after care were described in largely negative terms. It is well established that many who enter prison do so with histories of trauma, abuse, substance misuse, poor mental and physical health, insecure housing and low levels of education.[31] However, such problems were not only typically exacerbated for those with care experience, but were compounded by multiple layers of loss, disruption, dislocation, severed relationships, rejection, instability and bereavement. David, for example, initially described his childhood as 'messed up' and explained:

> *'They put me and my sister and my brother into like a respite place and then they thought — because my sister was trying to mother us — then they'd split us up. […] I had over 60 placements. […] I just remember being at one person's house one night, going there, kicking off, getting moved the next day, and then just getting moved every other week. I was getting moved here, there, everywhere. I went back with my mum. My brother, my brother died in 2011 in [name of prison], he killed himself from suicide, so I lost my brother in 2011, and then basically got put back into care. Went back into care, and then they put me into a placement and I started kicking off all the time in that placement. Then they said, 'Oh, we're taking you to a new placement.' And as I got to the new placement, it was a care home, so then they started me through the care homes.'*

Experiences of placement instability, frequent changes of social worker, and separation from siblings were common in the interviews and mirrored findings elsewhere.[32] These experiences created little consistency or predictability during children's formative years. It also engendered feelings of rejection, abandonment, and conflicted relationships with parents. Describing the breakdown of one placement, David said, *'they wanted to get rid of me'* and added:

These experiences created little consistency or predictability during children's formative years. It also engendered feelings of rejection, abandonment, and conflicted relationships with parents.

> *'I didn't want to be in care. I wanted to be with my mum. I felt like that, at first, when I first got into care, I did blame my mum a lot and I wouldn't go to contact. I wouldn't go and see my mum or contact her and that. But then like over the years, …, I thought, 'This isn't my real family, I don't want to be with them. Why am I, why am I with these people? These are not my family. Like I should be at home with my real family.' That's like just when my behaviour — I thought, 'What's the point? I don't want to be in the system so I may as well just fight the system.' Ever since a young age, I've just fought the system.'*

Such experiences typically seep into many aspects of life even when individuals leave care, and particularly as they enter prison custody. For David, and others, it

31. Social Exclusion Unit (2002) *Reducing Re-Offending by Ex-Prisoners*. London: Social Exclusion Unit, 18. Available Online: https://www.bristol.ac.uk/poverty/downloads/keyofficialdocuments/Reducing%20Reoffending.pdf.; Corston, J. (2007) *The Corston Report: A Review of Women with Particular Vulnerabilities in the Criminal Justice System*. London; Williams, K., Papadopoulou, V and Booth, N. (2012) Prisoners' Childhoods and Family Backgrounds. London: Ministry of Justice. Available Online: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/278837/prisoners-childhood-family-backgrounds.pdf.

32. Day, A., Bateman, T. and Pitts, J. (2020) Surviving Incarceration: The Pathways of Looked After and Non-Looked After Children Into, Through and Out of Custody. University of Bedfordshire. Available Online: https://www.beds.ac.uk/media/271272/surviving-incarceration-final-report.pdf; Fitzpatrick, C. (2014) 'Achieving Justice for Children in Care and Care-Leavers,' Howard League *What is Justice?* Working Paper 14/2014. Available Online: https://howardleague.org/wp-content/uploads/2016/04/HLWP_14_2014.pdf; Schofioeld, G., Ward, E., Biggart, L., Scaife, V., Dodsworth, J., Larsson, B., Haynes, A. and Stone, N. (2012) *Looked After Children and Offending*: Reducing Risk and Promoting Resilience. University of East Anglia. Available Online: https://www.tactcare.org.uk/data/files/resources/looked_after_children_and_offending_reducing_risk_and_promoting_resilience_full_report_final_pdf.pdf.

led to self-harm and suicide ideation. For others, they began to *'fight the system'* literally and figuratively. As Philip (21 years old) explained:

> *'Because you get some people here that will fight a lot, or be upset a lot, and, you know, be stressed and everything and the staff will just turn around and say, 'Hey, get on with it mate, it's jail.' But then they don't know what's happened in the child's life in their past for them to be like this, how they are today.'*

This was not an isolated complaint. When asked whether staff knew who had previously been in care, many interviewees remarked that they were not concerned about what had happened, or what will happen, to them. It was not always clear whether the perceived indifference was real or a representation of wider feelings of being let down by the professionals, and the 'system' more generally. However, whether real or perceived, interviewees ultimately wanted to feel cared for and cared about. They wanted to be recognised as something more than a 'prisoner', and to be both 'seen' and 'understood'.

It seemed that many had not fully come to terms with their childhood experiences, or indeed the losses, violence, exploitation and 'struggles'. These experiences continued to haunt them well into adulthood. For women, in particular, there was often a desire to access their social services records to better understand why they had been taken into care and/or the decisions made about them:

> *'Like, I'm thinking, 'Why…' I don't know, it's just…yeah. like I just want to see the file and then I'll be alright, like so I know, do you know what I mean, certain stuff that I want to know.' (Catherine)*

Since the content of such records was often redacted, such access was unlikely to answer the questions they fundamentally wanted resolved: Why? Why me? Why didn't you listen to me? Why couldn't I stay at home? There were few spaces or opportunities within prison to even begin to make sense of these questions. Not all individuals were estranged from family, but for those who tried to re-establish contact within prison only to find such efforts rebuffed, these questions, and the associated feelings of rejection and abandonment, were deeply distressing.

Thus, the need for support was not only orientated towards making sense of the past, but also making sense of their future. Prison staff — and especially keyworkers — need to understand care experience, its impact and the support required from the perspective of the individual concerned rather than making assumption as to what 'care experience' means for that person now and then. To do so, care experienced individuals need to be properly identified, and need to feel that is 'safe' to disclose such information, and that support will follow. It is, however, very easy for care experienced prisoners to become invisible — either because information is not recorded or because individuals do not report.

For women, in particular, there was often a desire to access their social services records to better understand why they had been taken into care and/or the decisions made about them.

Barriers to recording

Whilst we found examples of good recording practices, this good practice is not standard practice. Without such recording, staff working with an individual — particularly in relation to safety, security, and offender management matters — are not aware that there may be wider support needs and/or that certain individuals may be legally entitled to support and services. Some individuals did not disclose their 'care leaver' status because they simply were not asked. Polly argued that few attempts were made to ascertain her experiences of care, and what support could be implemented in prison:

> *'Nothing. They don't ask you anything. You're just, you're a prisoner, you're here, give us your prison number, your name and this is where you're going to live. That is it.' (Polly 24 years old)*

Staff must provide opportunities to not only disclose any key details, but also identify any support that would be beneficial and ensure that individuals can access their legal entitlements. Likewise, whilst there is the potential to add an alert to NOMIS, a national prison database that records key information about individuals and their management within prison, this is — in isolation — insufficient because, even if checked, it says little about what care experience might mean for the individual. Further questions should be asked during less structured conversations about

circumstances pre-custody to ascertain whether someone is a care leaver, even if a significant period of time has elapsed since they have been in care.

The temptation is to prioritise such questions on entry to the prison. However, the prison reception is not always an ideal environment to be screening individuals because such areas lack privacy, and can be noisy and busy.[33] Although questions must be asked early on in order to identify unmet needs and assess any immediate risks,[34] individuals can be overwhelmed by the environment and circumstances surrounding their incarceration (including separation from loved ones, tired, hungry, thirsty etc). Follow-up questions with staff members who have time to engage individuals in dialogue, create a safe space, and pose questions sensitively is vital in order to get a better understanding of an individual's circumstances.

How the questions are framed is also important. Bluntly asking 'are you a care leaver?' may be perceived as insensitive and may not elicit an accurate response. A possible reframing of the question could be: 'Have you ever lived apart from your parents/siblings/family?' This is important as initial findings from our study found that often those approached to be interviewed who had been flagged by the prison system as potentially having care experience, did not consider themselves to be a care leaver, despite the fact that they had lived away from the family home for a period of time. As such, they would have ticked no for the original survey question, and importantly not expected or requested any additional support from those working in prison. Linked to this, it is vital that questions relating to care experience are not limited to recent experiences. When considering experiences, there is a tendency to focus on young people and young adults, however our findings suggest that care experience was important across the life-course and continued to impact individuals long after they were eligible for statutory provision. How care leavers are defined is salient. As such, it is important that those who 'left' care many years ago are also identified within screening tools and as such provided with appropriate support.

Who asks the questions is equally as important. Women in prison have often experienced high levels of emotional, physical, and sexual abuse[35] and it would therefore be inappropriate to expect them to disclose previous experiences to male members of staff. Appropriate action therefore needs to be taken to ensure that those asking the initial or follow up questions are likely to result in answers that individuals are comfortable discussing. Likewise, there was recognition that some staff were care experienced themselves, or were foster carers, and therefore had a greater understanding about need. It might therefore be possible for staff with appropriate levels of understanding to have a more formal role within the prison to identify those with experience of care and implement support mechanisms. However, addressing when and how questions are asked is only part of the picture; there are also barriers to reporting.

Such difficulties were partially related to feelings of shame and stigma. The fear of being judged was acutely felt by some interviewees.

Barriers to reporting: Shame, Stigma and Distrust

For some, disclosing experience with the care system is not something that was easily done, and even less so if asked during the initial screening in Reception. Such difficulties were partially related to feelings of shame and stigma. The fear of being judged was acutely felt by some interviewees:

'I felt ashamed, to be honest. I didn't want to show my face or anything in case people like judged me for being in care. I think people did judge me. The family don't want them. Obviously, you know, it's either a bad kid or they've just been doing something stupid to end up in care, to be honest. I felt, well, obviously felt bad, to be honest, all, all I wanted to do was end it, to be honest. I've really had times where I was walking in front of buses on main roads.' (Nick 20 years old)

'I think [being in care] has a lot of negative [connotations] I think, but I think it's sort of the unloved, forgotten people of the world, in a sense. I feel like a lot of the stigma that is attached to it is they must have done something wrong, or it is because of their

33. See Masson, I. (2019). *Incarcerating Motherhood: The Enduring Harms of First Short Periods of Imprisonment on Mothers.* Oxford: Routledge.
34. Such as suicide risk or any concerns regarding cell sharing.
35. Corston, J. (2007) T*he Corston Report: A Review of Women with Particular Vulnerabilities in the Criminal Justice* System. London.

behaviour or something like that. And because of a lot of trauma people have generally suffered, while, either while they have been in care or while they have been in the household before they were removed, their behaviour reflects … such.' (Maddie 21 years old)

For others who did not specifically mention stigma there still existed a general level of reluctance to disclose their past. Many described how they were previously made to feel that they erred to bring about their removal from the family home (extenuated by the fact that very few had seen their social services paperwork), and the less people that knew about their case status the better. This is despite the fact that, as noted above, the vast majority of children in England and Wales enter the care system due to abuse or neglect. This lack of/misinformation resulted in many interviewees failing to disclose care experience to peers or staff in fear of judgement and negative reprisals. For example, some women interviewed in this research feared their own children would also be taken into care if people found out about their previous experiences. To enable supportive conversations about care experience, it is necessary to address the prevailling myths about how and why people enter the care system and ensure that

Many described how they were previously made to feel that they erred to bring about their removal from the family home (extenuated by the fact that very few had seen their social services paperwork), and the less people that knew about their care status the better.

The fear of negative responses also very much related to lack of trust in professionals and or 'the system'. For example, although a minority of respondents had positive experiences, the vast majority felt they had been let down by professionals, experienced multiple changes of social worker or placement, and that they had not been properly informed as to why certain decisions were made about them:

'[Being a child in care] is embarrassing, embarrassing. I hate it. Social services have ruined my life. That's how I feel, they've ruined my life. First of all, taking me from my parent at a young age. Like social services, I don't think — they don't care. They don't care. They say they care but they don't. I've worked with so many people over the years, like just to realise that no one cares. They don't care about you and that. I wouldn't trust social services at all. All they've done all my life is feed me lie after lie after lie after lie, and it's always been the same.' (David)

For Jill, these failures by others were no different to how she was treated by the prison system:

Like the care homes first, jails, all of them people, they've all basically done, done me over in different ways. (Jill 21 years old)

The effect of this within prison was that individuals were often distrustful of authority and/or expected professionals — including prison staff — to let them down. In essence, trust was in short supply:

'I don't trust no-one' (Steph 26 years old)

'I can't trust anybody else. I can't trust the screws, I can't trust any of the other prisoners. […] Whilst I'm in jail, I ain't going to trust anyone. I ain't going to trust you, I ain't going to trust him, I ain't going to trust her. Simple as that. That's the way it has got to be. If you start trusting people, people take liberties.' (Rhys)

The onus is on prison staff to establish relationships of trust and respect. It was clear from our interviewees that building trust would take time and patience on behalf of staff. To be deemed 'trustworthy,' prison staff needed to consistently 'do what they say they will do,' involve individuals in the decisions that are made about them, thoughtfully communicate any decisions, see the individual as something more than 'a prisoner,' and instil hope, believing in that person and seeing their worth.

Conclusion

Many entering prison do so with pre-existing needs and vulnerabilities, but this is acutely the case for

many care leavers. Too many care experienced prisoners remain invisible, and this has the potential to reproduce and reinforce the invisibility experienced earlier in childhood and adolescence, as described by Lemn Sissay:

'Memories in care are slippery because there's no one to recall them as the years pass. In a few months I would be in a different home with a different set of people who had no idea of this moment. How could it matter if no one recalls it? Given that staff don't take photographs it was impossible to take something away as a memory. This is how you become invisible. It is the underlying unkindness that you don't matter enough. This is how you quietly deplete the sense of self-worth deep inside a child's psyche. This is how a child becomes hidden in plain sight.'[36]

To better understand the experiences of care leavers within prison, it is imperative that accurate figures are collated. Without this, appropriate funds and multi-agency support cannot be ring-fenced for this group. The importance of better data goes beyond a purely financial need. Those working in prison cannot be expected to provide appropriate support if unaware of those who have care experience and why it matters. As an initial starting point, we therefore make three overarching recommendations. First, consideration must be given to how, when and who asks questions about care experience, and to ensure that such information is appropriately recorded. This is only the starting point; key workers, prison officers, (prison and community) offender managers and other professionals must seek to understand what it means for the individual both now and in the future. Second, there should be effective systems to ensure that individuals can access the support they are legally entitled to. This not only requires local authorities to diligently meet their obligations to care leavers, but that HMPPS is highlighting and facilitating such support to those who can benefit. In addition, there is a much wider need for statutory and third sector organisations to assume a collective responsibility for supporting individuals, including in respect of accommodation, health, drug treatment, mental health, and physical health needs. For some, they will need specialist support to reconcile their experiences, and better understand what happened to them and why. Third, and echoing the recommendations of Lord Farmer,[37] there must be greater financial investment in peer-mentoring and staff training to help break down myths and better support care leavers within prison.

36. Donkor, M. (2019) My Names is Why by Lemm Sissay Review – a searing chronicle. The Guardian, 29 August. Available Online: theguardian.com/books/2019/aug/29/my-name-is-why-lemn-sissay-review. Also see, Sissay, L. My Name is Why. Cannongate.
37. Lord Farmer (2017) The Importance of Strengthening Prisoners' Family Ties to Prevent Reoffending and Reduce Intergenerational Crime. London: Ministry of Justice.

'Out of Place': The Criminalisation of Black and Minority Ethnic Looked After Children in England and Wales

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Introduction

In the last decade, the youth justice system in England and Wales has experienced a significant contraction, which has culminated in the child prison population falling by over 70 percent[1]. This decline is not the result of any deliberate, progressive agenda[2], but has been attributed to the proliferation of diversionary schemes, as well as pragmatic considerations relating to austerity politics[3]. While absolute numbers have reduced, it has had the perverse effect of increasing the disproportionate representation of two particularly vulnerable groups; Black and Minority Ethnic (BME) children and looked after children.

This article draws upon findings from ESRC-funded PhD research that explores the over-representation of looked after children and BME children in the youth justice system in England and Wales[4]. The research utilised mixed-methods, including analyses of secondary official datasets and 27 in-depth interviews with youth justice and children's services experts[5]. This article sets out the research context and methodology, before demonstrating that existing inequalities in relation to ethnicity and looked after status have intensified, and that BME looked after children experience a 'double whammy' of disadvantage. The article then considers two key drivers of such inequalities in the youth justice system in general, and the secure estate in particular. It explores the complex relationship between stability for BME children within the care system and difficult behaviour. It then moves on to outline the issue of criminalisation within care placements, which is especially likely to impact BME children.

Finally, the article outlines that looked after children are accelerated through the youth justice system due to care system failings in much the same way that BME children are accelerated through the system as a result of racialisation. The article concludes that structural factors play a significant role in youth justice involvement of looked after children, particularly those who come from an ethnic minority background. It asserts that ultimately, this results in the institutionalised criminalisation of BME looked after children who must contend with both the stigma of their ethnicity and of being in care.

Background

Currently, the government does not know precisely how many of its looked after children become involved with the youth justice system, or how many of those children reside in youth custody[6]. It does not know how many care-experienced individuals fall into criminal justice involvement and imprisonment[7]. Furthermore, there is no data that outlines the ethnicity of care-experienced individuals who become justice-involved[8]. The absence of quality youth justice data means that we are unable to determine the extent to which BME looked after children may be overrepresented in the youth justice system, and the juvenile secure estate[9].

1. *Youth Justice Board (2020) Youth Justice Statistics 2018/2019: Supplementary Tables*. Available at: https://www.gov.uk/government/statistics/youth-justice-statistics-2018-to-2019 (accessed 6 February 2021).
2. Cunneen, C., Goldson, B. & Russell, S. (2018) 'Human rights and youth justice reform in England and Wales: A systemic analysis', *Criminology & Criminal Justice*, 18(4): 405-430.
3. See for example, Bateman, T. (2012) 'Who pulled the plug? Towards an explanation of the fall in child imprisonment in England and Wales', *Youth Justice*, 12(1): 36-52.
4. Hunter, K. (2019) *Institutionalised Criminalisation: Black and Minority Ethnic Children and Looked After Children in the Youth Justice System in England and Wales* (unpublished thesis). University of Liverpool.
5. Interviewees included, among others, senior professionals working in youth justice, children's services and non-governmental organisations, academics and Laming review team members (for a full list see Hunter, 2019: 290).
6. See Hunter (2019) see n. 4
7. See Fitzpatrick, C., Hunter, K., Shaw, J. and Staines, J. (2019) *Exploring the Pathways between Care and Custody for Girls and Women: A Literature Review.* Available at: http://wp.lancs.ac.uk/carecustody/files/2019/10/CareCustodyLiteratureReview.pdf
8. See Hunter (2019) see n. 4
9. The new MoJ/DfE linked administrative datasets (due for release in Autumn 2021) will make it possible to analyse the intersections between ethnicity, care experience, and criminal justice involvement.

In England and Wales, BME children are disproportionately represented among both looked after children[10] and youth justice cohorts[11]. The Laming Review estimated that 44 percent of all looked after children in custody come from an ethnic minority background[12]. With the exception of the author's PhD research, much of the work that focuses on the intersections between ethnic identity, child-welfare and youth justice involvement comes from the USA and Australia. Studies utilising linked administrative data have indicated that African-American children in child-welfare systems have higher rates of youth justice involvement[13] and receive harsher sentences than their white peers[14]. Similar findings are apparent in the Australian research whereby indigenous children in child-welfare systems have greater youth justice involvement than their non-indigenous peers[15].

The international research suggests that there is a complex relationship between ethnicity and involvement in systems of welfare and justice, which warrants further investigation. This article argues that BME looked after children experience compounded disadvantage in both systems of care and justice which must be urgently addressed.

The international research suggests that there is a complex relationship between ethnicity and involvement in systems of welfare and justice, which warrants further investigation.

Methodology

This article draws upon findings from ESRC-funded PhD research on the overrepresentation of looked after children and BME children in the youth justice system in general, and the secure estate in particular, in England and Wales. The research aimed to close conspicuous gaps in the knowledge base by providing a rigorous analysis of ethnicity, looked after status and youth justice involvement. It did so primarily by focusing on three key aims:

I. To investigate the extent of the overrepresentation of BME children and looked after children in the youth justice system in general, and the secure estate in particular;
II. To interrogate the potential drivers of the overrepresentation of BME children and looked after children in the youth justice system in general, and the secure estate in particular;
III. To identify any issues that may specifically relate to BME looked after children in the youth justice system in general, and the secure estate in particular.

To address these aims, the research employed a mixed-methods approach that drew on the combined strengths of quantitative and qualitative methods[16]. It employed quantitative analysis of official and other supplementary data sets from the Office for National Statistics, Department for Education (DfE), Youth Justice Board (YJB), Home Office and Ministry of Justice (MoJ). The quantitative analysis was complemented and extended using semi-structured interviews with national youth justice and children's services professionals. The qualitative analysis breathed life into the statistical data by adding nuance, depth and understanding to the issues being explored[17]. The findings presented in this article represent just a fraction of the overall research.

Intensifying Overrepresentation and the 'Double Whammy' Effect

The available data suggests that in the last decade, the overrepresentation of BME children and looked

10. Department for Education (2020a) *Children Looked After Including Adoptions 2019/20*. Available at: https://explore-education-statistics.service.gov.uk/find-statistics/children-looked-after-in-england-including-adoptions/2020 (accessed 1 May 2021).
11. YJB (2020) see n. 1
12. Prison Reform Trust (2016) *In Care, Out of Trouble: An independent review chaired by Lord Laming*. London: Prison Reform Trust. p. 65
13. See for example, Goodkind, S., Shook, J.J., Kim, K.H., Pohlig, R.T., & Herring, D.J. (2012) 'From child welfare to juvenile justice: race, gender, and system experiences', *Youth Violence and Juvenile Justice*, 11(3): 249-272.
14. Herz, D., Ryan, J.P. & Bilchik, S. (2010)' Challenges facing crossover youth: An examination of juvenile-justice decision making and recidivism', *Family Court Review*, 48(2): 305-321.
15. See for example, Doolan, I., Najman, J., Mills, R., Cherney, A. & Strathhearn, L. (2013) 'Does child abuse and neglect explain the overrepresentation of Aboriginal and Torres Strait Islander young people in youth detention? Findings from a Birth Cohort Study', *Child Abuse & Neglect: The International Journal,* 37(5): 303–309.
16. Creswell, J.W., & Plano Clark, V.L. (2011) *Designing and Conducting Mixed Methods Research (2nd edition)*. London: Sage.
17. Lincoln, Y.S. & Guba, E.G. (1985) *Naturalistic Inquiry.* California: Sage.

after children in the youth justice system has intensified as overall numbers have fallen. Whilst there is no central record of the number of looked after children who come into contact with the youth justice system, there is clear evidence that looked after children are overrepresented among those who receive a caution and conviction[18]. Moreover, HMIP annual surveys show 54 percent of boys in the juvenile secure estate have been in local authority care[19] compared to 27 percent in 2011[20]. Several experts interviewed as part of this study expressed concerns about the increasing overrepresentation of looked after children in the youth justice system.

The official data regarding ethnicity of children in the youth justice system is clearer cut. BME children are disproportionately likely to come into contact with the youth justice system through stop and search[21], with Black individuals nine times more likely to be stopped and searched than white individuals[22]. Ethnic minority children are also increasingly over-represented in arrest figures. For example, Black children (aged 10 to 17) comprise roughly 4.4 percent of the general population, yet accounted for 15.7 percent of arrests in 2018/19 (an increase of 7.6 percent since 2008/2009)[23]. A statistical analysis conducted for the Lammy Review found that 'the system itself did add some degree of disproportionality at subsequent stages, however rarely at the levels seen in arrest differences'[24]. In this sense, policing can be seen as playing a key role in 'recruiting' BME children into the youth justice system[25].

The experts interviewed for this research overwhelmingly felt that policing of Black children and communities was excessive; Academic 3 described it as 'vital' to understanding ethnic disproportionality. The majority of interviewees felt that excessive policing was driven by highly problematic, racialised assumptions[26] about the types of individuals who engage in criminal behaviour[27]. Indeed, within the police service, negative attitudes about ethnic minority groups have been well documented[28].

The overrepresentation of BME children, and Black children in particular, is also replicated in sentencing. Official data suggests that there exists a 'multiplier effect'[29] whereby ethnic disproportionality increases with the severity of the sentence[30]. In 2018/19, Black children were overrepresented in all sentence types, but their overrepresentation was greatest for custodial sentences[31]. The research literature suggests that BME individuals, particularly those who identify as Black, are likely to receive harsher sentences than white individuals[32] although more research is needed to determine the precise nature of court interactions[33].

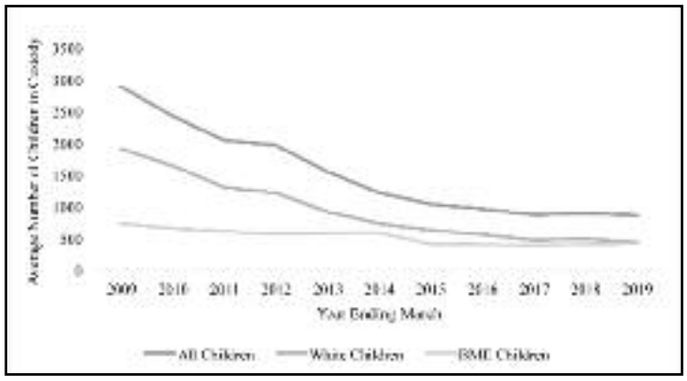

Figure 1: Average number of children in youth custody by ethnicity

Analyses of official data indicate that Black children are more likely to be punished, and to be punished more severely at all stages of the youth justice process.

18. Department for Education (2020a) see n. 10
19. HMIP (2021) *Children in Custody 2019–20: An Analysis of 12–18-Year-Olds' Perceptions of Their Experiences in Secure Training Centres and Young Offender Institutions*. London: HMIP.
20. Summerfield, A. (2011) *Children and Young People in Custody 2010–11: An analysis of the experiences of 15–18-year-olds in prison*. London: HMIP.
21. All Party Parliamentary Group for Children (2014) I*nquiry into 'Children and the Police': Initial Analysis of Information Request to Police Forces*. London: National Children's Bureau.
22. Home Office (2020) Stop and search statistics data tables: police powers and procedures year ending 31 March 2020 second edition. Available at: https://www.gov.uk/government/statistics/police-powers-and-procedures-england-and-wales-year-ending-31-march-2020 (accessed 1 March 2021).
23. YJB (2020) see n. 1
24. Uhrig, N. (2016) *Black, Asian and Minority Ethnic disproportionality in the Criminal Justice System in England and Wales.* London: Ministry of Justice. pp. 12
25. Webster, C. (2006) '"Race", youth crime and justice'. In B. Goldson and J. Muncie (eds) *Youth, Crime and Justice*. London: Sage. pp. 32
26. For a discussion of racialisation see Phillips, C. (2011) 'Institutional racism and ethnic inequalities: an expanded multilevel framework', *Journal of Social Policy*, 40(1): 173-192.
27 . See Hunter (2019) see n. 4
28. See for example, Reiner, R. (1993) *The Politics of the Police (2nd edition)*. London: Harvester Wheatsheaf.
29. Goldson, B. & Chigwada-Bailey, R. (1999) '(What) justice for black children and young people' In B. Goldson (ed.) ----------. Aldershot: Ashgate.
30. Data derived from YJB (2020) see n. 1
31. YJB (2020) see n. 1
32. See for example Uhrig (2016) see n. 24
33. Hunter (2019) see n. 4

This has intensified as the overall number of children being funnelled through the system has declined[34]. Figure 1 shows that the number of white children in the juvenile secure estate has fallen more sharply than the number of BME children. In 2018/19, almost half of children in youth custody identified as non-white[35]. Ethnic disproportionality is most severe for Black children who accounted for a third of all children in youth custody[36] compared to just 4.4 percent of the general population[37]. Clearly ethnic disproportionality is a longstanding feature of the youth justice system and shows no sign of abating.

As highlighted by the Laming Review[38], there is considerable overlap between looked after children and BME children in youth custody. When we combine identifying as a BME child with being looked after this can lead to a 'double whammy' effect. Youth Justice Consultant 1 suggested that looked after status and ethnicity can '*exacerbate*' one another. The majority of interviewees felt that 'racism' and/or 'discriminatory' practices contributed to ethnic disproportionality in the youth justice system. In their view, BME children, particularly those who are Black, must contend with racialised assumptions that arguably penetrate all aspects of the system[39]. Similarly, looked after children routinely face stigma[40], including the perception that they are '*naughty*' (Senior Police Officer) due to a lack of understanding about reasons for entering care[41].

In tracing the increasing overrepresentation of both groups of children, it is clear that BME looked after children are particularly vulnerable to youth justice involvement. This vulnerability is arguably driven by two key processes: placement instability and criminalisation in care settings, which will now be addressed.

'Sticking Out Like a Sore Thumb': Placing BME Children in Care

The research evidence suggests that stable and supportive placements can protect children against youth justice contact[42]. However, many looked after children experience significant disruption and instability in care[43]. Official data indicates that children who experience multiple placements are most likely to receive a caution or conviction.[44] Furthermore, evidence suggests that many care-experienced children in youth justice systems have experienced repeat placement breakdowns[45]. Placement instability can leave children feeling alienated and disempowered, and their coping strategies, such as refusing to engage, can further increase their risk of criminalisation[46]. The issue of placement stability is exacerbated for BME looked after children for whom there is a shortage of placements with ethnic minority foster carers[47]. While it is not essential that children be matched with carers by ethnicity, such placements can mean that children are better supported to explore their identity[48], which in turn reduces the risk of placement breakdown.

The research evidence suggests that stable and supportive placements can protect children against youth justice contact.

The lack of ethnic minority carers means that BME children tend to be housed in residential placements, where they are more likely to receive a formal youth justice sanction than in other placement types[49]. Interviewees were concerned that children's homes have a 'last resort' status among local authorities, with

34. See Hunter (2019) n. 4 for a full discussion.
35. YJB (2020) see n. 1
36. YJB (2020) see n. 1
37. Data extracted from 2011 Census.
38. PRT (2016) see n. 12
39. See Hunter (2019) see n. 4
40. Coram Voice (2015) *Children and Young People's Views on Being in Care: A Literature Review*. Bristol: Hadley Centre for Adoption and Foster Care Studies; Children's Rights Director for England (2009) *Care and Prejudice.* Manchester: Ofsted.
41. Taylor, C. (2006) *Young People in Care and Criminal Behaviour*. London: Jessica Kingsley.
42. Schofield, J., Biggart, L., Ward, E., Scaife, V., Dodsworth, J., Haynes, A. & Larsson, B. (2014) *Looked After Children: Reducing Risk and Promoting Resilience*. London: BAAF.
43. Children's Commissioner (2020) *Stability Index 2020*. London: Office for the Children's Commissioner.
44. See Hunter (2019 p. 71-72) see n. 4
45. See Staines, J. (2016) *Risk, Adverse Influence and Criminalisation: Understanding the Over-Representation of Looked After Children in the Youth Justice System*. London: Prison Reform Trust.
46. Day, A. (2017) 'Hearing the voice of looked after children: challenging current assumptions and knowledge about pathways into offending', *Safer Communities*, 16(3): 122-133.
47. BBC (2020) 'BME foster care shortage in two-thirds of English councils', BBC [online], Available at: https://www.bbc.co.uk/news/uk-england-leeds-51136569 (accessed 04 May 2021).
48. See for example Barn, R. (2001) *Black Youth on the Margins: A Research Review*. York: Joseph Rowntree Foundation.
49. Hunter (2019) n. 4 pp. 76

one former magistrate describing them as a '*dumping ground*'. This diminishing status of residential care was strongly linked to the dominating presence of private providers[50]. The lack of provision in inner city areas, which typically have larger BME populations, more heavily impacts upon BME children in care since they tend to be placed further from home than their white counterparts[51].

The key problem was that BME children often are 'out of place' and unsupported in the care system. Two interviewees described how Black children can '*stick out like a sore thumb*' when housed in largely white, working class areas, in which their ethnicity and care status intersect to produce the 'double whammy' outlined above. A Senior YOT Manager highlighted this process:

> *We had one kid where we just knew that he was going to reoffend, he was a Black kid from London, and sure enough he did because he was having to fight with some of the kids in [small Northern town] and when the police arrived guess who got arrested? […] all those stereotype images come into people's heads and wallop, it's the kid that suffers.*

Ethnic minority young people who had been in care raised similar concerns about compounded disadvantage during the Laming Review.

Ethnic minority young people who had been in care raised similar concerns about compounded disadvantage during the Laming Review[52]. The above demonstrates that care system injustices experienced by BME looked after children can result in challenging behaviour and youth justice contact. Perhaps of greater concern, however, are the ways in which the care system responds to challenging behaviour.

The Intersections Between Criminalisation and Racialisation

There is evidence to suggest that children in care are subjected to increased scrutiny and surveillance, which can result in their criminalisation[53]. Interviewees gave numerous examples of carers, particularly staff in private children's homes, calling the police for behaviour that would not usually result in youth justice intervention. They felt that staff were more likely to call the police for two key reasons: the pressure to follow profit-driven procedures (such as making insurance claims) and the lack of proper training. Previous research has suggested that staff in children's homes resort to police intervention as a way of asserting authority and maintaining control when they lack the necessary resources to do their job[54]. Director of NGO 2 argued that calling the police to help manage behaviour is damaging because it can put children on the '*police radar*' which is a '*slippery slope*' to formal youth justice sanctions. Youth justice contact can lead to labelling and stigmatisation, which can result in further criminalisation[55]. As established above, BME children already face stigma and so are particularly affected by such processes.

Many interviewees also felt that looked after children were disadvantaged in the youth justice system because they are not perceived as having '*supportive*' (Youth Justice Consultant 3) backgrounds. This perception is likely to reflect reality since many looked after children (and BME looked after children in particular) suffer because of instability in the care system. Interviewees suggested that such issues lead youth justice professionals to respond to offending with harsher sanctions, as they feel they must intervene.

For children to receive diversionary measures and alternatives to custody, sentencers must be confident that children have the necessary support to comply with their sentence[56]. Several interviewees were adamant that a lack of advocacy can result in looked after children receiving harsher sanctions, in particular custodial sentences. They believed that professionals perceive the lives of such children as '*chaotic*' (Youth Justice Consultant 3) and so attempt to mediate that by

50. Department for Education (2020b) National - Children looked after at 31 March by placement provider, placement type and locality. Available at: https://explore-education-statistics.service.gov.uk/find-statistics/children-looked-after-in-england-including-adoptions/2020#releaseHeadlines-tables (accessed 1 May 2021).
51. Ofsted (2014) *From a Distance: Looked After Children Living Away From Their Home Area*. Manchester: Ofsted.
52. Prison Reform Trust (2016) see n. 12
53. See for example Prison Reform Trust (2016) see n. 12
54. See for example, Shaw, J. (2014) *Residential Children's Homes and the Youth Justice System: Identity, Power and Perceptions*. Basingstoke: Palgrave Macmillan.
55. See for example, McAra, L. & McVie, S. (2010) 'Youth crime and justice: key messages from the Edinburgh Study of Youth Transitions and Crime', *Criminology and Criminal Justice*, 10(2): 179-209.
56. Judicial College (2016) *Youth Court Bench Book*. London: Judicial College.

imposing structure. Indeed, many looked after children are left to attend court alone or without someone who knows them well[57].

Among the majority of interviewees, there was a sense that, looked after children receive differential treatment, whereby they are '*escalated*' (Former Magistrate) through the justice system and are at a greater risk of receiving a custodial sentence. Here, the notion of escalation is a key one. It was outlined above that BME children experience a 'multiplier effect' in which they are treated progressively harsher at all stages of the youth justice system[58]. Criminalisation in care settings and the acceleration of looked after children through the youth justice system are likely to weigh more heavily on BME looked after children, who must also contend with differential treatment based on their ethnicity.

The above demonstrates that looked after children experience stigma that can influence their trajectories through the youth justice system. This is particularly concerning for BME looked after children who must also contend with racialisations that are embedded in the justice system. Such stigma expresses itself in at least two ways: through negative perceptions of looked after children as troublemakers, and through perceptions of looked after children as unsupported and in need of structure. The lack of advocacy for looked after children plays a key role here; the absence of supportive adults can influence sentencing and push children further into the system.

Conclusion

To summarise, this article has established that existing inequalities in the youth justice system with regards to BME children and looked after children have intensified. BME looked after children are likely to bear the brunt of such inequalities. It has shown that BME children, particularly those who identify as Black, are subjected to progressively harsher treatment at all stages of the youth justice system. Such treatment is likely to produce a 'double whammy' effect for BME looked after children who are also disadvantaged as a result of their care status.

In outlining structural factors which influence children's trajectories through the justice system, this article has diverted the focus from individual level explanations of overrepresentation. It has established that issues within the care system can impact upon children's behaviour, lead to police involvement and ultimately, criminalisation. Wider issues with both the availability and quality of provision means that children are subjected to instability, which may impact BME looked after children in particular. Moreover, the use of police intervention as a method of discipline in some children's homes constitutes the criminalisation of looked after children because they do not live in a family home and raises serious questions of the care system.

The article also explored the ways in which assumptions about both BME children and looked after children can determine their trajectories through the youth justice system. It seems that looked after children can be judged on their status, much in the same way that BME children can be judged based on their ethnicity. Such assumptions are particularly concerning for BME looked after children who also have to deal with racialisation. However, in order to further our understanding of the specific challenged faces by BME looked after children, more research is needed that draws upon the experiences of children directly.

Altogether, this article has highlighted significant issues that must be addressed in order to reduce the overrepresentation of BME looked after children in the youth justice system and the juvenile secure estate. It has established that both groups of children are subjected to increased scrutiny and surveillance, ultimately amounting to institutionalised criminalisation. The issues covered here represent a fraction of the disadvantages faced by BME looked after children who deserve better care and support to prevent them from getting into trouble.

57. PRT (2016) see n. 12
58. Goldson & Chigwada-Bailey (1999) see n. 29

Challenging Perceptions of Care-Experienced Girls and Women

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Introduction

A key message arising from the Care Experienced Conference in April 2019[1] was that those with care-experience want to be viewed as worthy of far more respect, and that stigma and discrimination are unacceptable. Being perceived as worthy of respect sounds straightforward in theory but may be far more complicated in practice. This paper explores how such issues may play out for care-experienced girls and women in conflict with the law[2]. Previous research has highlighted the gender stereotyping of women in the criminal justice system[3], showing how judgements based on patriarchal constructions of 'ideal', 'innocent' and 'deserving' victims[4] are often linked to matters of sexual morality and class decorum[5]. With these themes in mind, this paper explores professionals' perceptions of care-experienced girls and women in the criminal justice system, to shed light on this neglected topic. Drawing on interviews from a pilot study with those working with girls and/or women in care and criminal justice[6], it highlights the potential damage created by negative judgements that emerge in a variety of professional spaces. Lack of respect for care-experienced girls and women may develop in different ways, and ultimately contribute to a denial of victimisation and unnecessary criminalisation. This article focuses on three key themes: the complexity of social expectations; damaging staff cultures and the importance of moving beyond negative labels to raise aspirations.

Messages from Research

The persistent over-representation of care-experienced people in custody[7] suggests a systemic failing in the provision of more supportive services to those in care, and a better understanding of this is long overdue. The Laming Review[8] highlighted the lack of research on girls in care in the youth justice system and noted that they may experience negative stereotyping due to their care status and involvement in offending, which is further compounded by their gender[9]. Meanwhile, recent sexual exploitation scandals in the UK[10] highlight how girls from 'chaotic' backgrounds, including those in care, are less likely to be perceived as genuine victims[11]. Paradoxically, as looked after children they are more likely to be unnecessarily criminalised[12], with Shaw noting some professionals view the youth justice system as a necessary adjunct to the care system[13].

Staines[14] highlights a reluctance amongst some foster carers and residential carers to work with girls identified in some studies due to fear of allegations of

1. This important event focused on lived experience was attended by over 140 individuals of all ages who had been in care. See: The Care Experienced Conference (2019) '*The Conference for Care Experienced People: Summary Report*', Liverpool Hope University, 26th April 2019. https://704c1ef3-b156-4576-ba4b-ac46791ae6e2.filesusr.com/ugd/7773fa_ad69bab9a0614bc596591841a9db92b6.pdf
2. 'Care-experienced' refers to anyone who spent time in the care system as a child, including foster care or children's homes.
3. Carlen, P. (1988) *Women, Crime & Poverty*, Milton Keynes: Open University Press
4. Christie, N. (1986) 'The ideal victim' in E.A. Fattah (ed) *From Crime Policy to Victim Policy*, pages 17-30, London: Macmillan.
5. Carlen (1988) No. 3.
6. With thanks to Lancaster University's Faculty of Arts & Social Sciences for funding this research.
7. Prison Reform Trust (2016) *In Care, Out of Trouble:* (The Laming Review), London: Prison Reform Trust.
8. Ibid
9. Staines, J. (2016) *Risk, Adverse Influence and Criminalisation Understanding the over-representation of looked after children in the youth justice system*, London: Prison Reform Trust
10. Jay, A. (2014) *Independent Inquiry Into Child Sexual Exploitation in Rotherham*, 1997 – 2013. Report for Rotherham Metropolitan Borough Council.
11. Christie (1986) No. 4.
12. Howard League for Penal Reform (2016) *Criminal Care: Children's homes and criminalising children*, London: Howard League.
13. Shaw, J. (2016) 'Policy, practice and perceptions: exploring the criminalisation of children's home residents in England', *Youth Justice*, 16, 147-161.
14. Staines (2016) No. 9.

abuse and gendered stereotypes about girls' challenging behaviour. Similarly, Baines and Adler found female victims of sexual abuse were described by youth justice professionals as 'manipulative' and 'difficult to engage'[15], whilst Jay described how girls at risk of child sexual exploitation in Rotherham were reclassified as 'teenagers out of control'[16]. For Woodiwiss:

> *'(I)f children and young people are seen as sexually knowledgeable and/or sexually active they risk being removed from the categories of 'child' because they are no longer innocent, and from the category of 'victim' because their innocence is no longer in danger'[17].*

Clearly perceptions can be of crucial importance in guiding professional inaction, and in rendering experiences of victimisation invisible. So how do such professional cultures flourish? In a social work context, Ferguson explores the phenomenon of the 'invisible child' and the processes of professional detachment that perpetuate this[18].

> *'Such detachment from children occurs when social workers reach or go beyond the limits of anxiety and complexity that it is possible for them to tolerate. They are overcome by the sheer complexity…the emotional intensity of the work…' [19]*

Such detachment from children occurs when social workers reach or go beyond the limits of anxiety and complexity that it is possible for them to tolerate.

There are parallels here with the work of prison staff, whose work may be similarly emotionally intense and complex[20], highlighting the need to support staff so they can adequately support care-experienced people.

The surge of interest in the over-representation of care-leavers in prison in recent years has led to some important developments, including the publication of Her Majesty's Prison and Probation Service's first Strategy for Care Experienced People[21] and the appointment of care-leaver leads in all prisons. However, time and resources are required to ensure these leads have capacity to provide sufficient support. Moreover, the lack of research on care-experienced girls and women[22] means policy-makers and practitioners may not know how to best meet their specific needs — hence the need to explore this issue.

Methods

This paper draws on a pilot study exploring professionals' perceptions of girls and women in the care and criminal justice systems in England[23]. Fifteen semi-structured interviews with practitioners were conducted between May 2017 and July 2018, lasting from 40 minutes to two and a half hours. Participants worked in various organisations including children's homes, a youth offending team, secure units, a prison and charities for care-leavers and women leaving prison. Three participants were care-experienced, and two reported serving prison sentences. This research was approved by the author's University ethics committee, and all interviews were digitally recorded and transcribed to aid thematic analysis. Although based on a relatively small sample, which has implications for the representativeness of the findings, the data presented are nevertheless important and illuminating[24].

The Complexity of Societal Expectations

From the outset, respondents acknowledged the difficulties for girls and women of navigating the

15. Baines, M. and Adler, C. (1994) 'Are girls more difficult to work with? Youth workers' perspectives in juvenile justice and related areas', *Crime and Delinquency*, 42, 467-485, p.482.
16. Jay (2014) No. 10.
17. Woodiwiss, J. (2018) 'From one girl to 'three girls': the importance of separating agency from blame (and harm from wrongfulness) in narratives of childhood sexual abuse and exploitation', *Pastoral Care in Education*, 36:2, 154-166, p.163,
18. Ferguson, H. (2017) 'How children become invisible in child protection work: Findings from research into day-to-day social work practice', *The British Journal of Social Work*, 47, 1007–1023.
19. Ibid p.1017.
20. Corston, J. (2007), *The Corston Report: A Report by Baroness Jean Corston of a Review of Women with Particular Vulnerabilities in the Criminal Justice System*. Home Office.
21. HMPPS (2019), *Strategy for Care Experienced People*. HMPPS
22. Fitzpatrick, C. (2017) 'What do we know about girls in the care and criminal justice systems?', *Safer Communities*, 16, 134-143.
23. The pilot informed an application to The Nuffield Foundation to fund a now ongoing study exploring pathways between care and custody for girls and women.
24. See Maruna, S. and Matravers, A. (2007) 'N = 1: Criminology and the person', *Theoretical Criminology*, 11, 427-442.

complexity of social expectations in a patriarchal society[25].

> *'All women have the added complexity of being a woman in a patriarchal society…and I think that's just compounded for girls in care who may have even lower self-esteem….'. (Interview C)*

As Respondent C further explained, being in care can add an additional layer of disadvantage for girls, particularly when pro-social role models are absent, and they feel that nobody at home cares.

> *'And then things like CSE, Child Sexual Exploitation…I think women are so much more vulnerable to it. The way women are socialised to have…you know expectations of being sexually attractive... It's hard enough as a teenage girl in a stable family home to navigate all of that stuff. So if you're in care and you maybe haven't got any kind of solid role models or solid relationships…if you don't feel like people at home care and then you've got the tantalising offer of someone who says they care about you and are going to shower you with gifts and make you feel special. Well with the best will in the world, you can see why they would go for that'. (Interview C)*

The way women are socialised to have…you know expectations of being sexually attractive... It's hard enough as a teenage girl in a stable family home to navigate all of that stuff.

Respondent C highlights some challenging themes that are particularly pertinent amidst current concerns over sexual exploitation, not least how the apparent agency demonstrated by girls needs to be understood within the wider social context of their lives and the potentially limited range of 'choices' available. As Respondent L noted:

> *'They don't have the same choices…I worked with young people in care, on a residential basis for quite a few years and what I recognised was their need to try and control at least some part of their life often led to behaviours that we deem as unacceptable. However, if you put that in with the mix of the way society looks at these children and the way that they deem themselves, they've already been put into a place where they have choices but the choices aren't real for them anymore'. (Interview L)*

Respondent L astutely observes how societal views of girls in care could undermine perceived choice. The important of ensuring these girls have 'solid relationships' was also highlighted in different ways by both respondents above, yet alongside the issue of placement stability, this remains an aim that is notoriously difficult to achieve for some. In fact, evidence suggests that children in care may well be posted around like parcels[26] in a 'care system' that expects them to navigate the transition to independence at a much earlier age than their peers in the general population, with the increasing risk of being abandoned to unregulated accommodation.

Moving from how girls themselves may respond to gendered social expectations of their behaviour, others placed more emphasis on society's response to such expectations, which link to current concerns about the unnecessary criminalisation of children in care[27].

> *'(W)e've got a young girl…due in court this month, for things that if she was outside of the care system would never have been classed as an offence…(T)here seems to be this gender aspect to the way that she's responded to….She presents as a girl, but…a girl with an alternative identity and…when she wants to do very aggressive and volatile. And that aggressive and volatile side doesn't seem to fit with this sweet angelical expectation that you have of a girl'. (Interview A)*

Whilst highlighting how a care status can make girls particularly vulnerable to criminalisation[28],

25. Carlen (1988) No. 3.
26. Children's Commissioner (2019) *Pass the Parcel: Children posted around the care system*, London: Children's Commissioner for England.
27. Prison Reform Trust (2016) No. 8.
28. Fitzpatrick, C., Hunter, K., Staines, J. & Shaw, J. (2019) *Exploring the Pathways between Care and Custody for Girls and Women A Literature Review*, Lancaster University. http://wp.lancs.ac.uk/care-custody/files/2019/10/CareCustodyLiteratureReview.pdf

Respondent A notes that 'aggressive' and 'volatile' behaviour does not fit with gendered expectations of girls' behaviour. Consequently, girls with an 'alternative identity' may be 'doubly punished', thus highlighting how gender and care status may interact to create overlapping layers of structural disadvantage[29].

> *'….. So if you're a young man that's 13, 14, 15 in care and you're acting out and stuff it's almost like that's an expectation of you. But if a young girl like that is quite self-conscious and beauty-conscious…at the same time, this…alter-ego if you like comes out and presents itself in a very traumatic way because no-one's ever dealt with your trauma, it's like you're doubly punished. But not just doubly punished in terms of the criminal justice disposal, but doubly punished in terms of the response that people will give you and the lack of respect that people will show you'. (Interview A, emphasis added)*

For Respondent A, being 'doubly punished' is not just about the criminal justice disposal received but also about a 'lack of respect'[30] — something that may manifest itself in many different ways.

Damaging Staff Cultures

Much has been written historically about the institutionalisation of children in residential institutions[31], yet less has been said about the institutionalisation of the staff who work there, or the staff cultures that may develop.

> *'People become institutionalised, the staff…they stop seeing people as individuals and as humans…These cultures develop where people just forget that it's a human being and so they're not seeing that this is an incredibly young vulnerable person. And they're kind of labelling them as running off, getting into bed with men or whatever'. (Interview C)*

> *The staff in certain places are not trained and therefore not skilled and therefore unsafe. …Certain children's homes or secure units…they're not supported by staff, there isn't enough staff there and it leads to multiple restraints, incidents of violence, that are completely unnecessary half the time. And it's normal for there to be at least one serious incident on every two hour visit we do at a certain female centre'. (Interview O)*

Certain children's homes or secure units…they're not supported by staff, there isn't enough staff there and it leads to multiple restraints, incidents of violence, that are completely unnecessary half the time.

Whilst participants described good practice in care homes as well as bad, they were at pains to emphasise that the quality of care in the homes they worked in was incredibly variable. Where the kind of environment described above develops, there is clearly a need for a complete cultural change. When carers stop seeing people 'as humans', this paves the way for dangerous negative perceptions to flourish, as well as unnecessary violence. Such cultures may encourage the kind of reclassification of needs as risks that was evident in the independent inquiry into Child Sexual Exploitation (CSE) in Rotherham[32], which described the denial of abuse of vulnerable children by the authorities. Similarly, CSE cases in Rochdale, such as those dramatized in the three-part series by the BBC Three Girls in 2017, flagged up very similar themes, with the effective demonization of girls from 'chaotic' backgrounds amid failures to recognise their victimisation[33].

One interviewee highlighted how the attitudes prevalent within Rochdale, so criticised in the media[34] following the broadcasting of Three Girls, were very much in existence amongst staff in some of the children's homes that they worked in.

29. Carlen (1988) No. 3.
30. See The Care Experienced Conference (2019) No. 1.
31. For example, see Polsky, H. W. (1962) *Cottage Six: The social system of delinquent boys in residential treatment*, New York: Wiley.
32. Jay (2014) No. 10.
33. Woodiwiss (2018) No. 17.
34. Wollaston, S. (2017) 'Three Girls review – a brave new focus on the Rochdale child sexual abuse scandal', *The Guardian*, 17 May 2017

'I definitely see those attitudes [amongst care staff] and the way that they perhaps perceive those girls…(M)y very first shift…the girls were in bed so I read their files. There wasn't really much on the files and I always say 'can you give me a brief overview?'…And one of them just described one of the girls as 'basically she's like a little slut'! I get exactly where she's coming from and what she was trying to say. However, it's those kinds of terms and it's those kinds of attitudes that are the issue here'. (Interview F)

This interviewee was understandably distressed at hearing a girl referred to in this way. The existence of such a negative view also highlights how any sense of the child within may become easily lost[35], and raises serious questions about the point at which an individual moves from being perceived as a child in need of welfare and support (hence their entry into care), to 'like a little slut'.

Respondent F further acknowledged that whilst there may be a difference between internal attitudes and external actions towards someone, the staff member may not be aware of the impact of her personal beliefs:

'Because we're not when it's something that sits that strongly inside of us, and you really have to work through things like that. In this kind of setting, you need that kind of support, and that clinical supervision with your staff, and if you're not having it, I don't see how we're going to turn these girls out to be better off'. (Interview F)

The need for supervision and support in what could be an incredibly traumatic job is an issue that also applies to prison settings. Without support and supervision, how can staff be encouraged to question what might be damaging beliefs about individuals in their care?

Raising Aspirations and The Problem of Labels

A related theme concerns the need to raise aspirations of care-experienced girls and women. Participants identified that a major challenge is ensuring that past trauma is not only acknowledged, but also responded to appropriately, whilst raising aspirations and not reinforcing a master status of either 'victim' or 'troublesome'.

The problem of labels assigned to those as children is that they may follow individuals into adulthood.

'(M)y experience of working with care-leavers and women offenders is that…being passed from pillar to post from a young age is a huge factor in kind of confidence. 'People don't want me, so it's almost like I'll sabotage everything that I do to prove a point that I'm not worthy, nobody wants to take care of me'…. And I just think that's reiterated in every part of their lives, from care right the way through to the criminal justice system, it's almost like they've been given a label, they're going to hold onto that label and they're going to prove to everybody that 'yeah I am that label". (Interview G).

Highlighted above is a recurring cycle of labelling of women that takes place across care and criminal justice. Whilst individuals may internalise the labels given to them, these labels may well have been created in part by a system that struggles to provide stability — hence individuals being 'passed from pillar to post'[36]. Respondent G also described how negative labels could be absorbed by professionals:

'(W)hereas actually if they started to talk about these women in a very positive way, and kind of changed the language they use to talk about these women and to these women, that would possibly help the women themselves to look at themselves in a different way'. (Interview G)

However, it can take time to see beyond labels and really get to know people. Yet a common theme in several interviews was that over-stretched professionals often had insufficient time to give, and insufficient time to reflect on their own practice.

'A lot of these women want time, want someone to listen to them, they want consistency of worker…Like someone going through the care system where they've had six different workers in the last 12 months: — 'well I told one, why do we need to tell my story six, seven times? Why do I have to repeat it'? So that's a big issue. Trust is another'. (Interview I)

As Respondent I highlights, constant staff changes prevent the development of consistent and trusting relationships. This can mean there is nobody with time to adequately connect past and present, and understand how current behaviour may relate to individual history.

35. Ferguson (2017) No. 18.
36. Children's Commissioner (2019) No. 26.

Underpinning this systems-failing is the often-observed lack of respect for care-experienced women.

> *'(T)hey don't like the way that they're spoken to. They don't like the way that they're kind of put down, the way that they're judged…you know from professional people….They're often judged particularly if they've got children…and again when you look into someone's history, if you dig deeper than scratching the surface, you will find all sorts of things that you realise has an impact on why they behave the way that they do, why they think the way they do, why they do what they do. And for me, it's someone to understand that…People are very quick to judge'. Interview I)*

Respondent I highlights the need for professionals to 'dig deeper than scratching the surface' in understanding a woman's history, but this requires time as well as adequate recording practices and information-sharing between agencies. Recall Respondent F's earlier comment that 'there wasn't really much on the files'. Negative judgements arguably become much more likely amongst practitioners with insufficient time, and insufficient information, but may serve to reproduce stigmatising stereotypes of care-experienced girls and women, leaving little space for empowering and aspirational practice.

> *'(W)e don't live in a society that values the work of care, nurture, education, anything to do with children, anything to do with raising the next generation in an aspirational way…And that's fine if you have middle class parents who will sell their bodies to make sure that their children go to the right school, and have that extra-curricular activity, and they live in the right area….When you have children that do not have anyone having their back other than the State, then we have a massive problem'. (Interview H)*

Note the distinction in the quotes above between professionals 'very quick to judge' criminalised women, and girls with middle class parents 'who will sell their bodies' to secure the best outcome for their child. These are very much class issues[37], played out against the backdrop of the current political climate, characterised by insufficient support services and widening inequality.

Conclusion

This article draws on interviews with practitioners to highlight some disturbing insights about perceptions of girls and women in the care and criminal justice systems. Interviewees observed how care status can add an additional layer of disadvantage in a patriarchal society, and how expectations of girls and women within that society limit the choices available to those with care-experience. Others noted the damaging cultures that develop amongst staff in some care and criminal justice settings, whereby girls may be dehumanised, and their vulnerability and experiences of trauma rendered invisible, particularly when they are viewed as sexually knowledgeable. This can contribute to unnecessary criminalisation, and a denial of experiences of victimisation. Furthermore, this helps reproduce negative stereotypes of girls in care and the systems failures that ensure individual trauma goes unrecognised. Such cultures are particularly likely to develop when staff lack training, supervision and support, and have insufficient time to reflect on practice. Hence, the need to support practitioners, whilst raising aspirations and challenging negative labels of girls and women.

The stubborn over-representation of care-experienced girls and women in the criminal justice system is not inevitable. Imagining an alternative future highlights the need to address the system failures that perpetuate this problem. Challenging negative judgements and preventing unnecessary criminalisation through a commitment to diversion are key to keeping those with care-experience out of the justice system in the first place. For those already there, respectful and aspirational practice is still required, although this takes time and resources. Therefore, one key recommendation linked to the raising aspirations agenda is to provide care-leaver leads in prisons around the country with dedicated work-load space for their role in supporting care-experienced girls and women to access the support they need, including on release in the community. This may not only increase respect[38] for the importance of the role, but also for those individuals intended to benefit from it. Respectful, empowering and aspirational practice should underpin work with care-experienced people in conflict with the law. This is certainly not all that is required on the journey to improve support, but it could take us a long way towards a more hopeful pathway.

37. Carlen (1988) No. 3.
38. The Care Experienced Conference (2019) No. 1.

Twenty suicides of care experienced people in custody:

A scoping review of the Ombudsman's fatal incident reports for care experienced people who died in custodial settings between 2004 and 2020.

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Introduction

This article presents a review of the Prison and Probation Ombudsman's (PPO) reports into fatal incidents from 2004- 2020. The review focuses on the reports of people who died in custody due to suicide and specifically those that had a care experience. Data shows that there continues to be a high number of suicides in the prison system[1]. The reasons for people completing suicide are often complex and nuanced with each person's loss of life having an individual context. However, statistics show there is an over representation of people with mental health and substance abuse difficulties in custody and when this is combined with the stress of life in prisons it presents an environment where suicide is prevalent[2].

Former looked after children in England's prison and secure estate are commonly known as 'care leavers' or 'care experienced people'. There have been some discrepancies in the identification of this group and what constitutes as a care leaver or care experienced person within the prison population. Accordingly, this often makes it difficult to identify what could be argued as one of the most disadvantaged and vulnerable groups within the criminal justice system. In this article we define a care leaver as a person under the age of 25 who is eligible to support provisions under the Leaving Care Act 2000. A care experienced person is someone who has been in local authority care irrespective of their age and statutory rights[3].

It is well documented that people with a care experience are over-represented in the adult prison system and the secure estate for children and young people[4]. It is important to highlight that most care leavers do not commit crime and that there are many amazingly resilient care experienced people who are prominent in sport, the media, politics, academia, and other institutions[5]. It is also important to highlight that there have been advances in supporting this group in custody. For example, HMPPS have worked with Barnados to develop a toolkit for prison staff to best support care leavers[6]. However, this is not a static accomplishment and there are many areas where their support and care are lacking, and they remain vulnerable to poor outcomes on leaving care and challenges across their life course.

There is a growing body of research that explores looked after children's experiences in the criminal justice system[7]. The focus has often been on the reasons why care leavers enter custody[8]. There have been some studies and reports that explore the deaths of young people in custodial settings[9] [10]. The data on care

1. Skinner, G.C. and Farrington, D.P., 2020. A systematic review and meta-analysis of offending versus suicide in community (non-psychiatric and non-prison) samples. *Aggression and violent behavior*, 52, p.101421.
2. Sirdifield, C., Gojkovic, D., Brooker, C. and Ferriter, M., 2009. A systematic review of research on the epidemiology of mental health disorders in prison populations: a summary of findings. *The Journal of Forensic Psychiatry & Psychology*, 20(S1), pp.S78-S101.
3. Her Majesty's Prison and Probation Service, 2019. Strategy for care experienced people, London: HMPPS.
4. Taylor, C., 2003. Justice for looked after children? *Probation Journal*, 50(3), pp.239-251.
5. Rogers, J., 2017. 'Different' and 'Devalued': managing the stigma of foster-care with the benefit of peer support. *British Journal of Social Work*, 47(4), pp.1078-1093.
6. Barnados, 2019. *Toolkit for supporting Care Leavers in Custody*. London: Barnados
7. Schofield, G., Ward, E., Biggart, L., Scaife, V., Dodsworth, J., Larsson, B., Haynes, A. and Stone, N., 2014. *Looked after children and offending: Reducing risk and promoting resilience*. London: BAAF.
8. Carr, N. and McAlister, S., 2016. The double-bind: Looked after children, care leavers and criminal justice. *Young people transitioning from out-of-home care*, pp.3-21.
9. Gooch, K., 2016. A childhood cut short: child deaths in penal custody and the pains of child imprisonment. *The Howard Journal of Crime and Justice*, 55(3), pp.278-294.
10. Youth Justice Board., 2014. *Deaths of children in custody: action taken, lessons learnt*. Available at: https://www.gov.uk/government/publications/yjb-plan-to-prevent-deaths-of-children-in-custody [Accessed 24 June 2021]

experienced people often features in these studies, generally as a small part of a broader investigation. This provides some valuable data, for example, a report by Inquest[11] found that in 30 per cent of the deaths of young adults in prison between 2011 and 2014 the person had experience of public care.

To the best of our knowledge, at the time of writing there have not been any studies that have focused on the specific issue of the deaths of care experienced people. This is a potentially significant gap in the literature as it has been reported that people leaving care are four to five times more likely to complete suicide than their peers[12]. This paper is an exploratory study that attempts to start addressing this gap by reviewing the fatal incident reports that cover deaths in custodial settings. The findings that follow, show between 2004 and 2020 there have been at least twenty people with a care experience that have died in prison due to suicide. In the analysis of the reports we identified four key findings; 1) that the people who died often had well documented histories of mental health difficulties and had expressed suicide ideation; 2) Many had experienced a significant transition prior to dying, for example, a move of prison, wing or a recent sentence; 3) This was often compounded with the person experiencing relationship difficulties in the lead up to their death, either with peers in prison or family and friends in the community; 4) in the reports there was little to no mention of the people receiving support from social work services.

A key purpose of these reports into deaths in custody is to offer lessons for policy and practice so that improvements can be made, and loss of life can be reduced.

Method

Since 2004, whenever a person dies in a custodial setting the PPO undertakes an investigation and publishes a fatal incident report. The investigation includes meeting with family and staff and reviewing the case files and paperwork. This process was established after Article 2 of the European Convention on Human Rights called for independent investigations into all deaths caused by the state, either through failure to protect or using force. The PPO undertakes independent investigations into all deaths of prisoners and detainees held in: Prisons; Young Offender Institutions; Secure Training Centres; Immigration Removal Centres; Probation Approved Premises and Court Cells. A key purpose of these reports into deaths in custody is to offer lessons for policy and practice so that improvements can be made, and loss of life can be reduced.

This paper presents a review of the PPO reports and it was guided by the following two overarching research questions.

1) What is the scale of suicide amongst care experienced people in UK custodial facilities? How many of the PPO self-inflicted fatal incident reports relate to care experienced people?
2) What are the common themes across these reports shared by care experienced people who have completed suicide in custody?

To determine which reports to include in our sample we undertook an initial search that included all the age ranges on the website. It became apparent that the reference to whether the person was ever in care reduced significantly across the older age ranges. This may of course be due to the older people not having a care experience. However, given the over-representation of care experienced people in custody we feel that care status was just not documented or felt relevant to consider. We feel this is a logical explanation given they are further away from their care experience and when they are over the age of twenty-five, they become ineligible for leaving care services. Accordingly, at this point, we chose to focus on the reports for people closer to a care experience and included the three PPO website age ranges under thirty. We selected all the reports for the deaths that were classified as self-inflicted in the age range; under 18; 18-21; 22-30. These reports dated from 2004 to 2020 and there was a total of 419 reports into self-inflicted deaths across these age ranges.

There is no systematic method of recording whether the person had a care experience in these

11. Inquest, 2015. Stolen lives and missed opportunities. Available at: https://www.inquest.org.uk/Handlers/Download.ashx?IDMF=9fe9a856-04f5-4332-8d96-1d5538a4ff66 [Accessed 26 October 2021]
12. House of Commons Education Committee (2016). *The Mental Health and Well-being of Looked After Children: Fourth Report of Session 2015-16*. p.4. Available online: https://publications.parliament.uk/pa/cm201516/cmselect/cmeduc/481/481.pdf [Accessed 26 June 2021].

reports. Over the years the reports have adopted a variety of formats written by different authors. Therefore, we developed a range of search terms to try to identify investigations that related to care experienced people. A wide range of terms were used to ensure reports were considered even if their terminology varied. The terms used were as follows; Care; Care Experience; Care Leaver; Foster Care; Residential Care; Children's Home; Adoption; Social Services; Social Worker; Personal Advisor; Looked After. We then read through the reports where these terms were found to ascertain if there was information confirming if the person had an experience of care.

The reports were analysed by two researchers, both registered social workers with practice experience of supporting children looked after by the state. One of the researchers is a social work academic with a research background that explores issues relating to public care. One of the researchers works in practice development and training, they also have the lived experience of growing up in care and serving custodial sentences in several prisons. We acknowledge that this qualitative analysis of the reports is interpretive and recognise our positions and experiences shape the interpretation. Therefore, we adopt a reflexive approach highlighting our position and the strengths this brings with our insider knowledge but also trying to avoid making assumptions and to represent the data with our positionality declared. We undertook a form of thematic analysis[13], reading through the reports developing codes and then choosing emergent themes that we felt encapsulated the key issues for policy and practice. In relation to ethics this is an analysis of publicly available documents. Some of the more recent reports included the person's names. however, we have chosen not to use any names for consistency and to respect confidentiality of the person, their family, and friends.

Findings

The scale of suicide amongst care experienced people in custody.

In total there were 419 reports on the PPO website that document the self-inflicted deaths of people in custody under the age of 30. We searched all 419 of these reports and found reference to a person's care experience in 20 reports. This accounts for 5 per cent of the reports. Considering that 24 per cent of the people in the prison population is thought to have had a care experience this overall number in relative terms presents as low. This may be due to a lack of systematic recording of care status particularly in the reports in the older age ranges, which maybe because it is outside the PPO's terms of reference for their investigations. However, data shows that younger people, who are by virtue closer to their care experience are more likely to have their care status recorded in the report. For example, between the age range of 18-21 over 8 per cent of the people in the reports had a care experience. Furthermore, the 8 children (under 18's) who completed suicide in custody since 2004 we found reference to a care experience in 6 of the cases. This represents 75 per cent of the children in the PPO reports who died in custody.

Table 2: Distribution of PPO reports across the age ranges and numbers of people with a care experience.

PPO Website Age Ranges	Overall number of PPO reports on self-inflicted deaths	References to experience of care in PPO reports
Under 18's	8	6
18-21	94	9
22-30	317	5
Totals	419	20

Documented histories of mental health challenges, and risks of self-harm and suicide ideation.

It is well documented that care experienced people are vulnerable to mental health difficulties[14]. The impact of adverse childhood experiences and often the social impacts of inequality and poverty lead to people having to cope with significant trauma[15]. These vulnerabilities were reflected in the circumstances of all the 20 people in these reports. Across the reports there were many references to mental health and people who were receiving support from mental health services both prior to entering prison and whilst they were in custody. For

13. Braun, V. and Clarke, V., 2014. What can "thematic analysis" offer health and wellbeing researchers?.
14. Smith, N., 2017. *Neglected Minds; A report on mental health support for young people leaving care*. Ilford: Barnados.
15. Fox, B.H., Perez, N., Cass, E., Baglivio, M.T. and Epps, N., 2015. Trauma changes everything: Examining the relationship between adverse childhood experiences and serious, violent and chronic juvenile offenders. *Child abuse & neglect*, 46, pp.163-173.

example, in the report into the death of a 15-year-old boy at HMYOI Lancaster Farms, there was reference to support he was receiving prior to entering prison from a Child and Adult Mental Health Service (CAMHS). In 2010 a man, who was an immigration detainee, died whilst in custody at HMP Glen Parva. He had a history of self-harm and was placed in secure units during his adolescence. Just prior to his death he was referred for a mental health assessment to review his need for his medication.

The PPO reports highlighted many of the people having had significant histories of mental health, self-harm incidents and suicide attempts both prior to entering prison and some whilst in prison. However, in practice these histories were often poorly documented in any prison recordings. A common theme across the reports was the Assessment, Care in Custody and Teamwork (ACCT) documents that outline the monitoring of risks were often found to be lacking and, in several cases, these crucial ACCT reports were missing. For example, in the lead up to the death of an 18-year-old man in Aylesbury neither his medication chart, the ACCT document, nor a supply of his anti-depressants, were transferred when he moved from Woodhill.

The PPO reports highlighted many of the people having had significant histories of mental health, self-harm incidents and suicide attempts both prior to entering prison and some whilst in prison.

The data also shows the importance of assessing risks when a person has a previous history of self-harm and suicide ideation, staff need to remain vigilant to the risks, even if things seem settled. In several cases there was a calm before the storm; people presented as being settled and had run of the mill conversations with staff and peers. This was evident in the report about a 19-year-old man who was found dead in his cell two days after being sentenced to five years. By virtue of the sentencing alone this person should have been considered as a risk of self-harm and or suicide. To compound this the man had a well-documented history of self-harm and had expressed intentions of suicide if he received a sentence. He previously disclosed this to prison staff, a barrister, a probation officer, family members, and a prison officer. However, on his return from court, he was not placed on any self-harm monitoring procedures because he presented as calm and did not express self-harm or suicidal tendencies, which may suggest the young man had made his mind up and was now willing to say what was necessary to achieve his goal of suicide.

On reading the reports, it was also apparent that the focus of the investigation by the Ombudsman was usually on the risk assessment and monitoring of people with mental health challenges. There was little reference in the PPO reports to any plans for support or details of interventions to assist people with their mental health. Details of any support and interventions would have been useful in these reports as they could offer practice insights into what has worked, and what failed.

Sentencing, transitions and moves before death.

In the circumstances leading up to the deaths of the 20 people in the reports, there were recurring examples of young people having experienced some form of significant transition. This was often a new sentence, a move of cells, wings, or prison. This has been previously documented as a risk factor for the wider prison population of young adults who completed suicide. A Prison Ombudsman's report found '*A fifth of the young adults (20 per cent) had moved cells in their last 72 hours. Sometimes moves between cells or wings in the same prison occurred very shortly before the prisoner took their life… these were often very vulnerable young men, frequently with a history of recent self-harm*'[16]. Across the 20 reports we analysed this was also a common theme in the lead up to the suicides. For example, in relation to the death of a boy aged 15 at HMYOI Lancaster Farms he was involved in multiple transitions including children's home and YOI's. During his time at Lancaster Farms, he moved to multiple different units. Another man who died at aged 26 at HMP Highpoint took his life just two days after arrival at the institution and the sentencing at court.

These vulnerabilities around transitions are potentially more acutely felt for people with a care experience as they have often experienced multiple transitions in childhood, which result in disruption to their attachments, relationships, and social networks[17].

16. Prisons and Probation Ombudsman, 2014. *Learning Lessons Bulletin: Fatal Incident Investigation Issue 6*
17. Rogers, J., 2017. 'Different' and 'Devalued': managing the stigma of foster-care with the benefit of peer support. *British Journal of Social Work*, 47(4), pp.1078-1093.

These disruptions happen at the point of entry to care, when they are removed from their families and they are often compounded whilst in care because on average they can experience four placement moves[18].

Social networks, relationship challenges with family, friends, and peers.

Secure settings can be difficult environments where people experience bullying and exploitation. It is important to acknowledge that care experienced people are often without the external support of family and friends and at higher risk of exploitation within prison culture. Across the reports we analysed, there were examples of people having to risk borrowing from fellow inmates, creating debt and vulnerability. For example, the 28-year-old man at HMP Ranby told an officer he was being pursued for a large debt. Another example is the 18-year-old man in HMP Highdown who told an Officer he had been punched on both sides of his head and that the attack was related to a tobacco debt.

There is also evidence of care experienced people having increased risks of getting involved in illegal activity, for example, to fund their canteen. In 2015, the man who died in HMP Ranby aged 28 was charged with disciplinary offences and in the lead up to his suicide in 2015 he was charged for fermenting alcohol in his cell.

There were also examples of bullying, taunting through the windows at night by other prisoners, incidences of physical violence and general intimidation. Some young men had to be transferred to a different prison to be kept safe. Often after being moved on several wings to keep them safe. As we highlighted in the previous theme each transition would likely have added to their pre-existing anxieties.

Previous reports have documented that people in custody have strong attachments to their families and partners, they can be a risk factor when relations are fraught[19]. Again, for young people and those with a care experience this can be a more complex situation with often disrupted relationships to family and carers. For example, in the case of the 18-year-old who died in Reading in 2007, during the lead up to his suicide he had disagreements with his girlfriend. On the day of his death the man had 7 phone calls within 1 hour, to his mother, and girlfriend. He then expressed lots of anger, remorse, and blame. The man wrote three suicide letters that afternoon and was found dead in his cell the following morning.

Learning lessons and looking at this issue from a strengths-based perspective it also highlights the need for practitioners to support people in custody with their family relationships as when they are positive, they can serve as a protective factor, supporting their wellbeing and reducing the risk of mental health, self-harm, and suicide.

There were also examples of bullying, taunting through the windows at night by other prisoners, incidences of physical violence and general intimidation.

Social work involvement, visits and support.

Across these PPO reports, there was little to no mention of the person engaging with their social workers or leaving care advisors. For example, in the report of the 18-year-old man who died in HMP Reading prison there was reference to a care experience and eligibility for care leaving services. However, there was no mention of a pathway plan, visits while in custody or planned support for release. We acknowledge this lack of detail in the reports about social work support may have been due to it being outside of the Ombudsman's terms of reference for their investigation. However, this may be further evidence of the HM Chief Inspector of Prisons[20] finding in their review that half of looked-after children in prison received no visits from their social worker. We know from our practice experiences that sometimes social workers and their managers feel that when a person is sentenced to custody, they are comparatively safe and perceived as being looked after. However, these 20 deaths suggest otherwise, they are at their most vulnerable and need urgent support.

Care experienced people involved in the criminal justice system are sometimes for social workers the hardest to engage with. Custody provides an opportunity for practitioners to build relationships,

18. Morgan, R. (2011) Children's care monitor 2011, Available at: https://www.education.gov.uk/publications/eOrderingDownload/Children%27s%20care%20monitor%202011.pdf [Accessed 27 June 2021].
19. Prisons and Probation Ombudsman, 2014. *Learning Lessons Bulletin: Fatal Incident Investigation Issue 6*
20. Her Majesty's Prison and Probation Service, 2019. *Care leavers in prison and probation*. Available at: https://www.gov.uk/guidance/care-leavers-in-prison-and-probation [Accessed: 26 June 2021]

whilst they are secured, with acts of kindness and practical support. Further research would be useful to explore how social workers are engaging with young people in custody. Social workers are uniquely placed to bridge the world of custody and community. They can play a role in facilitating relationships with people outside of prison. This is particularly important when you consider the examples in the report where arguments with family and partners, and the longing for missed relatives, were triggering events in the lead up to the suicides. For example, one young person, the 15-year-old boy in Cookham Wood, was desperate to get in contact with his grandmother. This boy experienced inconsistent support from children's services, his case was managed by a duty social worker, and he was only allocated his own social worker shortly before he died, whom he never met.

Consistency of reports and the Ombudsman's investigation.

The Ombudsman reports provide valuable insights into the lead up to these untimely events and they highlight the failings of the system and the lessons that need to be learned. However, reports were often inconsistent in their format and included differing levels of information. For example, some lacked even the most basic information like the person's age. The reference to a person having a care experience is often difficult to identify in the reports. This would have allowed data in reports to be aggregated more easily and better provide the ability to learn lessons for this marginalised group. As we have previously highlighted, this reporting omission of care status seems particularly relevant for care experienced people in custody in the older age ranges.

Conclusion

To conclude, the paper highlights recommendations for policy and practice and then reaffirms the previous calls of academics and advocates for a government inquiry into the deaths of care experienced people in custody.

Recommendations for policy and practice

- It would be beneficial for practitioners, managers, and policy actors to build on the recent work of Barnados[21] to further develop toolkits and practice guidance to better support care experienced people in custody. This would be best with organisations that advocate and work closely with or are led by care leavers. For example, Rees Foundation; Become; Care Leavers Association.
- The development of a clear system for identifying and supporting care leavers and care experienced people in prison during times of transition. Including, sentencing; arrival at the institution; moving cells; moving wings; moving institutions. A review of processes for transfer of key documents during these moves, for example medical records and ACCT assessments would be advisable.
- A review of mental health support of care experienced people in custody is needed. The reports suggest there is a focus on managing the risk of self-harm and suicide, which is important. However, support and interventions are vital to help people cope with their mental health and often their experiences of childhood trauma.
- There is a need to assess and support the social relationships of care experienced people in custodial settings. When relationships are good and well supported, they present as a protective factor. Disrupted and fraught relationships presented across these reports as a trigger in the leadup to the suicides.
- It is vital for social workers to not only maintain but to build their support when people enter custody. The reports suggest opportunities were missed to show kindness, connect, and build relationships, this could provide the basis of professional and supportive relationships, which could support meaningful social work interventions.
- The Ombudsman reports often followed a variety of formats and some lacked basic information like the person's age. The reference

A review of mental health support of care experienced people in custody is needed. The reports suggest there is a focus on managing the risk of self-harm and suicide, which is important.

21. Barnados, 2019. Toolkit for supporting Care Leavers in Custody. London: Barnados

to a person having a care experience is often difficult to identify in the reports. A systematic and uniform approach would allow data in reports to be aggregated more easily and provide the ability to learn lessons to better support care experienced prisoners, particularly in the older age ranges.

The fatal incident reports of the people analysed in this paper refer to the former children of the state. In the past 16 years, there have been at least 20 lives cut short; this scale of loss is unacceptable. In policy documents of both local and central government they often refer to themselves as the corporate parent to children in care [22]. The suicides of these twenty people are a stark reminder that the corporate parent needs to do better. More needs to be done to strengthen and support families, so that children are kept out of care wherever possible, and for those that need the protection of the care system, they need quality services and support, that provide love and kindness to overcome trauma.

Although these PPO fatal incident reports provide lessons for policy and practice, as Goldson and Coles[23] highlight, what is needed is a government inquiry into child deaths in custody. They stated that 'Investigations and inquests following child deaths in penal custody simply do not allow for a thorough, full and fearless inquiry, for discussion of the wider policy issues, or for accountability of those responsible at an individual or institutional level.' Through our engagement with these twenty reports, sixteen years after Goldson and Coles recommendation, we reaffirm their conclusion and the need for an inquiry. Given the scale and indeed the tragedy of the problem, we argue that this specific issue of the suicide of care experienced people, both children and adults, in custody warrants a government inquiry so that lessons are learned, and lives of care experienced people are saved.

22. Gov.UK, 2018. Applying corporate parenting principles to looked-after children and care leavers, London: Department for EducationHer Majesty's Chief Inspector of Prisons and United Kingdom, 2011. Care of Looked After Children in Custody: A Short Thematic Review. Available at: https://www.justiceinspectorates.gov.uk/hmiprisons/wp-content/uploads/sites/4/2014/08/Looked-after-children-print.pdf [Accessed: 26 June 2021]
23. Goldson, B. and Coles, D. 2005. In the Care of the State? Child deaths in penal custody in England and Wales, London: INQUEST.

Moving forwards: Using creative methods for people in prison with care experience

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Introduction

Prisons in England and Wales hold some of society's most vulnerable people who often come from and return to the poorest or most socially excluded sections of society,[1] exhibiting complex and challenging needs arising from chaotic and troubled lives. Highlighting this is the fact that those who enter prison are disproportionately likely to be addicted to substances, have mental health problems and histories of abuse and to have been in care.[2] This final point is of key importance to this article and is emphasised via the disproportionate representation of people in prison who have been in care at some point.[3] While experience in care is not always negative, it is common for people to experience trauma, abuse and neglect, as well as feelings of rejection, disempowerment and abandonment.[4] This can be further compounded after their release from prison because they often do not have a secure family base to return to and lack wider support networks.[5] Support is available to care leavers both in prison and afterwards, however it tends to be fragmented, with multiple systems and sectors involved; primarily the criminal justice and children's social care systems, but also health, education, employment, housing and the voluntary sector.[6]

To access these limited services, individuals are often expected to be forthright in acknowledging their experience of care. However, in reality and across the life course, people are commonly unwilling or find it difficult to disclose or meaningfully discuss such experiences.[7] This can have far reaching consequences for imprisoned people, including preventing them from processing their past or gaining an understanding about their behaviours and choices. It can also hinder the development of skills such as self-reflection and awareness, both of which are central to the formation of a 'non-criminal' identity.[8]

Given that people in prison often keep their care experience hidden, it is important to explore different and innovative ways of encouraging discussion about it. As such, in this article we argue that arts-based creative methods such as theatre/drama and visual methods such as participatory photography, could be used as powerful tools to encourage these important discussions to take place. From the disciplines of Criminology, Health Promotion and Public Health, both authors have experience of using these methods in a variety of settings such as schools and youth centres, prisons and residential care homes for children and young people and have seen personally the positive and powerful impact that they can have on those involved. These experiences are discussed throughout via two reflective case studies: the first looking at Forum

1. Ministry of Justice (2019) *Population bulletin weekly 27 September 2019* [online] [Accessed on 18/5/21] Available at: https://www.gov.uk/government/statistics/prison-population-figures-2019
2. Fitzpatrick, C. and Williams, PK. (2017) 'The neglected needs of care leavers in the criminal justice system: Practitioners' perspectives and the persistence of problem (corporate) parenting', *Criminology & Criminal Justice*, 17(2), pp 175–191
3. Prison Reform Trust (2021) *Bromley Briefings Prison Factfile*. Winter 2021. Prison Reform Trust: London
4. Rogers, J (2011) "I remember thinking, why isn't there someone to help me? Why isn't there someone who can help me make sense of what I'm going through?': 'Instant adulthood' and the transition of young people out of state care'. *Journal of Sociology*, 47(4): pp 411–426 Shaw, J. (2014) 'Why Do Young People Offend in Children's Homes? Research, Theory and Practice'. *British Journal of Social Work*, 44(7), pp 1823–1839
5. Fitzpatrick, C. and Williams, P.K. (2017) 'The neglected needs of care leavers in the criminal justice system: Practitioners' perspectives and the persistence of problem (corporate) parenting', *Criminology & Criminal Justice*, 17(2), pp 175–191
6. Ibid
   Rogers, J. (2011) "I remember thinking, why isn't there someone to help me? Why isn't there someone who can help me make sense of what I'm going through?': 'Instant adulthood' and the transition of young people out of state care'. *Journal of Sociology*, 47(4), pp 411–426
7. For discussion around this see for example, Dansey, D. Shbero, D. and John, M. (2019) 'Keeping Secrets: How children in foster care manage stigma'. *Adoption and Fostering*, 43(1), pp 33-43

Theatre and the second, participatory photography. The purpose of this paper is to draw attention to the creative ways that practitioners and researchers can seek to overcome the boundaries that people in prison often erect around their life experiences specifically in relation to having been in care, and to create safe spaces within the prison environment where they can explore these experiences authentically.

Why are arts-based creative methods important?

For many years arts-based programmes and creative methods have been used as vehicles for positive change with vulnerable populations such as people in prison. It is widely known that these techniques can be used to encourage the development of an array of skills which include building confidence, self-esteem and emotional resilience, developing and improving communication self-awareness and opportunities for self-expression, relationship building and impulse control[9]. In addition, arts-based creative methods can have a positive impact on how social issues are understood, creating vital spaces for reasoned debate and helping to build democracies to overcome fear and suspicion.[10] This is highlighted by the Arts Alliance, a national network that supports the arts in criminal justice settings, which maintains that 'the arts produce exactly the skills and the common humanity that offenders need if they are to be rehabilitated backed into our communities'.[11] Theatre/drama is the most commonly utilised art form in prison settings[12] and as such, there is a growing body of academic literature which acknowledges the powerful impact that it can have on prison-based participants[13]. This is illustrated by Heritage[14] who states that 'theatre in prison can be a powerful place to… reinvent the present and to imagine a new future'.

A Case Study Evaluating Forum Theatre in Semi-Secure Children's Care Homes and Prisons

This case study is oriented around the use of a drama based technique called Forum Theatre, and draws on findings from a research project which evaluated the use of a Forum Theatre based programme in settings such as semi-secure children's care homes and prisons[15]. Forum Theatre was created by the Brazilian theatre maker and political activist, Augusto Boal, in 1971. It is based around the idea of working with participants to stage real life situations which then create new opportunities for discussion that explores and challenges negative behaviour/experiences that are shared by the group. Sessions work towards a performance, where the audience act as 'spect-actors' and have the opportunity to interrupt the show to suggest alternative behaviours that they or the participants then act out on stage.[16][17] This technique has been incorporated into theatre programmes in custody on a global scale[18]. Despite variations in the format of such programmes, it has been found that:

'In most [Forum Theatre]… prison projects the final forum play has been developed by a long

8. Bottoms, A. Shapland, J. Costello, A. Holmes, D. and Muir, G. (2004) 'Towards Desistance: Theoretical Underpinnings for an Empirical Study'. *The Howard Journal*, 43(4): pp 368–89.
Keehan, B. (2015) 'Theatre, prison & rehabilitation: new narratives of purpose?', *The Journal of Applied Theatre and Performance*. 20(3), pp 391-394
9. Maruna, S. and LeBel, T. (2003) 'Welcome Home? Examining the "Re-Entry Court" Concept from a Strengths-Based Perspective'. *Western Criminology Review*, 4(2), pp 91-107
Hughes, J. (2005) *Doing the Arts Justice: A Review of Research Literature, Theory and Practice*. Canterbury: The Unit for Arts and Offenders
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14. Heritage, P. (1998) 'Theatre, Prisons and Citizenship: A South American Way', in, Thompson, J. (ed) *Prison Theatre: Perspectives and Practice*. London: Jessica Kingsley Publishers
15. For further information, see Froggett, L., Manley, J. and Kelly, L. (2018) *Creative Leadership and Forum Theatre: an evaluation report for Odd Arts*. Preston University of Central Lancashire Research Repository Available at: http://clok.uclan.ac.uk/21735/1/Creative%20Leadership%20Project%2C%20Final%20Evaluation%20Report%20o10218.pdf
16. Boal, A. (1979) *Theatre of the Oppressed*, London: Pluto Press
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17. The ethos of Boal's ideas is encapsulated here by Cardboard Citizens (N.D), a UK-based theatre company which utilises his methods; "It is a school of theatre-making… which offers theatre as a tool for liberation and empowerment to people in all stations of life in all parts of the world – a means of using theatre as a way of better understanding ourselves and how we fit into the worlds around us – and, most importantly, how we might consequently change those worlds. It is a concrete embodiment of the arts as a real instrument for social and political change" (Cardboard Citizens (No date) 'Our Story', [online] [Accessed on 24th April 2018] Available at: https://www.cardboardcitizens.org.uk/our-story)
18. For further discussions on this, see Thompson, J. (2000) 'Critical citizenship: Boal, Brazil and Theatre in Prisons', *Annual Review of Critical Psychology*. 2, pp 181-191

process of discussing personal experiences of the participants, then projecting these onto a fictitious protagonist character (thereby it becomes easier to talk indirectly about oneself) and then finally acting it out. Eventually the play is the result of everyone's story and ideas combined. In the safe space of theatre participants often dare to express their genuine feelings and thoughts more openly'[19]

These programmes have been shown to enable incarcerated people to reflect on their lives and their behaviours at a deeper level than they otherwise would, and to develop a greater appreciation of the opinions and feelings of others. This is highlighted by Hughes[20] who, in the context of one Forum Theatre based programme states:

'The workshop can be a powerful tool assisting individuals in looking at their lives… and devising and testing for themselves potentially more positive ways of responding to those pressures. It can provoke honest, personal and profound discussions with offenders around a variety of issues. Working with a fictional character created by the group makes the focus of the workshop both representative of the group's experience and distanced enough to function as a safe context through which to discuss personal issues'

The workshop can be a powerful tool assisting individuals in looking at their lives… and devising and testing for themselves potentially more positive ways of responding to those pressures.

As such, although other drama/theatre techniques have been widely shown to act as vehicles for personal growth, it is argued here that Forum Theatre could be particularly effective at encouraging discussion around and disclosure of care experience. Throughout the research around which this case study is based, it was found that Forum Theatre can provide a 'third space' for participants[21]; a place where they are able to incorporate their own biographies into a performance without specifically being asked to do so, or often even realising that this is what they are doing. Evidence of this was shown clearly in an instance where the programme was being run at a care home designed as an alternative to custody for young people who had been involved in serious gang related offences. When the workshops began, the participants appeared disruptive, uninterested, unwilling to engage and a little disrespectful. There were a number of instances when individuals refused to participate, and either walked out of the room or sat in silence. However, this changed drastically as the programme progressed, and while it was not without its problems, the use of Forum Theatre in this context was transformative and engendered much personal revelation. During an activity where the participants were asked to create the main character for their performance with the facilitators, the following discussion ensued:

'Shane was very influential with coming up with ideas for how the scenes would work — Very serious. His ideas were prompted with questions from the facilitators ['He does it a few times [drug deals for Reece his brother] and then gets caught, and cautioned'; Facilitator 'Does he go back to it after this'; Aaron and Shane in unison 'Yes']. This is clearly set on the trajectory of their lives — The tone of this part of the session is very deep and thoughtful. Facilitator; 'Do things change with his mum?', Shane; 'He's more distant with mum, who doesn't initially know what is going on. But then she gets a call from school, and throws Billy out'… This conversation was really interesting to watch as it was clear to see that the narrative was switching between the characters life and Shane's'[22]

The intertwining of biography with fiction continued throughout the rest of the sessions, where the storyline for the final performance was developed

19. Buchleitner, K. (2010) *Glimpses of Freedom: The Art and Soul of Theatre of the Oppressed in Prison*. Berlin: LIT Verla
20. Hughes, J. (1998) '*Resistance and Expression: Working with Women Prisoners and Drama*', in, Thompson, J. (ed) *Prison Theatre: Perspectives and Practice*. London: Jessica Kingsley Publishers, pp 51
21. Winnicott, D. (1971) *Playing and Reality*, London: Routledge
Froggett, L. Kelly-Corless, L. and Manley, J. (2019) 'Feeling real and rehearsal for reality: psychosocial aspects of 'forum theatre' in care settings and prisons'. *The Journal of Psychosocial Studies*, 1(1), pp 23-39
22. Kelly-Corless (2018) *Unpublished fieldwork journal*

and refined in line with common themes from the participant's lives. The final performance itself was truly inspiring; powerful, thoughtful, reflective and importantly, performed with pride. The audience (made up of staff from the establishment and some family members) were clearly moved by the insight that they were given and interacted enthusiastically as spect-actors throughout. Their role as spect-actors was particularly important as it created opportunities to draw attention to points in the performance where participants could have behaved differently in ways that could have positively affected their future. As well as raising awareness as to the influence that participants have over their own lives, such an activity can also help people to see that their choices can be limited significantly by the broader context within which they exist, for example their family situations, poverty or homelessness.

The extent of the impact of Forum Theatre depends on a number of factors, including (but not limited to) the characters of the individuals in the group, the rapport between participants and facilitators, the type of institution that programmes take place in, and the sort of issues explored in the workshops.[23] While the example discussed above was the most overtly impactful display of Forum Theatre observed during the research, participants engaged positively in most other settings too, utilising the 'third space' to discuss issues in their lives. This is highlighted further in the below quote, where prison-based participants had initially been largely uninterested and closed off during the workshops:

> *'The…prisoners… staged the temptations and hazards of drug dealing to meet legitimate demands of a family caught up in blackmail when the small-time dealer, having succumbed to the pleas of his 'customers' for deferred payment, fails to pay his suppliers. There were complex layers of choice, responsibility, entrapment, coercion, ingratiation and desperation in this short drama. The story 'struck home' — underlined by 'performance anxiety'. Thirty or so prisoners and the Governor watched. Their life experiences 'hung in the air' freighting the play with a sense of reality.'* [24]

In both of the contexts set out above, with the guiding of facilitators participants created a character whose life story very much aligned with their own. The distance provided by the fictional character seemed to act as emotional protection, allowing them to explore their histories openly yet subtly, via a veil of ambiguity. By not overtly probing participants about their lives, facilitators were able to create a safe space for them to discuss difficult and often traumatic themes without the requirement of formal disclosure or even acknowledgement that it related to them. Whilst it is important not to overplay the role that a Forum Theatre based method could have in provoking disclosure of care experience, it could certainly be used as a tool to encourage open discussion about such experiences in an indirect way.

A Case Study of Visual Methods: Using Photographs in Prison Gardening

This case study focuses on the use of participatory photography with prisoners and draws on findings from an ethnographic study where this method was used alongside others to explore participants' involvement with the Greener on the Outside for Prisons (GOOP) programme, a health and justice horticulture programme running in all NW Public Sector Prisons.[25] Participatory photography is a methodology or tool used to engage community members in creatively making change to improve their environments by using photography. It is a type of social action research which involves engaging communities in actively examining together current conditions which they experience as problematic in order to improve it.[26] In the context of this research, prisoner participants used a digital camera to take photographs during their work on GOOP as a personal diary-keeping method (which drew on photovoice and photo-elicitation methodologies). The photographs were used to reflect on their involvement with GOOP and elicit connections and meaning beyond it.

23. Buchleitner, K. (2010) *Glimpses of Freedom: The Art and Soul of Theatre of the Oppressed in Prison*. Berlin: LIT Verla
24. Froggett, L. Kelly-Corless, L. and Manley, J. (2019) 'Feeling real and rehearsal for reality: psychosocial aspects of 'forum theatre' in care settings and prisons'. *The Journal of Psychosocial Studies*, 1(1), pp 23-39
25. Informed by research demonstrating the wide-ranging benefits of contact with nature, GOOP is more than working in the prison gardens, it is most effective when working across the whole prison and beyond and tailored to specific individual and organisational needs and contexts. Recognising its effectiveness in relation to improving physical and mental health, developing key skills and work readiness, building relationships and prosocial behaviour, enhancing staff morale and wellbeing and enriching the built and natural environment, GOOP is being used as a key intervention across NW Public Sector Prisons to support the shift towards a rehabilitative culture. For further information on this, see Farrier, A. Baybutt, M. and Dooris, M. (2019) 'Mental Health and Wellbeing Benefits from a Prisons Horticultural Programme'. *International Journal of Prisoner Health.* 15(1): pp 91-104
26. Community Health Partnership (N.D) *Participatory Photography Project Guide From Community Assessment to Political Action* [online] [Accessed on 14/10/21] Available at: https://ophi.org/download/PDF/healthy_planning_pdfs/ophi%20photovoice%20guide_0916.pdf

Visually-based research techniques can provide data that might otherwise be unavailable via language-centred approaches.[27] Such approaches aren't about generating more information, but different kinds of information that enables the facilitation of a dialogue that spans the life-worlds of participants and researcher.[28] In this research it was important to recognise that many people in prison may feel 'researched'[29] which has the potential to impact negatively on engagement and responsiveness. In line with the participatory nature of GOOP, the photographic diary keeping ensured participants had an active and engaged role in the research. Methods of research using photographic imagery can be powerful tools in giving voice to marginalized groups through active and thoughtful engagement with the interview material.[30] They suggest that such methods can do several things: help facilitate subsequent discussions as photographs become key talking (and action) points — surfacing what respondents choose to share; assist in self-disclosure through story-telling while at the same time allowing distance (for instance, through use of the 'third person' in the stories told); and allow 'hidden' aspects of lives to become more visible and help surface alternative meanings and interpretations.

In this research context, participants took photographs using a digital camera and were observed by the researcher with images monitored by prison staff. The photographs were printed, selected (by the participants) and used in guided interviews and focus group discussions. This enabled participants to reflect upon and explore the reasons and experiences that guided them to choose particular images. Throughout the six months, discussions would start with developing an understanding as to why the photographs were chosen and what was symbolic or meaningful about them. The emphasis is on the participants interpretation of the photograph. For example, one participant used a photograph of a collection of vegetable produce, naming it 'the harvest' to illustrate belonging (to the GOOP project and building relationships with other participants): reflecting on potential recategorization and noting how the group had formed on the project, that they had a common purpose that had brought them together other than their offences and one where they could invest a part of themselves that would have a positive impact on others. In this reflection the participant explained the photograph:

> *'The reason for mine is because we're coming to the end of the growing season and we've hardly anything left now. So, I thought I'd take this photograph of the cauliflower and the cabbage and the pumpkin together, because it's probably the last thing you might see. Do you know what I mean? I just thought it was precious, so I'm going to take a photograph to remind me'.*

Participants were serving long sentences and talked about the importance of connectedness including how family contact had been compromised by geography or the nature of the crime.

In this focus group discussion, participants collaborated in developing a common understanding of 'belonging' in this context — with a consensus that developing a sense of individual and collective belonging within the wider prison community was engendered by the GOOP project. Participants were serving long sentences and talked about the importance of connectedness including how family contact had been compromised by geography or the nature of the crime. The photographs prompted a participant in a focus group to talk about how being involved in the project had helped to keep a normal connection with family:

> *'Well…I've got quite a big garden, so I grow strawberries and tomatoes with my granddaughter. She's down every other weekend to stay with me…and she's got her own little plot that we just put some bedding plants and some seeds in. And when she knew I was coming here, she went on the Internet and Googled it and she sent me a card saying there's a garden there, you've got to go and work in the garden. So, I wrote to her yesterday and told her where I was.'*

27. Slutskaya, N. Simpson, A. and Hughes, J. (2012) Lessons from photoelicitation: encouraging working men to speak. *Qualitative Research in Organizations and Management: An International Journal*, 7(1), pp 16-33
28. Pink, S. (2007) *Doing Visual Ethnography*. Second Edition. London: Sage
29. Moore, L. and Scraton, P. (2013) *The Incarceration of Women: Punishing Bodies, Breaking Spirits*. London: Palgrave.
30 Oliffe, J. and Bottorff, J. (2007) 'Further than the eye can see? Photo-elicitation with men'. *Qualitative Health Research* 17(6) pp 850-858

And another referred to someone moving to an open prison stating:

> *'I'm lost without […], keep wanting to say 'look how big this has grown' or something like that.'*

This led to a discussion of leaving prison and feeling vulnerable to old and new challenges and provoking anxiety and questioning the freedoms of being released from prison. While there was obvious enthusiasm for being released from prison, in depth discussions centred on their concerns and anxieties of life post-release. One participant highlighted this:

> *'I've got to the stage where I'm frightened of…I want freedom and I want…all I want out of life is to be stable, work, maintain staying off substances and continue a relationship with my family. But it's not that simple because feelings is the reason why you use substances in the first place. And I cope, I find it hard sometimes to cope with feelings more than on an hourly basis, you know, every minute really.'*

Unlike direct conventional interviews, the distance and anonymity provided by visual data are key to 'opening up' dialogue and for safely disrupting commonly held views and attitudes.[31] The use of photography requires that participants distance themselves somewhat from embodied experience, taking on the role of contemplative 'quasi-outsider', which in turn invites deeper reflection and more meaningful interpretation of events and circumstances.[32] In this research, participants used their photographs as prompts to tell stories of their lives that connected past with present. Participants who would normally come to the project and keep their heads down became active in discussions revealing their stories and supporting others. Having both worked with the participants setting up and delivering the project then as a participant-observer in this ethnographic research, it was evident that using photographs provided a different stimulus and improved their narrative accounts bringing to the fore more complex issues than interviews alone and offering more detailed insights into sensitive personal histories. Thereby offering a further method for engaging people with care experience in the prison setting to reflect on their life histories: helping to understand how such lived experience can embed meaningful change to improve systems and services.

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Discussion and Conclusions

The above case studies provide examples of creative and innovative ways to encourage discussion around and disclosure of care experience for individuals in a prison setting. Attention is drawn to the power of arts-based creative methods to create spaces where people feel safer to explore sensitive and often hidden parts of their life histories (such as care experience). When considering this in the context of care experience in prison settings, this is as important and relevant for engaging an older person who has never disclosed their lived experience as for a younger person or someone new to prison; and equally for practitioners and decision-makers to be aware of the individual life histories of care experience and the impact of that care experience across the life course. This is particularly important against the backdrop of evidence that highlights that those who have been in care are more likely to enter the criminal justice system early and more likely to be returned to prison within a year of release.[33]

The first case study showed clearly that Forum Theatre can be used as a way to evoke powerful discussion and reflection about shared difficult

31. Mitchell, C. (2011) *Doing Visual Methods*. London: Sage
32. Dennis, S. F. Carpiano, R. M. and Brown, D. (2009) 'Participatory photo mapping (PPM): Exploring an integrated method for health and place research with young people'. *Health and Place*. 15 (2) pp 466-473
33. Ministry of Justice (2019) *Guidance: Care leavers in prison and probation* [online][Accessed on 19/5/21] Available at: https://www.gov.uk/guidance/care-leavers-in-prison-and-probation

experiences of participants when used as part of an externally delivered programme. The active role played by the audience is also important as it can provide outsiders with an insight into the lives of those they interact with regularly, and also the limitations of the choices that certain populations of people have as a consequence of broader structural oppression. Whereas the second case study focused on the use of participatory photography that used pictures as a mode of inquiry to elicit authentic contributions and a collaborative engagement with the research process. This visual practice also acted as a way of disseminating participants learning and experiences back into the project and contributed to informing changes at a systems level for the individual prison and for the wider, regional-level programme and can arguably be transferred to developing a greater, more in-depth understanding of the experiences of people in prison who also have care experience.

Despite this, it is important to recognise the limitations of alternative 'creative' interventions of this type, including the fact that not all people with care experience will want to participate (and it is vital not to force them to). Additionally, practitioners may not feel skilled to deliver or have the budget to commission and sustain external providers of creative interventions. Budget justifications could indeed be met with obstacles in that it can be difficult to quantify/measure the benefits that they may have. Even with these limitations, creative strategies such as those outlined in our case studies can be used as important, powerful and reflexive tools for researchers, practitioners and participants alike, giving greater insight into the personal journeys and the needs of imprisoned people with care experience, and encouraging dialogue about these journeys, in a secure and open way.

The extent to which creative methods can be utilised and transformative will depend on a culture change that is open to embracing new and diverse ways of working that become embedded in systems and practice: which speaks to the extensive work being championed across the prison estate and set out in this special issue, to improve outcomes for people in prison with care experience.

Always Hope: New approaches to improving support networks for young adults with experience of care whilst serving prison sentences and on release

Jessie Ben-Ami *is currently leading Innovation Unit's Always Hope project, aiming to transform the professional and personal networks that support care leavers in prison and on release. She is interviewed by* ***Debbie McKay*** *who works for HMPPS and is the Operational Lead for Care Experienced People in Custody*

Jessie Ben-Ami is a Senior Innovation Consultant at Innovation Unit. She is currently leading Innovation Unit's Always Hope project, aiming to transform the professional and personal networks that support care leavers in prison and on release. For the past 25 years she has been designing and delivering interventions aiming to improve outcomes for young people in a wide range of contexts. These include those affected by gang activity and knife crime, young people not attending school, young people with looked after status and those serving prison sentences.

DM: Can you tell me about the Innovation Unit?

JBA: Innovation Unit is a not-for-profit social enterprise with a 15-year track record of developing and scaling new solutions that improve outcomes for vulnerable people. Our mission is to 'grow and scale the boldest and best innovations that deliver long term impact for people, address persistent inequalities and transform the systems around them'. Our particular expertise is working with people within complex local systems — those with lived experience, practitioners, system leaders and commissioners — to improve outcomes for individuals and the performance of the system. In the UK we work with local authorities, clinical commissioning groups, foundations and charities, central government, and internationally we work with governments and foundations. Over the last five years we have incubated and launched IU Australia New Zealand.

In practice, our work includes coaching leaders and their teams as they introduce difficult changes. We help to build local capability to ensure that new ways of working will be maintained long after our work is complete and dig deep to find root causes of problems, challenge assumptions, design and test new ways of working and help to implement change. Finally, we support organisations to collaborate with one another and build strong partnerships that can transform a system or a place.

DM: What do we know about the challenges for care experienced people after they've served prison sentences?

JBA: Well we know that the experience for young adults with experience of care on release from prison is uniquely challenging; they are more likely to have been separated from family or other support networks and to have been living in a placement outside their community and home town. In addition, they are more likely to be coping with early experiences of trauma, neglect and abuse. They are at high risk of homelessness, poor mental health, and victimisation by criminal gangs and at greater risk of reoffending on release from prison.

We also know that according to the cross government 'Keep on Caring' policy paper written in 2016 to highlight how to improve services, support and advice for care leavers, that 'overwhelmingly, the biggest issue raised by care leavers was one of isolation and loneliness: and the difficulty navigating the way through their late teens and early twenties without a strong and stable network to support them'[1]

DM: What do you think could help to resolve these issues?

JBA: In terms of what our programme aims to achieve, we believe there needs to be targeted and coordinated support to prevent reoffending for those care experienced young adults that serve custodial

1. HM Government.2016 Keep on Caring

prison sentences. While some progress has been made in diverting young people from custody, not enough work and attention has been paid to targeting those young people that do end up in prison. There is however, an opportunity to improve outcomes for young adults in prison who are also designated as 'care leavers' as they are entitled to support from their local authority beyond their 18th birthday, to age 21 or 25 depending on their circumstances.

DM: How is the Innovation Unit involved with this?

JBA: Innovation Unit started work on this challenge in 2018, thanks to funding from the Oak Foundation. This first phase of our work generated insights from multiple interviews with young adults with experience of care and of prison, as well as with the senior leaders and frontline staff tasked with supporting the cohort. In addition, we conducted desk research to review the evidence and literature. We wanted to understand, from multiple perspectives, the strengths of the current services that are responsible for supporting this cohort, as well as identifying the challenges faced by the young adults.

The outcome was a proposed new model and approach aiming to prepare and support the young adults on release from prison and reduce their risk of reoffending.

In the second phase of our work, funded by the Barrow Cadbury Trust, Innovation Unit facilitated an extensive codesign and testing process with young adults and professionals. The outcome was a proposed new model and approach aiming to prepare and support the young adults on release from prison and reduce their risk of reoffending.

We are now ready to pilot these new models in the West Midlands and we have generously been supported by Esmee Fairbairn Foundation, Barrow Cadbury Trust and the Ministry of Justice Local Leadership Integration Fund to do this.

DM: What did you learn from that first stage?

JBA: Well firstly, identifying this cohort wasn't straightforward. Without clarity as to which young adults in prison have care experience, and which local authority has responsibility for them, it becomes very difficult to offer targeted and appropriate support.

In some cases, the support worker from Leaving Care services (Personal Advisor) knows where a young person is serving their prison sentence, however when this isn't the case, and the Personal Advisor suspects they may have been incarcerated, they have to access the online 'Find a Prisoner' system that informs them of the name of the prison where the young adult is being held.

Once either the prison staff or the Personal Advisor have information that a young person they are responsible for supporting is serving a custodial sentence, we learned that it is not always easy for them to locate their counterpart in the other service. Sometimes this communication was smooth, but we heard of many occasions where it was difficult to locate the appropriate practitioner, and once located, it wasn't unusual for there to have been no response from them when contact was made.

When neither the prison or the local authority is aware that the young person in question has experience of care, the young adults may choose to disclose their status when asked. We found that many young people are reluctant to acknowledge their care leaver status. For example, we heard from some young women who were reluctant to self-identify as they were fearful it might result in their children being taken into care.

DM: What impact does that then have for the young person and the professionals involved?

JBA: The absence of coordination between Justice and Leaving Care services can result in young adults and the professionals tasked with supporting them being unclear of who is responsible for offering what type of support. The young adults do not know what support is available to them and the staff do not always understand each other's roles and responsibilities. We heard that when there are disagreements, staff are not always clear who to contact to resolve these issues, or how to escalate a situation if things go wrong.

There are duplications and gaps across services, especially in relation to developing plans with the young adults for their future. Personal Advisors have statutory responsibility for writing a Pathway plan, Prison staff have responsibility for a Sentence Plan (or a BCST2) and Probation staff have responsibility for a Resettlement plan. Assessment and planning tends to happen in isolation and information is not routinely shared between organisations. It is often the Personal Advisors who have a long-standing relationship with the young person prior to them going into prison and on their release, but the Pathway Plan rarely contributes to the plans made by the Prison or Probation services. Positive social networks are rarely

identified and tapped into by professionals to provide support.

DM: The aim in Phase 2 was to codesign a new approach to reducing reoffending with care experienced young adults. Can you tell me about that?

JBA: Between October 2019 and January 2020 we ran a series of seven workshops with the stakeholders in the West Midlands that we had worked with in phase one. Together, we dived deep into the insights that had been generated and codesigned a powerful set of responses.

Fundamental to the success of these workshops was being able to draw on the expertise of a wide range of stakeholders. Our partners included young adults serving sentences at HMP Swinfen Hall, senior staff with national and strategic responsibilities as well as frontline staff with day-to-day responsibilities for supporting the young adults. Our partners also included HMPPS leads for care experienced young people; staff from prisons within the West Midlands group; Coventry, Solihull and Warwickshire probation service; Reducing Reoffending Partnership (CRC); Birmingham Children's Trust; Wolverhampton and Coventry local authorities; Prison Reform Trust; Care Leavers Association; Catch 22 (NCLBF) and Barnardos.

In the early workshops with stakeholders, we agreed on a set of design principles that would underpin the new responses we would develop. These principles emphasised: early identification of care leaver status being crucial for maximising support; clarity about who is responsible for offering what support; and, care experienced young adults being at the centre of all decision making and service provision. It was also important that staff from the range of services working with this cohort have a shared understanding of the young adult's strengths, needs and vulnerabilities and a collaborative, joined up approach.

It was also important that staff from the range of services working with this cohort have a shared understanding of the young adult's strengths, needs and vulnerabilities and a collaborative, joined up approach.

DM Clearly a crucial part of the approach you adopted was to hear the voices of the young adults involved. What did they tell you?

JBA: Our conversations with young adults confirmed the importance of designing a model in which staff were working together in a coordinated way. The young adults also reinforced the importance of the model being fluid enough to respond to their specific and individual needs.

When we asked them what would encourage them to self-identify as having care experience, they told us it would be helpful to be told how they might benefit from such disclosure. They also thought that having a peer talking to them about how self-identifying had helped them would be good.

From their Personal Advisor and Probation Officer the cohort said they would like support specifically with employment, housing and education. From prison staff they wanted support with issues that impact on them whilst they're serving their sentence. The things which were important to them were a connection — someone to talk to and support with family and reaching their future goals.

Many young people reported getting lots of support from prison staff and from family (both birth and foster/adoptive). There was also a large number of young people wanting support from physical and mental health services as well as drug and alcohol services on release.

DM: So you have now reached Stage Three of the Project. What are the aims for this?

JBA: The aim of the Always Hope project is to pilot a holistic new approach based on coordinating and integrating support from the young adults personal and professional networks. We are looking at three approaches. The first is to create protocols for statutory service providers that encourage working in a joined-up way. The second is to increase and align understanding between the statutory services on each other's roles, responsibilities and the experiences and needs of care experienced young people. The third is reconnecting young adults to a sustainable and coordinated support network of friends, family and community members who will agree to a plan prior to release — we will do this using an evidence-based approach called Lifelong Links developed by Family Rights Group.

DM What does the Lifelong Links model involve?

JBA: Lifelong Links reconnects the young adults to positive support networks during their prison sentence, with the aim of reducing their likelihood of reoffending

on release. Given that prosocial positive networks are a protective factor against reoffending and our cohort have less access to these, we believe that offering Lifelong Links will provide the support and coordination needed to develop and maintain these networks and reduce the likelihood of reoffending. In the Lifelong Links model, a Lifelong Links specialist practitioner will agree with a young person that friends, relatives and supportive adults can be invited to a group conference. They use specialist tools to track down the adults who care about the young person and agree a lifelong support plan at the conference.

Family Rights Group (FRG) is the leading authority on Lifelong Links and has been at the forefront of developing and promoting high standards of Lifelong Links practice. FRG has been piloting this approach with young people leaving care as part of the DfE funded Children's Social Care Innovation Programme. Evidence gathered in evaluation of the Lifelong Links model demonstrated that the size of young people's social networks increased and the quality of relationships improved for those young people who were offered the model.

During phase two we worked closely with practitioners from Coventry local authority Looked After Children services who had previously prototyped a similar approach with three young men in custody, based on the Family Group Conferencing model. One of the positive outcomes of locating and bringing the network of support together for one of the young men, was that the network agreed a schedule of writing letters, visiting and sending money so that there wouldn't be gaps in contact with him. This became particularly significant for maintaining his welfare at a time when he received bad news. We are excited to further develop this model to support young people through the gates, incorporating their Lifelong Links plan into their Pathway, Sentence and Resettlement plans.

DM: How do you envisage developing the joint working systems?

JBA: We want this element to create a newly designed protocol of coordinated, person centred assessment and planning between Prison, Probation and Leaving Care staff. This approach supports the pooling of information between the staff in the statutory sector who are responsible for working with the young adult to develop plans for their future. The approach involves improving methods for identifying young adults who have experience of care when they first arrive in prison, including the involvement of peer mentors in prison helping with the systematic identification of the cohort.

We will also develop new systems and protocols for sharing information between the prison and social care when a young adult with experience of care receives a custodial sentence. There will be clarity of who is responsible for contacting other professionals, an agreed timescale in which this should happen and a clear process in place if they do not get a response from the service provider they are contacting. Finally, we will develop protocols for staff from prison, probation and leaving care services to meet and jointly develop plans with the young adults. This will include templates for the joint planning meetings to ensure that in one meeting with a young adult, the staff from the three services are able to collect the required information for their respective plans.

In phase two we prototyped parts of this protocol and brought together the Personal Advisor, Community Rehabilitation Company worker and Probation Officer to discuss the release plan for a young man due to be released from custody. The result of pooling information was recognition from the CRC worker and the Probation Officer that the Personal Advisor had significant information about the young adult that they weren't aware of. The consequence was that there was a change to his release plan and he was released to the care of a family friend, rather than to a supervised and monitored 'Approved Premises' hostel, which had previously been unsuccessful.

DM: Where is the pilot taking place and what do you hope the impact of it will be?

JBA: We are first starting to pilot these new ways of working in January 2022 at HMP Brinsford with young adults with care-leaver status under the care of either Birmingham, Coverntry or Wolverhamption local authorities, later in the year will spread to other prisons in the West Midlands region.

We believe that the direct impact of these activities will be to reduce reoffending, enable rehabilitation and increase the chances of a positive future for our cohort of young adults. We also hope to facilitate greater alignment of support across the young adult's personal networks and participating organisations as well as clarifying for young people what support they can receive and how they can better access it.

Finally, we will provide a protocol for Prison, Probation and Leaving Care support services which outlines a coordinated approach to assessing and planning with young people who have experience of care. With the evidence from our external evaluation, we hope to demonstrate the impact of the project and to scale it to other regions in the UK, ultimately aiming for the approaches to be adopted nationally.

We are keen to begin conversations with people interested in exploring the learning from this work, with a view to diagnosing local conditions, mobilising coalitions and spreading the model to other regions. To follow up on anything you have read please contact: jessie.ben-ami@innovationunit.com

Care Leavers in Custody in HMPYOI Deerbolt

Dawn Simpson *is the Services Manager with NEPACS and responsible for the overall delivery for the care leavers project work at HMYOI Deerbolt and* ***Gail Kirkby*** *is the Project Worker with NEPACS and is responsible for all case work undertaken in HMYOI Deerbolt. They are interviewed by* ***Debbie McKay*** *who works for HMPPS and is the Operational Lead for Care Experienced People in Custody*

In this article Debbie McKay speaks to Gail Kirkby, Project Worker for NEPACS at HMYOI Deerbolt and Dawn Simpson, Service Manager for NEPACS. They share details on the work completed by NEPACS during their HMPPS Innovation Grant Project and go on to talk about the continued work within HMPYOI Deerbolt with young adults with care experience.

DM: Can you tell me a bit about the organisation you work for, NEPACS?

DS: NEPACS is a North-East based charity which has been operating for over 130 years. Our principle aims are to promote a positive future for prisoners, offenders and their relatives by supporting family ties at every stage of the criminal justice system.

DM: How did you come to be supporting young people in custody?

DS: In October 2018 NEPACS were privileged to be awarded HMPPS Innovation Grant Funding to develop a new project at two north east prisons to support young men and women who have experienced being in care. The project ran to March 2020 and worked with over 260 care experienced prisoners in HMPYOI Low Newton and HMPYOI Deerbolt. Low Newton is a female establishment in County Durham and Deerbolt is a young offenders establishment in Durham. Following the project, we were able to sustain work at HMPYOI Deerbolt due to funding from NEPACS Charitable Board, Swire Trust and the Prison Service.

The project's main objectives were to explore ways to work with care leavers in custody; this included one to one casework and the co-production of an intervention resource.

DM: Why do you think this work is so crucial?

GK: Young people who have experienced care have often faced adverse circumstances in childhood which continue to have an impact in adulthood. One of the key recommendations from the Lord Farmer review of 2017 was that:

> *'Governors should be intentional about ensuring all prisoners who do not have family or other support — for example if they have been in the care system — are helped to form relationships with people outside or peers inside.' (Farmer review 2017).*

We feel very passionately that care experienced people have overcome so many adverse circumstances and that custody should not be another barrier or hurdle. Giving these young adults a voice and empowerment to inform decision on their future rehabilitation can be extremely powerful.

DM: What were the initial challenges? How did you overcome them?

GK: The first hurdle was definitely identification of care leavers in the establishment; in HMYOI Deerbolt, governors felt the demographic was around 5 per cent of the population. However, we know that care experienced young people are statistically over represented within the criminal justice system and from the Lord Farmer review of 2017 that '24 per cent of the adult prison population have been in care, yet the leaving care population represents about 1 per cent of young people.' (Farmer Review 2017)

We developed a process for recording each care experience prisoner upon reception to ensure no one was missed moving forward. This involved checking daily admissions lists for prisoners that had a 'care leavers flag' on the prison computer system, PNOMIS, but also checking details on the prisoner records such as family members, social worker details and visits.

Within a few months we had 128 care experienced prisoners in our population of 472.

Dr Chris Hartworth from Barefoot Research independently evaluated the grant project and it was discovered the most important thing by a long way was being recognised as a care leaver. He spoke to one man who told him ….

'Just a bit of recognition that we have grown up in care … this [project] has made me realise a lot of things about being in care … like I used to think it was only me but coming here has made me realise that there's loads of us and we should help each other.' (Barefoot evaluation, Dr C Hartworth 2020)

DM: What were the aims of the project?

DS: The aims of the project were to improve the contact care leavers have with their local authority personal advisers, families, carers and significant others; and also to improve resettlement outcomes by supporting this group of young people to feel more connected to their communities.

DM: Can you tell me some of the ways you were able to do this in relation to local authorities?

GK: We did this in many different ways based on the needs and wants of the individual care leaver.

Firstly, we often had to act as an advocate for the young people, liaising with the Local Authority on their behalf in the beginning, before equipping them with the skills and resources to advocate for themselves. Care leavers are allocated a Personal Advisor (PA) who becomes their single point of contact with the Local Authority, responsible for providing them with their entitlements. The project workers would contact the service user's PA to; make them aware of the young person's location, gather information, provide key updates (e.g. court dates, achievements, release plans), organise financial support, and arrange visits.

The aims of the project were to improve the contact care leavers have with their local authority personal advisers, families, carers and significant others.

We also found that many young people were not receiving the 6-8 weekly visits that they were entitled to and the project workers would often call or email to remind [them] of their duty of care and explain to them how to book a visit. In some cases, the PA's were willing to visit, but were unable to due to issues beyond their control. When a PA (who had travelled for 6 hours to attend the prison) was told that her visit had been unexpectedly cancelled, the project worker stepped in. They were able to speak to the security department and escort the PA in to see their young person. This escorting of PA's was also utilised often when a service user was self-isolating and would not leave the residential wing.

As well as facilitating visits, project workers would help the young people to access their financial entitlements from the Local Authority. Usually this was a weekly/monthly allowance on the condition that they were in employment, education, or training, but sometimes included other funds such as a payment on birthdays and religious holidays. Finally, in a small number of cases, the project workers were required to advocate for a young person as they navigated serious shortcomings by the Local Authority. This involved; helping the young person to make complaints, having cases reopened when they had been inappropriately closed, and contacting independent care leaver advocates to work with the service user post-release.

DM: And what about other organisations?

DS: As well as Local Authorities and Personal Advisors, the project workers worked closely with a wealth of other agencies, teams, and individuals to achieve the best outcomes for their cases. Some of these were prison departments or staff (e.g. healthcare, education, mental health, prison officers, and chaplaincy) and some were external agencies working within the prison (e.g. resettlement services, drug and alcohol recovery, sexual violence counsellors). There was also lots of work involving people external from the prison altogether, such as housing providers, solicitors, probation officers, and social workers other than those in the Leaving Care teams (e.g. mental health social workers).

Much of this work was around signposting and referrals. This might include filling out housing referral forms for supported accommodation upon release, signposting to the drug and alcohol recovery team when cravings were discussed, or submitting a referral to the mental health team after a service user disclosed they were feeling depressed in a session.

DM: You mentioned Lord Farmer earlier. How does working with families link into your project?

DS: Family Support is crucial and it is another service that the project workers found themselves offering. For some young people, this was the beginning of a journey to reconnect with estranged family members, such as birth parents, or siblings who were also taken into care.

In many cases, family visits were few and far between for the service users. The project worker would help arrange visits for the families and, in one

case, they even sourced funds from the NEPACS grant to support a family travelling over 250 miles. Another service user was aided in applying for 'accumulated visits', a procedure whereby unused visiting orders can be exchanged for a temporary transfer to an establishment closer to home. This meant he was able to see his mother and learning-disabled younger brother, who had not been able to make the journey up to HMYOI Deerbolt. Where necessary, the project worker may have even sat in on family visits and offered the young person support. One young man requested this of his project worker after feeling unable to express himself properly to his adoptive parents. During the meeting, the project worker advocated for the young man, and diverted their conversation away from 'how their lives had been ruined by his adoption' (this is a quote from the adoptive parents).

DM: This sounds like it could have been very traumatic for those involved?

GK: Absolutely. However when service users were experiencing emotional distress, the project workers were always on hand to offer support,as well as referring to the prison mental health team when necessary. Through one-to-one sessions, the young people had a chance to talk openly about what was bothering them. Project workers would make in-cell distraction packs, print off helpful online resources, and even provide art materials, all to support the emotional wellbeing of their service users. One young man, who had been self-isolating due to his fear of other prisoners, was provided with books about self-help and mindfulness. The project worker also adapted and delivered some online modules to him, focussed on confidence building and personal strengths.

As well as receiving support specifically tailored for wellbeing, the young people also benefitted emotionally from their general involvement with the project. They developed strong therapeutic relationships with their project worker, who remained a consistent, friendly, and non-judgemental face. Furthermore, the project allowed service users to connect with each other and form support systems of peers who had similar life experiences, greatly benefitting their mental health by promoting belonging and empowerment.

DM: I understand that the young people were very involved in shaping the progress of the project?

GK: Indeed they were. The coproduction was an exciting element of the project and not only did the young people embrace the task they took ownership of it; helping to design the themes, content of the modules, art work and colours used on the final course materials

To support this work we ran a series of group based workshops to identify the themes and issues the care experienced young people felt needed to be addressed. They freely shared ideas in the sessions and created a supportive environment, recognising that everyone had different and individual stories however, they had a shared experience of being a care leaver. The group's priority was to ensure the programme and module was engaging and fun.

To support this work we ran a series of group based workshops to identify the themes and issues the care experienced young people felt needed to be addressed.

One young man in particular described how he had been in care from an early age due to his parents being drug dependent, leading to them being unable to take care of him or his siblings. He went on to explain that having 54 placements in 8 years, ranging from foster care to care homes and finally secure residential schools, he found it difficult to trust people or make relationships and that he suffered with mental health and anxiety issues. Although grateful for the support he didn't think he would achieve anything and wouldn't have anything to offer. It was explained to him that by sharing his experiences it was recognised that he was the expert and therefore had exactly what was needed to help develop the project.

DM: Tell me a little about the intervention which came out of this work

DS: The final co-production product is 'Paving the Way', a group work intervention created by care leavers for care leavers. Specifically the programme has four modules to support care leavers in custody. The modules address people skills, care leaver rights and entitlements, Lifestyle and Housing.

The title of the programme, Paving the Way was chosen by our care leavers and means:

> *'Paving the Way — designed to create a situation that makes it possible or easier for something to happen….'*

This is the ethos of the work overall, to work with individuals to create their own future choices.

The original young people who helped develop the programme have assisted with delivery to their peers, ensuring that they understand how important their input was to the process and allowing them to see how their hard work supports other and that they truly are experts by experience.

We are proud to report that Paving the Way is now a recognised intervention at HMPYOI Deerbolt and serves as a lasting legacy to the work of the group and project overall.

DM: So what next for NEPACS and Deerbolt?

DS: NEPACS have been able to sustain work at HMPYOI Deerbolt due to funding from the prison, NEPACS Chartable Board and Swire Trust. The project continues to deliver one to one casework and delivery of Paving the Way. We have had to adapt and flex resilience during covid and working in the pandemic however, we have remained committed to the young men on our caseload.

Next steps are to fully launch a peer-mentoring scheme as requested by the original group in the coproduction. This will involve two care experienced prisoners on each wing, trained in listening skills, confidentiality and care leavers entitlements, and would provide first contacts for any care experienced prisoner, hand out information leaflets and refer to NEPACS on the behalf of their peers where necessary. NEPACS staff will support the peer mentors but the prison has also identified 30 Care Leaver Champions across all departments and grades. We have delivered care leavers awareness sessions to the new care leavers champions and these staff will help to support the peer mentors, and to promote a positive culture for care leavers.

Work with cases has become more imbedded in prison and probation processes over the last 18 months, with NEPACS supporting men through re-categorisation applications, parole hearings and in segregation. It is crucial we continue to work together for the best outcomes for the care leavers in our care.

The last three years working with care leavers in custody have been a continual learning curve, with the work completed at HMPYOI Deerbolt exceeding all of our expectations.

Without the engagement, support and interest from the care experienced prisoners none of this would be possible. Their commitment to the project and to shape a service for care leavers has been commendable, often stepping outside their comfort zones to talk to HMPPS professionals about their experiences and to our independent evaluator. One young man in particular committed to travel over 250 miles on release to talk at a NEPACS conference, he has a lasting legacy at Deerbolt by inventing the phrase ‘every jail needs a Gail’. This phrase continues to be repeated by our care-experienced prisoners on a regular basis and is a real recognition of the work undertaken by Gail, as the main Project Worker.

Additionally we need thank the governors at HMPYOI Deerbolt for their continued support and recognition of the importance of the work undertaken.

Good Practice in Prisons

Jackie Ristic *was previously the Care Experienced People Lead at HMP/YOI Lincoln.* ***Alecia Johnstone*** *is a Free Church Chaplain at HMP Preston. They are interviewed by* ***Debbie McKay****, the Operational Lead for Care Experienced People in Custody.*

Jackie Ristic is a hub manager at HMP/YOI Lincoln following time spent in operational roles and as a Prison Offender Manager. Jackie is also Probation Services Officer trained and is passionate about providing a rehabilitative culture for those in custody. She was the lead for Care Experienced People at Lincoln for two and a half years and has been nominated for a Butler Trust award and Prison Officer of the Year. After her father passed away unexpectedly and experiencing the trauma and grief of a loss of a parent she wanted to support young people through their own experiences of trauma particularly after finding out that 27 per cent of the prison population nationally had experienced being in care as children.

Reverend Alecia Johnstone is an ordained Pentecostal minister and has been a Free Church Chaplain in HMP Preston for the last five years. During her time at Preston she has received a Butler trust award for establishing an outstanding service for care experienced individuals. Alecia's start in life was less than ideal, her father has acute paranoid schizophrenia and her mother was a lifelong alcoholic with severe mental health issues. Due to the chaos that shortly followed with her father being sectioned repeatedly and her mother having severe post natal depression, then one siblings having passed away through a road traffic accident and another through suicide. At age 4 she was taken into care with her paternal grandmother. During her teens, she was fostered by a friends family and by this stage the trauma, loss and abandonment issues suffered could have easily defined her but instead they created a women who is tenacious, resilient and determined to redeem her story and make her experiences count.

DM: Please tell me a little bit about your role as Care Experienced People Lead for your establishments?

JR: I carried out my role as care experienced lead alongside my job as a prison offender manager.[1] Initially it involved a lot of work however now it's established it's much easier to maintain and offer support to the people in prison that need it.

AJ: I established a service for young male adults aged 18-25 who are care experienced. In custody, these individuals are often unidentified and consequently unsupported, alienated and incredibly isolated. The service and system I implemented resulted in these young people being identified, signposted and supported to a brighter future.

DM: How did you come to be involved in this work?

JR: I started as a prison offender manager in 2018 and, as part of that, I also gained the title of 'care experienced lead'. At the time I knew very little about the subject and there wasn't a huge amount of tailored support in the prison I was working in so it was very much a learning curve!

AJ: My manager asked if I would be willing to attend the care leavers / experienced conference. He knew of my professional background in working for the local authority as a procurement and commissioning professional for children's services as well as my work experience within various children's residential homes and educational establishments. More recently I had been involved in private fostering.

DM: What would you say are the most important parts of this role? Did you have any previous experience in this area?

JR: I was lucky to be able to try various different ideas to support care experienced men — some more successful than others! My manager was open to suggestions I put forward and we very much had the attitude of 'if it doesn't work, at least we learn'! For me however the most important part of the role is to get care experienced prisoners in touch with their personal advisors and encourage a working relationship between them to ensure they are as supported as possible both in custody and on release.

Now I have a lot more knowledge on the subject, for me, there is one fundamental thing to remember when working with care experienced prisoners — they

1. A Prison Offender Manager is responsible for the management of a person whilst they are in prison, including sentence planning and reviews.

did not choose to be put into care. People in prison that are care experienced had no control over where they were put as children, when they were at their most vulnerable. They did not choose a care experienced life.

AJ: Crucially you need strong leadership abilities, be an effective and ideally enthusiastic communicator and have a willingness to genuinely engage with these individuals' stories and lives and bring about the necessary changes to enable them to engage more effectively with support services whilst in custody and on release.

I had an advantage in that both my personal and professional background had involved me working closely with children's social services. I had been an inspector for my local authority some time ago, this involved me visiting children's homes across the county and seeing the struggles and difficulties first hand of the young people, and of those trying to care for them. My own story involved foster care, this experience shaped me into an individual who has an insatiable desire to come alongside others whose journey has been difficult and somewhat of a challenge!

DM: Tell me what is in place for care experienced people in your prison. What would you consider is best practice?

JR: I keep a record of all our care experienced prisoners, who their personal advisors are and contact details and ensure this is shared with all relevant parties including resettlement teams and offender management so we can take a collaborative approach with our support. I highlight care experienced people through the alert process on NOMIS (prison IT database) and record all contact information in the comments. This means that if someone is released and returns to custody or is transferred all the information is easily accessible for anyone that needs it and reduces work long term. We also offer peer support, prisoner forums and specialist keyworkers to really tailor the support in place at HMP/YOI Lincoln.

AJ: Working alongside Community Rehabilitation Companies (also known as CRC's)[2] we utilise the existing induction process and implement the necessary changes to ensure care leavers had multiple opportunities to self-disclose; most do within 48 hours of arriving in custody. We ensured the new systems established were incorporated and embedded into operational practice, and all the relevant policies and strategies were updated to reflect these changes. On a regular basis we run awareness training for officers, governors and chaplains and we have trained a team of specialist officers to become keyworkers for these individuals. We encourage peer to peer by recruiting, training and appointing wing representatives who will assist in identification, promote events such as care experienced forums, family and significant others days, competitions and be a voice for those who are less able or confident to communicate issues, problems or needs.

It is so important to ensure that your family days are inclusive, we renamed ours to include significant others with this in mind recognising that not everybody has a 'family' as such.

We also run forums and invite guest speakers in to share their story of being an ex — offender and being in care. These forums also provide the safe space to explore life issues such as identity, self-esteem, power of speech — your confession and self-belief. It is so important to ensure that your family days are inclusive, we renamed ours to include significant others with this in mind recognising that not everybody has a 'family' as such.

Networking is crucial — find out who all your surrounding local authorities care leaver team managers are, invite them into prison environment and educate them regarding their young person's journey into prison, their likely experiences, routines, opportunities (or the lack of!...especially during covid!), inform them of how much impact their positive support can bring to a very isolated vulnerable young person. Help them to understand how regular monthly financial support can assist them to keep in contact with the family, friends or their support network on the out. It is so important they understand how this money shouldn't be dependent upon their engagement in work or education as the YP isn't always capable to engage in these activities due to mental health or social issues. Secondly the Prison Service can't always guarantee enough places in education or employment so it is important the personal advisors understand this.

We provide materials and factsheets which empower the young person to understand their rights and the responsibilities of the statutory workers in their life's including social workers, personal advisors (the

2. Community Rehabilitation Companies are suppliers of rehabilitation services.

person who provides support from the local authority), probation officers and the support they can expect from the local authority, prison and probation.

Prior to release, arranging for joint release planning meetings with the PA (personal advisor), probation, young person and the keyworker can really assist the young person as often they can be told by the PA that they have arranged for them to go to one premises whilst probation have arranged another, both need to communicate together and ensure they are aware of the risks and needs associated with their particular young person.

On a much lighter note, one of our officers would always visit each young person on their birthday, this for some meant a lot; they were not forgotten; overlooked; it created a sense of belonging.

DM: We know identifying those with care experience can be difficult? Why do you think that is and have you found ways to overcome that?

JR: We have a great system in place with the support of Lincolnshire Action Trust (LAT) where people are interviewed immediately on arrival into custody and, by working so closely together, we have lots of prisoners being highlighted as care experienced within the first few hours of arriving which is great. As I have got the word out there of the work I'm doing the amount of care experienced prisoners in the prison has increased due to increased reporting which is great.

However, it still remains a struggle and is something we will continue to work on. Firstly, we have really encouraged and educated staff, both HMPPS and agencies, to use the right type of questions to gain the information we need and also on what support can be accessed for the prisoner — as they say knowledge is power! We have particularly focused on staff briefings and educating our young offender keyworkers to ensure they have the information to hand.

Secondly, the other challenge is getting prisoners to admit to being care experienced. A lot feel it makes them more vulnerable, gives them an unwanted label or just don't understand why we ask them! So we have prisoners as care experienced representatives on each wing who can be clearly identified by wearing lanyards and issue a bi-monthly newsletter to promote the support available.

AJ: It can be difficult but doesn't have to be. For some, they are very aware of the stigma attached to being in care, they may want to forget and distance themselves from the past often due to the abuse they suffered prior to care and unfortunately often whilst in care.

The ways we overcame this resistance was by proactively making the necessary changes to first day interviews and induction processes, appoint wing reps who will help identify those whom maybe more reluctant to disclose to a professional, also utilising chaplaincy teams which can be a good source of support and can often identify at their reception visits these vulnerable individuals.

…they are very aware of the stigma attached to being in care, they may want to forget and distance themselves from the past often due to the abuse they suffered prior to care and unfortunately often whilst in care.

DM: You have both mentioned raising awareness. Do you think other staff in your prison understand what we mean by care experienced people? To what extend do you think that it's important that prison staff understand those experiences? How can we improve this awareness?

JR: I think we can all learn a bit more about what it means to be care experienced. My perception of someone that had been in care and was now in prison was that they probably came from a family of drug users or repeat offenders. The reality is very different. I remember speaking to one 19-year-old who had been the carer for his mum who had cancer up to the age of 11. She passed away and he was put into a children's home as there was no other family members to take him in. The only thing he wanted support with was getting his property from the children's home to the prison as it had his mum's blanket in — the only possession he had of hers.

I worked really hard to create a strong partnership between the prison and the local authority and here at HMP/YOI Lincoln we have been lucky to have amazing support from Andy Morris in particular who is the corporate parenting manager in Lincoln Local Authority. He has given presentations to staff on what defines someone that is care experienced and the type of support they can be offered as well as joined me to hold prisoner forums. I have also been invited to stakeholder events that the local authority have held to increase awareness of care experienced young people in prison.

Working with care experienced people has really opened my eyes to some horrific experiences of trauma and I hope I have made a difference to some of the people I've worked with.

AJ: Yes absolutely, they do now. It is absolutely vital that all officers at all grades are educated regarding the common experiences and issues those in care face. Training on subjects such as attachment theory should I believe be included in prison officer training as that would help them see and understand why many of these individuals are socially awkward, often found in segregation, struggle to trust anyone and establish and maintain long term healthy relationships.

DM: How can we best support care experienced people whilst they are in prison?

JR: The priority has to be getting them in touch with their personal advisor (PA) from the local authority if they are still eligible for that support.[3] I ensure details are provided to both the PA and the prisoner on how to write, email, call, visit or send money in so they can choose the best option for them. The feedback since starting is that those that are care experienced feel lonely so I've tried to help this by holding prisoner forums and invited agencies to support these including the local authority and internal agencies. Above all listen to their stories and support them in their rehabilitation — a little bit of confidence in someone's ability can really inspire them to achieve more.

It is absolutely vital that all officers at all grades are educated regarding the common experiences and issues those in care face.

AJ: By going the extra mile! They have been adversely treated and suffered huge losses in their lives. They haven't been given the basic building blocks which we may take for granted of love, security, affection, acceptance, warmth and belonging. They find identity a real issue, having moved around and often been passed from pillar to post they often struggle to feel any sort of belonging, rootedness or sense of home. Their self-esteem is shattered and their hearts broken, they have little hope and are desperate to be seen, heard and valued. We need to draw alongside them, listen well, empower and bring about some changes and challenge their attitudes in a positive manner. Build a relationship with them of respect and teach them new ways to approach situations and circumstances, with dignity, diplomacy and resilience.

DM: What challenges have there been for you in your role? How have you overcome them?

JR: Getting external agencies on board with what we are trying to do. As a cat B local we get people from all over the country and the service offer from different local authorities varies dramatically particularly for the 21-25 year old age group. It's been really important to know exactly what care experienced people are entitled to ensure that's what they are offered as a minimum and, if not, for me to be confident enough to be the prisoners ally and challenge local authorities to ensure they provide the basics. This has been getting better as good practice has become embedded but there's still a long way to go.

AJ: I had one day a week and no other official team members. Limited time and no funding were the biggest challenges. I have a supportive chaplaincy team and manager who enabled me to run with something I am passionate about. My energy and desire to make a difference for these young men is a large part of what got me through. Initially many operational colleagues were cynical, negative and quite apathetic. I didn't let that deter me but used those opportunities to educate and gently challenge inappropriate attitudes. Communicating clearly, concisely and passionately enabled me to influence and begin the culture change required to bring about change and positive outcomes. Being able to negotiate and influence colleagues at all levels was tricky but essential as they needed to be on board. Working with other departments over whom we have no management responsibility can be difficult but as long as the governors and senior managers are on board and are able and willing to support you then the resistance to change is limited.

DM: What sort of things have enabled you to carry out your role?

JR: The support of my manager and the Senior Management Team here at HMP/YOI Lincoln has been amazing. They have backed my ideas and asked

3. The local authority is under a statutory duty to provide the support of a personal advisor for all 'care leavers' until the age of 25 years old. The personal advisor is not the allocated social worker, but is appointed to perform a range of roles, including offering advice and co-ordinating the provision of services.
4. The ACCT process is designed to support people during periods of crisis, but particularly when they self-harm, attempt suicide, express thoughts of suicide ideation or thoughts of self-harming. The process includes regular review meetings to which an individual's next of kin can be invited.

questions to ensure they can promote the work I'm doing across the whole prison. I will always be grateful for their belief in the work I was doing and the passion I had for wanting to support care experienced people.

AJ: My past experience of working with children and young people in care and personal experience have really helped. Also, clear direction, vision and communication from the national and regional leads. Specific allocated time weekly to dedicate to the role. An understanding chaplaincy team and a Governor's and senior managers who got it!

DM: What are the most important things we need to address going forward for our care experienced people? How do we do this?

JR: From a prison perspective we need to address the support we can offer over 25-year-old care experienced people in custody. At 25 the support from a local authority just stops however the trauma doesn't go away. I have always held my forums for all those that have experienced being in care and will carry on being inclusive where possible. We also need to be better at our communication with local authorities and ensure they are on board with supporting prisons and the changes we are making to improve our care experienced strategies.

AJ: We can provide a platform to voice concerns, challenge the existing services and see their suggestions implemented locally. They no longer need to feel overlooked, silenced and isolated. They can be empowered to make a difference to their peer group. Prison services including family days for example can become inclusive. We have to ensure they can access their social care files and with the right support mechanisms in place, enable them to read their own life story. Facilitate events where inspirational guest speakers who had similar experiences can share their story and bring hope to prisoners who could begin to imagine a brighter future for themselves and those around them. Hold forums and explore issues such as identity, self-esteem and the future. Explain and cover topics such as the importance of our confession, self-fulfilling prophecy and the words we speak, self-belief and the need to dream again. Ensure staff are educated regarding specific issues care experienced individuals face such as attachment issues. Ensure we are inclusive when advertising events or programmes in the language we use being aware that not everybody has a 'family'. Most of all, be empathic, authentic and compassionate in dealing with these young people.

DM: Tell me about a time when you think you have made a difference to someone and why that was?

JR: One of the first people I worked with as part of my role as care experienced lead was Mr W. He was a prolific self-harmer and serving an extensive sentence for a 23-year-old and had been put into care after being abused by his father. I explained what my role was and we managed to re-gain contact with his personal advisor (PA) in Birmingham.

His PA supported the prison with the ACCT (Assessment, Care in Custody and Teamwork) process[4] as 'next of kin' and eventually we managed to arrange for him to visit Mr W. I remember going to the visits hall and they told me stories of driving to get fried chicken — it all seemed so 'normal' and relaxed — exactly how you would expect someone to be with their family.

When it came to Mr W's release he was due to go into an approved premise but with support of his PA and other agencies it was agreed he should return to live with his mum. I have no doubt he would have been recalled within days of release if he had gone to an Approved Premises but the support of his mum really helped him and his rehabilitation.

The best thing about the story? He made a difference to how we worked too. He was my care experienced lead which gave him responsibility — something he had never been trusted with before and with that came some much needed confidence in his own abilities. He put forward ideas that we continue to use today and I hope he realises how he has made a difference to his peers with what we have been able to implement.

AJ: One young man had ongoing issues with staff, periodically he would have a short fuse and mouth off his anger and frustration at officers who were often trying to assist. Coming alongside regularly to listen and understand his perspective, listen to his story and begin to help him unravel why certain behaviours and coping strategies were his default and help him recognise and realise that he had the potential to change and learn new skills, new attitudes and new behaviours which would be much more effective in helping him achieve his desired outcome. He went on to be a respected orderly on a wing with other care experienced individuals for who he also became a buddy and wing rep. He obtained his social care file too whilst here and I was able to ensure appropriate support was in place to help him in the process. When he eventually moved on from here, he sent his thanks to me for all the support given and stated he would be eternally grateful. It was a pleasure to journey alongside him and draw on my various experiences to help him go from strength to strength.

Reflections of a 'Champion'

***Teresa Clarke**, Prison Group Director for the West Midlands Prisons and Care Leavers Champion for Her Majesty's Prison and Probation Service*

In 2013, when I was the Governor of HMP/YOI Swinfen Hall and was asked to become the Care Leavers Champion for NOMS (later HMPPS), I didn't know anything about the care system or care leavers. I was told it was an 'ambassadorial' role and I would not have to do anything apart from represent the organisation on the subject of 'care leavers' (we now use the more inclusive term 'care experienced people'). In reflecting on the last 8 years, and my journey from ignorance to a degree of knowledge, I realised that this journey can only be described through the people who taught, encouraged, corrected, challenged, supported and helped me. As I was the first and, until October 2021, the only 'Care Leavers Champion for HMPPS, it is also the story of how we as an organisation began to understand and deal with the people in our care and custody who had been in the care of local authorities as children. I use the term 'care' in it's technical sense — appreciating that many of the people I am referring to didn't feel cared for. Many still don't feel that the large organisations that act as the 'corporate parent' (whether that's a local authority or HMPPS) often fail to meet their obligations to provide the level of care and support needed. That said, I have been overwhelmed by the dedication, enthusiasm and commitment shown by people in many organisations to work with and support those who have been in care. The willingness of those both in the voluntary sector and local authorities to challenge us to do better has been one of the most refreshing aspects of this work. Here, I share my reflections of the last eight years in my role as 'Champion' (a term I never felt comfortable with) by considering some of those people and the part they played on this journey.

Let's start with someone to whom I owe a huge debt but who is sadly no longer with us: Darren Coyne. Darren worked as part of the Care Leavers Association and was the first person to help me understand these issues. When I was appointed, as a result of the Cross Government Strategy on Care, launched in 2013,[1] he met with me to explain why we should find out who our care leavers were, establish contact with the relevant local authority, and access the entitlements each individual had. It's important to stress that at this point neither the Prison or the Probation Service had any way of identifying those who had been in care, and didn't know they might have entitlements nor have any links with local authority leaving care teams. Darren taught me about entitlements, legal requirements and local offers but also about how it felt to have been in care, the disadvantages people faced and the trauma experienced by many. Darren was my guide and teacher and his passion for doing the right thing was contagious. He was always willing to challenge and tell us we should be doing more but did so from a position of authority not only because he had been in care but also because he devoted his life to this cause. He championed the notion that a 'care leaver' should not be narrowly defined as a young person between the ages of 18 and 25, but as anyone who had ever been in care, regardless of age. He argued that once you had been in care this was an experience which should be recognised as impacting on your whole life. This was one of the reasons we moved to using the terminology 'care experienced people' — in order to recognise that experience of care is something which needs to be recognised for the long term and regardless of age. He campaigned for closer working between prisons/Probation and the local authority, arguing that there should be one plan rather than a Sentence Plan by the prisons and a Pathway Plan created by the local authority. I am pleased to say that this is currently being considered and explored by the Innovations Unit as part of their work in our prisons.

One of the most powerful aspects of this work has been hearing from the young people who are or have been in care. On several occasions I have heard Sam, one of the young men who work with the CLA to represent those who have been in care, speak about his experiences. He gave evidence to both the Farmer Review (which considered the experiences of families of prisoners) and Lord Laming's review[2] into children in

1. HM Government 2013 Care Leavers Strategy: A Cross Department Strategy for Young People Leaving Care Available online: Care Leavers Strategy (publishing.service.gov.uk)
2. Lord Laming (2016) In Care, Out of Trouble: How the life chances of children can be transformed by protecting them unnecessary involvement in the criminal justice system. London: Prison Reform Trust. Available online: www.prisonreformtrust.org.uk/Portals/0/Documents/In%20care%20out%20of%20trouble%20summary.pdf.

care and custody, each time making an impact by simply telling people how he had been moved around, neglected and not treated as though his needs and wishes mattered. Similarly, the stories of those we hold in custody and who have experienced care have reminded me that those we label 'prisoners' were, not long ago, 'children' who were 'in care' but not necessarily being cared for. After over 20 years in the Prison Service, I had thought I could not be shocked or moved by the backgrounds of those we held in custody but when we held a 'Care Leavers Day' in Swinfen Hall in 2015, and some of the young men told their stories, I found myself moved to tears. One of the most challenging aspects of working with this group of people is that we are reminded of their humanity and ours.

I think that is why when I introduced the Prisons Minister, Andrew Selous to a group of young men who had been in care at Swinfen Hall he didn't want to leave and almost missed his train. He visited Swinfen Hall in 2015 and wanted to hear about the work I was leading but was short of time. I knew he would get more understanding of the issues by meeting these young men than by walking around the prison so, after a short tour, I introduced him to a group of young men who had been in care and left him. An hour later, he had to be reminded repeatedly by his aide that he needed to get a train! I was touched by his interest and willingness to listen to people whose voices are seldom heard. He was moved by their stories and asked me to let him know what he could do to help.

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But it isn't enough to hear from and care about these issues. In order to address them, you need to build structures and processes. It's all very well to insist that care experienced prisoners should be able to access support from the local authorities but if we don't have structures in place to connect with local authorities we can't request that support. Instrumental to facilitating these connections was the National Leaving Care Benchmark Forum run by Alice Frank and others for Catch 22. The forum brings together most of the local authorities across England and co-ordinates communication about leaving care support services with other organisations. When they invited me to the forum in 2014, I naively assumed they had no connection with those in custody and were providing no support. I was wrong and found myself both warmly welcomed and on the receiving end of some fairly blunt feedback about how we were not enabling access to local authority staff who were trying to provide support to their care leavers. It was a light bulb moment.

From then on, I could tell my fellow Governors that local authorities wanted to support those care experienced men and women, but we needed to allow them to. I realised then, as I do now, that this is not universally true, but it demonstrated that there was support for many if we could just enable it. It also reinforced the need for structures in our own organisation. Without a single point of contact in every prison, and a regional or group lead in every area, we could not feed this information to those who needed it. We started to put these structures in place and organised the National Care Experienced People Forum to gather together the various government, prison, probation and voluntary sector representatives who were willing to work with us to identify and support care experienced people. When we were funded for a full time Operational Lead for Care Experienced People and Debbie McKay took up this post a couple of years ago our ability to engage with partners, support regional leads and drive forward change really stepped up a gear. Debbie has done great work in supporting and encouraging others and I am grateful to her as well as all those in prisons who have worked so enthusiastically to move us forward.

Several of the contributors to this journal have talked about the need to identify those who have been in care when they arrive with us. However, this is not just about putting processes in place. The most robust process in the world is ineffective if people don't want to disclose. There is a need for us to approach this difficult and sensitive subject in a variety of ways and using age-appropriate language. This requires a better awareness and understanding of the issues across the whole organisation and one of the ways we tried to achieve this was by holding an annual conference. The purpose was to speak to a wide range of people particularly those who could influence our service, ministers and policy. It was also intended to provide support, education and information for those involved in the day to day, difficult and complex work. It was fantastic to be supported on this by our CEOs — first Michael Spurr and then Jo Farrar- who each attended and spoke. But anyone who attended those conferences will agree that the most powerful messages came from our speakers with experience of

care. Lisa Cherry had us leaning forward to hear more as she described her experience of care, trauma and recovery. Her speech cemented my wish to make the Prison Service a 'trauma informed 'organisation. Lemn Sissay OBE, poet, author and Chancellor of Manchester University, came and spoke of how his experiences of care both bruised and harmed him but also motivated him to rise above them. Ian Thomas described his journey from care to offending, drugs and prison and then to become a successful social worker. It was incredibly impactful and all told their stories with force, humility, humour and honesty. This is what propels us forward — the human stories of trauma and distress and the evidence that with some support people are able to rise above these experiences and use them to become beacons for others to follow.

When you work in an organisation which holds people in custody you see a lot of evidence of the damage we do to each other. Working with those who have been in care reinforces how cruel, harsh and uncaring the world can be, even to small children. But it also reminds us how strong the human spirit is, how resilient people can be and how much potential there is in those we incarcerate. I have heard prose and poetry, seen art and drama and read stories which were moving and thought provoking from our care experienced people. I have been struck by their talent, humour and resilience. We have success stories and we see people unfold and thrive when given the chance.

Over the last 8 years I have seen huge change in our understanding of the experiences of care experienced people and good progress towards more consistent identification and support. I no longer need to explain what a 'care leaver' or 'care experienced person' is when I begin a conversation with a senior colleague or engage with others across the Ministry of Justice. Our staff increasingly have an awareness of this subject if not a detailed understanding (we are still working on ensuring training is embedded). Many of our staff and managers have engaged enthusiastically with this work and led the way in finding new ways to support people. We have a published Strategy, launched by the CEO, Jo Farrar, and supported by an action plan setting out how we will deliver it. We regularly engage with other government departments on this issue — Department for Education, the Department for Levelling Up, Housing and Communities. There is a Ministerial Board chaired by Michael Gove which considers how care experienced people can be supported and is attended by ministers from across government. The work by the voluntary sector is outstanding and drives us forward, presenting new ideas, new approaches and new ways of working. We have seen one of our previous prisoners who had experienced care secure a job with the Ministry of Justice with her lived experience valued as an asset, not perceived as a problem. In other words, we have made great strides forward thanks to the energy and enthusiasm of those inside the Prison and Probation Service who have cared and wanted to support this group of people.

I am proud of all the service has achieved in this eight year period and hand over to Alison Clarke as the next Care Leavers Champion secure in the knowledge that she will take it forward with energy, enthusiasm and fresh perspective.

How the correct support can lead to positive outcomes for people with care experience

Tassie Ghilani *is a policy advisor with the Ministry of Justice, studying Criminology, with both custodial and care experience.*

Being a care leaver in custody presents with its own unique set of disadvantages, however speaking from experience this does not necessarily mean it has to be a negative experience. Like many, my relationship with authority of any kind was very combative due the fact I felt they were there because of me and not for me. This was reinforced by it taking 6 months for my personal advisor — someone allocated to an individual post the age of 18 if they have had experience of the care system — the only person who was supposed to be dedicated to my care, to make any contact. Care leavers are used to the feeling of rejection and abandonment. The consequences for any negative action is removal and discrimination so these feelings weren't foreign to me. However, in times of need they become all-consuming and reinforce the negative opinion and unworthiness you already feel towards yourself when the person paid to look after you doesn't even want to know. But this is not a sad story. This is a piece about how an organization recognised a shortfall for one of the most in needs groups who enter the criminal justice system and because of this I was able to flourish into the individual I am today.

During my time in custody, I started to become more aware of the shortfall in services provided to care leavers in prison. When I started my journey in custody there was not any support in place for care leavers and there was a massive lack of awareness surrounding what it meant to be a care leaver. Being a care leaver myself I did not truly understand what it meant, what my entitlements were or what support was available for people like me. I vaguely remember being asked the question upon entry to custody but there was no further significant conversation about why it was being asked or what it even meant; we know what it means to us personally but from a systematic approach it was just another tick box.

While my prison experience is only limited to two different establishments it was the latter one who were working to develop the support given to care experienced individuals and approached me to help to develop this further. Thanks to the ever-growing awareness surrounding care leavers and the backing of HMP Drake Hall this all changed very quickly. Both I and the care leaver lead at the time came up with a system to identify, support and connect the care leavers within the establishment. The question is always posed surrounding how best to gain care leaver interactions and I am aware it is an incredibly difficult task, so none of us expected the response from the females that we received.

We start by identifying, which was our biggest hurdle as not all residents that fitted those criteria have been identified for multiple reasons. It may have been the question was not asked or the individual did not want to disclose due to the negative stigma attached to people who have been in care. We asked every single resident again individually if they had care experience however this time, we also explained exactly why we are asking them this question and explained that we wanted to learn how to better support this group of individuals. What I quickly learnt was that not even 25 per cent of this group had even been identified but it gave us a new starting point and meant from that point onwards we only needed to cover new intake.

I would reiterate that the peer advisor system was particularly effective when working with care leavers as they sometimes felt more comfortable approaching groups of their peers than members of staff. They are also able to provide a more constant level of support as they are easily accessible within the prison and are there from day to day whereas a particular member of staff may not be. This also removed the reservations care leavers have when declaring their care experience. This made it possible for the important task of identification at the earliest available opportunity which was upon entry to the establishment.

While it is great to make a note of who is care experienced, for the peer advisors to establish a relationship we didn't want to bombard them with further information. During this time it can be very

emotional for any individual, this was addressed by a follow up either the next day or later on in the week once they had had a chance to settle. This time was then used to establish which local authority were responsible for them as well as starting conversations and creating a collaborative approach for everyone involved within the care and rehabilitation process. Due to the trust and freedom I was given and that I had earned during my time at HMP Drake Hall, I was lucky enough to be able to create the log of our care leavers as well as contacting the personal advisors, which not only freed up time for the staff but allowed me to gain and develop transferable and real-life skills.

It didn't stop there; identification and engagement of all parties was only half the battle. We wanted to nurture and develop these individuals — something that they haven't received much of before. This was done by each one being allocated a specific peer advisor who would check in and work on development plans with everyone coming together once a week for a focus group where the voices of the unheard could be heard. We introduced care leavers day dedicated to life sentenced prisoners and young offenders. Most care leavers do not receive visits and rarely have an escape from the day to day of prison routine, and it is important to have a day dedicated to care leavers. These days are not just for unwinding purposes, they were also used to invite external agencies working with care leavers into the establishment. These sessions were used to encourage and educate care leavers so they had a broader knowledge of career prospects and support available post release, making their transition back into the outside world less frightening.

Not only had we identified and continued to identify a whole range of care leavers within the establishment, but we saw a real community being formed. I believe we helped change the way care was given to care experienced individuals, trust was built between peer mentors, care leavers and staff in a unique way. Going back to the complicated circumstances surrounding a care leaver in custody, both the staff and peers began to learn and understand the care leavers and why they behaved and reacted the way they did. They then started to reach a point where they would approach staff before an outburst, so it did not escalate into a negative situation.

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I always say that my world was full of negative people so the last place I thought I would find inspiration and support was from the staff within a prison. None of this would be possible without the work and help of the Custodial Manager[1], who changed my life for the better, he is in every speech I make because he saw something inside of me that no one else ever had. I remember walking into his office for the first time with very little confidence and the quietest voice imaginable and being introduced to him to him for the first time. While I did not yet have the confidence, I had the vision, and he could see this so all he did was push me to be the best version of myself and had enough trust in me to implement all these changes with his support and constant encouragement. My first big event was the 2018 care leavers conference, where I was able to run a workshop helping other prisons and organizations responsible for the care of people in prisons. I worked to not only implement the teaching that had been working so effectively in our establishment but raise the standard of care given all around continuing into post release.

We all have a bar that we set for ourselves, a set of standards a vision of what you want to achieve but people who have been through the care system always set low expectations which become even lower once they reach the criminal justice system. To be given the opportunities and responsibilities that I had was overwhelming, but it made me want to strive higher and further and to continue to help as many people as I could. It is very easy being confident and assertive while you have your own personal building of cheerleaders but upon release, I took a fall from grace.

The mind is a very powerful thing and my first hurdle, while a simplistic concept for some, was learning self-worth and self-confidence that was not dependent upon another person's praise or encouragement. I had always done everything for other people, I felt my needs and wants were insignificant in the bigger picture of things and became rather subservient to individuals which eventually became my downfall and the reason I ended up in custody. While you are busy concerning yourself with the wants and needs of others you notice that everyone is on their own journey, and no one is concerned with your needs. This is not a negative, and while this level of selfishness

1. In the prison staff system there are 3 rankings of officers before Governor with Custodial Manager being the highest having 3 stripes

was a foreign concept for me, I had realized it was one I had to develop fast if I ever wanted to succeed in life.

There are so many opportunities available when you have contacts within a certain industry such as the Ministry of Justice or the care sector and even third sector organizations, but without those routes in, it can be quite daunting initially making that entrance. My solution was to accept any opportunity that was presented to me even though that meant most of my former work was done on a voluntary basis. This allowed me to network, and I was being introduced and re-connecting with people who had the ability to help me get to the place where I could achieve what others previously deemed unachievable.

For the first time in my life, I had options other than just 'criminal', but I wanted to also be able to build the next generation to come, people to continue implementing the new practices after I leave in order to create change on a wider scale. For me to achieve this, I knew I would have to reach the decision makers and the people in power who could help with building long term suitable change.

This was a farfetched ambition I never thought was possible and would be even more so if I did not have some form of educational background meaning it was time to pack myself off to university to study criminology. I didn't want to lose momentum over the three years my course would take to complete so alongside continuing to volunteer with the Ministry of Justice and starting a degree I also set up a consultancy business working with a range of organizations all with a similar agenda to further the lives of individuals who had been in the care system and the criminal justice system. I see life as a constant job interview, every person I meet or work with, I try and leave a positive lasting impression in the hope they would want to work with me further or recommend me to work with others they may know. While some might have seen this as a pointless exercise and an inability for me to choose a specific organization, I was starting to reap the rewards. My name was the hot topic amongst many organizations, and it helped me to not only achieve the professional experience employers look for, but it really developed my message and what I wanted to achieve.

I get to influence the way other organizations assess the care being given to care experienced people, assisting on huge pieces of legislation towards life changing opportunities for ex-offending going into employment, spreading words and wisdom on the radio, training new social workers to be the best for their young people but most importantly working with the police service directly so these individuals are diverted so hopefully they never end up entering the criminal justice system in the first place. Back in 2018, when I started, never did I ever imagine I would be stood in front of Members of Parliament and them giving me time to hear what I have to say and to acknowledge the changes that needed to be made but that is because while I had raised the bar for myself, I had not raised it far enough.

As an unapologetic overachiever this was not enough for me, not that these were all amazing achievements that I should have been incredibly proud of, but I still did not feel like an equal. You hear the words 'lived experience' like that's all you are and while you are sat around with professionals within their own right you were still just an ex-offender. I wanted to be something more. I wanted to be an equal so next time I spoke it would not be coming from an ex-offender it was coming from someone who was seen on an equal footing to the others in the room rather than the performing monkey. Like I said the mind is a powerful thing and once you are convinced you are seen in a certain way, it is hard for that to be changed but little did I know the job that was made for me came knocking on my door. Once again, I applied with trepidation not ever dreaming that I would EVER be employed by not only the civil service but the Ministry of Justice.

This world is full of unknowns, and you do not know where you are going to be in the next five years but with all the odds stacked against me, I did not think I would be this far in such a short space of time. I've stopped trying to think where I am going to be later on because my brain will limit my own potential and growth. On entry to custody, I had a very single-track mind, I was there for punishment, and I had every intention of returning to my life before custody. I never imagined that essentially strangers would see something different in me. Yes, I already had the passion however without the platform and support I don't think it would have been my reality. It was not something I was able to do alone and thankfully I was not despite my pre-conceived ideas surrounding prison staff. You never know the impact you will have on another person's life, something simple such as time out of your day can become that lost person's opportunity.

Sometimes we make mistakes, some bigger than others, but it should never be how you fall that matters, it is how you get back up again. This was not easy. I still made mistakes along the way agreed they were not criminal but we all stumble, we fall, we make mistakes, but you never succeed more than you fail it's impossible to the mechanics of learning. There is no point in placing limitations on yourself because I have proven that if you work hard enough and have good intentions then you will always be on the path you should be in life.

Book Reviews

Shannon Trust support people in the criminal justice system to learn to read, so they can navigate daily life with more ease, pursue wider opportunities and thrive. They do this by training prisoners that can read to support prisoners that can't. The latest data shows that 56 per cent of people in prison have low literacy levels, which is currently over 40,000 people. Many non-readers in prison have experienced care, which is the focus of our book reviews in this edition. A quarter of the people in prison that have experienced care have had more than six different placements, which has interrupted their education. When in care, there is often less support around education at home, and this results in almost a third of care leavers having no qualifications. We believe that reading is the springboard into a life of connection, safety and purpose. It's the ability to connect with family and friends through letters, to read leaflets, posters or safety information, to understand a canteen sheet, get into education, get a job, fill in forms or complete benefit claims. What often starts with reading quickly turns into the first book ever read, the first certificate ever gained, and the first qualification achieved. Through this, confidence grows and other possibilities emerge. Shannon Trust mentors provide the support and encouragement that can be missing when someone leaves care, two mentors from HMP Northumberland have taken the time to share their thoughts on the following books.

The Brightness of Stars: Stories of Adults Who Came Through the British Care System

By Lisa Cherry.

Publisher: Chris L Wilson
ISBN: 9780956331090
Price: £18.99

Lisa Cherry's book 'The Brightness of Stars' is about sharing the troubles, struggles and often traumatic experiences along with a few rare testimonies where the looked after/in care child was supported, nurtured, loved and reshaped to become a thriving member of society in their young adult life.

Lisa's book is there for all to see and maybe if willing, learn from. The testimonies show just how much the system has changed.

This book allows the reader to really understand just how much damage can be done to a child in care especially if the signs are not picked up on sooner so that intervention and support can be put in place before the child/young person will spiral out of control.

It has taken coming to prison to realise just how much my own abusive past has affected my adolescence and adult life. Support networks and therapy were non existing. Just like with Lisa's story and the others that shared theirs, between 16-18 years of age you are sent on your way into the world to fail and become hidden from society or for those rare cases you'll succeed and be able to take on the world for your future.

Lisa's own story highlights the social exclusion, rejection, suffering, isolated along with the severe depressive and mental illnesses that can and often do come with every in care leaver as they step out into adult life.

Lisa has included other testimonies, seven are from adults who have been in care children. These testimonies are poignant, informative and suggestive to the change that is needed within children social services. More needs to be done to protect those that are in the system now and the future.

Lisa's aim for her book is to bring insight and further understanding to the issues that are common and to provide information on interventions that would benefit the 16-24 year olds. It is a small collection of unheard voices who share their experiences.

This book is highly beneficial to those who are policy makers, those of us who have had our own negative experiences of being in the care system, those who want to learn from the past and support change where it is needed.

Lisa's book has opened my eyes to just how bad the system is, I am just grateful that my children are one of those really rare cases where they are in a home that is supporting them to grow in to amazing people.

Lisa Cherry has laid out in easy to read and follow format, the suffering and issues that children leaving care have to go through often without help or support where it is needed the most.

I hope this book will serve to open your eyes to the injustice so that collectively change will come

for the better of those children in the system and those of tomorrow.

Reviewed by JP, HMP Northumberland

Snap

By Patrice Lawrence
Publisher:
ISBN: 9781444950205
Price: £1.00

This is not a book I would normally give a second glance let alone read but I'm glad I did. The story centres around two young siblings coming to terms with the murder of their uncle.

Soroya and Farhad are teenagers growing up in a London which is painted as a bleak violent place with lots of crime and gang rivalry and I think the author explains the pressures of different ethnic groups and family values, ranging from the strict but loving father to absent parents and how this affects the thinking and attitude of the children.

Reading this made me feel sorry for the siblings more so because of Farhad's guilt, but also hopeful that Soroya may have found love with her best buddy? The author also touches on how kids can see celebs as idols or gods and can be led astray.

Over all it is a real eye opener to growing up young and black in London. I am unlikely to read other stories by this author as it is not my normal choice and I feel that this book is aimed at a younger audience/reader than me and I expect the authors other works will be similar. Target read I expect to be 15-25ish.

Reviewed by SM, HMP Northumberland

PRISON SERVICE JOURNAL

Purpose and editorial arrangements

The *Prison Service Journal* is a peer reviewed journal published by HM Prison Service of England and Wales. Its purpose is to promote discussion on issues related to the work of the Prison Service, the wider criminal justice system and associated fields. It aims to present reliable information and a range of views about these issues.

The editor is responsible for the style and content of each edition, and for managing production and the Journal's budget. The editor is supported by an editorial board — a body of volunteers all of whom have worked for the Prison Service in various capacities. The editorial board considers all articles submitted and decides the outline and composition of each edition, although the editor retains an over-riding discretion in deciding which articles are published and their precise length and language.

From May 2011 each edition is available electronically from the website of the Centre for Crime and Justice Studies. This is available at http://www.crimeandjustice.org.uk/psj.html

Circulation of editions and submission of articles

Six editions of the Journal, printed at HMP Leyhill, are published each year with a circulation of approximately 6,500 per edition. The editor welcomes articles which should be up to c.4,000 words and submitted by email to **prisonservicejournal@justice.gov.uk** or as hard copy and on disk to *Prison Service Journal*, c/o Print Shop Manager, HMP Leyhill, Wotton-under-Edge, Gloucestershire, GL12 8BT. All other correspondence may also be sent to the Editor at this address or to **prisonservicejournal@justice.gov.uk**.

Footnotes are preferred to endnotes, which must be kept to a minimum. All articles are subject to peer review and may be altered in accordance with house style. No payments are made for articles.

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