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Special Edition
Young people in custody

The Interview: John Drew

John Drew is the Chief Executive of the Youth Justice Board, a post which he has held since 1 January 2009. He is interviewed by Karen Harrison who is a Lecturer in Law, University of Hull.

John Drew is the Chief Executive of the Youth Justice Board, a post which he has held since 1 January 2009. Prior to this he was employed as Director of Housing and Community Services at the London Borough of Redbridge where his responsibilities included adult social care and adult education, leisure, housing, and payments and benefits. He has been Chair of the Management Board of the Youth Offending Team and Youth Crime Prevention Teams in Redbridge and led the establishment of Redbridge Children's Trust. Prior to this, John was Chief Children and Families' Officer at Redbridge where he established the local youth offending team and developed the local authority's youth justice strategy. His career has included social and children's services experience across a range of local and county authorities, including Tower Hamlets, Essex and Lancashire.

The interview took place in London in May 2011.

KH: What do you see as the role of the Youth Justice Board (YJB) and in particular your role as Chief Executive?

JD: The YJB's role is written down in statute and actually the statute is not bad at describing the main things that we do. So, it's a role of advising government; monitoring performance; setting standards; identifying good practice and contributing to its dissemination; making grants; commissioning research; commissioning the secure estate for children; and placing children within the secure estate. They are the broad issues. However, although it's helpful to tell you what we do, it doesn't really tell you how we go about it. The metaphor that I like to use which I think describes us much more accurately, both our role and how we do it, is that we ought to act as a bridge between various constituent parts of youth justice. First, there is a bridge between policymakers and ministers and the front line delivery of youth justice. This has to be a two-way bridge in which both speak to each other and we are the body which facilitates that process. Another bridge is that between children's services and the criminal justice system and again it's very important that they talk to each other and we learn from both sides. There is also a bridge between central government and local government. This is different to the bridge between

policymakers and front line services because here we are talking about two different types of government; both of whom have a significant contribution to make to the delivery of services. One of the biggest problems here is that they can often assume that they are alike and often they are not, so we help to interpret each to each other. Another really important bridge which applies across criminal justice is the bridge between custody and community and not least because, unlike NOMS, we don't have one organisational umbrella under which they all sit, so the YJB tries to bring all of these services together. So in essence we try to think through the 'before, during and after' part of youth justice. The last part of the bridge, although it's just a small proportion of our business, is government in Whitehall and government in Cardiff, as much of the services that relate to youth justice in Wales have been devolved. So it is important that each other understands what the other is doing. Within all of this, the Chief Executives role is to ensure those bridges are in place and that they work as well as they might and to constantly look at the horizon and try to identify things which are coming and then work on them. I also act as a national spokesman for youth justice and it's important to be able to articulate how the youth justice world thinks about issues that are of interest to the public. I also work with an array of governmental ministers in terms of the bridging work which I've outlined above. Lastly I have to ensure that we are acting as a prudential organisation, in terms of keeping within our budgets and our statutory and other missions.

KH: What made you move from practice into the YJB?

JD: My story is a simple one to tell. When I arrived at University as a fresh faced student I was asked, in my first week, what I intended to do on Wednesday afternoons. I said I didn't know and was taken to a project working with youngsters in trouble, principally with the law, which I found gripping. I worked with this project for four years and when I left University I wanted to find a job working with young offenders so I started working as a local authority social worker. For the next eight years that was the main part of my working life, although then you wouldn't just work with young offenders. It was the late 1970s, early 1980s, which was a fascinating time for youth justice. We were grappling with the

intentions of the Children and Young Persons Act 1969, which attempted to bring together the welfare and justice themes, and we were re-discovering everything around treatment and in particular trying to reduce levels of custody. By 1977 levels of custody for children were considerably higher than they are now. It was a really lively time. My career took me into management, where I was when the Crime and Disorder Act 1998 was enacted and we were faced with the task of creating Youth Offending Teams. My Chief Executive at the time was really behind this multi-agency approach and so I came back to youth justice. This opportunity at the YJB then arose and it really is one of the best jobs in government if you like youth justice and children's services. I was over the moon when I got it and I feel the same every day.

KH: What do you see as being the main challenges for the YJB?

JD: The main challenge in overarching terms is tackling offending, particularly the really recalcitrant figures on reoffending. That is the most difficult thing. There are then a whole series of sub-sets of what is challenging below that such as, identifying effective practice and the dissemination of that and encouraging people to pursue valid models which have some degree of fidelity. There is also the major challenge of resettlement, it is something of a scandal that we still have cases of young people who a week or two before they leave custody still don't know where they are going to live or don't have an education or employment placement. I visited a young person last week who had four weeks left on his sentence and he didn't know where he was going to live on release. He was in a STC [secure training centre] and so here is the state spending the equivalent of £166,000 per year accommodating him and suddenly there is this huge precipice approaching and it wasn't apparent that a suitable degree of attention and focus had been paid to his release and resettlement plans. There are also some very important individual issues, for example, how we can better incorporate the voices of those who have experienced the youth justice system, so we can learn from that; a better consideration of black and minority ethnic children both in terms of overrepresentation in the system and also the suitability of our programmes and services for them; the challenge of young women, again in terms of

programme suitability and then finally the issue of restraint. We need to come up with a system that equips custody staff so that they can properly carry through their functions but at the same time has a degree of public confidence.

KH: What have been the major successes of the YJB since your time here?

JD: My time or otherwise, in the last three years in particular, all the main indicators in relation to youth justice have been moving in the right direction. First time entrance has been significantly reduced, by 23 percent from 2008/09 to 2009/10. The frequency of proven reoffending has also decreased. One of the most rapid areas of reduction in the volume of reoffending has come from those children who have been in custody. We also take a lot of heart from the reduction in the numbers of children and young

people who are being held in custody, particularly the use of custody for young children. The all-time high, in terms of custody was five years ago, when there were 3,200 under 18s in custody. Last night there were 1,950. The principal achievement in this has been over the last two years. With regards to young children (under 15s), we have seen a 52 percent reduction over the last three years. These are our three banner achievements.

KH: What do you see as the purpose of imprisoning young people?

JD: That is a really interesting question. We start with the idea that prison and the withdrawal of liberty is clearly a punishment and is perceived as such and I believe that is right. But what do we do when we have children in custody and how ambitious should we be about what we might achieve? What we are trying to do is to impact on their rates of re-offending thereafter and this also takes us back to issues of resettlement. Increasingly we are focusing on the opportunities for assessing the child's needs. We only have them for a very short period of time, the average custodial stay is only 80 days, so we can't transform them or run therapeutic communities, although there is more scope with those who are held longer. However, we can take a stock of this young person, so that when they leave us they have got a much more thorough assessment of their needs and this then, through an individual resettlement plan, acts as a passport for the sort of services which they need in the community. Taken all

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together this gives us a greater chance of preventing their re-offending. This could include a passport to health services, education, employment and housing. We are not perfect in this, but in the near future this is what we will be concentrating on. Clearly in custody other things will happen as well, so sometimes a young person will encounter a prison officer or member of the care staff and perhaps for the first time they will have a really satisfactory relationship with someone. One of the most distinctive things about young people in the youth justice system is that unlike teenagers in the population at large they have very rarely encountered inspirational adults who have acted as mentors or role models. So we have an opportunity, even within 80 days to do something in this area.

KH: Do you think we should be imprisoning children as young as 10?

JD: I would answer this in two ways. First, is it right that the age of criminal responsibility is 10 and if it is, is it right that custody is one of the options available? Is it the case that most children of the age of 10 can distinguish between right and wrong? I think they can. Will we encounter some children who just can't? Yes. Should our system be clever enough to identify those children and route them away from the criminal justice system because they clearly have needs which are way beyond those which we can deal with? Yes.

However I'm comfortable with the idea that a child as young as 10 can be held criminally responsible for his/her actions. However, it does place a burden on the youth justice system when we encounter children of that age, because we need to be quite sophisticated in how we deal with them and need to ensure that we don't push them in a conveyor belt way through the youth justice system. This sophistication can happen through a number of diversionary techniques. Secondly, in terms of whether it is right that some young children should be held in custody, there are some children who need to be held in a secure setting. This is to protect the public, for their own safety or to deal with issues where things have gone really badly wrong. This is why we have secure children's homes. We have very few 10, 11 or 12 year olds in custody; usually they are

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in single figures. Unless there is a really significant offending problem a very young child being held by the criminal justice system will live alongside those who are under the welfare system and all of them will live under the same regime.

KH: How successful has the Intensive Fostering Pilot Programme been? Should this be used instead of custody?

JD: Intensive fostering should be used as an alternative to custody and certainly that is the intention of the programme and should not be used for other purposes. It is a high-end tariff disposal that should be used when a court is thinking of sending a child to custody. The pilot is very promising, but I should qualify that by saying that the numbers involved have been quite small, around 100. It has been successful particularly during the period when the young people are in foster care, which is typically about nine months. The young person is placed with foster parents and we have seen that their offending behaviour, during this time, falls away dramatically. That is very stark when compared to what you would expect if they were simply in the community. The next issue to deal with is improving reoffending rates once the children leave foster care. The model came from the US and whilst the benefits during fostering do not appear to be as high in the States as they are here, according to the evidence so far, the benefits post foster

care continue at a higher level over there. My take on this is that we need to deal with the resettlement dilemma that I've outlined above. At the moment we only have four experimental sites and it only exists where central funding has been given. As of yet, there are no local authorities who have decided to fund the scheme, so it is still early days.

KH: The number of young people in prison has dropped over the last two years, why do you think this is?

JD: This is multi-factorial, but we have a good idea what the different factors are. First, we have a youth justice system which sucks fewer children in. There are therefore fewer children in the system and so the system is cooler. This is further helped by the fact that there have been no recent moral panics by the public with regards to young people and crime; in

the past rises in youth custody have been fuelled by cases which have gone wrong. Next, practice has really improved. For example, the police have learned about not going after the 'low-hanging fruit'. There is a huge interest from them in restorative practices and bringing a more restorative approach into community policing. YOTs, which are now 10-12 years old, are more mature organisations and we have done a lot of work with them to identify what is good practice, what sort of things magistrates will respond to and what they need to know in relation to custody and non-custody. We work closely with the Magistrates' Association and there has been a real sea change in the use of custody with young people in the sense that they believe it is worth spending time imagining what the alternatives could be. It is also the case that there are fewer adolescents around at the moment, and I wouldn't duck from that and this again gives the system another chance to be cooler. This all allows the system to work in the way it was intended to.

KH: How have the £325m savings announced by the Ministry of Justice effected the YJB?

JD: We are taking our share. Over the five year period of the Spending Review 2010, our budgets will go down by about a third. Our budget comes in three parts. The first, worth £15 million, is for our core operating costs and we immediately decided that our first priority would be to reduce these and so reduce the reductions to the rest of the youth justice system. For example, 1 April 2010 we had around 400 staff, 1 April 2011 we had around 250, so we are playing our part in downsizing. The second part of our budget, the largest by a long way, is our budget for custody. The decrease in the number of young people in custody has meant that over the last few years we have been able to decommission some 740 places in YOIs and we will continue to do that as long as the downturn in custodial places continues. However, we also want to make some investments, particularly in the YOIs, to make them fitter for purpose. For example, a week and a half ago the minister announced that we would be funding social workers to be deployed into every YOI to work on safeguarding issues and to work with those children in custody who are from the care system. We are also looking to introduce a new restraint system into YOIs and STCs and there are costs associated with doing that properly. We are also introducing a

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new approach to searching, where children will only be searched on the basis of an assessment of risk rather than on an automatic basis. Finally, we also spend nearly £120 million a year on grants to YOTs. This provides up to 35 per cent of their costs and we have had to reduce our contribution by almost 20 per cent, this year, although we hope we won't need to make similar levels of cuts in future years. It's important that we continue to provide significant funding to YOTs, otherwise the number of children in prison may increase and we would therefore need to commission more places.

KH: How do you think the 'Rehabilitation Revolution' will effect the juvenile secure estate?

JD: The phrase 'Rehabilitation Revolution' makes perfect sense to me. Let's relate it to resettlement. We actually started the revolution about 12 months ago when our Chair, Frances Done, led an initiative at HMYOI Hindley, where she brought all of the local leaders, Chief Executives and the like, together to support them in making plans for the young people held within the YOI. The engagement of those involved was really impressive and so we are spreading this to HMYOI Ashfield and elsewhere. The idea is to have a local community that is actively working in partnership with the YOI. It is about reminding them that these children are still their responsibility. As was said to me last week about children in the youth justice system, it's not that they are hard to reach, they are just too easy to forget. As soon as you stamp offender across a child's forehead it's very easy for mainstream services to forget them and think that they are not responsible for them. There is a way to go and it is about galvanising all of the services in the community. We are however already running community services on a multi-agency basis, many of these involve charities and the voluntary sector; so in this sense we are a little ahead of the game.

KH: In October 2010 it was announced that the YJB was to be scrapped. What is the position today?

JD: There was a vote in the House of Lords at committee stage and we are currently not in the Public Bodies Bill. The government has said that it is still its intention to put us back into the Bill so the Lords and the Commons will need to resolve this. I have no idea what will happen. Thankfully, however,

the Ministry of Justice has said that if we are to be abolished we will be placed within the Ministry as a Youth Justice Division. The idea is to keep the knowledge and expertise together. Whilst it might have been tempting to fit us within the NOMS umbrella, it makes sense not to do that, but to keep us as a separate division with a specific brief for criminal justice services for children. This seems the best solution.

KH: Will being a part of the Ministry of Justice mean that the needs of a greater adult population will subsume the needs of young prisoners?

JD: Of course in such a big organisation, with so many different responsibilities, there is a risk that one small function gets overlooked at times. There is, however, another way to look at it. Sometimes, as an quango operating outside of Government you can be marginalised and can't actually get to the table to

discuss things or get the attention of busy ministers; so sometimes it is easier if you are a part of the Ministry. We have loved being a non-governmental organisation, but I can see the benefits of being a part of the Ministry of Justice as well as the downside of this.

KH: Where do you see your future?

JD: My contract with the YJB expires at the end of this year, so if the YJB continues then the Board have got to decide what to do about that. If we go into the Ministry I have already been offered the opportunity to lead the new division, which I am really up for. I would love to stay associated with youth justice for as long as I can. It's great to have a full circle from being 18 and working with youngsters and now coming back to that. After University I spent my first 10 working years working with young offenders and I would like to spend the next 10 years doing the same thing.



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