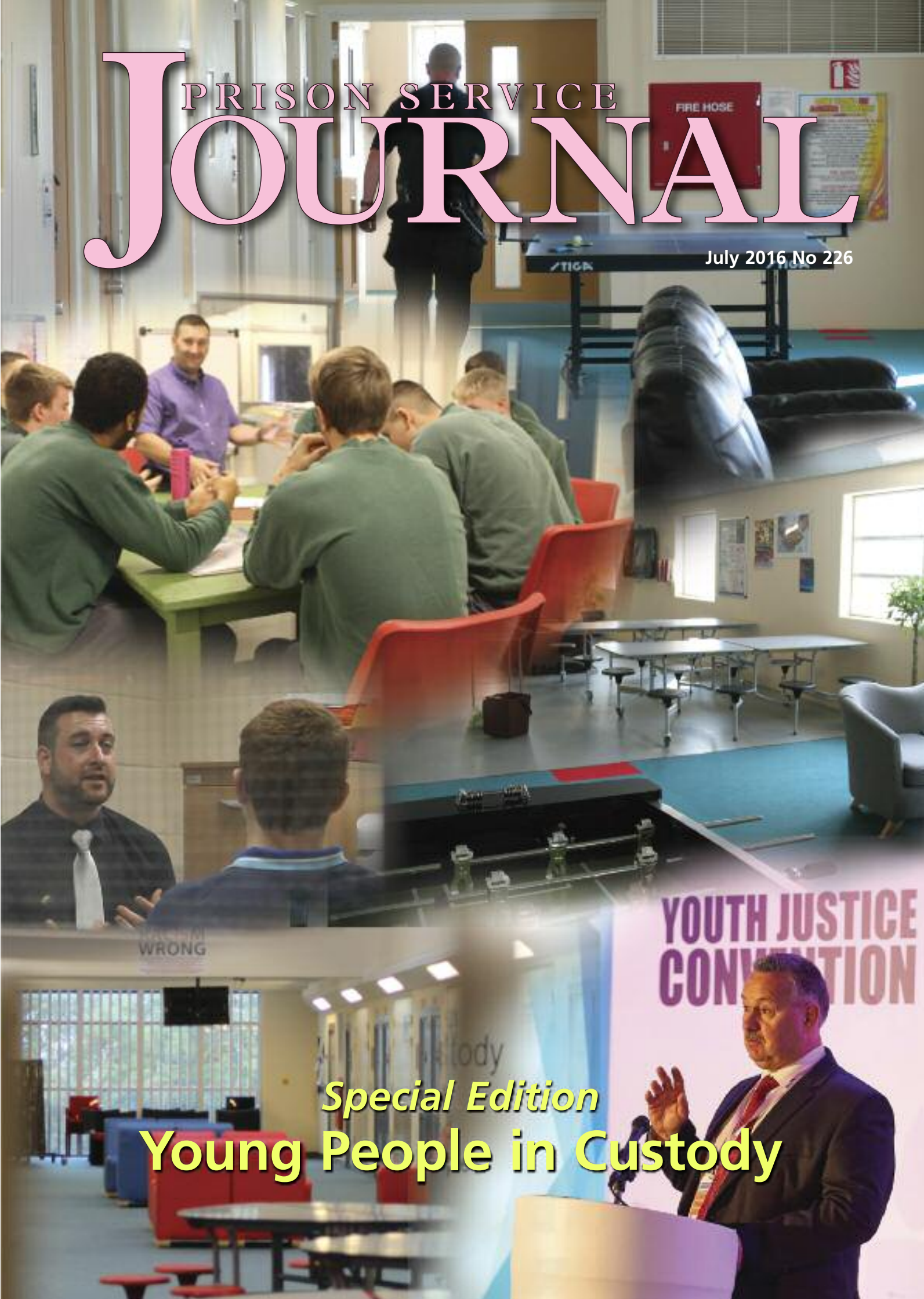


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Special Edition
Young People in Custody

Interview: Kate Morris, Director of Operations at the Youth Justice Board

Kate Morris is Director of Operations at the Youth Justice Board. She is interviewed by Paul Crossey, Head of Corporate Services, HMYOI Feltham.

Kate Morris is Director of Operations at the Youth Justice Board. She joined the YJB in 2006, and over this period has held strategic leadership positions across all Directorates. Prior to joining the YJB, Kate was the Head of Safeguarding at HMYOI Feltham, where she worked for 5 years. She is interviewed by Paul Crossey, Head of Corporate Services, HMYOI Feltham.

PC: Can you describe your background before you took up your current role?

KM: I have worked in the youth justice system for the last 15 years. I started my career in the prison service, working with young people at HMYOI Feltham. I joined as a Prison Officer working on the residential units, and subsequently held a series of other roles across casework, child protection and safeguarding teams. My final role at the prison was Head of Safeguarding. The role had just been introduced across all under 18 YOIs and involved designing, establishing and embedding a new safeguarding function across the establishment. My time at Feltham, and particularly working as a Prison Officer, has been invaluable experience which I have drawn from on an almost daily basis as I have moved through my subsequent career.

I then moved to the YJB where initially I took on a monitoring role, working across Youth Offending Teams and one secure children's home in London. I then worked for many years in the Secure Estate Directorate managing the relationship between the YJB and NOMS for the provision of secure estate and escort services. I worked in one or two other positions before I took on the role of Director of Effective Practice and then moved to my current role, Director of Operations on my return from maternity leave last July. So the relationship between the YJB and NOMS has been a key feature of my career throughout the last 15 years.

PC: What is the role of the YJB in relation to those young people in custody?

KM: We have been the commissioner of secure accommodation for ten to 17 year olds since 2000. That meant that we set specifications for services within all three sectors of the secure estate (under 18 YOIs, secure training centres and secure children's homes) and were responsible for ensuring those standards are met. However, a changing relationship with the Ministry of Justice means that those responsibilities have become less clear over recent years. It is, however, still our responsibility to ensure that young people remanded or sentenced to custody are appropriately placed.

We are currently in the process of re-setting our relationship with NOMS, in order to be more explicit about

the true nature of our respective accountabilities. We are both part of the Ministry of Justice family, and as such, the commissioner-provider relationship is a bit of a falsehood — the YJB levers for change are limited and very different to those which are available to us with other service providers across the secure estate. Both the YJB and NOMS are keen for NOMS to take more direct accountability for delivery of services across its young people's secure estate. This would mean the YJB prioritising monitoring in order to support our placements responsibilities, as well as identification of effective practice and risk.

PC: What are the key elements of the role of Director of Operations at the YJB?

KM: I am tasked with ensuring we are receiving the standard of service we expect across the secure estate and supporting services (i.e. escorts, advocacy etc), through our monitoring and managing of contracts and service level agreements. I ensure the safe and appropriate placement of young people in to custody. I have oversight of the performance of services provided by Youth Offending Teams in the community and the YJB's strategic relationship with delivery partners to youth justice, such as local authorities, probation services (National Probation Service and Community Rehabilitation Companies (CRCs)), and health.

We also have a safeguarding team within the directorate, which focuses on ensuring the best safeguarding practice across the youth justice system and managing the YJB's response to, and dissemination of, learning from serious incidents and deaths in custody. And finally, we also have a senior police officer seconded to the directorate who manages the relationship we have with the police across local areas and at a national level.

PC: What do you believe is the purpose of imprisoning young people?

KM: Custody should address young people's needs in order for them to reintegrate into communities in a positive way. There is obviously a punishment element in terms of their deprivation of liberty, but the public is best protected by ensuring effective rehabilitation — and this is therefore the purpose of custody. The secure estate needs to integrate with the wider youth justice system, so custody and community practitioners are working together to deliver a seamless service and to meet the distinct needs of each child.

PC: How has the young people's custodial estate changed since you began working in this area?

KM: When I think back to what it was like when I started at Feltham, things have changed such a lot — the youth secure estate has gone through almost constant

change and continues to do so. I joined at about the time the YJB was being established and there was a huge amount of change within the estate. There was a lot of investment being made, including investment in additional staff, enhanced services within establishments, capital development, and at Feltham in particular, there was a big focus on bringing in voluntary and community groups to support delivery. There has also been ongoing investment to improve safeguarding and the physical environment, and to enhance workforce development opportunities for staff working with children and young people in YOIs.

Over the 5 years I was at Feltham, the site changed unrecognisably — this was supported through inspection reports over that period. I experienced first-hand some of the barriers and challenges to change in a YOI setting, but change was driven through and huge strides have been made moving forward.

The challenges in delivering an effective secure estate for children and young people do not remain static, and events over the past six months have uncovered a whole range of considerations which have dominated our work in light of the Medway STC allegations. The secure estate faces some new and significant challenges now. The reduction in the numbers of young people in custody, whilst being a major success for the youth justice system as a whole, brings with it a different set of issues. This includes the need to manage a much more complex group of young people, within a significantly smaller and geographically dispersed secure estate, and without the level or rate of investment seen when I first joined Feltham.

PC: How would you describe the culture of young people in YOIs?

KM: We have far fewer young people in custody now than ever before and that means that the ones who remain in custody are often a much more complex cohort in terms of their needs. We see a high prevalence of violence which often stems from the complexity of the issues these young people are facing. Many of them have mental health issues and we have a huge over-representation of looked after children in the system — all of which is evidence of the complexity and vulnerability of the young people we are working with. When I worked in the safeguarding team at Feltham we saw children with incredibly sad and abusive childhoods. It's not an excuse for their offending behaviour, but it does help us understand why they behave in the way they do and demonstrates the challenge faced in turning that behaviour around.

PC: How would you describe the culture of prison officers in YOIs?

KM: Prison officers in YOIs hold one of the most challenging jobs working with children anywhere across the public sector. This is coupled with the fact that many may not necessarily have made a conscious decision to work with children. Whilst the training and preparation on offer is much better now than it has been previously, I know it remains an incredibly difficult role. I have huge respect for

those who are committed to the role and do not underestimate the challenge they face in helping these, often violent, challenging children to turn their lives around.

PC: What are the biggest successes of the YJB in relation to those in custody?

KM: Driving the reduction in numbers of those in custody is undoubtedly the biggest success — the figures here speak for themselves. The number of young people in custody has fallen by 72 per cent compared to its peak in 2002. This has been a strong focus for the YJB, and the reduction we have seen is a credit to the wider youth justice system which has been able to appropriately divert young people away from custody.

Another key success (if you will allow me to have two) is the investment in safeguarding and the safety of those in custody. This is an area which is close my heart as I have been very directly involved in this improvement work throughout my career, and significant investment has been made to change the physical environment, policies and procedures and general culture across the secure estate. Despite this, events unfolding at Medway STC over the past six months have clearly shown us that ensuring safety of young people in custody must remain of paramount importance and be the priority for commissioners and providers. We must retain the strongest focus on safeguarding at all times, and as such we are developing our approach to monitoring and oversight of custodial services to ensure a renewed emphasis on this. Whilst the relationship between NOMS and the YJB may look different in the future, the developments in this space will equally apply to YOIs, as we will always want to have equal assurances about the safety and wellbeing of children in this environment.

PC: How has safeguarding and child protection of those in custody changed in your time?

KM: When I first joined Feltham, people didn't know what child protection meant in a prison context. I held the first child protection role and the first Head of Safeguarding role there, and at that time safeguarding and child protection felt like a concept that sat very awkwardly among other adult-based policies and procedures. Since then there have been massive changes, and now there are many different things in place which demonstrate that safeguarding and child protection arrangements have become a clear priority in YOIs. The connection with Local Safeguarding Children's Boards has helped YOIs to build expertise and demonstrate accountability in managing safeguarding issues. There will always be more to do, and the YJB remains committed to working with NOMS to ensure continuous improvement in this area.

PC: Why do you believe the custodial population of young people has decreased?

KM: I believe there are two key drivers for this. The first is connected to the reduction in numbers of young people across the system overall. As large numbers of young people have been diverted away from the youth justice system into appropriate alternative services and interventions, the

threshold for custody has risen. This means we can now be much more confident that custody is used for those young people who have shown serious offending behaviour and are a risk to others.

Secondly, the YJB has for many years prioritised an agenda around ensuring local authorities understand and are aware of their custody population. I believe this awareness alone has strengthened the focus of many local authorities on how and when they make recommendations around custody to the court and what viable alternatives they can put in place for young people at risk of custody. This has been reinforced by the devolving of remand budgets, which means that local authorities will experience the significant financial burden of young people placed into custody on remand.

The combined impact of these two factors has, I believe, been significant. It is not to say, however, that there will not always be more which can be done in ensuring custody is not used unnecessarily.

PC: Michael Gove is considering potentially 'radical reforms' to the role of the Governor and has commissioned a review of youth justice. What potential opportunities could this offer to the young people's estate?

KM: The YJB believes the review of youth justice offers an enormous opportunity for the future of the system. We have been clear that reform is essential, and that the current framework for delivery is not sustainable given the scale and demand within the system, and current financial pressures. The key will be to ensure that we don't 'throw the baby out with the bathwater.' We are not supporting reform on the basis of a failed system which requires change. Over the last 15 years the system has been incredibly successful, and it is critical we can identify the elements of the current delivery framework that we would want to protect. There is a need to ensure that specialism and expertise in youth justice is protected and remains identifiable, within a system which structurally may take a variety of different forms. The greatest risk would be regressing to pre-1998 days where there was no distinct youth justice system at all.

Nowhere in the system is reform more needed than in the secure estate. The current custodial estate has numerous challenges and barriers to effective delivery. This is particularly true within the NOMS YOI estate. This is in no way a criticism of the committed and talented individuals working in that environment, but a consequence of the fact this is a model of service primarily designed for adults. This is a key opportunity I would see presented by the reforms: development of an integrated local approach to youth justice which includes secure provision for children which is specifically designed and configured to deal with the complex needs they present.

Events uncovered by the BBC at Medway STC in December 2015 have dominated our thoughts and activity over the past six months. NOMS takes over the operation of

Medway in July 2016, and I hope this will present an opportunity for NOMS to explore new ways of working with young people in a different custodial environment, which could have benefits for their YOI estate. While I would expect the Taylor Review to remove the requirement for the NOMS young people's estate eventually, this will not be the case for a number of years yet. The YJB's experience of commissioning custodial services from NOMS has taught us a lot over the last 15 years, and whilst our relationship will change, it is essential that the YJB and NOMS continue to work together to make improvements over the coming period.

PC: Do you think that there are benefits to managing young adults in the same way as young people in custody?

KM: This is a high profile issue at the moment and does generate a number of concerns that need to be addressed. A series of relevant inquests, and of course the recently published Harris Review, have provided us with greater understanding of these issues. Those who might have heard Joyce Moseley from the T2A Alliance speaking at the youth justice convention last November will have heard her talk about transition at 18 being really quite arbitrary. This approach based on chronological age doesn't consider the needs of the individuals and the fact that all children reach maturity at a different stage.

Transition from the youth to adult justice system has been a high priority issue for the YJB for a number of years, and we led the introduction of the Transitions Framework in 2012. This set out guidance on good practice for youth and adult justice practitioners in how to work with young people who were going to make that transition to the adult system. This has recently been relaunched, to reflect the changes brought about by Transforming Rehabilitation — <https://www.gov.uk/government/publications/joint-national-protocol-for-transitions-in-england>

In conclusion, whether it is a model which mirrors the youth justice system, or something different and unique to this group, it is an area which needs further consideration.

PC: What do you view as the key challenges for the young people's custodial estate in the future?

KM: At an operational level the secure estate for young people faces a combination of interrelated challenges, many of which I have already touched on here. The key challenge is how to adapt services to effectively meet the needs of an increasingly complex group of young people. Added to this is how to do that when faced with increasing financial pressures. And finally the shrinking size of the secure estate presents challenges of its own around geography and closeness to home to aid resettlement.

These are all issues which form key areas for consideration as part of Charlie Taylor's review of youth justice.