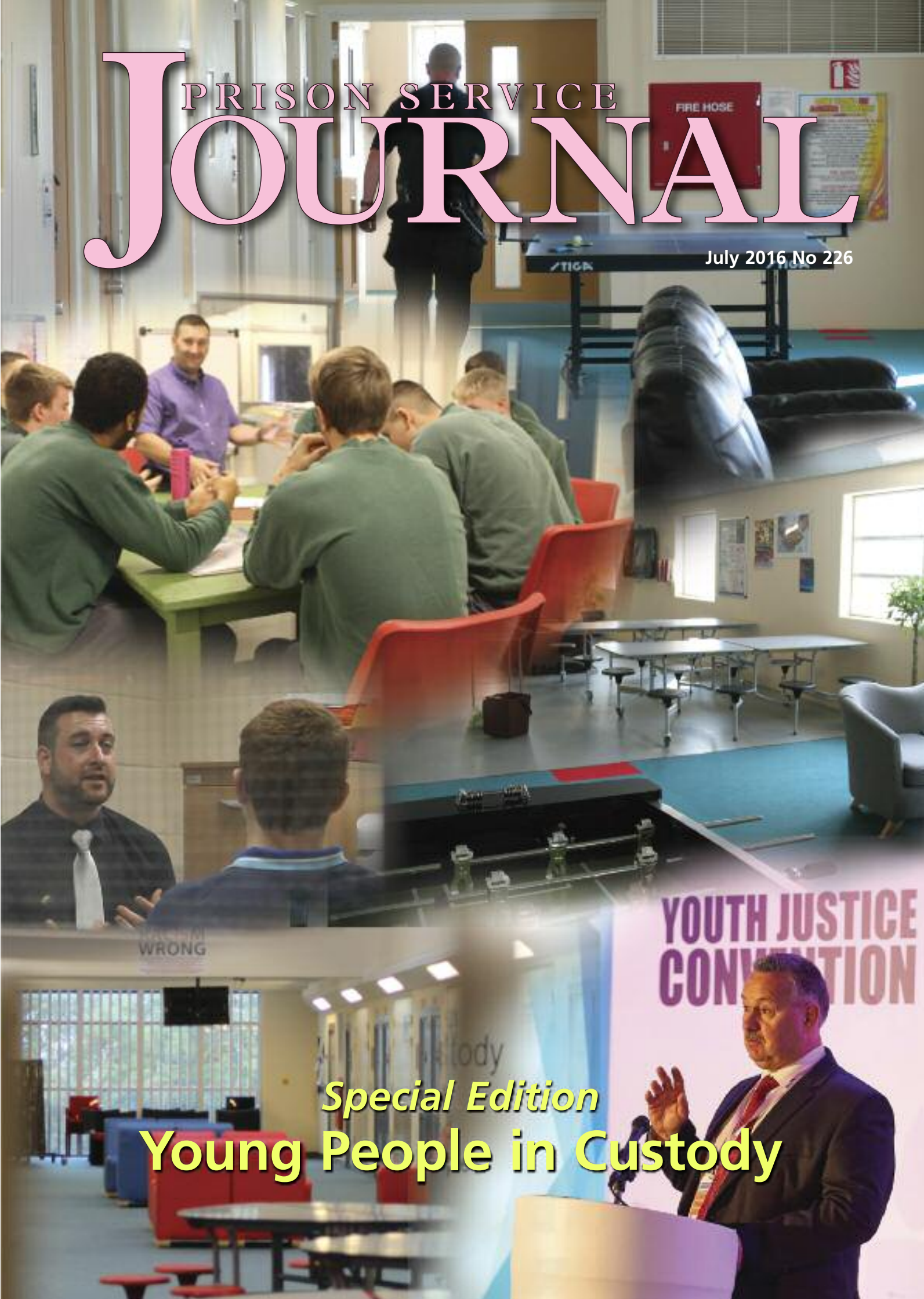


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Special Edition
Young People in Custody

Interview: Paul Foweather, Deputy Director of Custody for Young People

Paul Foweather was the first Deputy Director for Young People. He is interviewed by Paul Crossey, Head of Corporate Services, HMYOI Feltham.

Paul Foweather was the first Deputy Director of Custody (DDC) for Young People in the National Offender Management Service (NOMS). He has over 30 years' experience across the Criminal Justice system within the security setting ranging from low security prisons, big city local prisons, female prisons, the young people's estate, and high security. He has received recognition from the Chartered Institute of Personnel and Development (CIPD) for Change Management in 2013, personal recognition from the Chartered Management Institute (CMI), and a national accolade as winner of the Civil Service Awards Leadership Award in 2013. He was also recognised in the Queen's Honours with an OBE in 2011. In January 2016 he moved to take up post as DDC for Yorkshire and Humberside. He is interviewed by Paul Crossey, Head of Corporate Services, HMYOI Feltham.

PC: What is the Role of a DDC?

PF: I could give the easy response that it is to deliver leadership and support to the establishments; the Governors and senior management teams whilst giving assurance to Ministers, the Chief Executive Officer of NOMS and Director of Public Sector Prisons that the establishments in my responsibility are operating safely, securely and within the law whilst delivering the Service Level Agreements. However, it is much more than that, particularly in the Young People's Estate, as I believe our duty of care to those in youth custody is significantly more complicated and challenging than that within the adult estate. As such it is as much about demonstrating and applying the correct values and ethics across all aspects of the business as it is about business delivery. For me taking on the role of a DDC has been considerably different from my recent experience. The challenges as a DDC are much more political, providing corporate and strategic assurance, and running a commissioned service, delivering a high level of partnership engagement and reputational management across a wider spectrum of stakeholders. In that respect it has been a real challenge moving from being a Governor to being a DDC particularly as the Young People's Estate (YPE) is so geographically dispersed. Another aspect is being the conduit for managing the relationship between the establishments and the Public Sector Prisons directorate, which is how we are connected to the wider NOMS agency. As with any large organisation this is about converting and translating policies, process, strategy and other emergent factors into working practice across the business area whilst

also passing assurance and information upwards to hopefully inform and shape future development based on evidence.

PC: How is the young people's estate different from other regional groups of prisons?

PF: Well as I mentioned before it is geographically dispersed and it requires a more strategic approach to bring it together as a functioning collective. In fact that was one of my first main challenges when I was appointed as DDC as there was solely a headquarters group with responsibility for delivering and managing the service level agreement with the Youth Justice Board; and each establishment was managed within its geographical region. I worked hard to bring the Governors and the senior managers from the headquarters group together as a single management board who then went on to develop a new approach to joint working along with a set of values and a new vision to underpin this. Another key difference is that the YPE provides a commissioned service for a fellow public sector agency with a high level of political interest and scrutiny. There is a greater emphasis on wider stakeholder engagement and, indeed, the broader range of pressure groups. The wider NOMS agency act as a commissioner for custodial services, in contrast, much of the YPE's work is acting as a service provider, delivering custodial care on behalf of NOMS to the Youth Justice Board. This puts a much greater emphasis on developing solutions and translating operational policy rather than simply implementing change across the estate. Within this is a key consideration for creating services and policies with young people at the heart of them, which is not always the case for NOMS policies and processes. I was very fortunate to inherit a headquarters group which meant I already had an experienced and enthusiastic staff group with a broad range of skills and disciplines to help me define and determine the child-centric services which I felt were lacking.

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

PF: At its root it is the same as imprisoning all those who offend; to keep the public safe and to satisfy the requirements of the judicial system in terms of punishment and redemption. However it is our job to do this as decently as possible and to keep them as safe as we can whilst giving them the opportunity to turn their lives around. This is becoming increasingly difficult due to the changing cohort of young people coming into custody. To put this into context, the Prison Service manages around 140 prisons and around 85,500 offenders of which only 800 are young people (those between the ages of fifteen and eighteen) and are held in

the four young people's establishments. I governed HMYOI Wetherby between 2004 and 2007 and at that time there were around 2800 young people across 11 establishments. This significant reduction in young people held in custody is obviously positive and has come about due to a number of contributory factors including changes in attitudes to sentencing and the use of community sentences, extra focus and resource into diversionary work in the community, as well as changes in police procedures and local policing strategies. The adverse effect has been that those who are sentenced to custody have committed more serious and more violent crimes. In addition the current cohort of young people have come from more entrenched offending backgrounds and with significantly more complex needs. When I was governing HMYOI Wetherby we had high numbers of car thieves, burglars, and young people with anti-social behaviour issues.

However with the above-mentioned initiatives this lower level criminality is being diverted from custody which presents the condensed YPE with new challenges. This is the situation that HMIP refer to as the 'soup thickening'. Whilst all areas of the youth secure estate, including the Secure Children's Homes and Secure Training Centres, have decreased in size in the last decade this often been driven by the reduced numbers and the need to realise savings. Savings have been returned to the Treasury and arguably not sufficiently reinvested in the remaining services. From my perspective this has meant that the focus has been on decommissioning

the estate and its services rather than reducing the size, reinvesting in the estate and re-commissioning services in line with the needs of the young people in care. I don't believe that we should be locking up young people on large accommodation units with high numbers of young people and low numbers of staff. My firm belief is that we should be replicating the success of the Keppel Unit, the 48 bed unit for young people with extremely complex needs at HMYOI Wetherby, which provides a much more holistic and self-contained level of care. That it does this within the cost envelope provided to the public sector prisons is a testament to the hard working staff who commissioned, scoped, delivered and continue to run this unit. I take a great deal of pride knowing that Keppel was originally commissioned during my time as governor. I have already met with Charlie Taylor, the Secretary of State's lead on the Youth Justice Review and discussed my views on how we can improve our services to achieve this.

PC: How has the Young Persons Estate changed since you Governed Wetherby?

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PF: What struck me most coming into the role was how, from an accommodation and infrastructure perspective, things didn't appear to have changed much. This was disappointing, particularly since the commission and design and build of Keppel unit had begun in my time there. As I visited the sites and met more of the staff I learnt that there had been investment across the estate but due to decommissioning many of the areas that had benefitted from this had been returned to the Prison Service and as such the improvements and the benefits had been lost for young people. Cookham Wood has seen significant investment in the last few years and has award winning accommodation and facilities, particularly the in-cell telephony and sanitation, for the young people it cares for but, as always with increased investment, it highlights the failings of other areas of the establishment and the wider

estate. Overall, though I was heartened by the staff that I met who, much like in my time, were dedicated to doing a good job and the right thing by the children in our care despite the adverse and demanding circumstances.

PC: How has the Young Persons Estate changed whilst you've been in post?

PF: Since taking up post I have worked tirelessly to improve partnership working with the Youth Justice Board and other stakeholders to highlight the good work that is ongoing as well as the improvements that could be made with increased funding and support. My team and I have brought together the YPE with a clear vision and strategy to develop a collective ownership of the work and child-centric services. I have continued to push the rollout and delivery of Working with Young People in Custody (WYPC) training and the Minimising and Managing Physical Restraint (MMPR) syllabus in order to better equip our workforce with the skills to understand, empathise, and support the young people in our care. I started the role at a time of unprecedented involvement by Ministers in the development of policies and practice and we have moved from a coalition government with a hands on Secretary of State to a single party government with a new Secretary of State who is passionate about reform and redemption. Both governments have been committed to transforming youth custody and we are still working hard to deliver some of the improvements and changes set out by Chris Grayling. This includes the increased offer of Education, up to thirty hours including physical education. This has resulted in an increase in Ministerial oversight and levels of accountability and monitoring from not only the Youth

Justice Board as commissioners but a raft of agencies and organisations including HMIP carrying out annual inspections. Similarly, the accountability around funding has increased and is much more restricted which can often, particularly in respect of strategic capital investment, result in missed opportunities.

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

PF: It is very much a product of the environment as well as a reflection on society and the communities from which they come. I need hardly mention gang affiliations which not only affect a large proportion of the young people we work with but also account for a high proportion of the violence and challenge which we have to manage on a daily basis. Sadly though it isn't just gang violence as many young people come from homes where violence; domestic or societal, is commonplace and where many have previously been the victims. Whilst many young people often manifest their frustration as violence towards others there are some who turn inward and it increases their vulnerability. We have done work within the YPE to commission research and literature reviews, we've consulted with young people using third sector agencies to ensure independence, but there has been very little large scale or longitudinal research into offending behaviour or the needs of young people and that is something which I would welcome. I've already referred to how I feel that we are playing catch up in respect of influencing the commissioner of the services to meet the evolution of the population. It certainly brings into question the appropriateness of the staff ratios for which we are resourced. A typical 60 bed unit in one of our establishments would be one member of staff to twelve young people whereas the Keppel unit operates with a ratio of one member of staff to 6 young people and the outcomes speak for themselves. Furthermore Secure Training Centres operate on ratios of one to two and one to three. This is particularly galling when young people are transferred to establishments in the YPE from STCs because of poor behaviour and higher levels of risk of harm to others. Through higher staff ratios we will crucially be able to build the meaningful relationships with those in our care and that needs to be at the core of our services.

PC: How would you describe the culture of staff who work in YOIs?

PF: I know from my 30 years of service that the whole prison service has come a long way in professionalising and up-skilling staff but particularly in the YPE we have focussed on child-centric training, such as Working with Young People in Custody (WYPC), which covers in detail adolescent development and communication as well as child protection

and safeguarding practice. MMPR is the first restraint syllabus in the world to have been developed for use with young people and was approved by a panel of medical and child development experts. This training focusses on managing and understanding behaviour and complements the learning from WYPC as well as providing the safest possible physical interventions as a last resort. The monitoring and rigorous oversight of MMPR has given staff the confidence to act appropriately and in the best interests of young people in the face of whatever challenge they encounter. There is still some distance to travel, as one of the factors that is sorely lacking from our workforce is the ability to attract those from social work or youth work backgrounds and whilst we have a caring, dedicated and enthusiastic workforce they are part of a larger organisation and the YPE is often seen only through the prism of the challenges staff face and not the rewards from helping young people achieve and succeed.

PC: How are you addressing violence in custody?

PF: One of the first assessments we carried out across the YPE was the use of the Promoting Risk Intervention by Situational Management (PRISM) methodology. What appealed to me about PRISM was its focus on the functioning and environmental risks of the establishment rather than the individual risk factors such as personality, substance misuse, impulsivity, etc. Each establishment assessment provided me with a good understanding of the factors

which were contributing to the rising levels of violence. Establishments set about developing action plans to meet the specific needs, many of which were rooted in the culture and relationships. Alongside this I commissioned a third sector organisation to consult with young people and produce a report setting out the challenges from their perspective. This was to ensure that I had a balanced view of the issues across the estate. One of my key achievements has been to secure increased funding for Psychological Services in each establishment and the headquarters team, as I was stunned to see the paucity of this provision when I first took up role. I know from the adult estate the considerable impact interventions and offending behaviour programmes can have on those who offend. These teams carried out the PRISM assessments and have already begun to develop multiple evidence-based accredited interventions specifically for young people. They are instrumental in progressing the Restorative Justice model that we are currently rolling out for the YPE which is crucial when you consider that in excess of 60 — 70 per cent of the assaults we are experiencing are attributed to retribution.

PC: As the young people population shrinks, how can you address the complex needs of those that remain?

It certainly brings into question the appropriateness of the staff ratios for which we are resourced.

PF: We can only deliver what we are commissioned and resourced to deliver. The outcome of the Youth Justice Review will no doubt propose fundamental changes to the current provision across the sector from the composition of the Youth Offending Services, the variety of provision of custodial places, the interventions and reducing reoffending work, the education and vocational delivery, all the way back through to resettlement in the community. As with all important reviews we will be in the hands of the government response and the political drive and desire at the time of publication. There is always going to be a cohort of young people who transition through to the young adult estate and there is more we should be doing in this area. We still have information systems that don't communicate with each other effectively. As such we rely on the traditional methods of information sharing which rely on individuals who are already working hard to deliver their responsibilities. Many of the areas in which our delivery is criticised are areas where resource is under consideration. As efficiencies have been driven forward we have always had to consider the fundamentals of a service rather than the 'nice to have'. Whilst I recognise that young people have always, rightly, attracted a higher level of funding, we have always had to deliver value for money. However, if we are to meaningfully engage and meet the needs of young people I don't think that it can be done with cost-saving at the forefront. Economies of scale can deliver significant benefits such as the reduced overheads of running a unit like Keppel. However, in the main they move providers toward processes and procedures which ultimately result in a less individualised service for young people.

PC: What are the key challenges for the young people estate in the future?

PF: For me there are four major challenges for the YPE to consider: First; meeting the needs of the cohort of young people in our care and the management of behaviour giving particular consideration to the serious violence, levels of education and rising mental health issues. Second; the continued challenge of recruiting suitable and appropriate staff, retention of staff, and continuous professional development to allow them to effectively meet the needs of young people. Third; managing the ongoing transformational agenda for education and other Ministerial priorities including the outcomes of the Youth Justice Review. Fourth, and most likely an outcome from the Youth Justice Review; utilising and influencing the commissioned accommodation both in size and location as well as the resources provided to support it.

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?

PF: I welcome the opportunities that this can offer. Currently, the YPE is not included in this reform programme

in part due to the commissioning by the Youth Justice Board but also because of the Youth Justice Review to which you alluded. Autonomy and flexibility have always been really important to me. How we can improve and achieve this in a pragmatic manner that not only safeguards and maintains delivery within existing resources but also gives freedom and accountability to the person making the decisions is important. I am really pleased to see that NOMS is moving forward with the development of further autonomy. Alongside this the government are committed to local devolution and I think that will have lasting impact on the way that we work in modern government. The Youth Justice Review is similarly a fantastic opportunity to radically change how we care for and meet the needs of young people who have offended.

PC: Are there benefits to managing Young Adults in the same way as Young People?

PF: I feel that too much emphasis is placed on age boundaries in custodial environments and whilst I recognise that it is external factors that often impact upon this, Young Adults have very similar issues to young people and particularly in respect of maturity. There is significantly more research into maturity than when I first became a governor and it is to this that the policy makers should be referring as it highlights what many of us have known anecdotally; that age is simply a factor but not a clear indicator of someone's capacity to change. I think that some of the most recent commissioning work undertaken for managing young adults is really good and could be emulated by the YPE. Whilst age remains an arbitrary boundary, however, there is much more work we could be doing to manage the transition for young people when they transfer out of the youth justice system. The Harris Review made wide-ranging and significant recommendations about the management of the young adult population and whilst we are awaiting the government response to this important review, we remain in a period of austerity and as with any sea-change in policy or practice it will require not just the appetite for change but also the funding.

PC: What are you most proud of and what do you hope will be your legacy?

PF: There are a number of achievements and successes which have occurred in recent years including completing thirty years' service within NOMS; taking my Mum and wife to Buckingham Palace to collect my OBE in recognition of my achievements while I was the Governor of HMP Hull; completing an MBA and receiving the accolade of Student of the Year; winning the Civil Servant Leadership Award in 2013; improving three very different prisons to become high performing Level 4 prisons and; being given the challenging role of becoming a Deputy Director of Custody. You need to challenge the status quo and develop your team, take your staff with you on the journey and ultimately be remembered for giving hope and making a difference to people's lives.