



FOUNDATIONS

pathways to success!

CARE LEAVERS
LOOKED AFTER CHILDREN

&

THE CRIMINAL JUSTICE SYSTEM

A Multi-Agency Round Table Discussion

June 2013

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CLiNKs

supporting voluntary organisations that
work with offenders and their families



navca

local focus national voice



**Ministry of
JUSTICE**

National Offender
Management Service



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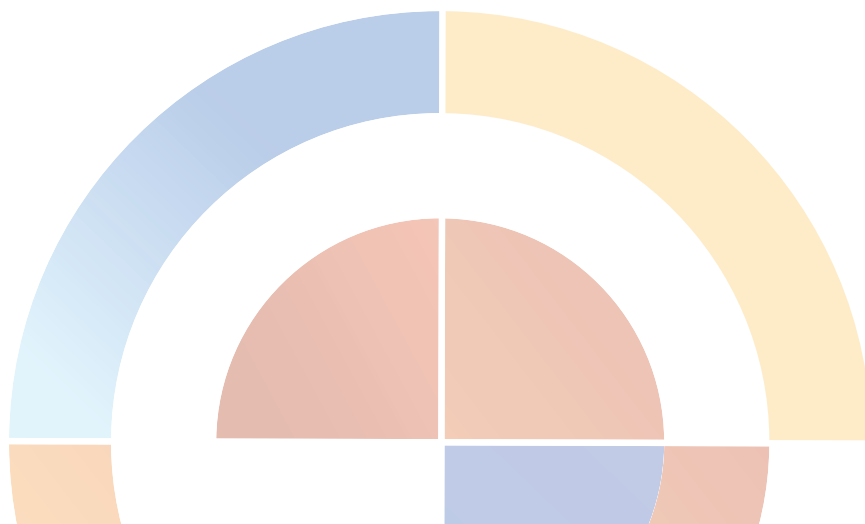
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1. Partnerships for Innovation - Reducing Re-offending

- i. Clinks and NAVCA, funded by the Ministry of Justice, have been working together to enable eight events, seminars, or workshops to develop innovative approaches to local partnership working in the Criminal Justice System (CJS). The focus of the events is on bringing together the statutory sector with providers from the Voluntary and Community and Social Enterprise (VCSE) Sector and other stakeholders.
- ii. Applications were open to umbrella organisations and service providers from the VCSE Sector in England and Wales and they have been particularly keen to support events that are run by or target marginalised or minority groups within the CJS.
- iii. A £1500 grant was made available to support each event.
- iv. Contact Nathan Dick nathan.dick@clinks.org
- v. There is more detailed information about the events on the Clinks website www.clinks.org
- vi. Nathan Dick facilitated the seminar workshop of 27 March 2013 and provided a significant input into this report
- vii. The CLA is funded by the National Offender Management Service (NOMS) to run a pilot project designed to increase the number of (ex) offender care leavers volunteering as mentors to other care leavers still in the criminal justice system.
- viii. This seminar fits within this NOMS funded work developing a partnership approach to this work across the Statutory and Voluntary Community Sector (VCS).



2. The Care Leavers' Association (CLA)

- i. The CLA works to improve the lives of all care leavers who have spent part or all of their childhood living in the care of the state outside of their immediate or extended family. Our **vision** is for “a good life in care, a good life after care”. Our **mission** is to “to bring together the voices of care leavers of all ages so that we improve the current care system, improve the quality of life of care leavers throughout the life course and change for the better society’s perception of people who have been in care”. Using evidence of experience we input into national and local policy discussions to improve looked after children and leaving care services. Led by our members, our work can be grouped into five main areas: User Led Local Support; Young person-led Project work; Training and Assessment; Advice, information and signposting; Research, Policy and Campaigns.
- ii. We currently work across the North West of England developing work that identifies care leavers within the CJS, working in partnership with statutory bodies, the secure estate and the Voluntary and Community Sector (VCS) to provide support.
- iii. We work throughout England and Wales building partnerships with statutory Leaving Care Teams (LCTs) and local voluntary groups. The partnerships raise awareness of issues affecting younger care leavers and seek to develop solutions to specific problems.
- iv. We are also a member of the Alliance for Child Centred Care which brings together voluntary and statutory groups working with looked after children and care leavers to develop innovative approaches to specific issues.
- v. As evidenced by the Children Schools and Families Select Committee Report on Looked After Children (2009) and the Centre for Social Justice Report ‘Couldn’t Care Less’ (2008), the socio-economic profile of the care leaving community continues to be one of the most disadvantaged groups in the UK. Care leavers are much more likely as adults to experience unemployment, substance abuse, emotional problems, educational failure, homelessness and involvement with the CJS. Care Matters (2006) showed that only 6% of care leavers go to university against 38% of the general population. ‘Couldn’t Care Less’ shows that 1/3 of homeless people have been in care.

3. Purpose

- i. This seminar has brought together key partners from the statutory and VCS, working at operational and strategic decision making level across Greater Manchester from:
- ii. Ministry of Justice (NOMS), Greater Manchester Police (GMP), Manchester City Council Crime and Disorder Team, Manchester Leaving Care Team (Barnardo's), Manchester City Council Children's Legal Service, Manchester Youth Offending Service (YOS), Manchester College, HMP Liverpool and HMP Risley, HMYOI Hindley, North West Resettlement Consortium (NWRC), Greater Manchester Probation Service (GMPT), Greater Manchester Police and Crime Commissioners Office (PCC), Youth Justice Board (YJB), Regional Voluntary Sector Groups (GMCVO), Centre for Crime and Justice Studies (CCJS), House of Lords representative and care leavers with experience of the criminal justice system.
- iii. **Objectives** - Being outcome focused, the seminar had the aims of:
 - **promoting engagement across key agencies** concerned with the transition of Looked After Children (LAC) and Care Leavers as they access and/or sit on the periphery the (CJS);
 - **developing and promoting innovative approaches to local partnership working** with LAC/ Care Leavers in the CJS that address their individual needs;
 - **promoting transparency, openness and accountability of public services** to LAC and Care Leavers, in view of the overwhelming impact of public services on their life chances and quality of life;
 - providing **training and information** on the needs of LAC/Care Leavers, their emotional well-being and **legal status**;
 - ensuring **user led perspectives are central** to policy developments and implementation
- iv. The two key **outcomes** from the seminar have been to:
 - a) develop an **action plan** based on discussion; and
 - b) implement a **steering group** to ensure key action points are picked up and taken forward.
- v. The action plan is to be underpinned by a **working paper** to be developed from the discussion and will be closely related to the Community Budget Transforming Justice agenda.

4. Evidence base

- i. Research shows there to be disproportionate numbers of care leavers in the CJS, juvenile and adult, male and female and demonstrates the need to develop innovative approaches to understanding why.
 - Children in care and care leavers account for less than 1% of the population.
 - Over 25% of the adult prison population has previously been in care.
 - 49% of young men under the age of 21 in the CJS have spent time in care.
 - 27% of young men in custody have spent time in care.
 - 40% of girls in the 15-18 age group in custody have spent some time in local care.

- ii. The relationship between care and offending is a complex one; coupled with a poor start in life, a fragmented education and diminished life chances some will have been abused or seriously neglected. For reasons outside of their own control their future prospects have been diminished.

- iii. On release they are faced with poor unsuitable housing and in some cases “no fixed abode”. They also routinely suffer from a range of other disadvantages including:
 - a lack of support networks;
 - an inability to locate themselves as individuals separate from the institution (institutionalisation);
 - emotional wellbeing;
 - attachment issues;
 - anger;
 - poor social skills;
 - a lack of pro-social development;
 - poor education;
 - no significant structured family; thus no visits, no letters;
 - a sense of abandonment, loneliness and a lack of aspiration;
 - feeling they will be released to the same sense of loss they felt when they left care and before going to custody; and
 - few positive role models to steer them away from the sometimes deviant social groups they found themselves living amongst before going into custody; with
 - the needs of ‘older’ Care Leavers being apparent in terms of the residual issues of a care experience across the life course.

5. Transitions

- i. This seminar addressed issues and challenges for Care Leavers and LAC at the point of their transition from care; identifying a number of key points in the transition of care leavers and LAC into and through the CJS.

- 1. Arrest**
- 2. Sentence**
- 3. Release**
- 4. Preventative**
- 5. Custody**
- 6. Community Based**

- ii. At each of these points we need to consider a number of questions in the context of these transitions:

- iii. **Identification** of care leavers and LAC at key points of the CJS is paramount to understanding their legal status. It raises several key questions:

- What happens now?
- How could we improve the current systems?
- What are the benefits to identification?
- How do we relay these benefits to practitioners to ensure accurate identification?

- iv. **Legal parameters** – highlighting current legislation and its application in practice:-

- What are the legislative imperatives that exist for care leavers and LAC currently?
- How do these work in practice?
- Can we make better use of legislation to support care leavers and reduce re-offending?

- v. **Should Advocacy and referral** be available once care leavers and LAC are identified and their legal status is established:-

- Where would they be referred to?
- Who would advocate for them?
- What would be the benefits of referral to reducing dependency across services?

- vi. **Information and Data** sharing as this is essential if we are to develop a more joined up approach to the needs of care leavers and LAC :-

- What are the data and information sharing issues?
- How can we overcome these?

- vii. **A User Led Approach** brings the value of the lived experience. Given this:-

- What are the benefits of this approach?
- How is it utilised?
- How and where is it utilised?

viii. **Given that Older Care Leavers** do not stop being Care Leavers:-

- What can we learn from our knowledge about older care leavers and their sometimes poor outcomes?
- What are the effects of living with the residual issues of a care experience and poorly managed transition to adulthood?
- What can we do at the key points in the CJS to improve outcomes?

ix. **Training** on the issues identified above was recognised as essential. Each agency represented at the seminar would need to identify the particular training needs for their organisation.

x. The Care Leavers' Association currently works with practitioners within the secure estate, and with those responsible for community sentences highlighting issues faced by care leavers that many recognise they had not considered prior to our intervention.



6. Key Issues from seminar of 27 February 2013

- i. The Key issue identified in the first part of this CJS seminar was **Identification**. Questions raised included:
 - Why do we need to identify care leavers within the CJS?
 - What are the benefits of identification?
 - How do we persuade practitioners of the benefits?
 - At what points of the CJS do we identify?
 - Does this infringe the rights of care leavers as they go beyond the age of 18, if so what are the implications?
 - Where do we refer to once identified as a care leaver – issues of advocacy?
- ii. Related to the issue of identification was that of **Planning** and the disjointed nature of planning from leaving care and Pathway Plans to Sentence Plans and those for Resettlement.
- iii. This of course implies a need to consider how **data is shared** across agencies as care leavers move through their transitions between Care and Custody, Youth and Adult, Youth Offending Services and Probation, transitions in/out of the secure estate and from youth to adult secure accommodation and on to resettlement and the reduced risk of re-offending.
- iv. We discussed the need for a **Gap Analysis**.
- v. The conclusion to the session was that we focus down on Identification as doing so ensures data sharing is a consideration, as will be planning and a gap analysis would help to understand where the gaps sit currently in terms of identifying care leavers and at what points it would be of benefit to ensure identification becomes a part of the process.
- vi. The point of **arrest** was prominent in the discussion as was that of **custody** and we focused on the issue of identification at these two points of the CJS.
- vii. We discussed the need to think about how we effect change locally and regionally and the work was to be taken forward and possibly put in front of the Transforming Justice Executive Board for Greater Manchester.

7. Key Action Points from seminar of 27 March 2013

Having identified key points to bring to the second part of this seminar we wanted delegates to think creatively and as such we invited Clinks to facilitate a workshop that afforded the opportunity to engage creatively in respect of the Identification of LAC and care leavers as they access and /or sit on the periphery of the CJS.

Feedback from delegates led to the conclusion that we should focus our efforts on two particular points of the CJS, Arrest and Custody.

This part of the report is separated into two sections:

Section A: Providing solutions to the identification of, and support for, care leavers at the point of arrest and custody

Section B: Identifying an action plan to improve services for care leavers



Section A

Providing solutions to the identification of, and support for, care leavers at the point of arrest and custody

1. ARREST – SOLUTIONS TO IDENTIFICATION OF CARE LEAVERS

This session identified **five solutions** that could be taken forward:

- 1.1 Understanding the benefit of identification
- 1.2 Partnership development with leaving care service
- 1.3 Piloting identification in current practice
- 1.4 Specific care leaver programmes/interventions
- 1.5 Training on the rights of care leavers and the issues they face

1.1 Understanding the benefit of identification (low cost & long timescales)

There was a strong sense that the business case for identifying care leavers needed to be built. The questions below need to be addressed before we take action.

- **What** is the benefit of GMP identifying care leavers?
- **When** GMP should seek to identify care leavers; is it the age groups that are covered by legislation, or, do we need to consider those who sit outside of the legislation?
- **Who** could GMP refer to once care leavers have been identified?

1.2 Partnership Development with leaving care services (low cost & long timescale)

Firstly there needs to be a frank and honest discussion between the leaving care service and GMP to determine how they can work better together in the future. It was agreed that this could be facilitated by the CLA.

It was agreed that there are also a range of VCS organisations that will deliver to this client group and they too need to be brought into strategic discussions on how to develop support for care leavers.

There are also those individuals who fall outside of the current legislation, but their needs are often as acute as they are for those who are provided for by legislation. This should be part of a longer term strategy for supporting care leavers of variable ages.

1.3 Piloting identification in current practice (Quick win – low cost & short timescale)

The workshop identified that it was relatively easy to use current local systems to begin to identify care leavers at the point of arrest. For example, the GMP data bases OPUS and ICIS could be amended to this affect (national PNC database amendment would be far more costly and time consuming). This could be piloted in current triage services for women. This would require the simple addition of asking the question are you, or have you ever been in care (it was noted that this information would have to be voluntarily offered, allowing the service user to decline to answer).

1.4 Specific care leaver programmes/interventions (low cost & short timescales)

The workshop identified some cheap ways to ‘pilot identification in current practice at low cost over a short time scale and gain some quick wins’. It was clear that developing current practice, for example triage services, so that it has an element which is specific to care leavers and adopts an approach which is unique and related to their needs. This may take some time to develop in-house but would be relatively low cost and could be supported by good practice already developed by the CLA.

The area where this could be piloted easiest was thought to be through ‘Intensive Alternatives to Custody’ (IAC) in Manchester.

1.5 Training on the rights of care leavers and the issues they face (medium cost & short timescales)

Training needs were identified as something that could be done relatively easily, but which may have costs attached. It was raised that GMP already have a rolling training programme to which a module on care leavers could be added. The CLA can work closely with GMP in considering how to deliver the training and developing it. This could be implemented alongside other quick wins such as the implementation of a care leaver focus in current triage pilots for women.

2) SOLUTIONS TO IDENTIFICATION AT THE POINT OF CUSTODY

This session identified **three solutions** that could be taken forward:

- 2.1 Joint Working & Communication
- 2.2 Training
- 2.3 Specific care leaver programmes/interventions

2.1 Joint Working & Communication (Quick win: low cost & short timescales)

Communication of the fact that care leavers were identified in custody was raised as an issue, mainly focussing on the fact that prison staff were unsure what to do with the information they would get if they identified care leavers. A solution to this problem could be the creation of a central inbox for safeguarding and social workers to which prison staff could communicate information to. This would bring about consistency and offer a simple referral route. Currently any communication is done via telephone which can cause significant issues when reaching people in a prison on the phone is problematic.

There were further communications issues which were felt to offer more complex problems. The relationship between the juvenile estate, youth offending services, and social services was felt to be robust and in need of tweaking. However, the role of probation services working with the 18 - 21 age range was less clear, further still, the services offered to those who are aged 21 - 25 was even less apparent. It was stated that there is a lack of information sharing, data capture protocols and partnership arrangements between the care system and probation services which may take longer to resolve.

2.2 Training (high cost & long timescales)

Training has been identified as a significant need, despite the costs associated with it. It was clear from the seminar that knowledge and understanding of issues related to care leavers amongst custodial staff needed to improve. There was a danger that without training as to why it was important could lead to people's history of care being seen as an irrelevant part of their offending behaviour. As such, it is difficult to persuade practitioners to identify care leavers, making them aware of the benefits of doing so and educating them as to the legislative imperatives that can be applied to this group and used as a resource to help resettlement and play a part in mitigating against the risk of re-offending.

The training programme was envisaged to contain three modules covering:

- 16 - 18 age group (Relevant);
- 18 - 21/25 age group (Former Relevant / Relevant Students); and
- People aged 21+ (Recognising life course and care as impacting offending).

2.3 Specific care leaver programmes/interventions (high cost & variable timescales)

The point was made that interventions in custody are not care leaver specific. To develop such interventions in custody was thought to be high cost, but cutting across both long and short time scales. This was largely because some quick wins could include educating practitioners to identify care leavers in custody, other more bespoke provision could take longer to design and establish.

A few examples were provided where a specific care leaver service could be provided include:

- Existing triage schemes
- IOM approaches
- The NWRC were identified as having a potential interest in developing a specific approach to care leavers; possibly supporting the issue of identification
- Interventions could be designed utilising local examples of good practice in HMP Risley, HMP/YOI Thorn Cross, HMP Liverpool, and Manchester's IAC

The development of such services would require a robust business case, supported by an information paper from the CLA which demonstrates the benefits of identifying and working with care leavers in custody. In addition it would need to outline the specific benefits of providing bespoke services and interventions for care leavers.



Section B

Identifying an action plan to improve services for care leavers

Action Planning and assigning lead responsibilities for the solutions mentioned above formed the second part of the workshop. Delegates prioritised the solutions they had developed and began to prioritise specific actions.

Delegates were asked to:

- Suggest what their first steps would be
- Highlight how achievable the action would be
- Suggest a lead agency/person to take any action forward.

1. Point of arrest - a summary of what can be done

- 1.1 Greater Manchester needs to focus on the development of a business case that identifies a whole system approach for care leavers in the CJS. The business case would need to provide a comprehensive strategy to supporting care leavers and bring together key strategic partners such as the Transforming Justice Executive Board.
- 1.2 Gap analysis; for example, where statutory obligations have ceased to exist or did not exist for various reasons but the young person is nevertheless a care experienced young person what do we do with that group if they are identified as care experienced, where can they be referred to and this will also apply to those who are defined as adults (21+) and are no longer provided for in legislation.
- 1.3 There are pilot triage services being delivered for women and young people at the point of arrest where a new approach to care leavers could be adopted. This could support clearer identification but also appropriate support for the, often complex, needs of this client group. This would allow Greater Manchester to start building up the evidence base as to the needs of care leavers and could add to a business case for change across the area and into other locations.
- 1.4 Once a business case and services are in place a cost-savings analysis could be undertaken to assess the savings that can be made and the degree of social justice that can be achieved in the system, whether that be in CJS or further upstream.
- 1.5 Delegates identified the 17 -21 age group as a priority group, with the addition of a specific focus for girls and women as well.
- 1.6 GMP made clear they are able to identify and would like to see a pro-active take from the LCT. A meeting would be about identifying and why, at what point should identification happen and where can the GMP refer to once they have identified.

- 1.7 The key is to start the process going and the group made clear that triage as described above is the key to starting the process and to begin to develop the evidence for a wider system change, which presents this client group as in need of additional support.
- 1.8 It was discussed that there may be a role for the PCC to bring some leverage and seek strategic discussion which look more closely at the disproportionate amount of care leavers who find themselves in the CJS.
- 1.9 Training was highlighted as an issue for custody sergeants, for example, it is unlikely they would know the detail of the Children Act 1989 (or other legislation e.g. Children (Leaving Care) Act 2000) and the statutory requirements to offer support to some care leavers. Face to face training that helped them understand how to and why to identify alongside an understanding of what to do once identified could have a significant impact.

2. In custody – a summary of what can be done

- 2.1 There is a need for a rapid assessment of current practice so we can clearly know what is being delivered to care leavers. This should cover practice in custody as well as how LCTs are working in/with prisons.
- 2.2 Scoping and developing existing good practice. There is good practice beginning to develop at HMP Liverpool around identification, with interventions being developed with this client group as well as similar work across the North West. These examples should be collated and disseminated.
- 2.3 At the point of custody identification and information sharing was an issue, with the suggestion being that information is not shared across agencies adequately and so it does not follow the individual. This could be resolved by better co-ordination which should be achievable without any significant system change. Delegates believe it would be quite easy to pilot a 'single point of contact' email inbox for Prison's to contact social work staff.
- 2.4 Questions were raised about whether or not information follows an individual from custody into the community. This raised the issue of resettlement planning. Care Leavers all have 'Pathway Plans' that follow them and are provided for by legislation. These must be reassessed if there are significant changes in circumstances (arrest and custody is a significant change) and so it would make sense for these to be linked in with Sentence Plans and Resettlement plans. The LCT was seen as responsible for those transitions protocols from custody to community (and back again) and must seek to work closer with the secure estate.
- 2.5 Within the under 18 estate the point was made that there needs to be a review of 'eAssett' so that we remove the option to tick 'don't know' where it asks if the individual was a care leaver. This would also impact the new system, 'Integrated Child View'. Therefore it would be important to make sure any changes are incorporated into that new system. It was thought that this could be quite easily piloted and could be pushed through by the NWRC and the YJB.

- 2.6 It was judged that some pilot work with care leavers may be able to commence very soon in HMP Styal, focussing on the resettlement of women leaving custody. The CLA met with HMP Styal in October 2012 and discussed the opportunities for working with women around care related issues and resettlement. This would include peer support (affording women the opportunity to mentor each other), receiving training and support from The CLA related to the FOUNDATIONS mentoring programme. This could incorporate current MoJ funding allocated to this project up to March 2014. Discussions at Styal involved Darren Coyne (The CLA) and Daniel Blake, Reducing Reoffending Manager (HMP Styal) Daniel.Blake@hmpr.gsi.gov.uk.
- 2.7 There is a clear need for information, knowledge and training within the adult secure estate. This included prison staff as well as Probation, and VCS agencies working in this environment to make them aware of how to identify care leavers, the benefits of identifying them, and make them aware of how to use legislation as a resource for the young adult group both in custody and in the community.



Delegate List

Name	Organisation
Jennet Peters	Ministry of Justice
John Hannen	Greater Manchester Centre for Voluntary Organisation (GMCVO)
Jim Goddard	The Care Leavers' Association
David Graham	The Care Leavers' Association
Chris Day	The Care Leavers' Association
Darren Coyne	The Care Leavers' Association
Paul Pandolfo	Greater Manchester Probation Trust (GMPT)
Victoria Sampey	HMYOI Hindley
David Ashton	HMYOI Hindley
Helen Chambers	Social Work Team Manager HMYOI Hindley
Liz Howells	Manchester City Council Children's Legal Services
Kim Harwood	Manchester Leaving Care Service - Barnardo's
Jennifer Dinsdale	Manchester Youth Offending Service (YOS)
Paul Hale	Greater Manchester Police (GMP)
Stewart Hopkinson	HMP Risley
Rachel Storey	Greater Manchester Police & Crime Commissioners Office
Ian Dickinson	Retired Ofsted Inspector
Will McMahon	Centre for Crime & Justice Studies (CCJS)
Helen Mercer	Youth Justice Board (YJB)
Baroness Lola Young	House of Lords
Louise Higginbotham	North West Resettlement Consortium (NWRC)
Nicola Blackburn	HMP Liverpool
Sharon Harrop	Partners of Prisoners (POPS)
Nathan Dick	CLiNKS
Martin Nugent	Manchester City Council Transforming Justice Implementation Manager



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