



Keeping children in care out of trouble: an independent review

Call for written views and evidence

Published: 23 June 2015

Closing date: 4 August 2015

RESPONSE FORM

Please see the end of this document for information about the review and its background. A separate response form and guidance for children and young people responding to the review are available at: www.prisonreformtrust.org.uk/carereview

Please send us your evidence by 5.00pm on Tuesday 4 August 2015.

By email: carereview@prisonreformtrust.org.uk

By post: Care review, C/o Prison Reform Trust, 15 Northburgh Street, London EC1V 0JR

For more information, contact Katy Swaine Williams, Care review co-ordinator, on 020 7251 5070.

Your contact details and data protection

You do not have to give us your name or contact details in order to take part in the review. We will still take your evidence into account. If you do give us your name and contact details, we will only use them for the purposes of the review, including to send you a copy of the review’s final report. We may also try to contact you during the review with any follow up questions arising from your evidence. Please let us know if you would prefer not to be contacted other than to receive the report.

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Are you happy for your evidence to be published? (Please delete as appropriate)	Yes		
Signed:	K Sacks-Jones	Date:	29/7/15

All evidence received will be taken into account by the review. However, not all the evidence received will appear in the final review report. Where evidence is included in the report from children and young people or their families in relation to their personal experience, it will only be published or referred to in anonymised form, from which the individuals in question cannot be identified.

The questions the review wants to address are set out below. Please cite quantitative or qualitative evidence to support your response where possible. In all your answers, please try to reflect the diverse needs and characteristics of children and young people of different genders and ethnic backgrounds, to the extent that your experience allows. Please use the space at the end of the form to add examples of best practice that you know of, and any further comments.

1. How does the experience of being in care affect the likelihood of offending?

Agenda is a new alliance of organisations and individuals who have come together to campaign for change for women and girls at risk. We believe society is failing to adequately protect and support women and girls who face the most extensive violence, abuse, trauma and extreme inequality. We are calling for systems and services to be redesigned with women and girls at their heart so that they can access the support they need to rebuild their lives and reach their full potential.

The outcomes for children who have been in care are well known but remain shocking, with poorer educational attainment, increased mental health problems and a higher likelihood of becoming homeless. PRT's own research shows that the links between care and offending are particularly marked for girls, with 61% of girls in custody having been in care. Girls in the care system can face particular risks including sexual exploitation and/or becoming involved with gangs.

22% of girls in care become teenage mothers and one in 10 care-leavers who are parents have their own children taken into care. It is clear that a new approach is desperately needed not just to prevent this generation of children in care becoming involved in offending but to prevent this persisting inter-generationally.

2(a) Which features of the care system increase or reduce the chances that a child or young person will offend?

There are clear and established links between child sexual exploitation and youth offending. Children in care and those who go missing from care, particularly girls, are especially vulnerable to sexual exploitation. A government commissioned report following the abuse of young girls in Rochdale found that some residential homes are specifically targeted by abusers.

Girls in the care system may be at greater risk of sexual exploitation due to a range of reasons, including having had a difficult start to life, being isolated or distant from friends and family, having no one they trust to turn to, and being disengaged from services such as education or health. Multiple placements have been shown to increase the risk of sexual exploitation for girls in care.

Negative attitudes from professionals who may view girls involved in sexual exploitation and those who run away as 'difficult' and 'troublemakers' are particularly unhelpful and may prevent vulnerable children from getting support. Responses to teenage girls at risk

of exploitation can be seen as punitive and may be counter-productive, for example the use of secure accommodation which can cause and exacerbate problems.

2(b) What other factors (including pre-care and post-care experiences) influence the chances whether a child or young person with experience of care will offend?

Despite some improvements, there is still insufficient support for care leavers to make the transition to adulthood with too little preparation for independent living and no option of going back home if things go wrong.

Young women who have been in the care system and leave with little ongoing support are at particular risk of sexual exploitation, homelessness (and becoming dependent on others for accommodation often entering into unwanted sexual relationships), drug or alcohol dependency, involvement in prostitution and contact with the criminal justice system.

2(c) When decisions are made regarding a child in need that prevent entry into the care system, such as placing a child in kinship care, what influence can that have on the chances of a child or young person offending?

It is of deep concern that record numbers of children are being taken into care. Being removed from their family and placed into unfamiliar surroundings can clearly be extremely distressing and destabilizing for children. More should therefore be done to prevent children from needing to go into care in the first place. This must include support for families to prevent problems escalating, with a particular focus on mothers where they are the primary carers, as is often the case.

Worryingly, social workers report finding themselves under increased pressure having less time to spend with families and having to make difficult decisions on child protection quickly. This is happening against a backdrop of a number of high profile tragic cases of child abuse and an understandable fear amongst social workers of getting things wrong. The result is likely to be that some children are being placed into care permanently when, perhaps with some extra support, they would be able to remain with their birth family.

Wider pressures on local authority budgets also mean that there are fewer support services to which families who are experiencing difficulties can be referred. Early intensive support to address the problems some parents face, such as drug and alcohol misuse or mental health issues, can enable children to remain in or be returned to their birth families. More must be done to work with families, often in practice mothers, before the decision is taken to place children into care on a permanent basis.

There is very little support for mothers once children have been taken into care despite the fact that this experience is likely to be deeply traumatising for women, many of whom will themselves have had difficult childhoods and been in care.

Many women who have children taken into care go on to have more children who are also removed. Research by the Universities of Brunel and Manchester found that over a seven year period 7,143 mothers were involved in repeat care cases - affecting 22,790 children. In more than 90% of these cases the children were removed from their parents. The research found an average of 17 months between the first time a mother appeared in court with an infant and the second time she appeared in court with another infant.

Women report little or no attention being paid to their welfare after children are removed and any support that they were receiving from social services stopping. This is short sighted and does nothing to prevent this destructive cycle of pregnancies and care

proceedings being repeated. As well as the personal tragedy for both mother and child, there are clear and significant cost implications.

Around 17,000 children are separated from their mothers due to imprisonment every year, with only 5% remaining in their homes. Whilst some children will be looked after by other family members, many will be placed into care. Women's parenting responsibilities must be taken into account during sentencing and more must be done to find alternatives to custody for female offenders, not least given that the majority of female offenders commit non-violent crimes whilst having been the victims of more serious crimes including abuse and violence themselves.

3. Which features of the youth justice system* increase or reduce the chances that a child or young person with experience of care will get involved in the criminal justice system and/or reoffend?

** The term 'youth justice system' is intended to mean the law, policy and practice relating to the treatment of children and young people by the police, youth offending teams, courts, secure children's homes, secure training centres and young offender institutions.*

When girls who have been in care come into contact with the youth justice system we mustn't miss opportunities to prevent problems escalating. The police are likely to have early contact with care leavers who are at risk of offending. This makes them well placed to help divert care leavers from further involvement in the criminal justice system. It is important that the police do not automatically view girls who have been in care as "troublesome" but instead recognise that they may have faced severe trauma and abuse and so be in need of support. Liaison and diversion services must recognise the particular issues experienced by and be responsive to the needs of girls who have been in care and this will require specialist skills within teams.

4. Are there parts of the youth justice system* that have an unfair impact on children and young people with experience of care?

** 'Youth justice system' is defined here as at question 3 above.*

5. Which features of other services, such as education, health and housing, increase or reduce the chances that a child or young person with experience of care will offend?

Despite clear guidance that young care leavers should not be placed in unsuitable bed and breakfast accommodation, this practice is still widespread. Such environments are particularly inappropriate and dangerous for vulnerable young women in what tend to be predominantly male environments. There is a real risk of exploitation and coming into contact with people involved in criminal activity.

Mothers who have become homeless, for example as a result of fleeing domestic violence, and whose children are temporarily out of their care can find themselves trapped in a vicious cycle. A local authority will not allow their children to be returned to their care until they have secured accommodation however, they are not a priority for local authority housing assistance until their children are returned to them. This can result in the ridiculous situation of children remaining in care unnecessarily simply due to a lack of suitable accommodation. Housing and social services departments must work closely

together and decisions on accommodation must take into account a woman's role as a parent whether or not her children currently reside with her.

6. What can be done to help children with experience of care to avoid getting involved in the criminal justice system, and who should do it?

As set out above, more needs to be done to support children to remain with their families, where this is a possibility. Where children are taken into the care of local authorities, they must be properly protected and supported.

7. What are the barriers to reform, and how might these be overcome in an environment of limited resources?

The cost implications of providing extra support to families to enable children to remain in their home are far outweighed by the reduction in the need for children to be placed into costly local authority care. Preventative and early intervention work with families should be a priority for local authorities.

8(a) In relation to all your answers above, have you reflected the diverse needs and characteristics of children and young people of different genders and ethnic backgrounds? Please add any further comments here.

It is important to consider not just the differing impacts of gender and ethnicity on children's experiences and needs but also of the intersectional nature of these inequalities. Black and ethnic minority girls often experience greater inequality and discrimination and additional cultural and social issues which can compound the problems they face. Support must reflect this and be appropriate to their needs.

The children of parents, particularly mothers, who face immigration detention are often taken into local authority care. Families with children are unlikely to abscond and so detention is an unnecessary, distressing and costly experience resulting in children being traumatised and further pressure placed on an already overburdened care system.

8(b) Please describe any examples of best practice that you are aware of, where these are not covered above.

Women's centres provide services throughout the country in community settings. This includes parenting support and work with mothers whose children are at risk of being taken into care.

WomenCentre provides holistic, one-stop services at centres in Huddersfield and Halifax and in the community. They work to provide emotional and advocacy support to women every day who are at risk of losing their children. Their approach acknowledges the way that neglect, abuse and violence in childhood and adult life has such an impact on a mother's capacity to parent well without support. They facilitate the Mothers Apart group to enable mothers with children in care to come to terms and work positively with this.

The Nelson Trust's ISIS centre in Gloucester runs Circle of Security, a relationship based early intervention program designed to enhance attachment security between mothers and young children. It is an 8 week programme which incorporates a training component, interactive group exercises and the opportunity to reflect upon and practice behaviours and new ways of relating. The testimonials from women who've accessed the programme, including many who have had previous children taken into care, are extremely positive. The ISIS centre also has a Family Focus team composed of qualified therapists who work

with families who have children on the child protection register or those with a child in need plan.

The Reunite Programme is delivered through a partnership between ISIS women's centre, Commonweal Housing, Family Focus and various housing associations and aims to help mothers leaving custody be reunited with their children and have healthy family relationships by providing appropriate housing and support.

8(c) Is there anything else you would like to say to the review team?

About the review

This independent review, chaired by Lord Laming and established by the Prison Reform Trust, was launched on 23 June 2015 to consider why looked after children are more likely than other children in England and Wales to get involved with the criminal justice system, and what can be done to help more children in care stay out of trouble.

The review team is formed from a broad cross-section of senior policy makers and practitioners, including social workers, police, magistrates, academics and other experts. It will be informed by a consultation group of children and young people who have been in care and been in trouble with the law. For more information about the review and a list of its members, go to www.prisonreformtrust.org.uk/carereview

Background

Most children in care do not get into trouble with the law. However, children and young people who are, or have been, in care are over five times more likely than other children to get involved in the criminal justice system. In a 2013 survey of 15-18 year olds in young offender institutions, a third of boys and 61% of girls said they had spent time in care. This is despite fewer than 1% of all children in England being in care. For nearly two-thirds of looked after children, the main reason they are in care is because they have suffered abuse or neglect.

The review wants to hear about your experiences, and your views, on what could change this, thereby transforming the life chances of children and young people in care.

How to respond

The review wants to hear from those who have experience of local authority care and the criminal justice system, including children and young people, their families and carers, social workers, youth offending team managers, police and local authority leads, and others who work with children in care and children in the criminal justice system.

Please send us your response by 5.00pm on Tuesday 4 August – by email: carereview@prisonreformtrust.org.uk **or post:** Care review, C/o Prison Reform Trust, 15 Northburgh Street, London EC1V 0JR.

For more information call Katy Swaine Williams, Care review co-ordinator, on 020 7251 5070.

Guidance for children and young people who want to respond to the review, and a separate response form, can be downloaded at www.prisonreformtrust.org.uk/carereview

This revised response form was published on 3 July 2015. Please contact Katy Swaine Williams, the care review co-ordinator, on 020 7251 5070 with any queries.