

Securing better outcomes for children and young people with special education needs and disabilities in the Youth Justice System

Considerations and Reflections

FROM THE PROJECT TEAM

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Overview

In April 2016, Achievement for All (in partnership with AYM Association of Youth Offending Team Managers and MMU Manchester Metropolitan University) led a successful bid to secure the following contract:

To support implementation of the Children and Families Act 2014, Part 3, S70-75 so that the youth offending teams, the youth secure estate and local authorities are supported to effectively identify and meet young offenders' special educational needs and disabilities (SEND).

The key objectives for 2016/17 were to support local authorities and their partners to improve implementation of the reforms by:

1. Building networks and sharing good practice
2. Awareness-raising and knowledge building
3. Monitoring outcomes and improving the system
4. Working with young offenders and their parents

The project was extended into 2017-18, with the key objectives redefined and agreed:

1. **Developing the community of practice** Growing the community of practice, use of The Youth Justice (YJ) Bubble, and supporting the growth of active networks: working with 35 Local Authority/YOTs (five intensively) to track the impact of Year 1 training and on-going knowledge dissemination, changes of practice and positive impact on children and young people's [CYP] outcomes), developing further the Ten Key Statement framework into supportive audit process, sharing effective practice case studies with wider stakeholder community.
2. **Engaging with the Youth Secure Estate (YSE)** Through targeted resource development and a series of local dissemination workshops, grow the use of The Bubble and effective networking within the professional teams in YSE to secure better outcomes for children and young people with SEND in the YSE.
3. **Extending the community of practice** Looking to secure better outcomes for CYP in YJS by growing the Community of Practice membership, by extending Bubble offer to other youth justice stakeholder groups and wider charities and related agencies; fostering agencies; police; judiciary; volunteers (panel members); appropriate adults; others (social services, local health etc.). Improving YJ Bubble and website information and materials through this wider sectoral membership.
4. **Data Further Research and Analysis** Support local and national planning by exploring available data sources on young offenders, before, during and after they enter the youth justice system (including information on outcomes). Report on what data are used locally and nationally. Carry out a gap analysis of data at national and local levels to show what else is needed. Make findings available to Department for Education (DfE) and Ministry of Justice (MoJ) on what would help effective planning at local level and at national level and effective monitoring needed to measure the effectiveness of YJ reforms.

N.B. This paper is complementary to the Final Report and Exit Strategy, focusing exclusively on a series of considerations and reflections from the Project Team (building on observed effective practice and front line professional testimonies from area partnerships across the country during the past two years) aimed at further improving joint working, collaboration and effective resource provision **to secure better outcomes for young people with SEND in the Youth Justice System**. It is not the purpose of this paper to comment on, consider or evaluate broader aspects of youth justice process practice and accountabilities, nor does it relate to or critique past and present DfE, MoJ or YJB policy and practice, guidance and legislation.

Enabling Factors

The Project Team has now worked with over fifty area partnerships around the national network of Youth Offending Teams (YOTs), some of which are co-commissioned by clusters of Local Authorities (LAs).

Using the Ten Key Statement framework as a benchmarking tool, effective practice has been identified and evidenced that has a tangible impact on outcomes for children and young people touched by the youth justice system, with complex needs that at times go beyond SEND.

We have established a database of case studies from YOTs across the country which the project team will continue to grow and develop (supporting evidence is available by clicking on the purple hyperlinks). **It is recommended that the following enabling factors are considered by every area partnership:**

- 1. On the co-location of specialist professionals, especially Speech and Language Therapists (SaLTs), within YOTs, and commissioning arrangements to support specialist provision within YOTs.** From case studies, field visits and analysis of high scoring area partnerships during benchmarking, we observe *one* of the common features of effective YOT intervention work has been the co-location of SaLT services within a youth offending team. This is distinct from having *access* to SaLT services. The same can be said for co-located Educational Psychologist and CAMHs services.

The role and deployment of these professionals *within* YOTs and the Youth Justice system has become more widespread and more specialised. Co-location helps build skills, experience and relationships within youth justice systems and procedures, and of course, the challenges of engaging with children and young people with extremely complex needs. Co-location also speeds up response time. Co-located SaLTs regularly assist with ASSET Plus screening (and any timely follow-up deeper assessment of needs), Wave 1, 2 and 3 interventions, and the production of locally relevant resources to support preparation for court, restorative approaches and transition into college, training and employment opportunities.

Speech and Language Therapists realise the unique challenges of working in the Youth Justice System. The Royal College of Speech and Language Therapists (RCSLT) has set up networks to support colleagues working mainly in the Youth Justice System¹. Additionally, some SaLT describe themselves as “Highly Specialised SaLT”.

A final point: communication needs emerge from a range of disabling conditions, alone, in combination and to varying degrees. By directly addressing communication needs, it is more likely to have tangible impact on better outcomes for young people in the youth justice system and beyond. This is a central theme woven through the excellent resource created by The Communication Trust (TCT) called **Sentence Trouble**. Case Studies: **Hackney, Milton Keynes**.

Examples of excellent collocated collaborative work with Education Psychologist Services can be found in **Islington** and **Leeds**.

¹ Contact Lisa Ogden Highly Specialist Speech and Language Therapist, Sutton Integrated Services for Young People for details about London and South England Peer Support Group for SaLTs in YOTs and Youth Justice, and links to other national SaLT support networks lisa.ogden@sutton.gov.uk or contact <https://www.rcslt.org/>

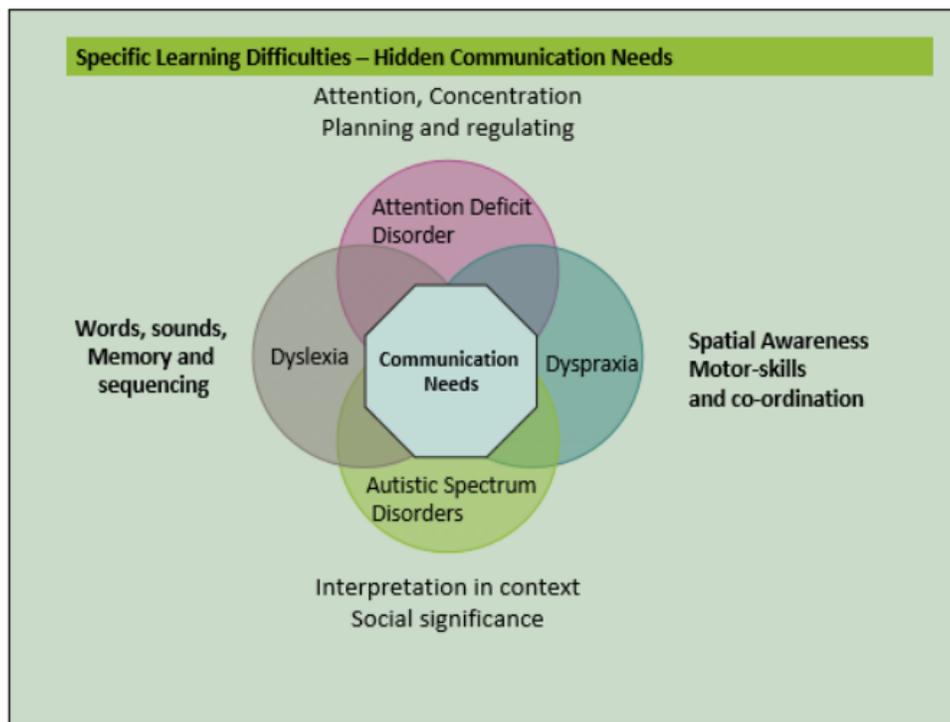


Figure 1: Slide taken from “Sentence Trouble” training pack, showing how communication needs are an emergent common issue from a range of disabling conditions, alone, in combination and to varying degrees.

2. **On the appreciation, assessment of and meeting complex needs.** As the work of Prof Leanne Dowse² and others attests, CYP entering the youth justice system are commonly beset by multiple, high level, complex needs.

Where there is a degree of (sometimes unassessed or unidentified) SEND, this can conflate with complex social/structural disadvantage (including in many cases the intense emotional challenges of being “in care”) and of course mental/physical well-being issues. Let us not forget either the profound long-term impact of childhood trauma, neglect and multiple Adverse Childhood Experiences³ (ACEs), especially when ACEs might collide with SEND.

Holistic support plans have scope to take into account these conflating factors, leading to more effective joined-up provision that secures better outcomes. We observed this practice using different approaches in **Leeds** and **Gateshead**. Their plans were effectively drawn up, actioned quickly and put in place whether the young person has an EHC plan or not. These same two local areas also have a system-wide focus on protective strategies and positive outcomes in terms of education, employment and supporting the journey to independent adulthood.

² <https://www.tandfonline.com/doi/abs/10.1080/23297018.2014.953671> Young People with Complex Needs in the Criminal Justice System Leanne Dowse, Therese M. Cumming, Iva Strnadová, Jung-Sook Lee & Julian Trofimovs (2014)

³ <http://www.cph.org.uk/wp-content/uploads/2016/01/ACE-Report-FINAL-E.pdf>

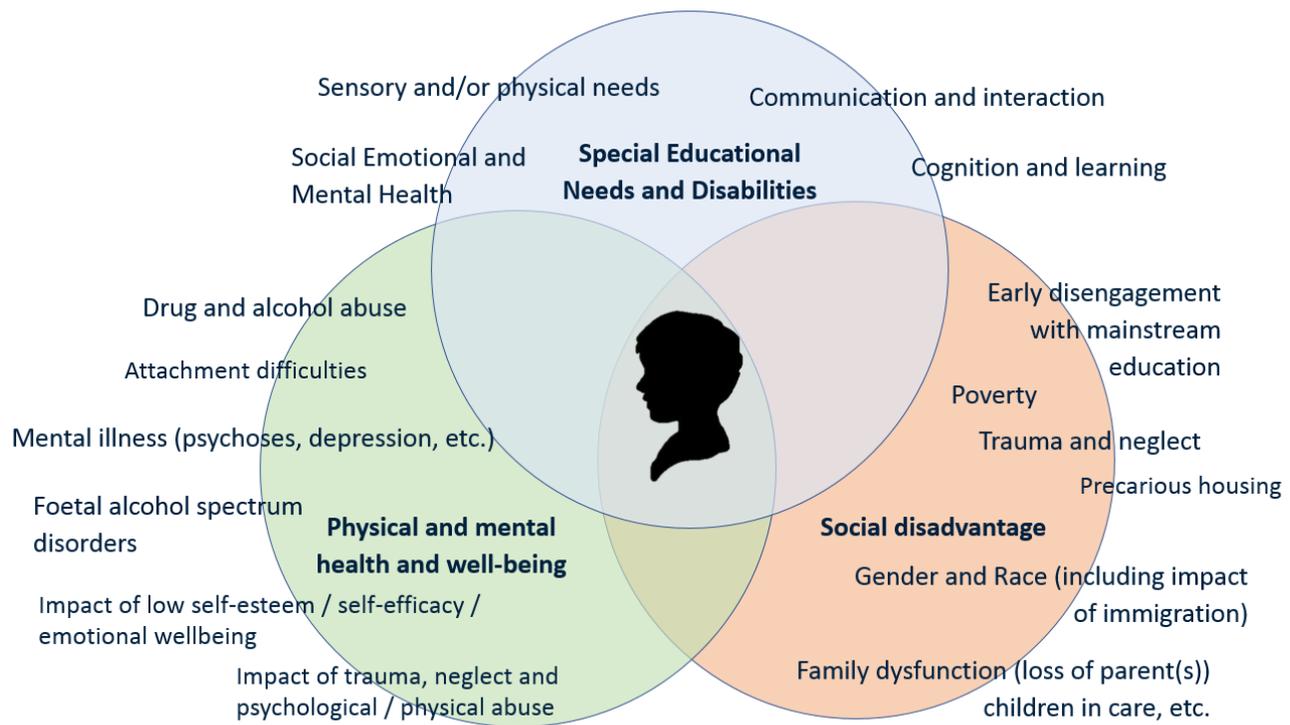


Figure 2: CYP entering the youth justice system are commonly beset by multiple, high level, complex needs.

Also, worthy of mention is the NHS Transforming Care initiative to support and protect children and young people with learning needs and hidden disabilities (Children and Young People with Autism and Learning Difficulties can request a Care Education and Treatment Review⁴ (CETR)) and the SE7 Protocol (cross-sector services in 7 LA areas and Constabularies in the South East of England working together) which is designed to prevent the criminalisation of Looked After Children.

The **NHS England Liaison and Diversion (L&D) programme** has rolled out Liaison and Diversion services across England⁵. Currently, 83% of the country have access to these services (it will be 100% by 2021). All children and young people arrested are screened and automatically referred to their local Liaison and Diversion service if they have a SEN or learning disability. This is recorded and if needed further assessments are arranged. All Liaison and Diversion teams have children and young people specialists working within the teams and advising all team members (the team also see vulnerable adults). The Schemes have links with local children and young people offender and other services, and best practice includes links with local schools and access to the local SEND database for checks before meeting any child or young person. Liaison and Diversion teams also have SaLT in the core team or brought in as required.

Case Studies: **Delegation of High Needs funding to Local Area Partnerships in Leeds (in which YOTs participate); SE7 Protocols to prevent the criminalisation of LAC; NHS England Transforming Care Partnerships to protect neuro-diverse children and young people ; Darlington’s use of Troubled**

⁴ <https://www.england.nhs.uk/learning-disabilities/care/ctr/>

⁵ <https://www.england.nhs.uk/commissioning/health-just/liaison-and-diversion/>

Families assessment tool in the case of every children and young people **that comes into contact with YOS.**

- 3. YOTs and their relationship to Early Intervention, Troubled Families programmes and other relevant Teams.** Local Authorities could review how the Youth Offending Service relates to other service teams around vulnerable children and children with special education needs. Where services overlap and share a client base (for example, Children Looked After (Virtual Headteachers) and Troubled Families cohorts) resources could possibly be deployed more efficiently and effectively. By improving information flow between services to work together more efficiently and effectively, by enabling early intervention and more effective holistic support, new service models responsive to local needs can be created.

If these steps are taken, then unnecessary duplication of effort becomes more likely (one YOT worker, visiting a child on remand, noted that she was the *fifth* visitor to that child who wasn't a family member! Young people with SEN in custody also reported to the project researchers the number of times they had to say the same things to different people).

Strategic service reviews might include looking at confidential data exchange, specialist co-located staffing, speedy commissioning of resources and deployment to address emerging local issues and challenges (such as internal migration, drug distribution networks, gang culture, knife crime, radicalisation, etc.), access to High Needs funding block, etc.

This issue is further explored below in the Data recommendations.

Case Studies: Greenwich (proactive Fair Access Panels); Cornwall (integration of YOS with Young Adult Support Services) Gateshead (Assessing Complex Needs)

- 4. Strategic visibility and accountability of services for CYP with SEND in the Youth Justice System, at LA level.** Greater strategic “visibility” and accountability with respect to young people in the youth justice system, or those at risk of entering it, who have special educational needs increases the likelihood of improving outcomes and life chances.

For LAs, these CYP are amongst *the most vulnerable* and high risk in society. If Safeguarding Boards, for example, are regularly updated with numbers and their provision and effectiveness of the provision reported, the LA would have a far better operational and strategic “view” and accountability for this cohort. Where YOT managers are already members of Local Safeguarding Children’s Boards (LSCBs), they can engage the board in a regular review of provision for young people with SEND in the Youth Justice System. Where they are not members, we recommend that they seek opportunities to attend to ensure that this issue is effectively represented.

The prevalence of speech, language and communication needs (SLCN) in the cohort (even higher than official statistics) should be flagged up to all criminal justice partners. Where YOT managers have a seat at the table at their local criminal justice board they are well placed to do this especially where there is also representation from local Clinical Commissioning Groups (CCGs). There are implications for charging decisions, remand decisions and the management and enforcement of court orders. Health Needs Asset

Evaluations and Health Needs Strategic Assessments were examples of highly effective practice in **County Durham**⁶ and **Warwickshire**⁷.

We found evidence from local areas which are performing well in relation to SEND supports the view of HM Inspectorate of Probation that the governance and management arrangements for local YOT partnerships are crucial to their success. Where YOT management boards include leaders from all YOT partners, and where these leaders can influence policy and spending decisions in their own agencies and in other related partnerships, joint working is more like to produce good outcomes. Local areas might want to consider the project's tool kit **for assessing the strength of local governance**⁸.

Evidence from local workshops suggest that it is helpful to improve understanding of how the youth justice system works and the needs of young people in the justice system among local authority SEND specialists. The SEND reforms represent a significant widening of their area of responsibilities and YOTs are well placed to help them with this. The project's model **peer review process**⁹ provides a tool kit for joint working by YOT and LA SEND managers, as does the Quality Mark and Quality Lead framework.

LA SEND teams' performance objectives and individual job descriptions could include measures and accountabilities to support young offenders/ potential young offenders. This includes responsibilities for data harvesting, integration and organisation (we return to this theme later).

- 5. Review information exchange mechanisms and protocols that link home LAs to the secure estate.** In the case studies where relationships have been actively built and maintained, there appears to be good information exchanges between home LAs and the secure estate.

However, we observed that this is not always the case. LAs would need suitable methodology to monitor the effectiveness of their interventions and how well they work with the youth secure estate.

The rollout of ASSET+ to the secure estate may be a significant step in supporting rapid and precise two-way data transfer.

It is worth noting that information exchange is two-way: education providers in the secure estate are responsible for recording data at 3, 6 and 9 months post release: but many reported being unable to get a response from YOTs¹⁰.

Case Studies: Lancashire YOT Protocols

- 6. Understanding and identifying local "routes" to criminalisation to help address possible weaknesses in provision or emerging locational issues.** Early identification and support of vulnerable young people helps prevent them entering the youth justice system. Fully understanding the experiences of CYP

⁶ <http://res.afa3as.org.uk/YJBubble/CDYOS%20HNA%20Exec%20Summary%2010%20April%2017%20FINAL.pdf>

⁷ http://res.afa3as.org.uk/YJBubble/WARKS_YJSHNareport.2016.pdf

⁸ Appendix X3 in Final Report

<http://res.afa3as.org.uk/YJBubble/13%20key%20statements%20for%20management%20boards%20v0.5.docx>

⁹ Appendix X4 in Final Report <http://res.afa3as.org.uk/YJBubble/Guidance%20for%20Peer%20Reviews.v0.1.docx>

¹⁰ Reported by Deborah Scaife Education Lead Youth Custody Service HMPPS

informs immediate provision and recommendations for their future support. By interrogating data from education, health and care services, it may be possible to identify local patterns and trends to inform and plan for local crime and offending prevention programmes.

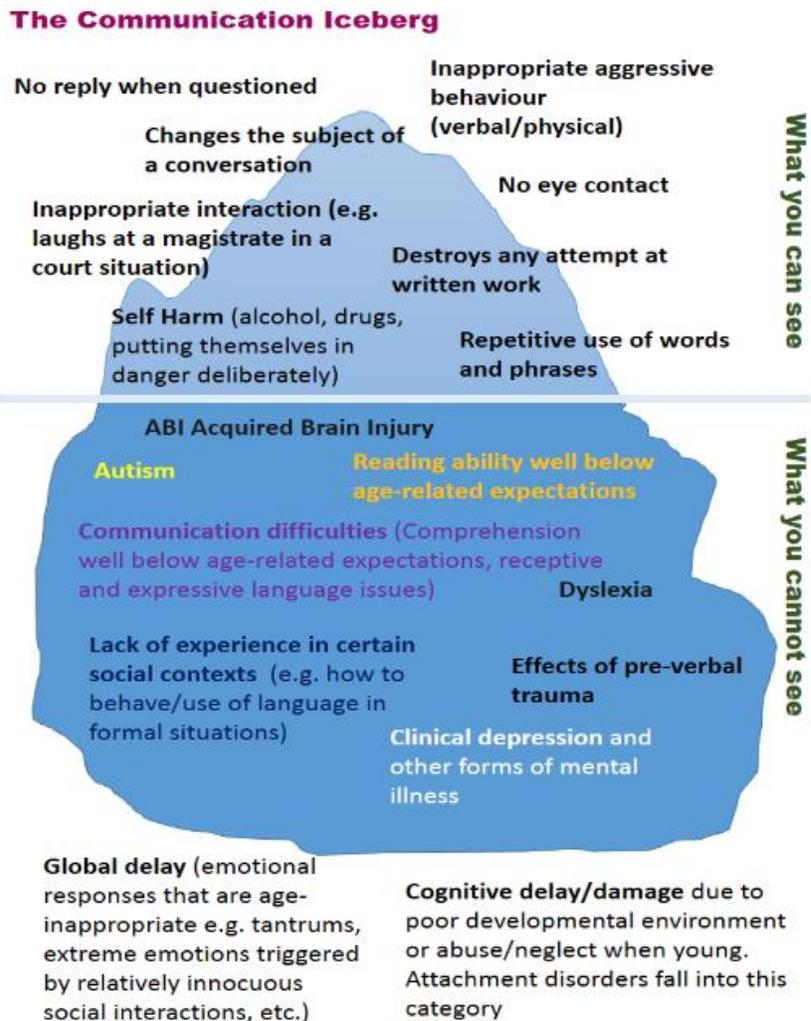


Figure 3: This graphic, specially commissioned for the Youth Justice Bubble, has helped to illuminate the link between observed behaviours and underlying (hidden) needs)

Some young people with special education needs have been **excluded from school for poor behaviour**¹¹. Many of these young people may feel that they are “different” to other children, but they and their

¹¹ Exclusions by pupil characteristics: DfE (July 2017) *Special educational needs in England: SFR 37/2017*.

- Pupils with identified special educational needs (SEN) accounted for almost half of all permanent exclusions and fixed period exclusions
- Pupils with SEN support had the highest permanent exclusion rate and were almost 7 times more likely to receive a permanent exclusion than pupils with no SEN
- Pupils with an Education, Health and Care (EHC) plan or with a statement of SEN had the highest fixed period exclusion rate and were almost 6 times more likely to receive a fixed period exclusion than pupils with no SEN

families might not know why- as a result, over time, they have learned to “**camouflage**” their learning difficulties behind layer upon layer of “front” (deflection techniques to mask communication or learning difficulties, protect self-esteem or to release anger and frustration): all you see is the poor behaviour, which for many has seen them excluded from school.

Poor behaviour may also put a child into the tramlines of a “pastoral” pathway within a school community without consideration of a Learning Difficulties or SEND aspect to the observed issues. And when a child is permanently excluded, it sometimes makes assessment of need, and graduated provision in response to assessed needs, impossible. Frontline youth justice professionals report that, for some children, the first accurate assessment of needs is at the point of entry *into* the youth justice system. Careful, considered and honest review of local historic exclusion patterns, and analysis of resulting patterns of entry into youth justice pathways, will help drive accountability and proactive action.

There is a greater need to build SEMH pathways and waved provision expected in mainstream schools which can respond to needs. This would extend and build capacity within the existing environment and maintain protective factors a young person needs.

Additional measures can be taken to accelerate reaction time in the case of emerging issues. For example, **County Durham** are moving to a position of screening *all* children who have been given more than one fixed term exclusion for communication difficulties (part of the OneDurham initiative). **Redbridge** and **Greenwich** YOTs (amongst others) are active within local Fair Access Panels and similar forums. Redbridge is a case in point: in many parts of the country, if a child is found with a bladed object in school, the police are called (instant criminalisation) and the child permanently excluded: Redbridge YOT have designed an intensive four-week intervention plan aimed at changing behaviours and keeping the child in school. **Solihull** have introduced recently a “Top Ten” meeting, attended by DCS Executive as well as operational managers, considering the most immediate children in crisis, ensuring safeguarding support and provision (around 100 CYP on list)

Another issue is the national increase in the numbers of children who are being **home educated** (youth offending team professionals noting that an increasing number of young people who have been previously “home educated” are entering the youth justice pathways¹²). Persistent absence is another key issue, regardless of reasons¹³.

There are **other issues** that may impact on local “routes to criminalisation” for children and young people with SEND that may make them vulnerable to manipulation and coercion. A good example can be found in Margate. The Margate Task Force (MTF) is a multi-award winning, co-located, integrated services team that jointly tackles highly complex and challenging issues, such as child protection, exploitation, safeguarding, gangs, crime, welfare dependency, health, drugs and quality of life.

¹² This was a consistent theme at national workshops that were a feature of Year 1 project activity. Although anecdotal evidence at the moment, it may well be of national interest to formally interrogate these figures.

¹³ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/577542/understanding-educational-background-of-young-offenders-full-report.pdf 90% of 16/17 yr olds in custody in 2014 had a previous record of persistent absence

The team comprises 40 members of staff from 16 different agencies and commissioned services - a mixture of full time, part time and task allocated resources. They target some of the most deprived wards in Kent.

With known gang activity deliberately targeting vulnerable young people to enrol them into drug trafficking, the team uses advanced Geo-Mapping of agencies' data to better identify and assess safeguarding risks by highlighting 'super hotspots' requiring joint agency interventions¹⁴.

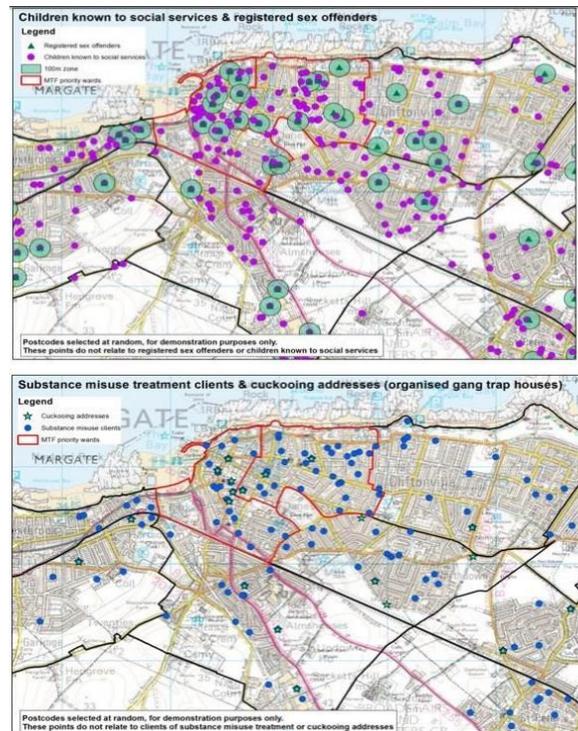


Figure 4: example of geo-mapping super hotspots requiring multi-agency collaboration and intervention

Every LA is different and every community unique. The Project Team recommends that every LA reviews current multiagency approaches to analysing past and present youth offending cohorts, looking for patterns, reasons and emerging trends.

7. Data Issues

Survey data, delegate feedback and interviews with children and young people raised a number of helpful areas where local data can be improved:

Youth Offending Teams could begin to log the number of children and young people that are referred to youth offending services who have a degree of SEN (*SEN Support* which was formerly known as *School Action* and *School Action+*) as well as those with Education Health and Care EHC Plans. Additionally, keep a record of those who the YOT Team identify as having

¹⁴ <http://res.afa3as.org.uk/YJBubble/MARGATE.pdf>

SEN but whose needs had not been previously identified or assessed. This might be because their needs have been missed by schools or colleges because of prolonged absence, multiple moves or because of fixed term / permanent exclusions. It may be that the reasons for poor behaviour have not been adequately assessed. Records might include which institution children and young people were last enrolled in/attended and those who enter as 'home educated', persistent absence patterns, inclusion on programmes such as Troubled Families, or those new to the local authority (internal migration, new migrants, etc. This approach would support Point 6 (considering local patterns and routes to criminality) as well as Point 4 (Strategic visibility and accountability).

It is important that the bureaucratic burden on YOS is not increased. Data integration across Local Authority and Area Information Management Systems is the key. As our case studies, and the data management aspect of this project attest, this is not easy. But the possibilities that can be unlocked are manifold.

Local analysis of the characteristics of the children and young people, their educational, health, care and home histories will help inform understanding of the cohort and possible contributory factors leading to subsequent offending.

For Liaison and Diversion services, where inter-agency database access has been granted a higher proportion of children and young people with SEND and Learning Difficulties have been identified and appropriately supported¹⁵.

Analysis may also reveal "blind spots" in local services and institutions (for instance, schools, colleges, alternative providers, specialist services, care, health and judiciary services) which would be good areas to target for future improvements, early intervention and prevention work. Findings would need to be reported to DCSs (Director of Children's Services), Safeguarding Panels, Clinical Commissioning Groups and other representative bodies at a strategic level. This will help build a picture of where the educational, health, care and judiciary infrastructure is not supporting these children and young people with high/complex needs.

Collation and use of data within area partnerships is further explored in the MMU Year 2 Final Report, based on deeper research into data use in five local area partnerships.

8. Working with and within the Secure Estate

It has been a privilege to work with the governors and education providers in some of the secure estate establishments to take the learning from this project, share it with their senior staff and at the same time develop a better first hand understanding of the complexities and pressures that professionals in the secure estate face. We are very happy to learn that the SEND Youth Justice Bubble has been "whitelisted", enabling web access for professionals through secure web portals into YSE.

There are no easy solutions.

¹⁵ Neisha Betts Project Manager Health and Justice NHS England

With few YSE (Youth Secure Estate) centres across the country, each one potentially working with scores of youth offending teams, two-way information flow to support provision around a child with SEN can be problematic.

A step change in information management could occur as the YSE gets instant access to ASSET+ IT systems.

The Project Team has been approached to explore the possibility of developing the Ten Key Statement Framework for use within YSE. We would welcome such an opportunity.

9. **Working with Magistrates and Courts (and the Her Majesty's Courts and Tribunal Service (HMCTS) transformation programme).** We are concerned about the collective impact of the HMCTS transformation programme upon children and young people, but particularly those with SEND and/or other needs. We think the changes will compound existing difficulties for vulnerable and marginalised, children and a brief exploration is provided here about how practical changes will have a negative effect upon potential outcomes. The two fundamental principles of the youth justice system are, of course, the welfare of the child, and reducing the risk of further offending. We will explore how these 'reforms', which have no child specific evaluation or evidence, may impact upon these principles.

The closures of local courts. Whilst in some court areas there hasn't been the expected rise in the issuing of warrants for non-attendance, which was feared for the most-hard-to-reach children who now need to travel much further for a court appearance, there have been other consequences. YOS staff often facilitate transport for these children and there are examples of YOTs paying for transport, collectively transporting children in their cars at the end of a court day, or physically walking across towns and cities to show them how to get on a bus or a train in an unfamiliar place.

Another consequence is the **lack of time and resource for other supportive professionals to time to travel to court**, helping children in their care to understand what is happening and how to behave, or pass on key information to the sentencers. For example, this could be social workers, education workers or SLT specialists who cannot spare the time to travel. This can be very difficult when a child does not have an identified address and referrals need to be made to Children's Social Work Services in another part of the county giving rise to a range of practical issues. A member of the Project Team has witnessed a child repeatedly punching the wall in distress as there was no social worker able to attend for most of the day; there was no address for him and nowhere safe to 'keep' him in the court building whilst efforts were made to find him a residential placement.

There are also more difficulties for **families** as they **are expected to pay more travel costs** and spend more time travelling and waiting, when they may have other children who they need to care for elsewhere or to pick up from school. Court lists are longer, quite often there may be triple-listed trials for example, and cases may simply not even be heard on the relevant day. The waiting time can also be difficult for children with very limited concentration spans.

The push for greater use of video technology and virtual hearings whilst addressing some of the above practical difficulties, to some extent, raises some other new issues. The overarching issue is one of how the YJS could retain a focus upon the welfare of the child when the child is not in attendance. This is

doubly so for those with complex SEND and compounded even further for those who may not speak English, be of a different ethnic background, or have physical or mental health problems. The current condition of video technology within the court estate is very far from state of the art. There is limited sight and sound and regular technical difficulties. This means that the court will certainly miss nuances of behaviour, but it also means that the child is likely to have a grasp of what is happening.

The many children who come through a courtroom with SEND already report that they have limited understanding of what is happening, and this will be exacerbated greatly by not being present, not having direct access to their defence solicitor and YOT staff, and poor-quality video connections. There are more limited opportunities for children to take legal advice yet these children need much longer to be guided and fully informed. There is a concern that sentencers could be less willing to view the child as being vulnerable and in need, when not faced directly with the child in the courtroom.

Children misbehave or do not realise the importance of the situation when a video link is used. This could produce misunderstandings, lack of comprehension and bias. It makes the reality of sending a child to custody less 'real' when they are already appearing via a video link from police custody. It also prevents YOT staff meeting statutory obligations in terms of the assessment of the child's welfare, risk of harm to self and explaining the court process and what could happen next in terms of entering the secure estate. It would make an already complicated and non-inclusive system less meaningful and could become a transaction rather than an opportunity to achieve any form of restorative justice.

There may also be an unanticipated consequence with the move to Voluntary Attendance interviews by the police which may impact issues such as having an appropriate adult present or other support, particularly in the interim as the new system finds its feet.

On a positive note, Liaison and Diversion practitioners are also based in the courts and accept referrals from individuals or practitioners at the court stage also. They are there to support children and young people and to ensure their assessment notes feed into any court reports and influence court/sentence recommendations.

The rationalisation of HMCTS staff is also affecting local links and communication between partnership agencies. There are fewer opportunities to meet at a local level with stakeholders and discuss how they can work together to support children in any real sense. Court user groups have become infrequent or an agglomeration over a large area and numerous courts. It appears that there is much less time and space given to discuss how we can meet children's needs in the court building and the court room. There is also less discussion about how magistrates can engage with children who have SEND needs, less ongoing discussions with sentencers and less training opportunities. We understand that partner agencies need to push through reforms to meet performance indicators or financial pressures but these reforms may not address the complex needs of this small group of children.

10. Final considerations (raised by individual members of Project Team)

Post-18 Issues Phil Sutton

SEND reforms encourage continuity of education support up to age 25. However this is undermined by transferring of young people away from YOTs and the youth secure estate at age 18 into the adult prison estate and/or probation providers. There is scope to improve the understanding of SEND reforms among providers of probation services and custodial services for young adults.

There may be need for a similar project to this one to investigate knowledge, application and outcomes post-18 in probation and the adult criminal justice system.

Training and accreditation Prof Hannah Smithson

The development of accredited training workshops for a range of practitioners and professionals who work with CYP with SEND is very important.

These should cover police and magistrates who sit on the youth bench and should include first contact at arrest in a police station, and how to communicate with children and young people who have SLCN or complex needs. It needs to cover the full process and experience of children and young people at arrest, in the police station and in the courts and beyond.

Research into transition points Prof Hannah Smithson

A deep dive to inform practice around key transition points or points of 'crisis'. Domains can change throughout an individual's life course. For young people with SEND who are in contact with the CJS transition is endemic, constant, fluid and is an individually unique experience influenced by multiple and diverse interactions between varying factors.

Traditional notions and normative constructions of transition have been defined by chronological age or stage. Does current practice and/or policy reflect this? Should support, policy and /or practice be focused on a whole system rather than individual influencing factors? Also, economic analysis of life-course costings of the range of service and interventions experienced by CYP with SEND.

Voice of Young People Prof Hannah Smithson and Marius Frank

Child and youth focus outputs from the findings should be developed. Developments could include: co-creating a set of guiding principles with children and young people based on their experiences of education, health, social care settings and Criminal Justice settings that could be used to produce a framework similar to that developed in Greater Manchester by members of the MMU Project Team – Participatory Youth Practice¹⁶. Southwark YOS, working with their local SENDIASS (Special Education Needs and Disabilities Independent Advice and Support Service) is another strong example of participatory working¹⁷. Initiatives such as these embed the voice of the child into youth justice practice.

¹⁶ <https://www2.mmu.ac.uk/mcys/gmyjup/pyp/>

¹⁷ <http://res.afa3as.org.uk/YJBubble/SOUTHWARK.pdf>