



HMI Prisons and Ofsted Joint Review of the Quality of Education for Children in Young Offender Institutions. A response from the Association of Youth Offending Team Managers

October 2024

On 2 October Ofsted and His Majesty's Inspectorate of Prisons (HMIP) jointly published a thematic review of the quality of education in young offender institutions (YOIs) under the title, "A decade of declining quality of education in young offender institutions: the systemic shortcomings that fail children"

https://hmiprisons.justiceinspectorates.gov.uk/hmipris_reports/a-decade-of-declining-quality-of-education-in-young-offender-institutions-the-systemic-shortcomings-that-fail-children/

The report "summarises concerns about regimes at England's YOIs for children aged 15 to 18. It draws on Ofsted's and HMIP's 32 full inspection reports, and 5 reports following independent reviews of progress, across a 10-year period from June 2014 to March 2024. It also draws on comments from surveys of young offenders in custody, comments from leaders at education providers, YOI leaders and managers, and inspectors' comments and findings."

The Association of Youth Offending Team Managers (AYM) welcomes this joint review and shares the inspectors' concerns about the quality of education provided in YOIs. We agree that the report makes for depressing reading, revealing as it does, many missed opportunities to prevent reoffending by children by engaging them in purposeful education and training to prepare them for release.

Our members have become impatient for change. Seven years ago, in 2017, there were hopes of a fresh start. The then HM Inspector of Prisons declared that none of the secure establishment for children that inspectors had visited that year was safe for children; the Government announced that the responsibility for commissioning and monitoring places in secure accommodation would move from the Youth Justice Board to a newly created Youth Custody Service (YCS). Plans for the first secure school were announced.

At the time, we expressed concerns that the laudable push towards secure schools would present three problems. Firstly, it would increase the confusion around secure accommodation for children in the justice system. Instead of three different types of establishments – YOIs, Secure Training Centres and Secure Children's Homes- we were to have four. Secondly, we were not convinced that the Prison Service, even with a separate YCS, was the right agency to deliver a service for children. Thirdly, and most problematic, was the potential for a further deterioration in the state of YOIs which could be left as the "Cinderella service" in the new world of secure schools. They would be left housing the large majority of children needing secure accommodation but would be regarded as out-of-date and less worthy of investment.

In our view, the lack of attention given to YOIs has left the YCS with an almost impossible challenge. Its service leaders have made every effort to work collaboratively with youth justice services and with ourselves- an effort which we warmly applaud. However, it has experienced a

succession of adverse events which left it struggling to establish its identity as a provider of child-centred secure accommodation. These include the COVID-19 pandemic, relentless pressure from unions to introduce the use of an irritant spray (PAVA) against disruptive children, and having to manage over 18-year-olds within establishments for children.

In 2017 none of us thought that it would take seven years for the first secure school to open, and we have seen no clear timetable for the full transition from YOIs to secure schools. Our preference was, and remains, for an expanded, national network of small secure establishments run in the style of secure children's homes, so that children are placed close to their homes and in small units which provide personalised care, linked to local children's services. We cannot accept a further ten years or more of inadequate provision by YOIs.

Twenty years of work by youth offending teams (YOTs), (now often referred to as "youth justice services") since 2004 has contributed to remarkable reductions in the numbers of children placed in secure accommodation by the criminal courts: down from over 2000 in 2004 to around 450 today. Reduced numbers should have provided a perfect opportunity to bring about radical change, but this opportunity has been missed.

In 2016 AYM partnered with a national children's charity to deliver a project commissioned by the Department for Education and the Youth Justice Board. The project, which ran for two years, aimed to improve outcomes for children in the justice system with special education needs or disabilities (SEND), and to support the implementation of the 2014 SEND reforms in the youth justice sector. Having successfully delivered the project to YOTs across England, we then made contact with governors of YOIs, offering to engage with their establishments. Sadly, our offer met with indifference verging on outright resistance. On-site meetings were arranged only for leaders to excuse themselves at the last minute. It was very clear that education staff had limited authority within the institutional hierarchy. Consequently, we were unable to support them in developing the processes that are needed to ensure that children's educational records are transferred and that work continued to deliver their education, health and social care plans. Sadly, this joint report of inspections suggests that nothing has changed. Children with SEND needs continue to make up the majority of residents in YOIs and continue to receive a poor service.

We agree with all of the recommendations in these reports. We would express additional concerns about the issue of transitions from education in the community to education in custody and back again. When a young person enters the YOI it should be mandatory for the YOI to ascertain information from Youth Justice Service's assessments of children to understand what we know about a child at that point and inform how they support that child. The YOI should then be held to account for the way in which they use our information to shape their own plans with children. We seem to have forgotten that the Detention and Training Order is intended to be a sentence served partly in secure accommodation and partly in the community with a single sentence plan overseen by the YJS.

When a child is released back into the community after such a poor experience in custody, it becomes even more difficult to re-engage them in education. Resettlement is made difficult before it has begun.

Although outside the scope of this review we would want to raise an issue about the transition of children from secure schools. Those who serve part of their sentence in a secure school may well have a much better experience of education and, although there is as yet insufficient

evidence to support this, may well be better able to resume their education in the community after their release. However, transition of children from a secure school to an adult establishment must be avoided wherever possible. Such a move will be shocking and stark to anyone in that situation and a waste of the significant investment that has been made in their education.

In summary, AYM welcomes this joint review by the inspectorates and calls for:

- A clear plan for the future of YOIs in light of the long delay in delivering a national network of secure schools.
- A shift towards providing all secure accommodation in small units closer to children's home areas.
- A re-assertion of the importance of partnership working between YJS staff and YOI staff to deliver a seamless plan for custody and resettlement in which education is a key component.
- Investment to improve the capacity of education departments in YOIs to link with education providers in the community so that children's progress can be maintained during and after their sentence.
- The performance of YOIs to be measured in relation to the progress that children make in their education during their sentence, rather than merely measuring hours spent in classes.
- No child to be moved from a secure school to a YOI for young adults without a clear, deliverable plan for a transition into an education and training programme that builds on their achievement in the secure school.