



## **HMI Prisons Review of Progress: Thematic Report on Separation of Children in Young Offender Institutions.**

### **A response from the Association of Youth Offending Team Managers**

October 2024

In October 2024 His Majesty's Inspectorate of Prisons (HMIP) published a review of progress by the Youth Custody Service (YCS) in implementing recommendations made four years earlier. This earlier report was a thematic report, "Separation of children in young offender institutions (YOIs)" (2020) [https://hmiprisons.justiceinspectorates.gov.uk/hmipris\\_reports/separation-of-children-in-young-offender-institutions-review-of-progress/](https://hmiprisons.justiceinspectorates.gov.uk/hmipris_reports/separation-of-children-in-young-offender-institutions-review-of-progress/)

The findings were shocking: "children were subject to widespread solitary confinement, spending more than 22 hours a day locked in their cells with no meaningful human contact or oversight". In response the Minister then responsible for youth justice had said: "We are failing some of the children in our care – that is completely unacceptable, and I am determined it will not continue."

The Association of Youth Offending Team Manager (AYM) is the professional body for service leaders and managers of youth justice services in England. Our members oversee the work to resettle children in the community after their release from YOIs. All the children who experience a period on remand or a custodial sentence in a YOI are known personally to our staff or to our colleagues in Wales.

The report reviews progress made against the 10 recommendations that were given to the YCS in 2020. All were either fully or partially accepted by YCS at the time. This is hardly surprising, given that the recommendations sought to ensure that children in its care were given at least a basic level of service so that children who were separated from others in the YOI received:

- an equivalent regime to those who were not separated,
- an equivalent amount of time in education, with face-to-face contact with teachers
- time out of their cells when they could interact with staff and peers
- an hour of exercise in the open air every day
- access to a shower and a phone call every day
- an immediate start on planning for an end to separation
- regular contact with a manager who was empowered to make changes to their situation
- an immediate mental health assessment if needed
- transfer to a mental health bed within two weeks if needed.

The tenth recommendation dealt with the national oversight of the use of separation.

The initial report in 2020 made depressing reading. This review goes beyond being depressing. It is difficult not to feel angry about the abject lack of progress over the last four years. Many of the children in YOIs of course exhibit challenging behaviour. However, the lack of education and

care provided for them makes our job of helping them resettle in the community so much more difficult.

With fewer than 400 children on average in all YOIs in England and Wales, (compared to around 3,000 in 2004 and 1,000 in 2014) there is capacity in the system for it to do better. Over the last six years there has been a huge investment in training for prison officers and their managers through a youth justice degree programme.

In our view, the lack of attention given to the plight of 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, the 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. Nevertheless, we feel that the system is running out of excuses for its poor performance in relation to the separation of children.

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. 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 Youth Custody Service, 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 regarded as out-of-date and less worthy of investment.

At the time, 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, and a continuation of the very poor provision for children experiencing solitary confinement.