

## **Children and Young People Remanded to Youth Detention Accommodation**

Whenever a court refuses bail to a child or young person aged 10-17, the child or young person will be remanded to local authority accommodation unless certain conditions are met, in which case the court may instead remand the child or young person to youth detention accommodation.

Every such child or young person will be treated as looked after by the local authority and child in care procedures should be followed.

Detailed guidance about the duties of the local authority to children and young people in care and subject to remand are available on Tri-x.

### **Supporting a child or young person who has been remanded to Youth Detention Accommodation**

If a child or young person is already looked after and has been remanded, Children's Social Care should contact the Youth Justice Service (YJS) Case Manager and Youth Detention Accommodation. Information about the child or young person should be provided in writing to both the YJS Case Manager and the Youth Detention Accommodation within five working days of them being remanded into custody, in time for the Initial Remand Meeting.

When the YJS (Duty Team) receive notification a child or young person has been remanded under the Legal Aid, Sentencing and Punishment of Offenders Act (LASPO) 2012, they should complete a C250 form and send it to the Integrated Front Door with in one working day.

A Children's Social Care Manager will (a) allocate a Social worker for the child or young person within 2 working days (b) and notify the Independent Reviewing Service within 2 working days.

The allocated social worker should contact the child or young person prior to the Initial Remand Meeting, which is arranged by YJS and takes place within five working days of them being remanded into custody. This will ensure that children and young people are aware of the social worker's role, are informed of contact details, have the opportunity to discuss their views, wishes and feelings and if there are any concerns these are responded to in a timely and appropriate manner.

If a child or young person's criminal activity is related to them being trafficked into the UK or exploited, the social worker should also establish whether a referral has been made to the National Referral Mechanism.

CSC work together with the YJS custody team and / or YJS locality Case manager and Youth Detention Accommodation to develop a Detention Placement Plan, similar to a Care Plan.

Children and young people who were not in care prior to being remanded into custody will require a Child and Family Assessment as well as a Detention Placement Plan (DPP).

According to Children Act Guidance and Regulations 2015 (Vol 2), children and young people remanded to Youth Detention Accommodation do not require a placement plan since they were not placed by the local authority. However, a Placement Plan must be completed in order to create child in care status on LCS. The Placement Plan should direct the reader to the further details in the DPP.

The DPP should be a multiagency plan and be completed within ten working days. Information gathered at the Initial Remand Meeting should be used to inform the Detention Placement Plan. The DPP must be completed and updated in LCS on the form 'Bradford's Care Plan for a Child in Care', in order to trigger the review cycle.

The purpose of the DPP is to ensure that the day to day arrangements for a child or young person are of sufficient quality to be able to offer an appropriate response to the range of the child or young person's individual needs. The DPP should:

- Describe how the Youth Detention Accommodation will meet the child or young person's needs.
- Set out the financial support available specific to the establishment and in accordance with the child and young person's needs.
- Record the roles and responsibilities of partners and organisations.
- Take into account the circumstances that contributed to the child or young person's alleged involvement in any offending and support s/he should be offered to protect and prevent reoffending.
- Provide an understanding of the child or young person, guardian/parent/foster carer/s ability to meet the child or young person's individual needs alongside plans to remedy any safeguarding concerns.
- Identify what longer term support or accommodation the child or young person will need following the remand period. A permanency plan is not required in the DPP.

Children and young people remanded are subject to the same practice standards in respect of visiting and reviews as any other child or young person in care.

IRO's should ensure that YJS workers have been invited to child in care reviews.

Within three working days of a child's remand status ceasing, the Duty Team (YJS) complete a C250 form notifying the social worker of the change.

Children's Social Care (CSC) determine next steps based on the individual child or young person's needs.

## Requirements following sentence

Following sentence, the child or young person's legal status as a child in care may change again. Children and young people who are subject to a Care Order will remain in care.

A child or young person who was accommodated under S20 prior to their detention ceases to be looked after if they receive a custodial sentence. A child or young person may be accommodated under S20 again following their release from remand or custodial sentence if their needs are assessed to require this.

Where young people are aged 16+ and have been looked after for thirteen weeks or more from the age of fourteen (including any period as a child in care as a result of the young person being remanded) the young person will be a 'Relevant Child' under the terms of the Children Leaving Care Act 2000 while in custody and upon release and be eligible for services under that Act. (see the Care Leavers (England) Regulations (3)(4)(a)).

Young people may become eligible for leaving care services from the start of their remand period or may acquire Relevant Child status during their time in custody on attaining the age of 16 or on completing 13 weeks in care.

The local authority retains responsibility for providing support and services to a relevant child or former relevant young person (18+) during his/her time in custody and on release in line with the Children (Leaving Care) Act 2000 and associated Regulations.

If a child or young person receives a community sentence YJS and CSC practitioners will need to clarify what services will meet the assessed needs of the child or young person and consider next steps. Consideration should be given to any outstanding tasks and identify who will be taking the responsibility to review any outstanding actions contained in the child or young person's detention placement plan.