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Making Surrey A Better Place

Youth Justice Practice Guidance

Youth Offending Service

Custodial Sentences and Resettlement Policy

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**Practice Guidelines for Work with Young People in Custody**

This document replaces all previous guidance. Targeted Youth Support/YOS staff should read, ensure understanding and where appropriate, act on this information.

# Introduction

* + Resettlement of children from custody is a statutory responsibility of local authorities, in partnership with the Police, National Probation Service, health and the Youth Custody Service. By the very definition and nature of custody, children within the secure estate are the most vulnerable and damaged. Also, the behaviour of these children often holds greatest impact for the communities in which they live.
	+ For these very reasons, resettlement of children from custody is a priority, to ensure they and their communities are given the very best chance of a positive future and do not re-offend. Support should be provided to a child from the very point that they enter custody to prepare them for their return to the community. This support should continue the length of the time a child is in custody and continue following release, for the whole course of the order and where necessary, beyond.
	+ This guide aims to assist Youth Support Officers (YSOs)/YOS staff in understanding their role in delivering an effective service to young people who receive custodial sentences, most often Detention and Training Orders (DTOs). It is not designed to be exhaustive but does include many of the requirements placed upon us by the Youth Justice Board (YJB) National Standards 2021 (NS) and refers to YJB Case Management guidance.
	+ TYS/YOS are committed to the principle that children and young people should only be locked up as a last resort. The damaging effects of custody are well documented and the rates of reconviction following release are high and we suggest that this is an ineffective and expensive response to youth crime. The institutional environment within the secure estate often prevents young people from engaging effectively with the issues that may have led to their incarceration and rarely assists them to take responsibility for their offending. Surrey has maintained low custody rates over recent years, which have been amongst the lowest across the county. We have worked hard to ensure that courts have confidence in the quality of our interventions and our ability to manage children who pose a high risk of serious harm to the public.
	+ However, for those that do go to custody there is much that can be done during the custodial element of the sentence. TYS/YOS is committed to providing the best possible service to children in custody. Maintaining a working relationship with the child should assist with the rehabilitative process and may counteract the negative effects of incarceration or at least mitigate against them. This guide will therefore point towards good practice that aims to build productive working relationships and to reduce the risk of self-harm, re-offending and alienation and increase opportunities for compliance with the order.

# Principles of Surrey’s Work with Custody Cases and Constructive Resettlement

* + The first step is in seeing resettlement as a journey, not just release. Resettlement begins on the child’s arrival to custody and is designed to meet children’s needs, explore pro-social strengths and goals and reduce their likelihood of committing further offences (HMIP 2018: 79 Expectations V4 no 71).
	+ Constructive resettlement embodies the principle of ‘Child First, Offender Second’, which is the ethos of Surrey YOS and youth justice work nationally. Effective, constructive resettlement is a process that enables a shift in a child’s identity, moving them away from crime towards a positive future. Therefore, it is essential that we refocus resettlement practice on shifting a child’s identity from pro-criminal to pro-social. Emphasis should be on developing trust with the child through structural and personal support and in empowering relationships that guide the shift, by understanding the pro-offending narrative and increase agency. Once a child has the feeling of control over actions and their consequences, this can be powerful in terms of future orientated, positive change.
	+ This co-ordinated, strength-based and consistent approach, which incorporates diversity and is inclusive of the child and their family/carers is our vision and can lead to sustainable desistance, safer communities and fewer victims. Resettlement should be future focused and be centred around supporting children to achieve their potential and to make positive contributions to society.

# Pre-Court

* + Prepare parents and children at every stage of the court process, making them fully aware of the possibility of custody where it is an available option and answering any questions they may have about this. If custody is very likely, the child should be advised of this and encouraged to prepare a written list of personal numbers and addresses and to pack a bag to take to court with them. This can include cash (£10-20), magazines/books (appropriate), medication if required, photographs and letters, clothing, writing paper and pens.
	+ If an all-options Pre-Sentence Report (PSR), i.e. to include custody, has been requested by the Court, an AssetPlus assessment (on Career Vision) is required to be completed and countersigned, prior to sentencing (at least 24 hours before) and send to the Youth Justice Board. If there are vulnerability issues these should be clearly highlighted on the AssetPlus under Explanations and Conclusions. At this stage you should give some thought to where the young person will be placed if they do receive a custodial sentence (see section 5).

# At Court on the Day of Sentence

* + If a child is appearing in a court open to the press and public then ensure that the section 45 (Youth Justice and Criminal Evidence Act 1999) reporting restrictions are declared. This may be challenged especially in high profile cases (mainly in Crown Court) e.g. by the media, as it may be deemed in the public interest. TYS/YOS are required to respond to this. Consideration needs to be made about the impact that this could have on the rehabilitation of the child and their family. Discuss with the clerk or defence solicitor.
	+ Explain to the child and parent(s)/carer(s) that if a custodial sentence is made, the child will be taken straight to the cells and will not be able to speak with parents before leaving the court. They should be prepared for this so that they can say their goodbyes before they are placed in the secure dock (if available). It is rarely possible to give them anything in the court cells after sentence. Mobile phones for example will be stored by the secure estate until the child is released.
	+ After sentence inform the parents that it may take some time for the placement to be agreed by the YJB. It is therefore advisable to take a note of the parents contact numbers to phone them later. Parents/carers must be contacted and informed of the custody placement and location within twenty-four hours, although the earliest opportunity is good practice.
	+ **Cell interview:** The Court & Bail Officer (CO) must conduct a post sentence interview with the young person in the cells and complete the AssetPlus post court report (PCR) prior to contacting the YJB. During the interview:
		- Check that the young person understands the sentence imposed and ensure they are aware that they will normally be released from custody at the half-way point, or sooner in some cases (DTO and some determinate sentences only). While you cannot give definite dates, it is helpful to give the young person an approximate release date as this can make the end of the custodial term seem more tangible to them.
		- Offer to convey any messages to parents or carers.
		- Answer any questions and explore any NEW specific risk/vulnerability factors e.g. self- harm, health or substance misuse issues and note on the PCR.
		- Raise the possibility of lodging an appeal against the sentence with the child, their solicitor and parents/carers; it may be possible to do this immediately. An application for bail pending the appeal should be considered, although in practice bail is rarely given in such cases.
		- Discuss the likely process over the first few hours and days and reassure the child that even though they are in custody they should still be looked after and kept safe. Let them know how they can seek help/speak to prison staff (especially any health concerns) or contact you if there are problems. Let them know they will normally be able to call their parent/carer the same evening.
		- Inform the child that they will be visited in their detention accommodation by their allocated YSO (and possibly parent/carer) in the next working 10 days for a sentence planning meeting.
		- Find out if they have any money and if they are likely to be sent any.
		- Discuss tips to manage the challenges of possible bullying, drug and alcohol support, complaints and application procedures, privilege levels etc.
		- Advise the child that they will see a nurse when they arrive at the prison and can raise any concerns relating to health with them.
	+ The CO will contact the YJB on 0345 3636363 to make a bed placement (this can only be done if they have already received an AssetPlus). The information from the PCR should be verbally shared (it will need to be typed into AssetPlus and sent to the YJB within 24 hours). If the recommended placement is not a Youth Offender’s Institution (YOI) a discussion will need to be had as to why TYS/YOS is considering an alternative. Once agreed, the YJB will contact the CO and send a placement form to the court cells so they can arrange transport. Although the CO is responsible for the young person until they are transported, if there are no concerns, the CO can leave, however it is normal practice to leave a contact number with the cells should any issues arise. Examples of when to wait with them include when the young person is very upset, seems very vulnerable, or is fourteen or under.
	+ Court custody staff should be notified of any potential risks to self or others. If there is an assessed risk of self-harm, the YSO should ensure that a Suicide and Self Harm (SaSH) form has been started by them. This goes with the child and is kept open until it is reviewed by the secure establishment. If possible, ask to check the custody warrant to see that it specifies the same institution as the YJB have identified.
	+ Contact the parents/carers, allocated YSO/YOS worker, YOS Manager and any other relevant agencies e.g. Children’s Services, to inform them of the custodial sentence and supply them with details of where the child is placed.

# Where Will Children Be Placed?

* + There are three different types of Youth Detention Accommodation (YDA) as follows:
		- A YOI is a juvenile (under 18 as opposed to youth which refers to under 21s) prison which in many ways will be similar to an adult prison. Only available for males of 15 & over. Usually Cookham Wood (Kent) or Feltham.
		- Females, vulnerable males and males under 15 are placed in either of the following:
			* A Secure Training Centre (STC) is a privately run institution that is somewhere between a child prison and a secure children’s home. It will generally be run in a more child centred way than a YOI, with smaller living units and higher staffing ratios but still with all children and young people being placed there on criminal grounds. Nearest now is Oakhill STC in Milton Keynes.
			* A Secure Children’s Home (SCH) is just that, a secure (locked) children’s home. Young people may be there on criminal grounds or welfare grounds e.g. Vinney Green in Bristol.
	+ Note - Young people aged 18 when sentenced (or recalled) will be placed with 18-21 year olds in YOIs or YOI wings of adult prisons. The YJB will not be involved and no paperwork is required as they are treated as adults. However, it is good practice to raise any risk and/or safeguarding concerns with the Court cells.

# Involvement of Parents/Carers

* + When a custodial sentence is imposed, TYS/YOS have a crucial role in supporting parents/carers. This includes:
		- Spending time with parents/carers post-sentence to offer support, to explain what will happen next and our ongoing role. Exchange contact details.
		- Contacting parents/carers following the post-sentence cell interview to inform them how their son/daughter has initially responded to the sentence and relay any messages.
		- Providing parents with the address and telephone number of the prison/secure placement and written information on this placement, if available.
		- Checking the parent/carer’s assessment of the young person’s risk to self, victim or others.
		- Ascertaining the level of support the child is likely to receive from family.
		- Informing parents that a planning meeting will be arranged within 10 working days, establishing their availability and encouraging them to attend. The allocated YSO has a role to try to support the parent/carer with the sentence so that they are better placed to support their child.
		- Encouraging the parent to visit. They are usually entitled to a reception visit during the first 72 hours after sentence and/or over the first weekend. (Check with the secure establishment.) Parents should arrange this directly with the establishment. Where necessary provide details about financial support for travel through the Assisted Prison Visits scheme (email: assisted.prison.visits@noms.gsi.gov.uk or telephone 0300 063 2100).
		- The allocated YSO contacting the parent/carer within 24 hours to listen, answer questions, offer support and check if they have heard from their son/daughter.

# The Day after Sentence

* + Wherever possible a YSO should be allocated prior to court. If not, this must happen within 24 hours. It is good practice to have a backup YSO to case manage in the absence of the main case holder.
	+ The case holder should call the secure facility the morning after court. You will usually need to speak to the resettlement case management team.
	+ Record the young person’s prison number, the wing name, the earliest date for release (EDR) with or without a Home Detention Curfew (HDC) (where relevant) and the names of the resettlement worker, personal or case officer. It is vital that a positive working relationship starts at the earliest opportunity between the YOS and Resettlement Worker. They will be having most contact with the child in custody and can help monitor any concerns, motivate the child and share any relevant information.
	+ Check that all relevant paperwork has been received and remedy the situation immediately if necessary.
	+ Arrange an initial planning meeting within 10 working days of sentence as a matter of priority. A variety of different day and time options will be required (before meeting can be confirmed),

to ensure that a suitable arrangement can be made for parents/carers, Social Worker and YSO to attend.

* + Book a legal visit within five working days for you to meet with the child. This will help to assess how the child has settled at the establishment and prepare for the initial planning meeting. During recent COVID restrictions, it has been more challenging to book visits as visit capacity has been reduced.
	+ It is good practice to write to the young person explaining your role and giving the time of your first visit, particularly if there is no visit availability prior to the initial planning meeting. You might also consider sending a notepad, envelopes and a few stamps. You could enclose a stamped addressed envelope to yourself. Avoid sending too much thus giving the young person items to trade or placing them at potential risk of being bullied to hand them over. Also, telephone or write to the young person’s parent/carer to pass on any additional information gleaned since the previous day, to check how they are, to see if they have been able to speak to their child and to invite them to the initial planning meeting. For Looked After Children (LAC), the social worker or their representative should also be kept informed and encouraged/enabled to attend planning meetings. Statutory LAC meetings should continue during the period of detention.

# Victim Liaison for Sentences of 12 Months

* + There is a requirement that where a custodial sentence of 12 months or more is made for certain sexual or violent crimes, that the victim should be notified. This is outlined in full in the protocol between and YOS and the National Probation Service area Victim’s Unit in Surrey, regarding the statutory requirements under section 69 of the Criminal Justice and Court (Services) Act 2000.
	+ The Victim Liaison Unit (VLU) aims:
		- to provide sensitive, consistent and accessible services to victims.
		- to avoid victims being re-traumatised as a result of their views being elicited.
		- to enable victims to make choices about the information they receive post-sentence and the length of involvement they would like.
		- to give victims accurate and timely information about the child’s sentence, the prison and probation systems.
		- to empower victims to express their views with regards to the conditions of release.
		- to provide relevant information to prisons and the parole board to inform release decisions.
	+ TYS/YOS has a responsibility to notify Surrey VLU of all relevant cases. If the sentence has been made in youth court, then responsibility for notification will fall to the Court Information Officer (CIO). In other circumstances, e.g. young people being sentenced on non-regular youth court days then notification is the responsibility of the Restorative Practice team at the YOS. The YSO is responsible for informing the young person of the victim’s right to statutory victim contact.

# Supervision During the Custodial Phase

* + There is an ongoing role for TYS/YOS throughout the detention period. Experience suggests that the intensity of the work is greater at the start and end of the detention period. A period of detention breaks the child’s normal pattern of living. Hopefully it will be an opportunity for them to reassess the issues in their life. There is likely to be a lot of work that needs to be undertaken to address criminogenic factors, as custody in itself is unlikely to change many of these. The YSO is well placed to raise these issues, advocate for them to be addressed by the institution and seek to address them by correspondence, visits, phone calls, liaison with the child and with others who are or could be beneficial to them. YSOs are likely to be an important link with the community and it is crucial to use this time to build a stronger working relationship. It is good practice that the YSO’s write to the child every fortnight, although face to face visits or video- link meetings are preferred. A child must be seen a minimum of monthly, although frequency of contact should ideally be weekly during the early stages of their sentence or if there are significant risk or vulnerability concerns.
	+ It is important to remember that the principles of the Children Act 1989 still apply to children in all custodial settings and this obviously includes safeguarding. In addition to addressing the risk of re- offending, the welfare of the child, including their physical and mental health, their education, and any other welfare related issues must be given priority. Each prison now has a dedicated child protection officer who can be contacted by the child or YSO.

# Initial Planning Meetings

* + As noted above an initial planning meeting must take place within 10 working days of sentence. TYS/YOS are responsible for inviting the parent/carer, Social Worker and other relevant community-based workers. It is the responsibility of the Resettlement Worker within the secure estate to invite relevant professionals from the establishment, including educational staff. The secure establishment is responsible for arranging logistics, for taking and circulating notes and for distributing the agreed plan in a reasonable time. They will work jointly with the YSO/YOS, providing information and planning and delivering interventions to the child. If a parent, or professional is unavailable to attend, their views must be sought before the meeting, so that their views can be expressed at the Initial Planning Meeting.
	+ The YSO/YOS worker and Resettlement Worker should agree who is to chair the meeting. During lockdown, it has been easier for the Resettlement Worker to chair, if they are in a room with the child and other professionals from the establishment and the YSO/YOS worker has not been permitted to attend in person. The chair must ensure that all staff are introduced and their roles explained. Establishments do tend to have a varying set of headings for an agenda and it is best for the YSO/YOS worker to prepare their own list of agenda headings they would like to cover and explore.
	+ The purpose of the Initial Planning Meeting is to agree a sentence plan to reduce the risks of reoffending, build on strengths and set realistic targets for desistance. It will explain the expectations of the child while in the secure setting and the support available to them. It will also agree risk management plans necessary to manage risk to the child or others and ensure

that they and their parents/carers understand the plan. It is vital that staff at the secure establishment and the YSO/YOS Worker focus on successful resettlement outcomes from the start of sentence, even for those who will be serving long sentences. National Standards detail the seven ‘**Pathways to Resettlement’** and the Initial Planning Meeting should therefore focus on;

1. **Case Management and Transitions** – Ensure the child receives effective end to end service provision based on a thorough assessment of need and risk, to re-integrate them into the community.
2. **Accommodation** – Ensure that all children leaving custody can access suitable and sustainable accommodation with support where appropriate.
3. **Education, Training and Employment (ETE)**– Provide all children with suitable and sustainable ETE throughout their sentence and beyond.
4. **Health** – Ensure that all children in custody have access to suitable and sustainable general and specialist healthcare services, based on individual need, so that problems are assessed and treated at the earliest opportunity and in the most appropriate manner.
5. **Substance Misuse –** Ensure that all children entering custody are screened for substance misuse, with recognition of previous interventions. Those with identified need should receive specialist assessment and access to appropriate interventions and treatment services, with their aftercare needs met in the community.
6. **Families –** Ensure that families of children in custody receive timely, high quality support and information, from the point of arrest and throughout their sentence.
7. **Finance, Benefits and Debt –** Ensure children leaving custody and their families are provided with information and advice so that they are able to access appropriate financial support.
	* Other topics for discussion may include any outstanding court dates or matters still under investigation (nature of, not the specific details) should be referred to, offences relating to sentence, risk and safeguarding issues and behaviour in custody thus far, particularly if there have been any adjudications. The child’s aspirations should be a central theme for interventions, where possible and it should be noted that children sentenced may have more access to educational or training provisions, compared to children on remand awaiting sentence. Objectives should be agreed within the meeting, much the same as any intervention plan that is agreed for community cases. The principles should be the same; agreed with (and not done to) the child and actions of what will be done, by whom and timescales for when work will be completed.
	* Information regarding how the child has responded to custody may be gained from a parent/ carer/friend or your own contact with the child or the unit. Some establishments hold the planning meeting on the unit or may allow parents to visit the unit with a possibility of the parent seeing their child’s cell/accommodation. This can be reassuring for parents but is not possible in most establishments. The YSO/YOS worker is jointly responsible for preparing the sentence plan. The YSO should seek to be actively involved and work for the best outcomes for the child, who will be required to sign to agree the plan.
	* Discussions need to start in terms of planning for their eventual release, with an emphasis on how the sentence works, release dates (early and conditional release) and likely proposed plan for release. Nothing needs to be agreed at this point but discussion at this stage helps everyone moving forwards and options can be explored at the earliest time. This also helps to motivate the child and reinforces that they will be released to the community in the future, even if that date is some time away. Reinforce to the child that they will be subject to a custodial sentence for the entire period; they don’t just “do half”. Explain that there will therefore be significant expectations placed upon them during the community-based part of the sentence. Outline that this could include conditions and requirements such as a curfew, attendance on programmes, or exceptionally even intensive supervision surveillance (ISS).
	* At this meeting and on all subsequent visits try to spend some time on your own with the child so that you can build rapport and they can raise any issue of concern e.g. bullying/safeguarding issues that they may be reluctant to mention in front of establishment staff. Use this time to find out how the child is managing and check if they understand prison rules and systems and know how to seek help.
	* Education, health and accommodation needs of the child on their return to the community should be addressed from the beginning of the sentence. Every effort must be made to address these issues as soon as possible, although it is often challenging to be definite about post- release plans. Record all attempts made. Where appropriate, substance misuse service/mental health specialists should be consulted regarding and invited to planning meetings or book separate visits.
	* The YSO should send a copy to the parents/carers and store electronically on Careervision under attached documents.

# Arrangements for the suitable and timely provision of accommodation, education, training and employment, healthcare and other resettlement policies

* + Some Surrey children have been released from custody to their home address, if it has been assessed that this will provide the best support possible and there are no specific victim issues close-by. For cases that are Looked After Children, there is an expectation that Children’s Services will be exploring potential and available accommodation options for release at the earliest opportunity and for potential accommodation providers to meet with the child in custody, to aid the transition. There are arrangements in place for YOS and Children’s Services to consider accommodation options through the Gateway Team and for those cases open to MAPPA (see section 18), local councils would potentially be tasked with securing suitable accommodation provision. Consideration would need to be given to who the child may be living with or sharing accommodation with any issues that may arise as a result. For cases where there is drift with accommodation being secured, the issue should be escalated by the YOS Manager and the Assistant Director for Family Resilience and Safeguarding, Clive Seall.
	+ Relevant (prison appointed) education staff should also attend the Initial Planning meeting to ensure an adequate and deliverable individual education programme is agreed outlining 30

hours a week of Education, Training and Employment (ETE) or development activities. Consult the YOS Education Leads, Lesley Herrington (07896 931165 or Lesley.herrington@surreycc.gov.uk) in the West or Siobhan Moseley (07967 670519 or Siobhan.moseley@surreycc.gov.uk) in the East) in your area prior to the meeting and invite them to attend, in order that they can liaise with the prison on an ongoing basis.

* + There is an expectation that YOS workers record the amount of hours of education a child is receiving in custody, on the case record on Careervision.
	+ Not all establishments are consistently achieving the target for education and training, particularly during these challenging recent times and COVID restrictions. Find out what is on offer and the amount of time usefully occupied outside of the cells/rooms. Where establishments fall significantly short of the target make your TYS and YOS managers aware, to escalate concerns to the establish and request urgent action.
	+ The Central YOS Team has Speech and Language and Health specialists who can support YOS workers, participate in meetings and help shape the provision available and required for the child. Samantha Gamblen (07970 or Samantha.gamblen@surreycc.gov.uk) is the Speech and Language Therapy Team Lead and Laura Gay (07920 565340 or laura.gay@surreycc.gov.uk) is our Health Lead. Both can provide consultation prior to the Initial Planning meeting and may also have met the child as part of the pre-sentence report stage, where all Surrey children receive a Health Pre-Assessment Tool (HPAT) as standard. Some children have been provided with communication passports during such assessments, which can be provided to the secure establishment to help their understanding of how the child communicates and strategies for how they could be supported. Samantha and Laura may also be able to attend the meeting and will continue to monitor provision throughout the custodial element of the sentence, escalating concerns to the establishment if required.
	+ YOS now have Reaching Out Lead Mental Health Service professionals, Samantha Ralph (01737 288700 or Samantha.ralph@sabp.nhs.uk), Hannah Johnson (Hannah.johnson@sabp.nhs.uk) and Christine Gee (Christine.gee@sabp.nhs.uk), who can access information from Surrey Child & Adolescent Mental Health Service (CAMHs) and serve as the link YOS also have access to the South East Forensic Child and Adolescent Mental Health Service (FCAMHs) for direct telephone consultations (0300 3040048 option 2 for Surrey) on cases and contact should be made pre-and post-sentence for advice and guidance on specific mental health concerns and how the child could be best supported in both custody and community. It is important to consider available support upon release and for FCAMHs to have met the case or been part of the discussion around arrangements for the child’s release from custody.
	+ A Catch 22 worker has been recruited and will soon be joining the YOS Central Team. This will be an invaluable resource for staff to liaise with and for direct work to be completed with children to help reduce and address any substance misuse concerns. There will also be an expectation that they will contribute to release planning.

# Youth Justice Assessment Framework (YJAF)

* + The YJAF is an online platform created for Youth Offending teams and the secure estates to communicate effectively (including sharing AssetPlus, case notes etc) and download formal documents and templates from the YJB that are not suitable for sharing with the wider public. YOS workers holding cases can gain access to YJAF, with a log in. All custody cases have a profile which shows their general data, as well as details about their sentence and release dates. YOS worker and/or Resettlement Workers can upload documents to the case profiles and the platform allows staff to share information. There is a general document library option in the main page, or an option called ‘YOT Custody View’, where you can type in details of your case to access their profile.

For any staff requiring access to YJAF, please contact Tim Dunsford from the Central YOS Team.

# Ongoing Contact

* + As a YOS worker, you must visit children given custodial sentences outside of formal reviews and maintain contact with their parents or carers regularly to support them through the custodial part of their sentence and to effectively plan for a successful resettlement into the community. National Standards stipulates that contact should not be any less than every two months. However, it is good practice to visit a minimum of once a month and more frequently at the start of the sentence. This maintains a positive and trusting relationship which will ease the transition upon release, enables you to keep an up to date assessment of risks and needs, and to monitor the child’s progress and well-being. It is important that you maintain regular visits directly and that contact is not left solely to other specialist workers. The secure setting must support and facilitate these meetings where required.
	+ Where there is considerable distance from the YOS, or for other practical reasons, you may use video-link technology to maintain contact. However, you must continue to schedule face to face visits and not use video-links as a sole means of contact. It is also good practice to maintain contact with the child’s parents or carer, both before and after scheduled prison visits. This provides opportunities for the worker to pass on information and ask or answer any questions they may have, which will help parents continue to cope with their child living away from home in custody.
	+ Visits can be via a review/planning meeting or an individual meeting booked as a legal/professionals visit. In any event try to speak to the resettlement/case worker or personal officer for feedback, preferably before meeting the child. Their needs (e.g. visits, their rights within the prison, complaints procedure, welfare, money, available activities) should be continually assessed and attempts made to rectify any deficiency.
	+ Ongoing contact with the child can also be maintained by writing to or phoning the child between visits. Contact numbers for the YOS worker can also be approved by the establishment for the child to access. You can provide them with stamped address envelopes for replies to letters. This shows an interest in how custody is impacting on them and their family and can encourage them to engage constructively with their plan. Some prison officers can arrange for you to speak to children on the phone, particularly where there are concerns.
1. **Release Provisions/Early Release Detention and Training Orders (DTO’s)**
	* Children given a DTO, or a sentence under Sec 91 of the Powers of Criminal Courts (Sentencing) Act 2000 may be eligible for consideration for early release. With DTO sentences, half is served in custody and half under supervision within the community. However, there are provisions for the ‘early release’ for some children, usually subject to an electronically monitored Home Detention Curfew (HDC) from 7pm – 7am for the duration of the early release period. Thus, if a child does not have an address to be released to this could prevent them gaining early release and could be discriminatory, particularly if in every other way the child would be eligible. Discussions with the relevant agencies and attempts to secure a suitable address should start as soon as possible. Alert your manager if the problems remain as this should be escalated.
	* The under 18 young offender institution (YOI), the Youth Custody Service (YCS) Placement and Casework Team or the Secure Training Centre (STC) or Secure Children’s Home (SCH) aim to calculate the automatic release date within two days of sentence being passed.
	* For DTOs of 8 to under 18 months duration early release is available one month before the half- way point. For DTOs of 18 months or more early release may be one or two months before the half-way point. Concurrent or consecutive orders are consolidated into one term to give the relevant lengthfor release purposes.
	* Children serving a DTO of less than 8 months are not eligible for early release. For DTO’s of 8 months or more there is a presumption in favour of early release, unless their behaviour during the custodial element has been seriously violent or disruptive, or their index offence falls under one of the following categories;
		+ Sexual offence as defined by section 161 (2) of the Powers of Criminal Court (Sentencing) Act 2000.
		+ Murder
		+ Arson with Intent to Endanger Life, as defined by Sections 1 (2) of the Criminal Damage Act 1971.
		+ Wounding or Causing Grievous Bodily Harm with Intent, as defined by Section 18 of the Offences Against the Person Act 1861.
		+ Firearms offences as specified in Schedule 1 and Section 17 (2) of the Firearms Act 1968.
		+ Kidnapping and/or false imprisonment.
		+ Terrorism related offences under TACT law.
	* If the child is sentenced to one of the above offences, they are not completely excluded from consideration for early release, but you must demonstrate that they have made exceptional progress against the sentence plan. This must be explained to the child at the initial planning meeting and utilised to motivate them to fully engage with the requirements of the sentence

plan.

* + In practice, STCs & SCHs tend to have greater expectations that children should “earn” early release whereas YOIs tend to be very reluctant to release early. Of those eligible, early release can be denied if the child has exhibited seriously violent or destructive behaviour within the secure facility. Those serving a sentence of 4 years or more, who have previously breached an HDC or previously recalled to custody on a long sentence are excluded from consideration of HDC.
	+ Proposals for early release under HDC must be considered two months prior to the earliest eligible date for release and recommendations made to the governor of the YOI, or the YCS Placement and Casework Team in the case of a SCH or STC, or the HMPPS in the case of longer sentences.

**Section 90 and 91 and Public Protection Sentences**

* + For Powers of Criminal Courts (Sentencing) Act 2000 (PCCA) Section 90 life sentences a minimum period to be served (tariff) will be set at the point of sentence. Release will be considered when the parole board deems that the person no longer presents a threat if released. Their licence would then be for life unless it is revoked by the Home Secretary.
	+ For PCCA section 91 sentences of imprisonment, days on remand are generally counted as time served and will be subtracted from time to be served after sentence. Young people may then be eligible for early release on HDC up to 135 days before the halfway point.
	+ For Criminal Justice Act (2003) section 226B sentences for public protection, release will (dependent on the length of sentence and the offence) be either immediately after two thirds of the custodial component has been served or after this time has been served and a successful application is made to the parole board. Given the nature and length of these it is highly unlikely that YOS would be involved in this.
	+ Parole reviews generally take place annually so if parole is not granted the child will have to wait a further twelve months before they have another chance to apply. The parole process is quite lengthy and usually a parole report will be required from us four months before the potential release date with the parole board making its decision any time within the three months prior to the possible release date. The likelihood of release will be linked to the availability of a suitable package and accommodation in the community and hence it is important to attempt to address these issues as soon as possible. For full details of the parole process and how to prepare a parole report refer to the Remand and Sentence Planning Forms (2012).

# Possible Transition through to Adult Custodial Establishment

* + The YOS worker should work with the secure settings caseworker to review the young person’s sentence type and age to identify if they need to transition to the adult estate (18-21 year old wing or a YOI or to the YOI wing of an adult prison) when they turn 18. This should be identified at the first review and use further review meetings to discuss any specific needs.
	+ Transition planning for the child must begin before they reach 17 years and 6 months. You should identify if the child may be eligible for early release and if this will avoid the need to transfer them to the adult estate. The child should understand what standards of behaviour and offending behaviour programmes are expected to be completed, for them to be considered for early release.
	+ If a child is to transition through to an adult custodial establishment at 18, they would become a Probation case. However, should the case be male and been sentenced to more than 21 months, they will instead become an Offender Management In Custody (OMIC). They would then transfer to Probation when they are 7.5 months from release.
	+ Young people on DTO’s who turn 18 in custody will be subject to 12 months supervision in the community whatever the length of their order (Offender Rehabilitation Act 2014).

# Review Meetings/Asset Plus Assessments

* + Review meetings should be held in the custodial establishment every three months and the Asset Plus updated every three months also, or at the earliest opportunity, should there be a significant event or an escalation in risk.
	+ Planning and reviewing throughout the sentence should address progress against the plan and towards the aim of helping the child to resettle and reduce offending and encourage desistance. This includes addressing:
		- Suitability for the DTO early release scheme.
		- Home Detention Curfew (HDC).
		- Temporary Release
		- Parole (where appropriate)
		- Release on licence including setting licence conditions.

# Release on Temporary Licence (ROTL)/Mobility

* + Some objectives on the plan may require the child to attend meeting or activities outside the secure establishment. This day release is known as ROTL in YOI’s and mobility in STC/SCH’s. For YOI’s the child must serve half their custodial period before becoming eligible or 24 months before their release date, whichever is the later date. The establishment is responsible for making checks, assessing suitability and taking the decision to apply to the YJB. YOS should supply supporting information using the Temporary Release section of Pathways & Planning on the AssetPlus which may include the suitability of the proposed location, family details and impact to the victim(s).
	+ The following may not be considered for ROTL:
		- Prisoners on the escape list
		- Prisoners subjects to extradition proceedings
		- Remand and convicted unsentenced prisoners
		- Sentenced prisoners who are remanded for further charges or further sentencing
	+ In YOI’s children must serve half of their custodial period before becoming eligible for ROTL, or 24 months before the release date, whichever gives the later date. The custodial establishment are responsible for making checks, assessing suitability and taking the decision, although they will take into account feedback from the YOS and the views of the YOS worker.
	+ In STC/SCH’s mobility is a comparable scheme but is broader in its eligibility criteria as there are greater resources available to mitigate risk and support the young person. Establishment staff will, in almost all cases, accompany the child.

# Multi-Agency Public Protection Arrangements (MAPPA)

* + National Standards stipulates that if a child meets the eligibility criteria for MAPPA (Category 1 for all registered sex offenders, Category 2 for Schedule 15 offences which result in a custodial sentence of 12 months or more, or Category 3 for other dangerous offenders – see Surrey YOS MAPPA Policy for further information), the YOS must refer to the home area MAPPA six months prior to the earliest release date, with the required management level.
	+ A MAPPA H Notification Form must be completed for all cases that meet MAPPA criteria six months prior to release. A MAPPA A Referral Form will need to be completed, with management oversight, for all cases that are to be managed under MAPPA Level 2.
	+ Cases held at Level 2 or Level 3 will be discussed at a meeting and a view taken on the licence conditions to be applied. The YOS worker must provide up to date information on the child’s behaviour whilst in custody and any incidents affecting the assessment of risk of harm to others.
	+ For advice on MAPPA, contact Paul Miles (07970 920470 or paul.miles@surreycc.gov.uk before contact is made with Helen Kerr, MAPPA Deputy Co-Ordinator (01483 484433 or helen.kerr@justice.gov.uk.

# High Harm Perpetrator Unit’s (HHPU’s)

* + Alternatively, a decision may be made by Helen Kerr and the YOS Management, that a case could be managed under the HHPU meetings that are held at Staines, Guildford or Reigate in Surrey, rather than under MAPPA Level 2. Following referral to HHPU, cases would be discussed at the next monthly meeting and the YOS worker would be expected to attend and present the case. If accepted, a Police Officer would be assigned to the case and they would be reviewed at future meetings.
	+ HHPU meetings were suspended following lockdown restrictions and changes to operational Police procedures. However, it is anticipated that they will resume in early 2022. For future advice on HHPU’s, please contact Paul Miles.

# High Risk and Vulnerability Panels (HRVP)

* + Her Majesty’s Inspectorate of Probation, on review of the AssetPlus Guidance, has made a strong point of not losing sight of the risks the child poses in the community while they are in custody, so Pathways and Planning should ensure that risk management continues across both elements of the sentence.
	+ The Surrey YOS HRVP is an ideal forum to discuss the case with YOS Manager and TYS Borough Manager and to start planning for the child’s eventual release. Consideration will need to focus on the child’s resettlement and additional licence conditions (for Sec 91 cases) or conditions for the Notice of Supervision (DTO cases).

# Transfers to National Probation Service (NPS)/Community Rehabilitation Company (CRC)

* + The Seconded Probation Officer is responsible for ensuring that the arrangements for the co- ordination of the transfer have been arranged. The Seconded Probation Officer (not the YOS worker) will need to:
		- Maintain an up-to-date Probation Transitions tracker (see IDrive), which records basic case details, sentence, date when the case will turn 18, how old the child will be at end of order and any specific notes about the case or plan for transfer.
		- Six months from turning 18, cases will need to be recorded on NDelius (Probation recording system) and include any specific risk markers. A copy of the order, CPS documentation, most recent Asset Plus and PSR need to be provided to the case administrators at Probation.
		- Complete the Risk of Serious Recidivism (RSR) assessment tool.
		- Liaise with the Senior Probation Officer at the relevant Probation office (Staines, Guildford or Redhill) that covers the home address, with a view to the case being allocated a Probation Officer.
	+ Although Probation will not formally accept full transfer of High Risk of Serious Harm/MAPPA eligible cases until the child turns 18, joint meetings should take place, no later than three months prior to release from custody or from planned transfer. Prior to transfer, the YOS worker must complete a ‘Transfer to Probation’ Asset Plus review. Once completed, the Seconded Probation Officer should forward this assessment onto the allocated Probation Officer.
	+ The CRC work with cases that are Low or Medium risk of Serious Harm. The CRC offices are in the same areas as the Probation offices but are run by private companies. Contracts for CRC’s have come to an end nationally, although all cases from CRC in Surrey are unlikely to formally transfer across to Probation until late November 2021 or early December 2022.
	+ There are times when it may be assessed by the YOS management that cases should not transfer to Probation or CRC (if CRC teams have not formally closed). These may include;
		- If there is only a few weeks or a short term left on their sentence, after turning 18.
		- If the relationship between the YOS worker, the case and family/carers is strong and the YOS can provide additional support or a level of supervision that Probation cannot offer (i.e. multiple appointments per week compared to one per week at Probation).
		- If a case may have experienced a bereavement or significant challenging personal experience and which support from their trusted YOS worker would be an invaluable protective factor.

# Final Reviews (Pre-Release Meetings)

* + The penultimate meeting prior to release will be the release preparation meeting and should be held no later than one month prior to the proposed release date. This meeting will focus on arrangements for the child’s release and is when licence conditions are finalised. It should bring together the planning which has taken place over the entirety of the custodial element of the sentence, carrying over any outstanding work to the community element of the sentence, and finalise arrangements for resettlement. If the child is Looked After by the local authority, the allocated Social Worker must be invited and the review meetings combined.
	+ The meeting will finalise arrangements for;
		- Employment, training or education – ensuring that there is education provision of a least 25 hours a week for children of school age, in place and college, training or employment arrangements for those older. A specialised careers or education workers could undertake a joint visit with the YOS worker for this meeting.
		- Accommodation – a suitable placement should be arranged for the child on release, with arrangements made for electronic curfew monitoring equipment if necessary and consideration given to what support the child will need to live successfully at this location. If no definite address has been identified at this stage, the YOS worker must escalate the issue to the YOS Manager, who must raise this with the agencies responsible to attain a speedy resolution, escalating as necessary.
		- Health – services should be in place to meet assessed mental and physical health needs and any substance misuse requirements.
		- Finances – applications for benefits to which the young person is entitled have been made and sent through.
		- Transport arrangements for collection on day of release.
	+ For this meeting the AssetPlus (Pre-release from Custody stage) should be completed and this builds upon all of the pre-release planning thus far and and the current community plan.
	+ Gaining the child’s consent and/or understanding of conditions is vital for these to be effective. It must be recognised that failure to comply with the conditions could constitute a breach and would need to be evidenced in court.
	+ A final release review meeting must be held at least two weeks prior to release and will need to

tie up any unresolved issues. Note, the child does not have legal representation at this stage in their sentence and therefore has no one to advocate on their behalf or protect their legal interests. If the child does not agree with the proposed Licence or Notice of Supervision conditions, ensure they are enabled to voice their objections and that they are informed of all their options and associated consequences. Where the young person believes the conditions are unfair or disproportionate, they will need assistance to pursue a formal complaint or to seek legal advice with a view to bringing their case before court.

* + If the child is subject to discussion at MAPPA then the plan for release and any additional conditions will have been discussed with the relevant persons from Surrey Police/MAPPA and consideration to them visiting them in custody prior to release.
	+ The Notice of Supervision/Licence is prepared by the secure facility and signed by the child. The supervising officer will be named along with reporting arrangements for the day of release. It is often helpful to supply all appointments for at least the first couple of weeks. Before a child is released the prison will go through the Notice of Supervision with them and give them a copy to sign. Now is the best time to invite the secure establishment to a community review giving date, time and location and record when it is done. A copy will also be sent to the YSO – call the prison to request this if it is not received on the day of release.

# 23. Release from Custody Paperwork

* + As a case nears their first potential release date, the YOS worker will receive paperwork from the custodial establishment asking for details of the proposed conditions for the young person’s release. It is imperative that the YOS worker discusses the case with YOS management staff, particularly at HRVP, so that conditions can be agreed.
	+ Police should also be consulted and any feedback from victims or the Restorative Practice Team (Amanda Street or Louisa Cain) or the Victim Liaison Unit (work with victims on cases that receive 12 months or more) also needs to be considered.

# Licence/Notice of Supervision Conditions

* + Licence conditions (Sec 91 cases) or additional conditions on the Notice of Supervision are enforceable conditions attached to the community element of the order. Below are standard conditions that the child will need to comply with;
		- To attend and engage in YOS supervision and to comply with instructions given by the YOS worker.
		- To receive visits from their YOS worker at home.
		- To reside permanently at an address approved by the YOS worker and to notify them of any proposed stay away (must be approved).
		- Not to travel outside the UK without prior permission of the YOS.
		- To be well behaved and not to commit any offence or do anything that could undermine the purposes of their supervision.
	+ Any case released at their earliest release date will be given a Curfew with Electronic Monitoring. An electronic tag can be considered for cases released on their standard release date (half-way point of sentence).
	+ There is a long list of potential conditions to consider (see IDrive). The most common conditions are; not to attempt to contact the victim (named) directly or indirectly and not to enter (road name, town/village/area where offence took place). Exclusion zones from particular areas are sometimes included but the YOS worker will need to factor in whether this may prevent the young person from accessing education, employment or training opportunities, or from attending sessions with the YOS or community reparation.
	+ For cases nearing 18 that are due to be transferred to Probation, a drug testing condition can be considered (if drug use was a factor in their offending) and Probation offices have a supply of the testing kits to use. For cases due to transfer to Probation when they turn 18, conditions must be discussed with the allocated Probation Officer and they should be involved in the plans for release.
	+ The Ministry of Justice issued guidance that is designed to prevent punitive restrictions following release from custody such as the imposition of electronic monitoring and Intensive Supervision and Surveillance (ISS) requirements on young people released from custody on a Notice of Supervision. It states that such measures should only be used if necessary and proportionate to effectively manage identified recidivism risks that cannot be managed in less intrusive ways.
	+ When completing paperwork to the custodial establishment, the YOS worker will be expected to outline why any additional condition is being requested and why this is necessary and proportionate to maximise the child’s opportunities for successful resettlement from custody, and to reduce any risk to victims or the wider community.

# Day of Release from Custody

* + On day of release, the child will need to be seen by the YOS worker, either at home or at a YOS/TYS office. Although the secure establishment will have gone through the Notice of Supervision/Licence with the child, the YOS worker will need to go through this to reinforce expectations and to explore if there are any questions or concerns.
	+ The YOS worker should ensure that the child has signed the Notice of Supervision/Licence before a copy is taken of the document and placed in the ‘attached documents’ section of the child’s case record on Careervision. Should the child be breached, the Court would need to have a copy of the signed document.

# Supervision during the Community element of the Licence/Notice of Supervision

* + National Standards stipulates that the YOS worker must schedule a home within five working days of release, and at least monthly for the remainder of the licence period. Ensure that the child has your contact details and details of their next Supervision appointment.
	+ During the community period, the YOS worker should then ensure that the interventions assessed as necessary to support desistance are delivered and that the child engages in this support. This should include;
		- Desistance work
		- Work to protect victims and reduce risk of harm to others
		- Education, training and employment provision
		- Suitable and supported living arrangements
		- Health, mental health and substance misuse provision as needed
		- Provision of any support necessary for dealing with finances, debts and benefits
		- Engaging with parents/carers.
	+ Should there be shortfalls in provision, this should be raised with both the TYS Borough Manager and the YOS Manager.
	+ Any required changes to the Notice of Supervision conditions should be authorised by the issuing governor or a YOI, or the YJB Placement Service in the case of SCH’s or STC’s and an amended Notice of Supervision issued.

# Operational Arrangements in Place for Working with Children Who Leave Custody

* + There is a support structure in place for staff who are working with children who leave custody. This will include:
		- Ongoing communication with Charlie Spencer (07970 410966 and/or Charlie.spencer@surreycc.gov.uk), the Improvement Manager at the Central YOS Team, Dave McLean (07813 390244 or dave.mclean@surreycc.gov.uk), the YOS Service Manager, Anna Mullen (07814 470342 or anna.mullen@surreycc.gov.uk), Paul Miles (07970 824692 or paul.miles@surreycc.gov.uk), the Seconded Probation Officer, or Scott Hampshire-Jones (07929 860418), the Early Help Project Offer and Safeguarding Adolescence Lead, as well as Keir Schiltz (07968 832401 or Keir.schiltz@surreycc.gov.uk), who can provide updates on activities with Engage or available options. All staff will also have a borough manager from TYS who can provide management oversight, case consultation, or escalate issues.
		- Clive Seall (clive.seall@surreycc.gov.uk) is the new Assistant Director for Family Resilience and Safeguarding and he can also provide support and assistance.
		- We have information sharing agreements in place with Surrey Police in terms of information sharing and receiving intelligence.
		- Arrangements for community reparation or structured, positive activities can be made through Keir and his team as part of the Engage or Imagine initiatives or the Skill Mill, a social enterprise in Surrey, for high-risk cases who are 16-18 and considered to be at risk

of custody. Examples of possible activities that children can attend as part of Engage include carpentry workshops, bicycle or motor-cycle projects, music or gym sessions or horticultural projects.

* + We ensure that every child within the criminal justice system in Surrey is given a local, accessible, sustainable pathway from initial contact through engagement and on to education, learning and employment. Each pathway will be created with and based upon the strengths of the young people and their families and where at all possible their local community.
	+ The team will prioritise the relationship-based approaches within a value based social learning model and operate on a clearly articulated model of change working back from the key outcomes for each child. This will enable the YOS to effectively capture and monitor the impact of both the overall intervention and the individual components of the interventions by the Youth Offer team.
	+ Should there be concerns around child criminal exploitation, there are structures in place for a referral to be made to the Risk Management Meetings (RMM), which are chaired by Children’s Services and a Service Manager from TYS. There are currently plans to blend HRVP with RMM and this will be a platform for reflection, case discussion and decision-making.
	+ Surrey YOS has a Court team that can provide support and assistance, should a case be close to breach, or has reached breach stage. They can help with paperwork that is required to be completed and plan for a future court appearance with the worker.
	+ The Central YOS team has specialist workers (Education, Speech & Language, Health, Mental Health, Police and Substance Misuse (Catch 22) who can provide support to both the worker and child and complete direct work.

# Initial Planning Meeting – Community

* + As with the Initial Planning Meeting in custody (held within ten working days from sentence), there should also be an Initial Planning meeting for the community element of the sentence, within ten working days of release.
	+ Parent/carers, community professionals involved and the Resettlement Worker from the secure estate, should all be invited. This builds on from the final review of work completed in custody and focuses the child on community interventions.

# Compliance/Enforcement Action During Supervision

* + National Standards stipulates that the YOS worker is responsible for encouraging the child to comply. The YOS worker should also ensure that they respond to any failure to comply with the conditions during the community element of the sentence. You should do this with a visit or telephone call where possible, followed by a letter within 24 hours. This includes monitoring and managing breach of electronically monitored curfews where these are a part of the

licence/Notice of Supervision, through liaison with the monitoring agency supplying the equipment (usually EMS in Surrey).

* + Breaches of licence conditions may include:
		- Committing a further offence
		- Failure to attend a scheduled appointment with the YOT worker, or partner agency as instructed, without a reasonable excuse.
		- Attending a scheduled appointment but refusing to engage in planned work or disrupting the session.
		- Missing a curfew without a reasonable excuse.
		- Staying away from their address overnight without informing you
	+ The YOS worker will need to take a view as to the severity of each incidence of breach and implement a scaled response of verbal warning (for minor issues such as lateness):
		- First written warning
		- Second written warning
		- Implementing formal breach proceedings
		- For very serious breaches, such as an act of violence against a member of staff, immediate breach may be instituted.
		- Throughout the community period, the YOS worker must make every effort to help the young person comply. Surrey YOS compliance procedures should be used to encourage this, and as children on Licence/Notice of Supervision have higher incidences of recidivism, repeat use of Compliance Panels may be appropriate.
	+ National Standards stipulates that when a child misses a scheduled appointment without acceptable reason, the YOS worker should issue a formal written warning no later than the next working day. If a child receives more than two written warnings and compliance procedures have been utilised, you must consider breach action. Unless their manager authorises otherwise, breach action must be initiated by the YOS worker and the case listed at court within 10 working days of the last missed appointment. For absences that are acceptable, written warnings can be withdrawn and written confirmation provided to the child.
	+ Breach proceedings can be brought to court even after the DTO has finished if the summons or warrant was issued while it was in force. The court can issue a period of detention, or a period of supervision of three months starting from the date of failure to comply.
	+ For cases on licence, Surrey YOS have powers to start recall proceedings which do not require the child to appear in court before he or she is returned to custody. This means that the recall process differs substantively from the process by which DTO’s and other court orders are breached. There are two sets of circumstances which can lead to the recall of children on licence:
		- Breach of licence conditions (including reoffending).
		- Behaviour which poses an increased risk of serious harm to the public.
	+ The decision to initiate recall proceedings is made by the supervising case manager and only major breaches of licence conditions will lead to this recommendation. All recall requests are made through the recall request report. This should be completed as soon as is reasonable after the incident or behaviour that triggers the recall process, and e-mail it to the Offender Management and Public Protection Group for that geographical area;
		- Recall Team One covers Surrey
	+ The Offender Management Public Protection Group will review the recall request report and then issue the YOT with a revocation of licence for the child’s arrest. The YOS should then;
		- Send the revocation of licence to the Police, so they can arrest the child.
		- Send a copy to the YSC Placement Team by secure e-mail.
		- Complete the Custody module of AssetPlus and send to the YCS Placements Team
		- Save a copy with the child’s file to prepare for their return to custody.
		- When the child has been arrested, contact must be made with the YCS Placements Team to discuss the child’s return to custody and complete and send any remaining necessary paperwork.
		- Once placement has been confirmed, prison escorts contracted services will be notified by the Placement Team to collect the child from police custody and take them to the identified secure establishment.

# Community Support at End of Sentence

* + As with any case nearing closure, consideration must be given to the type of support that the child may continue to require in the community. They may be open to support services already and if so, the YOS worker must have communication with other professionals involved, to outline that YOS involvement is ending and to ascertain support options.
	+ It is good practice to have a professional meeting to help establish the support that will continue or could be offered. For a final review meeting, it would be effective for the child and other professionals involved to meet and to review progress made and the support available in the future, which could also include signposting.

# How will Diversity Needs be Addressed

* + All children are different and unique. Surrey has a ‘Child First’ ethos and we are committed to recognising those differences, promoting equality and embracing diversity, as well as ensuring that our YOS staff and staff from partner organisations display non-judgemental, fair and supportive values and behaviour.
	+ It is essential that staff complete the self-assessment questionnaire and diversity considerations

box (Core Record section) as part of all Asset Plus assessments and for all staff working with the child to have an awareness of those diversity needs and how they can be best supported. In all cases released from custody, we will be clear about expectations, arrange appointments on days and times that do not clash with ETE commitments and look to incorporate a strengths- based model when working with them and their families/carers.

* + Diversity considerations will be a major factor in assessing the type of custodial placement required for each child. For those most vulnerable and under seventeen, consideration should be given to recommending a Secure Training Centre (STC) or a Secure Children’s Home (SCH), where high quality, safe and therapeutic environments are offered to fewer children and with higher staff numbers per child, than a Young Offender Institution (YOI) could offer. Diversity needs should be monitored throughout the custodial and community elements of their sentence and if the child is not received the right level of support, concerns should be escalated at the earliest opportunity to the Resettlement Worker and their manager for urgent action.
	+ In Surrey, children who are from different ethnic backgrounds population is 9.6%, according to the latest published data in 2018. The latest youth population data published by the YJB (2019 mid-year data) shows that 12% of the 10-17 age group are from children from different ethnic backgrounds, with half being of Asian descent. YOS Management are aware of the need to have a more diverse workforce that better reflect our communities.
	+ Our Speech & Language specialists have provided an invaluable form of support and resource, which has included the development of communication passports, which the child can carry with them and is shared with consent, to other professionals and agencies involved with them. This has helped improve agencies understanding of the child and how they may need to adapt their communication or language, to build rapport and strengthen their interactions.
	+ Education Leads play a pivotal role in exploring available ETE options and in challenging decisions made by educational providers, to remove the child from their programmes or to deny them from opportunities. It is recognised that ETE is a significant protective factor and that every effort should be made to support our children to achieve their potential.
	+ There are different funding streams that YOS workers can apply to, for additional funding or resources that would help provide our children with opportunities to engage in activities, education, training and/or employment.
	+ For children experiencing challenges within the family dynamic and household, direct work can be undertaken with family members to help address any issues, signpost to services and improve the family situation. Referrals can also be made to Children’s Services for assessment, if required.
	+ We are building a trauma-informed practice that is designed to support our Surrey children to help us and partnership agencies recognise the significant challenges that they have experienced throughout their formative years, adolescence and how this has impacted on their lifestyles and well-being. It is vital for us to be equipped to support our children to overcome their adverse childhood experiences. The YJB has been supporting such initiatives and some of our

staff have secured places on the Effective Practice Award. Learning from those staff members on the course will be shared with our wider youth justice team.

* + Diversity issues will also need to be considered regarding enforcement action and whether any verbal or formal written warnings will be issued. We will not give up on the child and will explore every available option possible before breach or recall action is taken.

# How will we Ensure that Children and Others are Kept Safe

* + Surrey YOS has a statutory duty to keep our children and members of the public safe. In all our work and contacts with children, we will see them in safe environments and look out for their welfare, whilst acknowledging the risk they may pose to others in the community. Surrey YOS has a full Risk Policy, which outlines all actions that should be taken by staff and at relevant stages. Surrey YOS also has a Restorative Practice policy, which sets out a framework for victim contact and any restorative work. Victim considerations will also form part of the decision on any additional conditions/licence conditions and contact would be made with the victim to discuss this.
	+ Key to helping children being safe during the custodial element, is in having regular face to face contact with the child and building open and honest relationships that encourage the child to express any safety and well-being concerns that they have or are experiencing. Staff should raise any issues or concerns with the Resettlement Worker and request feedback on steps taken by the secure establishment to help safeguard the child. In rare situations, Surrey YOS may need to liaise with the Youth Custody Placement Team, if a placement is no longer considered as safe, or if an inspection has established that the facility is not fit for purpose. Communication with parents/carers is critical too and they can also be part of a discussion around how their child could best be protected.
	+ For any serious incidents in custody, there is a statutory duty for the secure estate to notify a parent/carer within 24 hours and to inform the YOS. Once information is received, YOS staff can act upon this where appropriate and continue to monitor any concerns.
	+ Prior to release, local Police should have been part of the release plan and arrangements. Some children will already have been allocated a Police Officer, if they are a MAPPA or HHPU case for example and it is recommended that Police visit the child in custody to discuss any concerns they may have about their potential safety in the community. Information sharing with Police will be required on an ongoing basis when there are community concerns and professional meetings, particularly with Police, has proven to be an effective strategy for safeguarding both children, victims and the community.
	+ There are healthcare provisions in both the custody and community settings and if there are any identified issues, then contact and support would need to be requested at the earliest available option and followed up, to ensure that they are receiving an appropriate response and level of provision to safeguard the child.

# Strategic Arrangements with Statutory and Voluntary Agencies and Arrangements for Access to and Exchange of, the Right Information to and from Partners, Providers and other Key Stakeholders

* + Surrey YOS has an Information Sharing Agreement with Surrey Police and Service Level Agreements with the National Probation Service regarding the exchange and sharing of relevant information. The YOS form part of the Surrey’s Integrated model with Targeted Youth Support and Children’s Services and staff have access to the same recording systems (LCS, EHM and Careervision), where appropriate depending on role.
	+ We have improved the access to suitable accommodation for children who will be released from custody, supported by the Assistant Director – Early Help & Hubs - who is notified of these cases in all instances.
	+ YJAF (section 12), an online portal via the YJB, allows for information sharing between the secure estate and YOS.
	+ The Transition & Resettlement Task & Finish Group will continue to drive improvement of how we – as a partnership – constructively resettle children.

# Caretaking Arrangements

* + There are occasions when Surrey will be asked to caretake children that are being released or have already been released from custody and are currently open to other Youth Offending Teams. In such circumstances, we must ensure that we do the following;
		- Receive a Transfer form (see IDrive) containing full data of the child’s name, date of birth, PNC number, ethnicity, religion, diversity needs, including any disabilities, current sentence and offences, current address and proposed address in our area, contact numbers for case, parent/carer and/or placement provider, current levels for risk of serious harm, risk of re-offending and safety and well-being, release dates and sentence end dates, risk of serious recidivism score (RSR – Probation tool), MAPPA status including any recent minutes and victim issues.
		- Receive (electronically) a copy of the Court Order, Notice of Supervision/Licence, CPS bundle and Asset Plus assessment.
		- Liaise with the YOS Manager (likely to already be aware), central YOS management team, including the Seconded Probation Officer and Keir Schiltz (07968 832401, Youth Offer Lead keir.schiltz@surreycc.gov.uk) to alert them to the case and start planning for the transfer and what needs to happen, including potential attendance at activities if required.
		- Arrange a handover meeting (once we have received all of the above information) with the current YOS worker from the transferring area, the child, parent/s or carers and/or the accommodation provider at their new address in Surrey, if moved, or at the secure establishment with the Resettlement Worker, if still in custody. Other key professionals in the child’s network should be invited to aid the transfer process.
		- Depending on the complexity of the case, the child’s level of engagement, or any issues

that arise during the initial handover meeting it may be decided that further handover sessions are required.

* + Once agreement is reached that Surrey will caretake the case, notes following meetings will be sent electronically to the worker from the transferring YOT within 24 hours. If there are significant concerns, a telephone call will need to be made to the worker or their YOT Manager, if they are unavailable.
	+ Any enforcement action, such as warning letters, breach or recall action, or completion of the Asset Plus will need to be completed by the transferring area, unless Surrey have accepted full transfer of the case. A period of at least six-eight weeks minimum is required if the child is living in supported accommodation in Surrey before full transfer should be accepted.
	+ The Seconded Probation Officer will update the Transitions tracker spreadsheet, if the child could transition to Probation when 18 and liaise with the Probation Manager and Case Administrator, (when 6 months from 18) to notify them of the case and make arrangements for documentation to be added to NDelius (Probation system), potential allocation and when handover meetings may need to commence (no later than three months from transfer to Probation).

# Next Steps – Where Does Surrey YOS Go from Here

* + A custody and resettlement programme has been developed that is available on the Surrey Jive portal, which is available to staff. This contains useful advice for staff and various resources that they can use with children to help aid the transition and support them through their resettlement journey.
	+ As a progressive service we should always be looking to improve the service we provide children, families and communities and outcomes for children. A crucial part of this will be to evaluate and reflect more deeply on our resettlement work and to highlight strengths and areas for development. Following two males from the Woking area of Asian descent being sentenced to custody in December 2019, and other arrests of the same gender and ethnicity, a Critical Learning study was conducted with partner organisations, including Police, Children’s Services, Health and Education. Since that time, improvements have been made in terms of how children are treated in the community, Police strategies and the support and provision available locally.
	+ Surrey have been proud of our consistently low custody numbers in recent years but this should not prevent us from improving further. The goal is for there to be no custody cases, remand or sentenced from Surrey again and work is still required on our partnership working and in improving further the quality of interventions with children to help reduce offending and provide greater confidence in courts that custody is not required to protect the public.
	+ There has been no full evaluation of every custody case by Surrey in the last two years but there have been case audits completed on some of our custody cases as part of a wider thematic audit by Children’s Services/TYS and YOS, which have focused on areas such as assessment, planning, risk management and/or partnership working. The low sample size and the fact the

majority of our custody cases over the past two years have been become OMIC or Probation cases prior to their release, has presented some challenges in terms of a thorough evaluation but this will be a priority for Surrey YOS in 2022 and at regular six-twelve-month intervals moving forwards. It will be crucial that we use all the data available, consider diversity issues of those entering and leaving custody and review contact and interventions with all agencies responsible for delivering elements of resettlement for our children.

* + Feedback will need to be sought from children, their parents/carers, other partnership agencies and victims, to ensure a holistic evaluation process. Consideration will be required for this to take the form of both written questionnaires and a combination of one-to-one meetings and focus groups. We will need to look at the whole journey of the child and their interactions and contact with all agencies involved.
	+ Surrey YOS will need to continue having an awareness of the resettlement picture across England and Wales and to reflect and learn from future evaluations completed by the Youth Justice Board (YJB), Ministry of Justice (MOJ) and/or Her Majesty’s Inspectorate of Probation (HMIP) and a changing evidence base for resettlement. We will need to incorporate the learning and adapt our practice from recommendations and put in place appropriate training, resources and amend our own resettlement policy. Consideration may be required for specialist provision within our Central Team that is not currently in place and we will need to outline key learning to partnership agencies and consider changes to our working practices. YOS and TYS Management will also need to reinforce key learning and themes to staff in all contacts with staff, whether in individual consultation or in meetings with the Central YOS team, wider youth justice staff, or borough TYS teams.

# Conclusion

* + This guide has been put together to aid the delivery of a high quality service to Surrey children who receive custodial sentences. It should be read in conjunction with National Standards (see IDrive or video presentation) and Case Management Guidance. At the time of compilation all the information was correct. If there are changes and amendments that are required in the light of new practice or legislation, please inform the author or your line manager so that those amendments can be made and shared.

# Key

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| CIO | Court Information Officer |
| CO | Court & Bail Officer |
| SE | Secure Establishment |
| YSO | Youth Support Officer |