



WOKINGHAM BOROUGH COUNCIL

Wokingham Prevention and Youth Justice Service

Custody and Resettlement

Policy and Case Management Guidance

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Foreword

“Custody disrupts children’s lives. It involves separation from family and friends, interrupted education and, potentially, loss of accommodation, and fear and emotional distress. Resettlement can also be frightening, and it poses practical problems. For some, it is as traumatic as their entry into custody, so it needs to be planned and delivered carefully...” (HMI Probation, 2019).¹

Wokingham PYJS is committed to change this reality for our children. Additional consideration needs to be given to the specific resettlement needs of children from ethnic minorities, children with experience of the care system and neurodivergent children, who are more likely to receive a custodial sentence.

This document is intended to set the Service policy and provide detailed case management guidance for front line practitioners and the management team regarding best practice for dealing with children remanded into custody, children sentenced to custody and their subsequent resettlement into their communities. This guidance should also model practice to support children who are transitioning between secure estates. The guidance is underpinned by an Enhanced Constructive Resettlement (ECR) approach and PYJS’ disproportionality plan (2021).

This is a live document that follows the dynamism of practice and will be reviewed as new and better ways of working are identified.

Policy

- Reducing custody: the PYJS is committed to reducing the use of custody (including remands) through effective use of community alternatives underpinned by robust risk management and tailored intervention plans.
- Robust management oversight: management oversight of practice is at the core of this policy. This oversight is meant to support front line practice by adding value to bail support proposals, sentence recommendations, risk assessment/management, and resettlement plans ensuring our decisions are defensible.
- A skilled workforce: a service commitment to ongoing training and development of the team to ensure the workforce remains skilled and knowledgeable: skilled and confident case workers are able to make robust community proposals as an alternative to custody, and to plan and deliver constructive resettlement.

¹ [Youth resettlement – final report into work in the community \(justiceinspectorates.gov.uk\)](https://www.justiceinspectorates.gov.uk/youth-resettlement-final-report-into-work-in-the-community/)

Value base

- The PYJS is a trauma informed service, which works compassionately and restoratively, with a child first ethos. These approaches involve taking a relational approach, individualising responses, recognising, and responding to trauma. This could at times result in tension with risk assessment and management of the identified risks. We propose to navigate this conflict of interests with defensible decisions, and a number of layers of management oversight that will result in the best outcome for the children and the public.
- **Adultification:** to avoid the adultification of children who are in the custodial estate, throughout this guidance all children under the age of 18 years will be referred to as “child”.
- The PYJS is committed to an anti-discriminatory practice, where the needs of children from every background are explored, understood, and considered and where decisions are unbiased. This commitment includes raising the team’s awareness and understanding that children from ethnic minority backgrounds, those with care experience and neurodivergent children are disproportionately affected by custody and remand outcomes.
- The voice of the child and the family will be embedded in all our assessments, reports (including sentencing and bail recommendations) and risk management reports and plans.
- Our custody and resettlement practice is underpinned by the Constructive Framework and its three key elements: Constructive Casework, The 5Cs (support that is constructive, co-created, customised, consistent and coordinated) and identity awareness.
- We propose to navigate risk management both in the safe certainty and safe uncertainty spheres. The former involving assessments, planning, and management. The latter allowing us to hypothesise and challenge our own thinking through reflective individual and group supervision.

Legal context and national guidance

- The Legal Aid, Sentencing and Punishment of Offenders (LASPO) Act 2012, as amended by the Police, Crime, Sentencing and Courts Act 2022, as noted in the Ministry of Justice Circular No 2022/03² and its Annex in regards to the Remand into Local Authority Care.³

² [Ministry of Justice circular \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/111111)

³ [rlaa-issues-circular-annex.pdf \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/111111)



- The YJB Standards for children in the youth justice system (2019)⁴; and YJB case management guidance (2024)⁵.
- This document has also been informed by research and effective guidance practice published by His Majesty’s Inspectorate of Probation, particularly the following documents.
 1. HM Inspectorate of Probation. Youth resettlement –final report into work in the community. A thematic inspection by HM Inspectorate of Probation and HM Inspectorate of Prisons, 2019⁶.
 2. HM Inspectorate of Probation, Bias and error in risk assessment and management, Academic Insights 2021/14⁷.
 3. HM Inspectorate of Probation management oversight, Key principles for effective management oversight of cases, 2022⁸.
 4. HM Inspectorate of Probation. Effective practice in Resettlement, Dr. Matt Cracknell. HM Inspectorate of Probation, Academic Insights 2023/01.⁹
 5. HM Inspectorate of Probation Effective practice guide: Youth resettlement 1: Resettlement effective practice guide. Based on: HM Inspectorate of Probation’s findings from the youth core programme February 2023.¹⁰
- This document has considered other research and professional dossiers, including.
 1. Youth Justice Board “How to make resettlement constructive”.¹¹
 2. The London Resettlement Partnership resource hub website.¹²
 3. Review of Custodial Remand for children, Ministry of Justice, 2022.¹³

⁴ <https://www.gov.uk/government/publications/national-standards-for-youth-justice-services>

⁵ [Case management guidance - Custody and resettlement - Guidance - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/case-management-guidance-custody-and-resettlement-guidance)

⁶ <https://www.justiceinspectors.gov.uk/hmiprobation/wp-content/uploads/sites/5/2019/10/Youth-resettlement-%E2%80%93-final-report-into-work-in-the-community-4.pdf>

⁷ [Academic Insights 2021/14 Bias and error in risk assessment and management \(justiceinspectors.gov.uk\)](https://www.justiceinspectors.gov.uk/academic-insights/2021/14-bias-and-error-in-risk-assessment-and-management)

⁸ [HM Inspectorate of Probation management oversight \(justiceinspectors.gov.uk\)](https://www.justiceinspectors.gov.uk/management-oversight)

⁹ [HM Inspectorate of Probation. Effective practice in Resettlement, Dr. Matt Cracknell. HM Inspectorate of Probation, Academic Insights 2023/01](https://www.justiceinspectors.gov.uk/academic-insights/2023/01-effective-practice-in-resettlement)

¹⁰ [HM Inspectorate of Probation Effective practice guide: Youth resettlement 1: Resettlement effective practice guide. Based on: HM Inspectorate of Probation’s findings from the youth core programme February 2023](https://www.justiceinspectors.gov.uk/academic-insights/2023/01-effective-practice-guide-youth-resettlement-1)

¹¹ [Microsoft Word - Constructive Resettlement for the Sector \(published\).docx \(yjresourcehub.uk\)](https://www.yjresourcehub.uk/microsoft-word-constructive-resettlement-for-the-sector-published.docx)

¹² [Homepage - Constructive Resettlement \(constructive-resettlement.co.uk\)](https://www.constructive-resettlement.co.uk/)

¹³ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1050218/youth-remand-review.pdf

Objectives

- To offer understanding and practical guidance to the PYJS team about the importance of constructive resettlement and the steps to achieve it.
- To support practice that is rooted in robust knowledge of the legal and social context of children's experience of custody and its impact on re-offending and life achievements.
- To support practice that puts the child at the centre of planning, where the PYJS case worker acts as a broker that brings all agencies together and ties in all the support to help the child to meet their vision and aspirations.
- To develop case workers' report writing and at Court skills to ensure that robust community proposals (for bail or sentence) are utilised by the Courts as a credible alternative to custody.
- To encourage professional curiosity to better understand the children and family we work with to enable the shift in the child's identity from pro-criminal to pro-social.
- To reduce the use of remand and custody; and where custody is inevitable, to procure a successful resettlement.

Performance

- The success of our custody and resettlement policy will be measured by its impact on reducing the use of custody; and its impact on reducing the likelihood of re-offending of those children who resettle into the community.

Responsibilities

- The PYJS Partnership and Management Board has overall responsibility for the service custody and resettlement policy and for ensuring a partnership response to reducing custody for children.
- The Team Manager is responsible for development, coordination, and promulgation of the custody and resettlement policy and processes. This includes developing training programs and implementing management systems that can identify and monitor children who are at risk of custody as well as identifying ways of preventing custodial outcomes.
- Managers at all levels are responsible for providing effective, valuable, and timely management oversight. Particularly so, in regard to Court reports that will have bearing on sentencing outcomes that could avoid custody for the child. Visible commitment requires active participation by keeping effective and regular resettlement discussions in respect of all children who are in custody.

- Custody, remand and resettlement management are core skills and an integral part of the Youth Justice Worker role. Staff at all levels are responsible for understanding and implementing the custody and resettlement policy.

Resources

- The PYJS Management Board will ensure that the PYJS is resourced, and its staff trained in custody prevention and effective resettlement.
- The Team Manager must ensure that training is available to the team through both internal and external resources.
- The Team Manager must ensure that the latest research and evidence on effective custody and resettlement is made available to the team (for example, publications from YJB and HMIP).
- PYJS staff must take ownership for their ongoing professional development by reading and embedding learning from these resources.

Overarching Principles Underpinning Custody And Resettlement

The PYJS will adopt the Constructive Framework approach¹⁴ to guide their custody and resettlement work with children. The three core elements of the Constructive Framework are.

1. **Constructive casework:** personal support that informs structural support. Personal support is individualised, about strengths and goals, and guides identity development. Structural support is linked to the 7 pathways of resettlement to reducing re-offending (case management; accommodation, education training and employment; health; substance misuse; families; finance, benefits and debt).
2. **The “5C’s”:** Five characteristics of effective support. Characterise support which is constructive, co-created, customised, consistent, and coordinated. The case worker should drive this approach across the child’s support network.
3. **Identity Awareness:** to be identity aware in every interaction with the child. This means seeking to understand how the child sees themselves and their place in the world, as well as being aware of the message we give to the child about their identity.

¹⁴ <https://constructive-resettlement.co.uk/the-theory>

Case Management

At the Police Station

Reducing remands and custody for children starts at the Police station. The sooner the PYJS becomes aware of a possible custodial outcome, the better prepared the case worker will be to provide robust community alternatives to the Court.

Daily, the duty officer will contact our local police station to identify any children who may have been arrested overnight and have been or will be charged to Court. Also daily, our colleagues at Reading Youth Offending Service will inform us of any Wokingham children charged to Court overnight from another police station. Where a child has been charged to Court with an offence that could attract a custodial sentence/remand (LASPO section 98 and 99¹⁵), the Assistant Team Manager or Team Manager must be immediately notified.

At this stage, the (Court) Assistant Team Manager will ensure that the allocated worker or a duty officer is promptly identified to attend Court. For guidance where the child is currently known to the PYJS, it is good practice that, where possible, their current case worker attends Court.

The case worker due in Court must:

1. Ensure parents/carer of the child are aware of the Court hearing and encouraging their attendance to Court. This will include notifying Children Social Care (CSC) where relevant.
2. Complete updated multi-agency checks, particularly for children previously not known to the PYJS. This will include MOSAIC, Health and Education checks as a minimum.
3. Obtain the YOT1 for the relevant offence from the seconded PC.
4. Read any reports and assessments already on PYJS systems.
5. Have a case discussion with the Court Assistant Team Manager to identify possible Court scenarios and what a robust bail support package would look like.
6. Review LASPO guidance in respect of remand thresholds and processes.

At Court

In anticipating that bail may be refused and a bail package be required by the Court, the case worker will have to consider the following.

¹⁵ <https://www.legislation.gov.uk/ukpga/2012/10/section/98/enacted>



1. Ensure a prompt arrival at Court to meet the child in the Court cells. This will serve the dual process of offering support and re-assurance to the child as well as completing an AssetPlus Bail and Remand stage.
2. The child's voice, including their ability and willingness to engage with bail support and the PYJS.
3. The parent's/carer's view and their ability and willingness to support bail.
4. A discussion with both the Crown Prosecution Service (CPS), to understand their objections to bail, and with the defence solicitor, to explore their bail considerations.
5. The seriousness of the allegation and PYJS' ability to manage the emerging risk levels in the community as well as the ability to keep the child safe.
6. Current strengths that could be built upon and should not be disrupted like family or other support network, engagement with education and/or employment, access to support services.
7. Ability to implement and the child to comply with restrictions to support risk management including curfew with and without electronic monitoring; exclusion zones with and without GPS monitoring; prohibited activities and no-contact; supervision; intensive supervision and surveillance; residence at the current or different address.
8. The child's diversity needs, including but not restricted to their neurodiverse needs, their current or previous experience of care, and their cultural and ethnic heritage.

Bail Proposal

A bail package needs to be tailored to the child, their needs and risk levels, the offence, the Court and CPS objections, the PYJS ability to manage risk, the support network around the child.

Bail with Intensive supervision and surveillance is one of many bail support packages that could be offered in Court and its merit and suitability must be carefully considered and reviewed by a manager before it is presented to the Court.

(Lack of) suitable accommodation should not become a barrier for considering a bail support package. Where the case worker anticipates this to be an obstacle to offering a credible bail proposal, or where relevant discussions with CSC do not progress, immediate escalation to the Assistant or Team Manager should follow, who in turn must immediately escalate to the Service Manager for senior management oversight of any decisions in respect of bail (or resettlement) accommodation for children.

The officer at Court should be confident presenting the bail package to the Court and assertive in identifying the proposal as a realistic and credible alternative to custody. Where possible, bail support packages will be presented to the Court in writing and will require the quality assurance and sign off of a manager. However, there is an acknowledgement and understanding that Court work can sometimes occur under

pressure, in a responsive but sometimes reactive environment. It is therefore important that even when a written report cannot be prepared, the duty officer has had sufficient discussions with a manager to receive appropriate support and guidance on all the above points.

Should the bail proposal not be accepted by the Court, and before the hearing is brought to an end, the Court officer should respectfully ask the Court which, if any, additional bail requirements will provide reassurances to the Court to agree with a bail package. These alternatives should be considered and added to a package, where it would be feasible for the PYJS to implement and manage them.

Bail with intensive supervision and surveillance or Remand into Local Authority Care (RILA) are the most stringent bail arrangements that can be put forward to the Court (with an acknowledgement that whilst RILA is strictly speaking a remand, it means the child remains in the community).

Remand Into Youth Detention Accommodation

Where despite all efforts by the PYJS, bail is refused and a child is remanded into youth detention accommodation (YDA), the officer at Court should ensure the following happens.

1. The child is seen in the cells immediately after the remand decision is made by the Court. The purpose of this meeting will be dual for safety and well-being checks, as well as to identify any potential risks (to self or others) that the remand may pose.
2. Complete the Asset Plus Post Court section of the Bail and Remand module and ensure that it is sent to the Youth Custody Service (YCS) via connectivity. Only in exceptional circumstances and if connectivity is not working should documents be emailed to the YCS, which for our region will be YCSPT-SEandEastern@justice.gsi.gov.uk.cjism.net.
3. Contact the YCS Placement Team on 0345 36 36 36 3 to book the child into YDA.
4. Let the parents/carers and the relevant network know where the child will be placed.
5. Make sure to obtain the defence solicitor's contact details.
6. A child who is remanded into YDA becomes looked after by the local authority by virtue of their remand status (if not previously a child in care). Therefore, CSC must be immediately notified of the remand.
7. Where relevant and appropriate, to immediately start exploring a new bail application in order to end the remand as soon as possible (for example, exploring new ways of managing risk; finding out of area accommodation; etc).

The day after the YDA, contact must be made with the secure estate to organise the initial remand meeting. Parent/carers and the relevant social worker must be invited to the meeting. The case worker must also have regular meetings with the child (at least

monthly) outside of the review meetings; and with the network, in order to start planning for the child's resettlement.

Acquittal After Trial

Where children have been on remand and are released back into the community following an acquittal, the PYJS will offer a programme of ongoing support for up to 12 weeks to enable effective resettlement.

Getting The Basics Right

RELATIONSHIPS

- Meet the child regularly outside meetings
- Use **IDENTITY LENS TOOLKIT (saved in Custody folder)** to underpin your sessions
- Talk to parents monthly-develop a relationship-invite them to meetings
- Keep the network always in the loop

A GOOD PLAN

- The child is always our priority and focus
- Discuss relevant transitions and Temporary Release at every meeting.
- Frame your work, and that of the network, around the 5Cs: constructive, co-created, customised, consistent and co-ordinated.

SHARE INFORMATION

- Communicate with secure estate regularly outside meetings.
- Record all incidents on IYSS
- Attend High Risk/Resettlement Panels
- Attend Child in Care review meetings

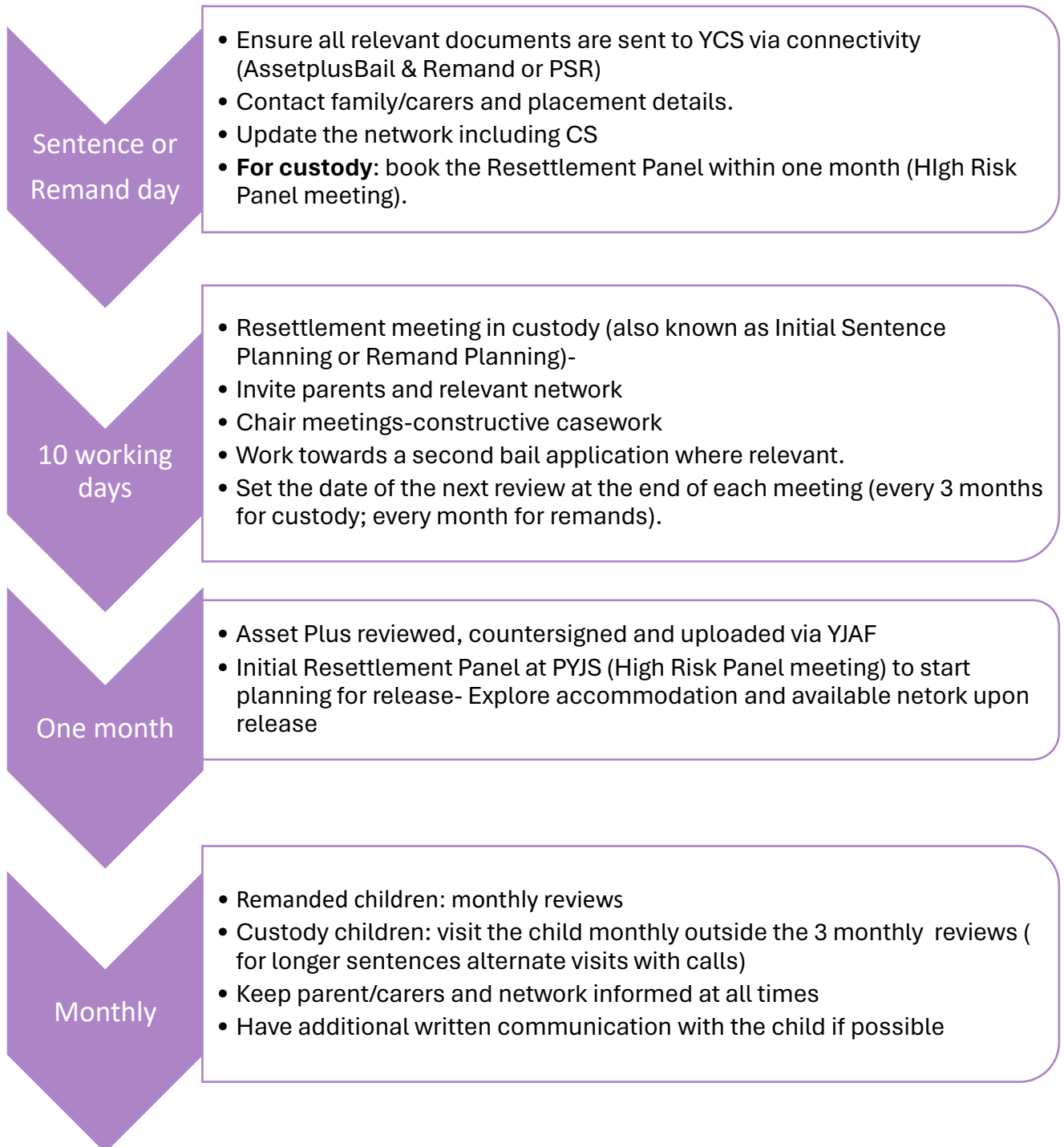
RESETTLEMENT PANEL

- Chaired by the PYJS Team Manager
- Multi-agency resettlement planning-identifies structural barriers
- Discusses and agrees licence conditions. Oversees Temporary Licence agreements.
- Escalates to the PYJS Management Board any barriers for accommodation upon release.

TEMPORARY LICENCE

- Available half way through the sentence or 24 months prior to release for longer sentences.
- Discuss TL from the initial meeting so that the child knows what they need to do to achieve it
- TL can be used for meetings with the family, ETE appointments, visits to prospective accommodation, get familiar with PYJS or other offices.

The Resettlement Timeline





Every 3 months

- Custody children: resettlement review meetings
- AssetPlus review every 6 months (sooner if there is a significant change of circumstances)
- Check with Restorative Justice worker to identify victim's safety as well as restorative justice opportunities.
- Refer to MAPPA **6 months** prior to release, where applicable

Half way through

- Review Resettlement Panel at PYJS to continue to plan for release
- Temporary Release becomes available: consider its use for family plan meetings, ETE appointments and a visit to accommodation placement
- Discuss transitions to the Probation Service with the Probation Link worker, where relevant.
- Refer to MAPPA **6 months** prior to release, where applicable

One month pre-release

- Resettlement Panel at PYJS: confirm accommodation upon release or escalate. Agree Licence Conditions -send to secure estate.
- Home visit to resettlement accommodation address
- Pre-release meeting in custody
- **Final Release meeting: 10 days prior to release:** agree transport from custody to community and initial appointment
- AssetPlus Review-PreRelease completed, countersigned and shared via YJAF

Post-release

- Meet the child on day of release - Discuss and sign Licence/Notice of Supervision
- Home visit within 5 working days-co-create the resettlement plan
- AssetPlus Review to be completed and countersigned within one month



7 Pathways To Resettlement

YJB 7 Resettlement Pathways – Main Objectives



(1) Case Management & Transitions – Main Objective:
Ensure that young people serving custodial sentences receive effective, end-to-end service provision based on a thorough assessment of need and risk, in order to reintegrate them into the community.

(2) Accommodation – Main Objective:
To ensure that all young people leaving custody can access suitable and sustainable accommodation with support where appropriate

(3) Education Training & Employment – Main Objective:
Provide all young people with suitable and sustainable Education, Training & Employment throughout their sentence & beyond

(4) Health – Main Objective:
Ensure that all young people 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 – Main Objective:
Ensure that all young people entering custody are screened for substance misuse, with recognition of previous interventions. Those with identified need s should receive specialist assessment and access to the appropriate interventions and treatment services, with their aftercare needs met on return to the community

(6) Families – Main Objective:
Ensure that families of young people in custody receive timely, high-quality support and information, from the point of arrest and throughout the young person's sentence

(7) Finance, Benefits & Debt – Main Objective:
Ensure young people leaving custody and their families are provided with information and advice so that they are able to access appropriate financial support

NB: Adult National Reducing Reoffending Action Plan (HO 2004) had 'Attitudes, Thinking & Behaviour' as Pathway 7 – Incorporated into ETE Pathway for YP