



Nacro's submission to the Commission on Young Lives Call for Evidence: November 2021

About Nacro

We are a national charity and registered not for profit training provider committed to giving people the best chance at a second chance. We are passionate about changing lives. We never give up. We work with people coming out of the criminal justice system, people at risk of homelessness, people in need of substance misuse support, and young people who have faced interrupted education.

Nacro is one of the largest independent not for profit training providers. We provide further education and skills to around 3,500 young people and adults each year, the majority of whom have experienced severe disadvantage and interrupted education. Around three quarters of our learners progress on to a positive destination in further education, training and/or employment. We are rated Good by Ofsted and we are a DFE and ESFA registered provider.

Nacro also delivers education in secure settings. Since March 2020, in partnership with Novus, we deliver prison education contracts on behalf of the Ministry of Justice (MoJ), comprising both adult education in three men's prisons and two Youth Offender Institutions (YOIs) in the West Midlands.

We delivered high-quality education at Medway Secure Training Centre at the request of the Ministry of Justice (MoJ) for over three years. We transformed the curriculum and turned around education provision from a low base (Ofsted Requires Improvement to Good) in challenging circumstances. We have also successfully delivered secure education to 12-18-year olds in NHS secure forensic mental health and custodial units in Southampton and London from 2015-2020, acquiring CQC good from a low base in both cases.

Nacro also delivers supported housing for young people (aged 16 to 24) with varied and complex needs in Lincolnshire, Essex, Nottingham and the London Borough of Wandsworth. Our supported housing provision is delivered in a variety of types of accommodation, including 24 hour staffed provision, self-contained flats and visiting support to young people living in their own accommodation.

Please contact Andrea Coady, Nacro's Service User Engagement Manager, for more information about our response: andrea.coady@nacro.org.uk.

Introduction

Our response to this call for evidence is based on the experiences of our staff and the young people they support. We have also used (and would refer the Commission to) research findings from

Beyond Youth Custody¹ (BYC) which was a six-year England-wide learning and awareness programme funded by the Big Lottery Fund as part of the Youth in Focus (YIF) initiative.

We welcome this opportunity to contribute to the Commission on Young Lives. In view of the restriction in terms of the length of responses we propose to provide a statement of our views and knowledge to support the Commission rather than address each question in turn. Our response focuses on questions 3, to 7, although we will touch on the other questions where space permits. We would welcome the opportunity to engage further with the Commission on the issues raised.

Nacro is a member of the Alliance for Youth Justice (AYJ), and we endorse the views set out in their response to this call for evidence.

Mental health and wellbeing

There is significant unmet need in relation to the mental health of young people,² which has been exacerbated by the pandemic (for example, in 2017, 1 in 9 children were found to have a mental health disorder - which increased to 1 in 6 by the summer of 2020³). The impact of the pandemic on mental health has been uneven, with children from the poorest backgrounds often being impacted the most.

The young people we support tell us that mental health services can be hard to access or do not meet their needs, and a lack of access to early intervention can lead to a crisis point which might have been averted. Young people need to access support early and locally, without needing to join a waiting list or reach a threshold for treatment, and they must be able to access support via a variety of routes to make support more available to all.

Increased investment is needed to ensure that support is available within all schools and in NHS settings, but a broader range of options are also needed to give the best chance for every child to know that support is available for them, accessible in a way and a place that works for them, and that it is suitable for their needs. For example, young people we have spoken to tell us there can be reluctance to access support at school, out of fear of being bullied or singled out as being different.

Mainstream education does not meet the needs of all children, particularly those with mental health needs, and some children are placed into isolation or excluded due to behaviour that is driven by unmet mental health needs but is ascribed to poor behaviour or attitude.⁴ We support Mind's call that attachment and trauma training should be a mandatory element of training for teachers and mental health professionals working in schools, and it is also vital that support is easily accessible for those children who are not in mainstream education.

Mental health support should therefore be provided in all education provision, including independent education and training providers, but also be available more broadly, for example via early support hubs⁵ which provide access to mental health support, and can be co-located with a range of other services as part of a holistic support offer. Such early support hubs are more likely to

¹ <http://www.beyondyouthcustody.net/>

² <https://www.youngminds.org.uk/about-us/media-centre/mental-health-statistics/?acceptcookies=>

³ https://files.digital.nhs.uk/AF/AECD6B/mhcyp_2020_rep_v2.pdf

⁴ <https://www.mind.org.uk/media/8852/not-making-the-grade.pdf>

⁵ <https://www.mind.org.uk/media/8852/not-making-the-grade.pdf>

attract a greater proportion of the young people who are least likely to engage with NHS services, or services within schools.⁶

Alternative Provision

Mainstream education does not work for all children, too many are repeatedly or permanently excluded and/or leave school with few qualifications. Making Alternative Provision (AP) work is critical; it should support the individual to meet their potential but also to progress to the next stage. Although there are many examples of good AP provision, we know that this is not universal, and we hear from young people that we support about high use of physical restraint in some establishments as well as leaving at 16 feeling no better off than they were before entering, with no clear pathway ahead.

We would like to see high quality, smaller bridging AP units to take young people from aged 14 or 16 through to the world of work, academic careers or further education/apprenticeships. The emphasis of these units would be to manage and overcome barriers to learning so that young people can quickly catch up and progress, and to enable them to re-engage through having exposure to a more vocational environment and a range of careers-based experiences, such as a supported work-placement or technical provision. We would also like to see a blended model of educational delivery, with additional provision and support being provided by alternative providers in order to support the maintenance of a mainstream place.

It is also important to note that most AP stops at 16 - there should be continued funding at the same levels to 18 to ensure pathways are not cut off for young people and they are able to catch up and be on a progression pathway.

Post-16 provision

Barriers to education at post 16: In our 'Learn Without Limits' campaign⁷ we are calling on Government to remove the barriers to education at post 16, and to address the significant attainment gap between disadvantaged young people and their better off peers to help tackle the growing skills crisis. The rate of Level 2 attainment by the age of 19 has been dropping significantly over recent years - more than one in three (38%) students on free school meals do not reach this level by 19 (equivalent of five good GCSEs) a steep rise of 17% in the past five years. But interventions to tackle the attainment gap in school years, such as the Pupil Premium, stop at 16. We are calling for a Pupil Premium Plus – an extension of the extra funding given to disadvantaged pupils (Pupil Premium), to 16–19-year-olds. This is alongside a simplified bursary process giving students directly the money they need to pursue their educational ambitions.

Clear pathways to work or further learning: The current focus on higher level qualification of Level 3 overlooks the importance of the need for a broad set of Level 2 vocational or technical qualifications. Firstly, as a stepping stone to higher level skills and further education and training and secondly, as a direct entry point into the workforce for industries such as hospitality, construction and health and social care. The Department for Education is currently consulting on Level 2 qualifications, and we are worried that Government may choose to remove many Level 2 qualifications all together, replacing them with a one-year transition programme which may not give the support and time

⁶ Young Minds, Youth Access, and Children's Society (2020). Open-access mental health drop-in hubs: Investing in early community mental health support for young people.

⁷ <https://3bx16p38bchl32s0e12di03h-wpengine.netdna-ssl.com/wp-content/uploads/2021/06/Learn-Without-Limits-Policy-Paper-1-1.pdf>

needed for young people to catch up and reach their potential. This is likely to add extra disadvantage to young people already disadvantaged.

The criminal justice system and children in care

There are a range of factors that contribute to the increased likelihood that a child in care will come into contact with the criminal justice system ('CJS'). Between 6% and 8% of children in care go on to enter the youth justice system,⁸ and so it is important to note that although this is more than double the 3% of children from the general population who do so, the overwhelming majority of children in care do not enter the youth justice system.

The increased likelihood that a child in care will come into contact with the CJS can be attributed to both their experiences before entering care and during their time in care. The majority of children in care are from backgrounds of deprivation, problematic family relationships, abuse and neglect – factors that together create risk for a range of emotional, social and behavioural difficulties, including school exclusion, anti-social behaviour and offending behaviour.⁹

The BYC research highlights that identity is complex for all young people and this can become even more complex when young people have labels, judgments and opinions imposed on them through contact with the care and youth justice systems. Being given the identity of being 'a looked after child' can mean that children may act how they think a looked-after child should act, which may be negatively. Alternatively, they may resist any labelling, with frustration, anger and negative behaviour. Offending behaviour can therefore be a product of being labelled as a looked after child.

In addition, there are a number of features of the care and youth justice systems that can impact upon a child's positive development and lead to criminalisation:

- Children can be placed in unstable placements where children struggle to form trusting relationships with care givers and professionals, can have to move schools, and find it difficult to make and retain friends. Placement breakdowns are often unplanned which leads to disruptive moves that create instability in a child's life.
- Pressure on places because of the growing numbers of children coming into care and the unequal distribution of homes around the country means that over 40% of looked-after children are living outside their home area. The issue is most acute for residential placements.¹⁰ Moving children away from their home area may be the right option for some children but, out-of-area placements can exacerbate the factors that can make children more susceptible to being targeted to become involved in criminal activity.
- Children in residential care can come in contact with the police and CJS for minor acts where a parent would be very unlikely to call the police and may also spend more time on the streets than they would do in a family home, which means they are also more likely to come into contact with the police. They are also more likely to be placed in low cost, high crime areas (see the Howard League's ongoing campaign to prevent the criminalisation of children in care¹¹).

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http://tactcare.org.uk/data/files/resources/lac_and_offending_reducing_risk_promoting_resilience_execsummary_08011_2.pdf

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http://tactcare.org.uk/data/files/resources/lac_and_offending_reducing_risk_promoting_resilience_execsummary_08011_2.pdf

¹⁰ <https://researchbriefings.files.parliament.uk/documents/CBP-7560/CBP-7560.pdf>

¹¹ <https://howardleague.org/programme-to-end-the-criminalisation-of-children-in-residential-care/>

Protecting vulnerable young people from exploitation and violence

A whole system approach incorporating policy, prevention, disruption, protection and support across multiple agencies is required in order to protect vulnerable young people from exploitation and violence. Young people at risk need access to services and practitioners who are flexible, able to respond quickly, focusing on strengths and relationships. People working with children engaged in, or at risk of engaging in, offending behaviour must work in a way that develops a child's pro-social identity and ensure all work is constructive and future focused.

Improving outcomes for vulnerable young people in the CJS

As stated above, we endorse the AYJ's response to this call for evidence.

Imprisonment of children: We do not believe that the secure estate is a fit and proper place to hold children and young people. Restriction of liberty is harmful to children: it takes them away from their families, carers, supporters and communities; disrupts education; stigmatises and labels. Children should only be deprived of their liberty as a last resort, and only in circumstances where they pose a serious risk to themselves or others, and there are genuinely no other options for mitigating that risk in the community.

In those rare cases where there is no option but to deprive a child of their liberty, it is vital that the establishments holding those children are small, located close to the child's community, create an environment where welfare is prioritised over security and where education is the driving force, and have sufficient staffing and resources available to ensure that the child's physical, emotional, developmental needs are met, and particularly their entitlement to a good education.

The BYC programme: Since its inception in 2012, BYC built a robust evidence base about what works in terms of effective resettlement for young people. The framework provides a focus for resettlement services' aims and objectives and is particularly useful as a common language for the inter-agency working that is essential when supporting children and young people in the youth justice system. The principles of the BYC programme have also been used to create a toolkit which outlines how these can be applied to working with children before custody to support them towards positive outcomes and prevent further offending.¹²

As the single most extensive piece of research on youth custody and resettlement, we believe it is important that these findings are fully integrated into the model of delivery.

Conclusion

At Nacro we have experience of reaching and working with people often disengaged from mainstream services. We know that this group can get overlooked because of the very nature of their disengagement and the fact that more mainstream services are not always able to reach them.

We would therefore welcome the opportunity to engage further with the Commission on the issues raised.

¹² <https://3bx16p38bchl32s0e12di03h-wpengine.netdna-ssl.com/wp-content/uploads/2020/01/Using-an-identity-lens-toolkit.pdf>