



## Standing Committee for Youth Justice

### **SCYJ – Draft response to the Joint Inspectorates’ *‘Proposed changes to the joint inspections of secure training centres’* Consultation**

#### **The Standing Committee for Youth Justice**

The Standing Committee for Youth Justice (SCYJ) is an alliance of fifty non-profit organisations working to improve the youth justice system in England and Wales. SCYJ’s members range from large national charities, such as Barnardos, Catch 22, the Howard League for Penal Reform, NACRO, the NSPCC and the Prison Reform Trust, to smaller grassroots service provision charities. A full list is available on our website.

#### **Background**

Ofsted, assisted by HMI Prisons (HMIP) and the Care Quality Commission (CQC) is commissioned by the Ministry of Justice (MoJ) to lead annual joint inspections of the three secure training centres (STCs) in England.

In July 2018 the three inspectorates launched a short consultation on limited changes they proposed to make to the current inspection framework that they apply to STCs. These proposed changes involve:

- A revised judgement structure for joint inspections of STCs.
- A strengthened response to inadequate judgements of STCs.
- The introduction of what the inspectorates characterise as a ‘point-in time’ survey of children’s views, replacing the current survey which takes place *during* the period of the consultation.

The inspectorates describe the rationale for these changes as being to ensure that children’s experiences and progress are central to STC inspection, and to bring a greater consistency to the way in which they look at the experiences of children in custody, by aligning their inspection practices in relation to STCs more closely with those that they exercise in respect of secure children’s homes and other children’s services.

#### **Context in which this consultation is taking place**

The context in which this consultation is taking place seems highly relevant. A series of increasingly negative reports about conditions within the STCs culminating dramatically in the filming of abuse at Medway STC by the BBC (filmed in the autumn of 2015, broadcast in January 2016) have undermined confidence in STCs. The changes proposed by the inspectorates appear to be somewhat neutral in this regard, and it is arguable that more significant changes should have been proposed. In particular, the inspectorates failed to detect the abuse at Medway STC (their judgement was of a good institution with outstanding elements). They have not



offered, publicly at least, any explanation of this, although we are aware of some private explanations. Until an account of what went wrong from an inspectoral point of view at Medway is openly available, it will remain hard to conclude whether the current inspection arrangements are good enough to play their part in detecting and preventing future abuse.

For the rest of this response we will confine ourselves to the issues on which the inspectorates are seeking views.

### **The proposed move to a closer alignment between inspections of STCs and those of other children's facilities.**

We support the principle of closer alignment being advocated here by the inspectorates. Children in custody need to be seen as children first, and the same entitlements and standards that should be applied to children more generally need to be applied to those in custody.

However, we do note that there is an obvious risk that a closer alignment in inspectoral approach with children's services could increase the distance between the inspection of STCs and the inspection of Young Offender Institutions (YOI). We have broadly welcomed the recent consultation by HMIP on their 'expectations' in respect of children held in YOIs (while making some specific criticisms of this). We believe that a closer alignment with HMIP should also be a goal of the inspectorates, since the process by which children get assigned to STCs and YOIs is often very arbitrary. We believe that the Government should press its inspectorates to develop of joint inspection standards for all children in custody.

With this in mind we note the inspectorates commitment to consult on their evaluation criteria "*later in this year*" and believe this should be taken as an opportunity to take significant steps in this alignment of inspections of STCs with the other standards that are applied to places where children are placed in custody.

### **Proposal one: a revised judgment structure for joint inspections of secure training centres.**

We note that the inspectorates plan to streamline their judgement structure by brigading it under four headings rather than the current eight. We have been assured that there is no intention to reduce the level of scrutiny deployed, and nor is there any plan to no longer examine any of the subjects inspected.

This is reassuring as otherwise the loss of headings such as 'safety' and 'resettlement' could be interpreted as downplaying these key subjects. We note the unequivocal statement in respect of the inspection of resettlement in para 15.

Generally the inspectorates appear to be more concerned with the brevity of their reports than are we. We do not consider that the current reports are too long.

We do share the view of the inspectorates that the meanings of some of their current headings are at times obscure.

In answer to the specific question we are content with the new headings being proposed.



### **Proposal two: to reinforce the inspection response to inadequate judgements**

We agree that there should be a more robust and consistent response to an 'inadequate' judgement following an inspection and welcome the proposals to strengthen arrangements following a judgement of inadequacy.

However, we believe that the process being described needs to be more transparent and open to external scrutiny. In particular we believe that all local authorities with responsibilities towards children placed in an STC (either arising due to a child being looked after, or subject to the supervision of a Youth Offending Team) at the time of the inspection, should be informed of the intention to convene an urgent review meeting, provided with an opportunity to comment on the situation reported by the inspectorates, and then notified of the outcome of such a meeting. The same notifications and opportunities should also be provided to the three local 'Safeguarding Partners' (*Working Together 2018*).

### **Proposal three: that the HMIP on-site survey of young people [sic] at STCs become a 'point-in-time survey'**

The current surveys of the views of children provide an excellent brief summary of the views of children held in STCs. One important aspect of the surveys is gaining information on the differential experience of Black, Asian and Minority Ethnic (BAME) children in STCs. Providing that these insights continue to be gathered, and the proposed changes do not reduce the frequency of such surveys, or allow the validity of the responses to be discounted as being '*no longer the case*', we have no view on the changes being proposed.

Within this section there is also a not obviously related proposal to give three working days' notice of inspections (para 28). The inspectorates will be aware that there have been accounts from whistleblowers that children have been moved from STCs in the past to avoid contact with inspectors. We are not aware that this has ever been substantiated but we would recommend that the inspectors keep this possible issue in their minds during inspections.

