

Transitions:

An inspection of the transitions arrangements from youth to adult services in the criminal justice system

*A Joint Inspection by
HMI Probation, HMI Prisons,
Care Quality Commission, Ofsted,
Healthcare Inspectorate Wales and Estyn*



Inspection of
Youth
Offending

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Arolygiad ar y Cyd Cyfiawnder Troseddol

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FOREWORD

Transitions, as all of us who have ever observed a child move from primary to secondary school know, matter. They are important rites of passage which, if successfully negotiated, can advance a young person's journey to adulthood. For young people who offend, this period can be problematic and signify changes in key relationships, often at a time of peak reoffending. Effectively handling the many transitions that young people in the criminal justice system have to make is, as our previous inspections have shown, challenging but of paramount importance.

In this inspection we have looked at the work that takes place to help young people as they move from working with youth based to adult based services. We wanted to find out what front line practitioners were doing to promote an effective transition between the various services, and how it could be improved. It was not an inspection of the quality of the core work undertaken before and after transfer, or of whether the 'split' in services at 18 was right in principle, but of the work undertaken to link the two.

Although we found some examples of good practice, much of the transitions work we saw during the course of this inspection needed a greater sense of purpose. Not all young people in the community who were eligible for transfer to adult-based services were identified so transfer, when it was initiated, was often undertaken too late and with insufficient information. As a result, many transfers were rushed, rather than a considered process involving the young person, their parents/carers and other colleagues involved in the case. In custody, young people reported that, although transfer had been discussed with them, they felt unprepared for the reality of the move to an adult establishment when it took place. Overall, we found a disappointing lack of work with those in health and education, employment and training, to ensure that services needed by the young person were continued. Similarly, staff in Probation Trusts and Youth Offending Teams knew less about each other's ways of working than we would have expected.

It was noticeable how the pattern of each young person's transfer and transition was shaped by so many individual factors. We were pleased that during the course of our inspection the Youth Justice Board had taken the lead in establishing a 'Youth to Adult Transition Forum' which would bring together all the government departments involved in the topic in order to promote improvements. We found some signs that transition work was starting to receive greater attention and that national and local protocols were starting to make some difference.

Although the mechanics of transferring cases still need attention, we hope that our findings and recommendations will help each practitioner, in both custody and the community, to use his or her professional skills so that transitions take place in a way that is likely to be most effective for the individual young person.

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SUMMARY

The inspection

This inspection of the quality of the work undertaken to promote effective transition of young people from youth-based services to adult-based provision was agreed by the Criminal Justice Chief Inspectors' Group, following consultation with key stakeholders, as part of the *Joint Inspection Business Plan 2010-2012*⁽¹⁾.

The process of transition from youth to adult services is important because when managed well it can promote continuity in service provision and lead to the delivery of more effective services.

The involved visits to Youth Offending Teams and Probation Trusts in six areas of England and Wales, and four Young Offenders Institutions, to establish what practitioners did to help young people in custody and under community supervision make an effective transition, at or around the age of 18. We gauged the quality of front line practice by speaking to young people (those aged under-18) and young adults (those aged 18 and over) about their experiences, as well as inspecting case records. We also held discussions with practitioners and managers from criminal justice agencies, and others, such as health and education, training and employment who worked in partnership with them to provide interventions.

During the inspection we were looking for evidence that young people had experienced consistency and continuity in their work with youth-based and adult-based services; and that the achievement made in youth-based services had been consolidated after transfer. For these outcomes to be achieved, practitioners needed to keep young people informed; prepare young people for work throughout the whole sentence; share information with other services about ongoing needs and risks; ensure that offending-related factors identified in youth-based services continued to be addressed in adult-based services, and be responsive to the needs of the individual young person at a time of change.

Overall findings

Although we found examples of individual good practice, work to promote effective transition of young people from youth-based to adult-based services did not always receive sufficient attention. In the community, some young people were not identified as eligible for transfer and, in those cases which were identified, transfer was often undertaken as a procedural task. Young people were not as informed or involved as they should have been.

Overall, there was insufficient timely sharing of information between the youth-based and adult-based services to enable sentence plans to be delivered without interruption. The situation was similar in custody, where insufficient forward planning and communication led to a hiatus in sentence planning and delivery of interventions after young people had transferred to an over-18 YOI/prison. Positively, there were examples of local written arrangements for transition in the community although they needed to be better understood and used by practitioners.

There was little sharing of information between education, training and employment staff in YOTs and their counterparts in Probation Trusts.

Although health staff had not been heavily involved in transfers of young people between YOTs and Probation Trusts there were indications that local policies encouraging greater attention to the transition of young people were starting to have a positive impact on practice.

Specific Findings

Transition in the community

Deciding to transfer or retain

Youth Offending Teams did not identify all cases of young people eligible for transfer to Probation Trusts, and decisions to transfer or retain cases were not always based on an assessment. Decisions could be influenced by assumptions about what Youth Offending Teams and Probation Trusts could provide, and how well. The rate at which cases were either transferred or retained varied between Youth Offending Teams, and cases were retained for longer than envisaged in the national case transfer protocol⁽²⁾. We were pleased to find that where cases had been retained for specific reasons, the Youth Offending Teams had taken action to supervise those cases accordingly.

Involving other providers

There were few examples of Youth Offending Team case managers setting objectives for the whole order and anticipating what needed to be done where there was likely to be a change of intervention provider (e.g. health) at 18. When cases were transferred from Youth Offending Teams to probation, the other agencies involved with the young person were not always informed. Youth-based education, training and employment and health services did not always liaise with the corresponding adult-based service, and vice versa. It was positive that in some of the cases where adult health services were either unavailable or inappropriate, young people's health services went out of their way to continue to work with young people beyond the age of 18.

Preparing the young person for transfer

In some Youth Offending Teams, case managers reported that they adapted their style of supervision to prepare young people for transfer to probation. However, few young adults recalled that the options regarding adult services had been fully discussed with them or being clear about what would happen when they were 18.

Information sharing and case transfer meetings

Prior to transfer there was a need for more information sharing and discussion between the Youth Offending Team case manager and the designated Probation offender manager so that the latter was properly prepared to supervise the young person. Some areas had a single point of contact for initial discussion and a locally produced case transfer form which practitioners found helpful.

Case transfer meetings were not happening routinely but, when they did, young people, Youth Offending Team case managers and probation offender managers had found them useful. Parents/carers were rarely invited, and intervention providers not routinely.

After transfer

Following transfer, probation offender managers undertook an assessment and devised plans, had little information from previous Youth Offending Team assessments, particularly about the young person's progress to date and their views about transfer. In some cases there were noticeable discrepancies between how Youth Offending Teams and probation had assessed *Risk of Harm to others*, which needed local discussion to resolve.

Probation offender managers established an appropriate level of contact with leaving care workers in just under half of cases where the young person was eligible for a service, but were sometimes uncertain about eligibility for leaving care services and exactly what services should be available. Some Probation Trusts had recently provided written guidance and training to address this.

Continuity

There was a need for more continuity between the two phases of supervision. Fewer than half of plans prepared after transfer addressed all areas of work that were outstanding following the period of Youth Offending Team supervision. Some young adults welcomed the fresh 'more adult' approach of their probation offender manager whilst others felt the expectations of them seemed very different. Some of the lack of continuity was due to lack of a clear purpose. When deciding to retain cases, Youth Offending Team case managers generally had a reason for doing so. By comparison, most of those young adults transferring from the Youth Offending Team were going to probation because they were reaching 18, rather than because there was planned work needing to be done and probation had been assessed as the right agency to do it.

Nevertheless, we found only a few cases where we felt that a transferred case would have been better off retained in the Youth Offending Team and no retained cases where we felt it would have been better off transferred.

The numbers of girls and young women, and black and minority ethnic young people in our sample were relatively small. Although not statistically significant, we found that work with young women to promote effective transition was generally of a slightly higher quality than for the case sample, except that there were fewer examples of case transfer meetings taking place.

Local arrangements

Most of the areas we visited had a local protocol for Youth Offending Team-probation case transfer. Most Youth Offending Team staff we interviewed were aware of it; probation staff less so. Protocols rarely specified how the effectiveness of local arrangements would be kept under review and Youth Offending Team Management Boards and Probation Trusts therefore had insufficient information available to them. There were gaps in practitioners' knowledge of other services which impacted on their ability to help young people with transition. Youth Offending Team managers and practitioners were not knowledgeable about interventions in probation which might be suitable for young adults, whilst probation staff reported that neither the work of Youth Offending Teams nor child and adolescent development had featured significantly in their in-service training. There were fewer problems in those areas where probation officers seconded to the Youth Offending Teams had up to date knowledge of their Probation Trust.

We saw examples of local written arrangements for liaison between education, training and employment agencies and between health agencies although the level of understanding in health services of their roles, criteria and thresholds was underdeveloped. In all the areas we visited practitioners identified homelessness or unsuitable accommodation as a major barrier to young people making a smooth transition between services.

Transition in custody

Work before transfer

Most of the 17 young adults in the sample reported that their future transfer to the adult estate had been discussed in training planning meetings but that they had not been given a date in advance. Most said they were informed on the day they transferred, or the day before, which meant they received no information in advance about the establishment they were transferring to. This had led to feelings of frustration amongst some young adults. Those who had moved within a mixed establishment (containing young people and young adults) were generally positive about the planning for their transfer. Young adults in dedicated establishments, however, were concerned at the decision-making process which resulted in them being transferred to a different establishment than requested.

Work after transfer

After transfer, contact with the new probation offender manager once established was less frequent than the young person was used to with their previous Youth Offending Team worker. Worryingly, some young adults said they had not had contact with either their Youth Offending Team worker or a probation worker since transfer. Offender supervisors reported that they generally did receive information from the sending establishment when the young person transferred but that they often struggled to get a response from Youth Offending Team or probation workers. The result was that sentence plans were out of date and were not specifying what work needed to be done to prepare for release.

Some young adults felt that they would have appreciated more information and support to help them adjust to their new establishment. All but one said that they felt safe on their first night in their new establishment.

Based on our interviews with young adults and reading of case records, we judged that neither gender nor ethnicity had been significant in explaining the variability of work to promote an effective transition.

Continuity in health and education, training and employment

All young adults who had previously been in contact with Young People's Substance Misuse Services reported they had seen substance misuse workers at their new establishment. However, there was no sharing of information about young people prior to transfer when it involved a move from one establishment to another. In mixed establishments, where health services for young people and young adults involved the same provider, continuity of treatment was easier to achieve.

Most young adults said they were involved in education, training and employment and had been seen by Information Advice and Guidance workers during induction at their new establishment but only two reported that their continuing education, training and employment needs had been discussed with them prior to transfer. Five reported that they were unable to continue with education, training and employment they had started at their previous establishment. Planning for education, training and employment was better at mixed establishments than dedicated sites.

Written arrangements

None of the establishments had a formal transitions policy in place, although one mixed establishment had some clear processes to manage the transition of young people within custody.

Conclusion

In both custody and the community there needed to be more effective processes and greater use of professional judgement so that young people were better informed and involved. Improved processes were necessary to ensure that cases were identified without delay and that timely information was shared with the adult service. Greater use of professional judgement was required to ensure that decision-making about when and how young people were retained or transferred took more account of their individual needs and circumstances, and that sentence plans were used to achieve greater continuity in the work undertaken with young adults. We felt that some custodial and community based practitioners needed further information and training to help them develop greater awareness of dealing effectively with the transition of young people.

RECOMMENDATIONS

Youth Offending Team Management Boards, Probation Trusts and custodial establishments, in conjunction with education, training and employment, health and other providers of interventions, should ensure that:

- the effectiveness of local arrangements for the transfer of young people from youth-based to adult-based services, and retention of young adults in youth-based services, is monitored and kept under review
- sentence plans in Youth Offending Teams and the young person's secure estate take account of future transfer to adult services where appropriate, and plans in Probation Trusts and the adult custodial estate take account of information from youth-based services, to ensure that outstanding interventions are implemented
- decisions to transfer young people to adult services or to retain young adults in youth-based services are recorded in the case record and take into account the views of young people and what work needs to be undertaken to meet the aims of the sentence, to address likelihood of reoffending and *Risk of Harm to others*, and to manage vulnerability
- young people are thoroughly prepared for transfer to adult services
- notifications of transfer, and all essential advance information, are sent to Probation Trusts and adult establishments in sufficient time to ensure continuity of delivery of interventions
- all intervention providers (including health and education, training and employment providers) are informed of transfers to Probation Trusts and adult establishments in advance and involved appropriately in case transfer meetings to ensure continuity of delivery
- parents/carers are involved, where appropriate, in discussions about transfer and in case transfer meetings where it is likely to aid the young person's progress and engagement
- staff in youth-based and adult-based services receive sufficient information and training about the work of each other's services to enable them to prepare young people for transfer to adult services and to work effectively with transferred cases.

1. SCOPE AND PURPOSE

Background

- 1.1 This inspection was agreed by the Criminal Justice Chief Inspectors' Group, following consultation with key stakeholders, as part of the *Joint Inspection Business Plan 2010-2012*. Its terms of reference were:
 - to assess the quality of work undertaken to promote an effective transition for young people subject to community and custodial sentences, at the age of 18, from youth-based to adult-based provision.
- 1.2 The choice of inspection topic reflected concerns that work with this group of young people was particularly challenging. Previous inspections had shown that transfer posed risks to continuity and could impact adversely on work to reduce reoffending and promote rehabilitation. For example HMI Probation's inspection of *Movement of Cases*⁽³⁾ in 2004, had found that problems with compliance and engagement could arise during case transfer, and Ofsted's inspection of *Transition through detention and custody*⁽⁴⁾ in 2010 had shown that *'those who transferred between establishments were often disadvantaged by poor arrangements for sending on information about their earlier study and achievements; this made it difficult for them to pick up where they had left off'*.
- 1.3 We also noted concern within government and the voluntary sector about the effectiveness of coordination of criminal justice and allied services for this group of young people, where changes of services at 18 (with the potential for disruption if not handled well) occurred during the peak period for reoffending.
- 1.4 The focus of the planned inspection was the work undertaken by practitioners in YOTs, Probation Trusts, custodial establishments and others who provided interventions (including ETE, substance misuse, physical health and mental health services) to help young people move from working with youth-based to adult-based services during the course of their sentence.
- 1.5 In undertaking the inspection we aimed to explore what front line practitioners did to promote effective transition in practice, rather than simply to gauge compliance with local or national procedures. By virtue of this exploratory approach we chose to look at a limited number of cases in depth, and have therefore not aimed to present our statistical findings as applicable to work in England and Wales overall.
- 1.6 We inspected work in both the community and custody. In the former, we looked at cases of young adults subject to youth rehabilitation orders (YROs) that had commenced in a YOT and had then transferred to a Probation Trust, and cases of young people who would be eligible to transfer in future. In custody, we looked at cases of young adults who had recently moved from an under 18 Young Offenders Institution (YOI) in the young people's secure estate to an over-18 YOI/prison. Although we decided to focus on this distinct group of young people who transferred mid-sentence, we were aware that other 18 year olds who reoffended

after their youth sentence had ended, (i.e. were 're-entering' the criminal justice system) would also be encountering adult services for the first time. In the event, we saw a number of these cases during the inspection, and felt that, although not a transfer in the formal sense, many of our findings would have relevance for working with that group as well.

- 1.7 We aimed wherever possible to look at wider transitions. Our focus on 18 year olds fitted well with the fact that many transitions within health took place at 18 or thereabouts, but we were aware that many ETE transitions (ending of compulsory schooling at 16, and Connexions/Careers Wales responsibility up to 19) were taking place at other ages. In relation to ETE, therefore, most of our findings were related to communication between ETE workers concerning transfer within criminal justice.
- 1.8 No national data was available on the annual number of young people whose orders transferred to probation and who transferred from under-18 YOIs to over-18 YOIs. We were grateful to staff in the YJB and NOMS who were able to help us identify cases for inspection in custody.

Inspection methodology

Inspection team

- 1.9 The inspection was led by HM Inspectorate of Probation, with support from HM Inspectorate of Prisons, Care Quality Commission, Ofsted, Healthcare Inspectorate Wales and Estyn.

Development of the inspection

- 1.10 A review was undertaken of the literature regarding case transfer and transitions within the criminal justice system and allied sectors such as health and ETE. Inspection criteria were developed and comments invited from members of a reference group comprising managers and officials from YOTs, Probation Trusts and central government departments. The inspection methodology, including case assessment tools for custodial and community cases, was then tested in the Thames Valley area and YOI Swinfen Hall. Wherever possible, we used the same criteria for custody and community cases, the main difference being that in custody we interviewed all young adults whose cases were being inspected, whereas in the community we interviewed young people irrespective of whether their case was included in our sample for case assessment. There is therefore, a greater weighting given in our custody findings to the views of young adults than in our community findings.

Community cases

- 1.11 Between September and November 2011 we visited six areas, comprising six YOTs and their corresponding probation offices, but including neighbouring YOTs and their corresponding probation offices when we needed additional cases for inspection. The Probation Trusts visited were Gloucestershire, Greater Manchester, Hertfordshire, Leicestershire & Rutland, Wales and West Yorkshire. The YOTs

visited were Conwy & Denbighshire (with Gwynedd & Ynys Môn), Gloucestershire, Hertfordshire, Leicester (with Leicestershire), Salford (with Oldham) and Wakefield (with Kirklees and Leeds). This provided us with a mix of metropolitan, urban and rural areas.

- 1.12 During the inspection we spoke to 25 young people and young adults about their experience of the transition process; inspected the case records of 128 young people and young adults and spoke to their YOT case managers and probation offender managers; spoke to managers and practitioners in YOTs, Probation Trusts, and in health, ETE and other agencies about their local arrangements, and received information in advance from YOTs and Probation Trusts.
- 1.13 Due to the limited numbers of young people transferring in any one locality we had to select cases at different stages of the transfer process to inspect. These were cases where a pre-sentence report (PSR) had been prepared close to the young person's eighteenth birthday; cases that were eligible to transfer in future and cases that had already been transferred. We also inspected a number of cases that had been retained by YOTs. We excluded from our sample most cases that would have only up to three months of their order left when they became 18 as we judged many of these would be automatically retained and there would be little activity concerning transition to inspect.

Profile of the community case sample

- 1.14 The young people whose cases we inspected had the following characteristics:
- 89% were male
 - 88% were white
 - 26% were looked after and/or eligible for leaving care services
 - 26% had a disability, most often learning disabilities/difficulties
 - 38% of cases were assessed as medium Risk of Serious Harm at the start of the YRO, and 10% high
 - 22% of cases had been assessed as medium, 9% high and 1% very high risk of vulnerability.

Custody cases

- 1.15 Between September and October 2011 we visited four establishments holding over-18s (HMP & YOI Portland; HMP Downview; HMP & YOI Moorland; and HMP & YOI Parc). Two of the establishments were 'mixed establishments' holding both over-18s and under-18s. We interviewed seventeen young adults who had transferred from an under-18 establishment - five at each of the three establishments holding young men and two at the establishment holding young women. Seven had transferred within mixed establishments and ten had transferred from a different establishment. The number of days between their transfer and the date of the interview ranged from 30 to 169 (average 81).
- 1.16 We interviewed each young person's offender supervisor and, where possible, their probation offender manager or YOT worker. Case records were analysed for each young person in the sample.

1.17 In addition, interviews were carried out with Heads of Learning and Skills, health services and Offender Management Unit and other relevant staff.

Profile of the case sample

1.18 All the young adults in the sample were 18; the oldest was 18 years and 8 months.

- Five were serving detention and training order (DTO) sentences (ranging from 6 to 18 months).
- Twelve were serving long-term sentences (ranging from two years, eight months to 14 years).
- All those serving DTO sentences were located at, and had transferred within, mixed establishments.

Understanding 'transition' and what it means for young people

1.19 We undertook a scoping exercise to establish what was known about transition of young people between services at the age of 18, and what policies and practice guidance were in place. We also looked at writings about transitions and change more generally as we wanted to understand whether what we might later find in our inspection could apply in any common life situation or whether it was more specific to the criminal justice system or even more specifically to young people in the criminal justice system.

1.20 Our literature review confirmed that for many young people in the criminal justice system any change or transition would need careful attention. Many young people would have experienced family disruption and problematic personal relationships which would tend to make them wary of change, and some would also have had negative experiences of changes of social worker, school, etc. There was also evidence that achieving an effective transition would need to take account of the maturity of the young person and their diverse individual needs. User studies indicated that some young people struggled with the expectations of services aimed at adults. We noted the evidence from criminological and other research of the importance of the quality of the individual working relationship, helpfully summarised in the *NOMS Offender Management Model*⁽⁵⁾ as 'consistency, continuity, commitment and consolidation'. A summary of the evidence is in Appendix 2.

Development of inspection criteria

1.21 From the evidence gathered during the scoping exercise we developed certain hypotheses which we then tested out in the inspection.

- There are inherent risks to continuity of service delivery and working relationships when young people are transferred from one agency to another.
- There may be opportunities for some young people when transferring to adult services because they need a more adult approach and/or they could benefit from a 'fresh start'.

- For young people to make an effective transition, agencies will need to undertake procedural tasks (the 'transfer') applying to all service users but because every young person will experience change and transition differently, practitioners will also need to address the individual needs of the young person.
- Transfer and transition are likely to be confusing times for many young people in the criminal justice system and practitioners therefore need to anticipate, and be responsive to, changes in young people's attitudes and behaviour.

Effective transfer and transition

1.22 Having considered the evidence we then identified the critical principles (over and above normal good practice of working with young people in custody and the community) to help young people make an effective transition from youth-based to adult-based provision. These were that:

- young people have been kept **informed** and given the chance to discuss their forthcoming transfer and their views and preferences
- early work **prepares** the young person for work throughout the whole sentence, not just for the period up to transfer
- practitioners who will be working with the young person before and after transfer **share information** and talk about what needs to be done to achieve effective transition
- there is sufficient **continuity of approach** to ensure that offending related factors identified in youth-based services that are outstanding continue to be addressed in adult-based services, but where there are necessary or unavoidable changes that these are made clear to the young person
- practitioners are aware that transition between services can be a challenging time for many young people and that in addition to carrying out basic transfer activities they need to be **responsive** to the needs of the individual young person.

1.23 A set of detailed criteria (what we wanted to see in practice) was devised, based on these principles, for use during the inspection fieldwork to help us gauge how far the relevant agencies took these factors into account and followed national and local policy and good practice guidance in managing the transition of young people to adult services.

What might effective transition look like in practice?:

Jane was sentenced to a two year YRO when she was 17 years 8 months. She had to attend an offending behaviour programme and substance misuse counselling. Jane had known her YOT case manager, Kenny, for many years and was worried about transferring to the local Probation Trust. Kenny discussed this with Jane and explained what work would be done before transfer and what probation supervision meant.

Kenny contacted the local Probation Trust to let them know that a transfer would be taking place in three or four months time and gave them basic information about Jane. He said that the offending behaviour programme would be completed before transfer, but it was likely substance misuse work would still be needed.

Kenny allayed some of Jane's concerns about the transfer and when the offending behaviour programme had been completed spoke to the allocated probation offender manager, Liz, about how Jane had been progressing and the sort of work that would be needed.

Liz arranged a case transfer meeting on the same day as Harry, the substance misuse worker, was in the probation office. Harry joined the meeting for a while to introduce himself to Jane and explain what service was on offer. He had already been contacted by the YOT health worker and so was aware of the work that had been done to help Jane.

Although Jane was nervous in the meeting she felt supported by her YOT case manager, and reassured that the others there knew something about her so she did not have to retell all her story yet again.

Later Jane and Liz reviewed how the transition had gone. Jane said she had valued the support from the YOT but had adapted to working with probation and adult services. She had been told what to expect and felt some of her ideas and preferences had been taken into account and that she had been able to keep up her efforts to stay out of trouble.

Terminology

- 1.24 We took as a working definition of an effective transition from one service to another that 'the young person has felt informed throughout, and supervision and interventions after transfer have continued and built upon the work undertaken before transfer'. In general, we have used the term 'transfer' to describe the actions that practitioners take to transfer responsibility from one agency to another and 'transition' to describe the experience of the young person although it has not been possible or desirable to apply that distinction in every instance.
- 1.25 The terms 'young people' or 'young person' are used to refer to all those who were being supervised by the YOT or in custody and eligible to transfer at 18. The term 'young adult' is used in those cases where the report is specifically referring to events that had occurred after those in custody or under supervision had reached their eighteenth birthday. In some cases the report is commenting on what had happened over a period spanning the eighteenth birthday, and in these cases the term 'young person' is used. We use the term 'criminal justice system' to cover

arrangements for all ages, except where we specifically need to differentiate between the 'youth justice system' for those under-18 and 'adult criminal justice system' for those 18 and over.

1.26 All names in case examples in this report are fictitious.

2. THE CONTEXT: AGE, ELIGIBILITY FOR SERVICES AND TRANSFER AT 18

Provision of services by age

- 2.1 Many public services in England and Wales are provided on the basis of age group. In custody there are separate regimes for under-18s and those aged 18 and over. There are also several YOIs or wings within adult establishments dedicated to 18-21 year olds but some (and all women that age) are mixed with those aged 21 and over. In the community, Probation Trusts are responsible for managing most offenders aged 18 and over subject to community based orders, in custody if subject to offender management, and those on post-release licence. YOTs were established by the Crime and Disorder Act 1998, bringing together a range of local agencies – social services, education, police, probation, health and, in some cases, housing. YOTs are responsible for supervising most court orders made by the youth court, on young people below the age of 18. In relation to services such as health and ETE, different services and programmes may have different entitlements according to age, with some local flexibility.
- 2.2 Most changes of service take place when the young person becomes 18, or thereabouts. However, ETE changes occur differently with the ending of compulsory schooling at 16, and the ending of Connexions/Careers Wales responsibility around the nineteenth birthday. Leaving care services for young people extend to the age of 21 (or 25 in some cases) although there may be a change of team or worker at 18. Historically, there have been some local differences in age thresholds for CAMHS and adult mental health services.
- 2.3 The rationale for providing distinct services for young people (in part deriving from the United Nations *Convention on the Rights of the Child*⁽⁶⁾) includes the belief that they require a different type of service and/or style of working than adults; that in some settings young people should be separated from adults to protect their interests and that where some agencies are organised by age group (e.g. the youth courts) there are benefits in others (i.e. YOTs) working to the same age boundaries.

Concerns about age thresholds

- 2.4 Concerns, never the less, exist about the division of services based on age and the arrangements to transfer young people from youth to adult services.
- 2.5 In 2005 the Social Exclusion Unit published a major report on *Transitions: Young Adults with Complex Needs*⁽⁷⁾ which found:

“Youth and adult services rarely join-up well enough.... Transition from the youth to the adult system is rough and can bring disruption or cessation of the programmes which give offenders opportunities and diversions. Once an offender reaches the age of 18, they are often transferred to a new prison and subject to a new regime and the effort and high financial cost of early programmes may, in some cases, be

wasted if programmes and approaches are not sustained...This sharp transition is despite the fact that it has been found that 18- to 20-year-olds have many of the same characteristics as 16- to 17-year-old young offenders: immaturity, low educational achievement, poor parenting, behavioural problems, and alcohol or drug misuse”.

- 2.6 In the same year, the Barrow Cadbury Commission on Young Adults and the Criminal Justice System published *Lost in Transition*⁽⁸⁾ which looked at the treatment of 18-25 year olds in the criminal justice system. More recently the Transition to Adulthood (T2A) Alliance has called for improved commissioning ‘across the arbitrary age boundary of 18’⁽⁹⁾, for support to be extended to those with particular needs in the 18-25 or so age group and for improved transitions between YOTs and Probation Trusts and their partners.
- 2.7 At the time of the inspection, pilot transition projects established by the Barrow Cadbury Trust, and involving the St Giles Trust and Youth Support Services (YSS) were testing different approaches to improving services for young adults in the criminal justice system. These were in Worcestershire and Birmingham (focused on community cases) and in London where offenders from YO1 Rochester who were returning to Southwark or Croydon were targeted for intensive help. In addition, a recent research project, commissioned by Thames Valley Probation Trust, looked at the quality of transition work in Reading.
- 2.8 In NOMS the Reducing Reoffending Programme Board commissioned work on transitions in 2009. At the same time work had been undertaken within the Department for Communities and Local Government to map transitions within local authority services and health. In March 2010, the Prime Minister’s Delivery Unit undertook research into the transition of young people within the criminal justice system.
- 2.9 Since our fieldwork, there has been continued attention within government and the voluntary and community sector to addressing issues relating to transition. Importantly, in December 2011 the government published *Positive for Youth: A new approach to cross-government policy for young people aged 13 to 19*⁽¹⁰⁾. This covered work, planned and underway, in education and youth services, health, crime, housing and other agencies, and set out a number of ways in which improvements needed to be made.

Guidance and direction about transitions

- 2.10 Government departments and agencies, both in England and Wales, have provided guidance and direction on transitions. NOMS and the YJB issued guidance in August 2008 and a *Case transfer protocol between the YJB and NOMS*, for community cases, in December 2009. Both identified the types of cases that should be transferred or not, and the processes that should be undertaken.
- 2.11 During the course of the inspection, a Youth to Adult Transitions Forum was established. It was positive that this development actively led by the YJB had secured participation from the range of government departments involved. The YJB also led on the production of a revised protocol for community-based transitions, whilst NOMS was leading on custodial transition.

2.12 In the health field, in both England and Wales, guidance has been issued on a range of topics related to the transition of young people to adult services, including complex health needs, substance misuse problems and mental health. These commonly covered the age at which services commence and terminate (particularly in mental health); clarification of the arrangements for transfer between young person's and adult services, and use of discretion in deciding when to transfer, retain or jointly work with young people.

An example of transition arrangements in Health:

In 2005, the National Treatment Agency for Substance Misuse for England published *Young people's substance misuse treatment services – essential elements*⁽¹²⁾. It stated:

'There is a guiding principle for how substance misuse commissioners and providers should consider this issue: services should be provided on the basis of need not on the criterion of age.

Therefore, if a person aged 18 or over has needs that can best be met by a young person's service, then this would be the most appropriate placement, as long as this is not detrimental to the service being offered to other clients. The same would be the case for young people under-18 requiring a service best provided by an adult service. Commissioners should therefore allow flexibility when considering transitional arrangements'.

All young people in substance misuse treatment should have a transitional care plan devised prior to their eighteenth birthday which should identify ongoing needs (not just those related to substance misuse) and which organisations are best able to meet these needs, recognising that 'transition to adult services occurs at different age or developmental stages depending on the agency'.

Later guidance in 2008⁽¹³⁾ was slightly more cautious:

'...some flexibility in terms of upper age limits can be accommodated, provided that the need is best met in a young person's service and staff have the competence and capacity to meet the needs. Similarly some young people may best have their needs met in adult services where specialist interventions may be more highly developed than in the local young people's specialist substance misuse treatment service.

...Transitional workers could be based in adult services, but also hold some sessions in young people's substance misuse services to facilitate transition'.

Other factors affecting transition

2.13 Although the inspection examined work to promote effective transition, we also needed to take account of other aspects of youth-based and adult-based work because they potentially affected how young people made the transition.

2.14 Firstly, although we did not undertake a cost analysis, senior managers in the areas we visited concurred that YOTs were generally more highly resourced per case than Probation Trusts, reflecting the 'early intervention' approach upon which

YOTs were established. This meant that, although the level of service once the young person transferred to probation might be decided on an individual basis, the likelihood was that fewer resources would be available. Senior managers told us this was similar in custody, where commissioning arrangements for the children's secure estate are different than those in the wider prison estate and we did not have strictly comparable figures available.

- 2.15 Secondly, YOTs were designed from the outset as teams of staff from partner agencies delivering services in an integrated manner, with a clear focus on the needs of children and young people. Conversely, offender managers in probation were more likely to have to source and commission the work of external interventions providers (who might or might not have expertise in work with young adults), often provided on other premises to which young adults would be expected to travel. In custody, HM Inspectorate of Probation's inspection of youth offending work programme shows less consistent involvement of other professionals in work with young adults once they have transferred to an over-18 YOI.
- 2.16 Thirdly, there are different national standards^{(14),(15)}, and arrangements for determining the level of service, for those subject to supervision by YOTs and those subject to supervision by Probation Trusts. At the time of our inspection new national standards had been introduced in probation⁽¹⁶⁾ and YJB national standards were being reviewed. National standards for adult offenders were seen by those we interviewed as more onerous and less flexible, whilst YOTs were seen as having higher contact levels when young people wanted help. In custody, separate provisions applied to custodial care of under-18s, compared to young adults.

3. TRANSITION IN THE COMMUNITY: BEFORE TRANSFER

Summary:

This chapter outlines our findings about the actions taken to: identify young people as eligible for transfer; to make decisions about transfer or retention; to inform and involve the young person, and to share information with the Probation Trust and other adult services.

What we expected to see:

YOTs identifying cases which are eligible for transfer at the age of 18 and communicate effectively with the Probation Trust to ensure a smooth transition.

- Assessments, plans and work with the young person prior to transfer all help to ensure that during and after transfer the young person continues to engage with the activities and interventions that are necessary to make them less likely to reoffend or to pose a *RoH*.
- YOTs, probation and other partners all ensure that the young person is fully informed and involved in the transfer process, and that all information is up to date.
- All those involved are aware of the needs and preferences of the young person as they move from one service to another, engaging fully with them, and responding as and when problems occur.

Key findings:

- Not all cases that were eligible for transfer to Probation Trusts were identified by YOTs.
- Decisions to transfer were often made without an assessment.
- Some cases were retained by YOTs beyond their eighteenth birthday, most of these due to vulnerability. These cases were not confined to those with only a short period left on the order as envisaged in the national Case transfer protocol.
- Key elements of transfer such as provision of comprehensive information and three way meetings were not happening consistently.
- Young people; their parents/carers, and interventions providers were insufficiently involved in the transfer process.

Identifying eligible cases

- 3.1 We found that case managers in YOTs had identified only just over two-thirds of those cases that were eligible to transfer to probation at 18. This meant that a significant number of cases remained with YOTs which should have been considered for transfer. Although eligibility could be determined through case management systems or a simple calculation of the young person's age and the length of the order, identification was timely in only 43% of cases. This meant that in some cases work to prepare the young person for transfer was either

delayed or rushed. The most common reason was an oversight by the manager or practitioner.

- 3.2 Managers in some YOTs had systems for identifying eligible cases and ensuring decisions were made about transfer. In Leicester YOS, the case allocation form recorded whether the young person would be eligible for transfer in the future, as a prompt. In other YOTs, the managers had a spreadsheet of cases approaching transfer sorted in birth date order and cases were reviewed periodically during staff supervision. Some case management systems identified the age in years and months of the young person. One YOT case manager said that it was only while looking in YOIS for other unrelated information that she saw "17 years, 11 months' glaring out at me" and hastily initiated transfer.

Assessment and decision-making

- 3.3 Once eligibility for transfer had been identified, a decision to either retain or transfer the young person was made in the great majority of cases, although some were delayed through oversight. Decisions were made to transfer in two-thirds of cases and to retain in one-third. Fewer than half of these decisions were based on a consideration of the factors affecting suitability for retention or transfer. Many practitioners who had decided to transfer cases did so as it was a clear expectation in their YOT, so the issue for them was not whether to transfer but when. When a decision was made it was commonly only recorded in staff supervision notes. We felt this was inappropriate as intention to transfer was a major decision about the young person's future which needed to be recorded on the young person's case record where it could be seen by others involved in the case.
- 3.4 Decisions to retain were more likely to have been based on an assessment (15 out of 22) than those that were to be transferred (15 out of 48).
- 3.5 We found few cases where we felt the decision, whether to transfer or retain, was unreasonable. The exceptions were cases that were transferred when the young person was in a period of particular vulnerability, and cases that were retained even though at that point insufficient work was being undertaken. In one area, young people sentenced close to 18 were held by the YOT, with no work undertaken, until their eighteenth birthday and then transferred. We felt if this was the case, probation could have taken these cases from the start to minimise disruption and to address the young person's offending behaviour.

The process of decision-making

- 3.6 Some YOT case managers described decision-making about transfer as fairly straightforward, because the normal expectation (both in the national protocol and in local practice) was to transfer cases and only exceptionally to retain them. Others weighed factors for and against transfer in each case. In Hertfordshire, we found decisions were more often explicitly based on Asset assessments than in other areas.
- 3.7 Where there had been an assessment, two-thirds took into account the maturity of the young person, their vulnerability and their pattern of compliance; and in just over half, the need for interventions (especially restorative interventions or those

involving parents/carers) to be completed, and the young person's views of transfer.

- 3.8 Time left on the order was a factor, although less so than envisaged in the national *Case transfer protocol* which provided for retention in cases close to completing their court order. Many of the retained cases were of young adults who would be well into their eighteenth year by the time the court order ended, and some were 19 year olds. The most common reason for retaining was because the young person was deemed vulnerable (particularly those with a disability and/or who were eligible for leaving care services), and the YOT felt they already had a working relationship with the young person, better access to children's social care services and more time and flexibility than the Probation Trust.
- 3.9 Some specific factors were taken into account in decisions to transfer or retain. Many young people convicted of sexual offences were seen as unsuited to adult sex offender programmes and potentially vulnerable from older sex offenders and therefore better retained provided risks to other young people could be managed. Frequently, YOT (and sometimes probation) practitioners felt that young people with speech and language needs, sexual health needs, mental health difficulties, and with less developed substance misuse problems were probably better off staying with the YOT as they were unlikely to receive a comparable service from the Probation Trust. One YOT case manager stated:
- "I've got a young person who is 18. he downloaded indecent images. Probation had the resources, but it was more about adult intervention and he needed something different. He was also autistic and we thought it was better to retain him here to build on the trust he has in us, and we have the time. But we have made links with adult mental health services so that assessments are going to be done whilst we are still working with him."*
- 3.10 Other types of case were seen as more likely to need to be transferred. These included young people who saw YOTs as 'for children' and were therefore reluctant to engage with YOT interventions; those likely to influence younger children (including young people in gangs); and those with an older peer group. Practitioners also said that where young people were familiar with the local probation office (either through unpaid work or a family member) this could be a factor. However, in rural areas there were concerns the young person would struggle to get to the probation office by public transport, having previously received home visits by the YOT case manager.
- 3.11 Other decisions were less about the detail of the individual case, and reflected different assumptions about transfer in different YOTs. One YOT manager, after discussion with probation managers, favoured retention on the whole, as many of the young people on their caseload were assessed as vulnerable, and transfer to probation had been associated with problems with compliance, and subsequent breach, in the past. In this case the YOT was well supported by local arrangements whereby children's social care services, including CAMHS, were prepared to continue ongoing work with 18 year olds.
- 3.12 Some practitioners had a more general aspiration to "*keep young people out of the adult criminal justice system*" per se. Others disagreed, stating that there were dangers in:

"holding them back as a child...we have to be careful about thinking...we are the only people who can meet their need. Are we keeping the case because the young person is too nervous to move on or are we keeping the young person because we are the service that can best meet their needs?"

- 3.13 Others pointed out the advantages of a mix of youth and adult services, for example, for some young people leaving care, transfer to probation would provide a more 'adult' focus in some aspects of their life, whilst retaining a 'young person' focus from leaving care services.
- 3.14 Many decisions to retain, but rarely decisions to transfer, took into account the difference, or perceived difference, between what resources the YOT and Probation Trust could provide. One YOT case manager stated: *"We are well resourced to deal with health needs, i.e. speech and language, physical and mental health. Probation is not resourced for that or to deal with immaturity"*. However, YOT case managers often did not know what probation had to offer, except where there were knowledgeable probation secondees in the YOT they did. The reality was that in some offices probation had good resources for young adults (we saw job club and mental health provision that exceeded that available in the local YOT) but in others they did not. We felt it was important for practitioners to identify what would actually be available in the individual case than rely on generalised and possibly out of date impressions. Otherwise as one YOT case manager said *"we don't know what we are transferring them into...or why we're retaining them"*.
- 3.15 In two of the YOTs we visited, decisions made by the YOT manager often involved a discussion with their probation counterpart. We felt this was positive as managers could pool information and ideas, particularly about what resources were currently available.
- 3.16 Probation offender managers rarely identified cases as having been unsuitable for transfer, although they saw cases transferring from YOTs as being more challenging to work with than young adults in general as those from YOTs were usually more heavily convicted and had more entrenched problems. These problems included chronic cannabis use which made engagement difficult. One practitioner said:
- "It can be very time consuming supervising a young person. They usually have multiple problems: accommodation, behaviour, often learning difficulties. Liaison with other agencies can be quite complex. For example if Connexions are involved we need to speak to them and find out what they are doing with the case. Young people can struggle to attend appointments, and we have not got a lot more resources to chase them up."*

Managing cases retained after 18

- 3.17 We inspected 26 cases where a decision had been taken to retain the case and the young person had since reached the age of 18. We identified the specific reasons for retention so that we could assess whether the YOT case manager had in fact taken action to deal with those issues. The rationale for retaining cases included outstanding prosecution of breach, planned family work, completing Intensive Supervision and Surveillance and restorative justice work, sexual health and pregnancy advice, and liaising with leaving care services. In 18 out of 22 cases

where it was possible to make a judgement we felt that sufficient progress had been made in realising these aims and that in all of the cases, taking into account the progress of the young person, retention by the YOT had been equally or more effective than if the case had been transferred to probation. We felt therefore that decisions to retain these cases had been good decisions.

Practice example:

Edie was pregnant, with Safeguarding concerns for herself and her unborn baby, and received sexual health services from the YOT nurse. The YOT case manager described her decision to retain supervision of Edie as “automatic. I could just see she needed someone who she trusted and who had the time and contacts”. The YOT case manager liaised with the leaving care worker and housing worker and, following domestic abuse concerns, made a referral to the multi-agency domestic violence group. We felt that although the Probation Trust could have undertaken many of these tasks, the ongoing input of the YOT nurse and the close working relationship between the YOT case manager and the leaving care worker had been particularly important in achieving positive outcomes. Edie was now more confident, had care of her baby and plans were in place to address the domestic abuse concerns.

Anticipating potential changes in intervention and/or provider

- 3.18 When young people become 18 there may be changes in who provides interventions in areas such as substance misuse and mental health and it was important that case managers in YOTs made plans to avoid future disruption to interventions. This was doubly important where the intervention was a requirement of a court order.
- 3.19 However, we only found a minority of cases where the YOT case manager had anticipated these potential changes. Liaison with probation took place in only one-quarter of cases where a PSR was being prepared on a near 18 year old and at the start of supervision few intervention plans prepared by YOTs took account of the possibility of probation supervision at some stage in the order and/or potential changes in interventions at the age of 18.
- 3.20 In some instances, this lack of anticipation was because YOT case managers had not identified that the young person would become 18 during the course of the order or were only planning for short periods or up to the eighteenth birthday. PSR writers seemed to favour unstructured interventions which could be implemented flexibly pre-transfer rather than discussing more structured interventions with probation that would be more complicated to arrange but potentially more effective. It was positive that in Conwy & Denbighshire YJS, case managers were using the ‘Future Targets’ section of the Intervention plan to identify work that could be undertaken by the Probation Trust. This initiative provided an opportunity to think ahead about what might be undertaken before potential transfer and what could be undertaken by the probation offender manager after transfer.
- 3.21 Some YOT case managers believed work to plan for future changes could be wasted if by then the young person had ceased to engage and/or reoffended. This approach was an opportunity lost as it meant that later work to maintain

interventions was rushed and reactive; it could also create a hiatus if the youth-based service had ceased but the adult service had not yet accepted them. This tendency to involve health providers too late or not at all was corroborated by staff in adult health services who said they tended to hear that cases had transferred from the YOT to the Probation Trust after the fact. Some early liaison with mental health providers, however, was better. In Hertfordshire, one mental health provider reported they contributed to PSRs and indicated what action needed to be taken to support the young person in their transition to adult services.

Practice example:

A YOT case manager who was preparing a PSR on a near 18 year old spoke to the seconded probation officer to find out about accredited programmes and to discuss the sentencing options. She then had a discussion with the senior probation officer, identified the offender group reconviction score (a measure of the likelihood of reoffending), and made a referral to the low intensity alcohol programme. The outcome was an order where work could be undertaken initially by the YOT and then handed over smoothly to probation, and the adult substance misuse agency. The young person responded positively and knew the respective roles of YOT and probation from the outset.

Informing and involving young people

3.22 Two-thirds of the young people we interviewed recalled being told in advance that they could be transferred to probation when they became 18 but only one-quarter felt that the options had been fully discussed with them. Some said they had been told at very short notice of a transfer to probation, after assuming up until that point that they would be staying with the YOT. Others said they had been told by their YOT case manager that if they reoffended they would go to probation and that it would be much stricter than the YOT.

3.23 One young person who worryingly had been unaware he was eligible for transfer when we interviewed him said:

"I'd prefer to stay here [in the YOT]. They just seem more of a help with everything. I know them all too. I've had loads of help, loads about College, getting back in touch with my family and YOT helped me out with seeing them a few times a week again...I don't know anyone in probation. I've got a leaving care worker I see often, like once a week. [the change from social worker to Leaving Care worker] happened quickly over a few days and it took a while to be able to talk to my Leaving Care Worker. It is better staying in the YOT mainly because of the level of support".

Another said:

"YOT just want to get rid of you. They should give you more notice that you are going to probation, like six months."

Informing Probation Trusts of intention to transfer and providing relevant information

- 3.24 When the YOT notified probation that they would be transferring a case in the future they sent full information (as stipulated in the national case transfer protocol) in less than one-third of cases. Information was sent, but lacking important documents in just over half. Asset core profiles were almost always sent but intervention plans, risk management plans and vulnerability management plans were sometimes excluded. This was because of confusion about the documents that were required; problems with copying and emailing documents, and most probation offender managers were not familiar enough with Asset to know that something was missing.
- 3.25 Some notifications were sent with little notice, including cases that the YOT had previously decided to retain but where transfer was then required following reoffending or breach. This then meant that the transfer was rushed with less opportunity for well planned case transfer meetings.
- 3.26 Very few cases had been notified to probation six months prior to the anticipated transfer date, (as recommended in the good practice example in the national protocol). Most probation offender managers thought, and we agreed, that three months notice of anticipated transfer would be ample time for them to make preparations to receive the case, except in MAPPA and high *RoH* cases where longer notice would be needed. In some areas, the probation trust already had a lot of information about cases which were being monitored through multi-agency schemes such as Deter Young Offenders (DYO) and Integrated Offender Management (IOM), as their staff were present at the meetings which discussed cases pre-transfer.
- 3.27 Some managers and practitioners in YOTs preferred sending information on paper rather than electronically. Some distrusted secure email and were happier to take the information in person to the probation office. At the time of the inspection we were aware of a pilot in London of a new method of electronic transfer which was automating the process of extracting Asset and other information for the Probation Trust.
- 3.28 Two of the larger probation offices had a designated manager to act as a single point of contact for transfers. These arrangements worked better than using the duty manager, particularly with more complex cases needing management discussion. Some areas had devised 'YOT to Probation Transfer' forms which summarised the most important information about the case, although in some cases the form stayed with the manager and was not seen by the probation offender manager. The most comprehensive forms we saw included 'vulnerability' level, 'leaving care' status and 'other agencies involved with the young person'.
- 3.29 Some probation offices had semi-specialist officers who supervised young adults including those who had transferred from a YOT. This was helpful to YOT staff who could more easily discuss the case informally at an early stage.

Dealing with significant concerns during transition

- 3.30 We inspected ten cases where we felt that there were significant concerns relating to *RoH*, vulnerability or compliance that needed some discussion by YOT and probation managers. Such discussions only occurred in three cases. Although it was positive that in all these cases appropriate decisions were made about how the case could best be managed, we were concerned at the high proportion of cases where such issues were not addressed.
- 3.31 Some of the cases that were due for transfer were subject to 'case planning meetings' or 'high risk meetings' in the YOT which involved managers and could potentially involve other agencies. However, the designated probation offender manager was rarely invited to participate in these final discussions before transfer. This was an opportunity lost to understand a case in greater depth.

Assigning an offender manager to prepare to take the case

- 3.32 In all cases where YOTs had made an initial notification of intended transfer probation had allocated a named officer, although in just under one-quarter the YOT case manager was not promptly informed of this. The norm was for cases to be allocated to whichever probation offender manager had most capacity. In Leicester YOS cases were being allocated to semi-specialist probation offender managers to improve practice with transferred cases.
- 3.33 In Gloucestershire Probation Trust a senior probation officer had recognised that the transfer process was open to 'drift' and gave priority to tracking these cases, and was very clear when communicating with YOT Managers and case managers about timescales and information needs. In another area, arrangements were much more piecemeal. In one instance, the YOT case manager sent an email transfer request to Probation asking what material they required, and immediately ceased appointments. The case was not allocated by Probation for six weeks due to an error during which time the young person was not seen by either agency.
- 3.34 Updated assessments and plans were sent to the probation offender manager in just under half of cases prior to transfer. In practice, we found that some Assets were reviewed after the transfer, and (where it happened), at the three way meeting. This often reflected either late decisions to transfer or in other cases the YOT case manager gave the Asset review lesser priority than other work with ongoing cases. This meant that in some cases the probation offender manager only found out belatedly if significant developments had taken place in the period since the initial notification of transfer. These included fresh criminal charges, changes in compliance and the work that had been completed with intervention providers.
- 3.35 In one case, a young person with previous convictions for violence was retained by the YOT for a short period until he had completed a knife crime programme. He was then transferred, but the probation offender manager was unaware of the knife programme. In another case, the probation offender manager had been provided with full Asset information in advance but she had given priority to current cases and had only skimmed the Asset. Although the case was very shortly to transfer, she had not noticed that the young person was vulnerable and that liaison with leaving care services would be required.

Informing and involving intervention providers and other interested parties

- 3.36 DY0, MAPPA and leaving care schemes were told of forthcoming transfers in almost all cases. However, this did not happen consistently with ETE, substance misuse and mental health services, whose role in planning for continuity of interventions was therefore diminished. When we spoke to health and ETE intervention providers in the six areas we found wide variations in whether they were informed of, and actively involved in, intended transfers to probation, largely reflecting the level of contact more generally between partner agencies in these areas. Adult health and ETE services reported they were rarely involved in transfer processes between the YOT and probation.
- 3.37 We found few examples of ETE staff in the YOT having contact with their counterparts in Probation, or adult ETE services more generally, to discuss cases that were transferring from the YOT to probation. Practitioners felt that transfer discussions were the responsibility of YOT case managers and probation offender managers, but the paucity of some ETE information on the transferred records meant that ETE staff in probation trusts were not fully informed of what had been done in the YOT. This meant that assessments and interventions could be duplicated and ongoing ETE needs left unmet.
- 3.38 Within health services, liaison between youth-based and adult-based services often related to when the young person should transfer and what arrangements needed to be put in place. This was necessary as there were often local thresholds involving eligibility.
- 3.39 We found that substance misuse services for young people (whether located within the YOT or not), were more likely to continue working with young people beyond the age of 18, with lengthy lead-ins to adult services, whereas mental health services were more likely to have a fixed transfer point, although, even here, the age could vary. However, we noted that these thresholds were often not widely known to young people's health practitioners when they referred.
- 3.40 Liaison arrangements varied markedly between areas, although we observed that with substance misuse, useful dialogue was more likely to take place. In one area a substance misuse service worked with young people up to the age of 19 but also had strong links with the adult substance misuse service linked to probation and also additional community support services. Another adult substance misuse service inspected had no history of liaising with substance misuse workers in the YOT who had previously worked with the young person, reducing the opportunity for continuity or consistency. This lack of liaison meant that assessments would have to be written from scratch which we felt was repetitive and unnecessary.
- 3.41 We saw some good examples of comprehensive exit plans in young person's substance misuse services, although probation could often be overlooked. In Gloucestershire, the use of the Health 'Care Notes' system crossed child/adult boundaries which reduced duplication of assessment and enhanced knowledge of the young person.
- 3.42 Positively, in some of the cases where adult health services were either unavailable or inappropriate, young people's health services went out of their way to continue to work with young people beyond the age of 18 in order to complete a treatment programme, to meet identified vulnerabilities or to signpost the young

person towards support services in the community. This approach reflected well on the commitment of staff and the flexibilities allowed by managers.

- 3.43 When arranging transfer, some adult substance misuse services were conscious of young people's additional vulnerabilities in an adult service and tailored their service accordingly. They were conscious of the need to prevent association with those who might supply drugs or encourage further drug use and said they might use mentoring more while avoiding using group work with older service users. However, this was often planned independently without reference to what strategies had been used by the YOT and/or young person's health provider.
- 3.44 In all the areas we visited, agencies viewed homelessness or unsuitable accommodation as having a negative effect on the quality of transitions between services as it made compliance and engagement less likely. Practitioners stated that accommodation problems were particularly difficult when young people became 18 as they were less likely to be viewed as in priority need by the local authority, although there was an advantage inasmuch as they could legally hold a tenancy. In Gloucestershire, a protocol within housing was aimed at preventing eviction and to promoting continuity in transition. One YOT manager elsewhere told us: *"I've had staff frantically trying to get young people into supported accommodation before they are 18...even if it's the day before"*.

Preparing the young person for the transfer

- 3.45 In half the cases, the YOT case manager discussed with the young person the progress they had made and any concerns the young person had about transfer and in just under half had done so with parents/carers.

Practice examples:

Ash, who was nearly 18, was self-harming. The initial CAMHS assessment diagnosed clinical depression and a referral was made to adult mental health services. A prompt appointment was offered and Ash was accompanied by the YOS CAMHS practitioner to the first three appointments. He felt informed and reassured which helped to increase his engagement and contributed to the subsequent improvement in his mental health.

Denys was assessed as suitable for transfer by the YOT case manager. However, he was very short and slightly built and had been bullied in the past. The YOT case manager thought that he was also very impressionable. The YOT case manager knew that group work was widely used in the Probation Trust and spoke to the probation offender manager to try to ensure that work would be done on a one to one basis avoiding older offenders. He also discussed his concern that Denys' parents were finding his behaviour difficult to manage and agreed to refer them to a parenting programme within the YOT.

- 3.46 Some YOT case managers said that they prepared young people for transfer including moving to more office visits, set times and discussing what 'greater self-reliance' meant for the young person. One stated: *"We can't just go from treating them as a child to saying they have to do it all themselves. It comes back to*

maturity". However, offender managers in probation were rarely aware of this and a significant minority felt that YOT practice did not help transition. A typical comment from one probation offender manager was "*young people from the YOT are immature and lack insight. They cannot understand consequences of their actions. [I] assume that YOS worker works on these issues [but] young people from the YOT do not take as much responsibility for themselves...they are taken to places by the YOS and we need to wean them off. They often turn up for appointments late, sometimes two hours late*".

- 3.47 A number of YOT Managers mentioned that they had recently reviewed the role of the seconded probation officer to 'refocus' them on working with the older age group, including preparing them for transfer.
- 3.48 A case transfer meeting involving the young person, YOT case manager and probation offender manager took place in half of the cases that were being transferred. Of these, most were timely and sufficient information had been sent in advance of the meeting. Reasons for the absence of case transfer meetings included lack of awareness that such meetings should take place (although practitioners said they were now aware), an oversight or confusion, lack of availability of YOT case manager or probation offender manager or a belief that a case transfer meeting would serve no purpose in the particular case. Where a case transfer meeting had not taken place prior to transfer it was rare to find it being rescheduled later.
- 3.49 Although recording of meetings tended to be sparse, we gained a picture of what had been discussed from the participants. Most meetings involved the new probation offender manager finding out about the young person and their offending history, and explaining compliance and enforcement, including how probation was different from YOTs. Meetings tended to focus on compliance and expectations of behaviour more than confirming and setting specific goals. Also discussed, but not routinely in all cases we looked at, were the reasons for transfer and what other agencies the young person was in contact with, or needed to be in contact with.
- 3.50 When we spoke to young adults, those who had attended a three way meeting prior to transfer had found it positive. Only one had found it a problem as he felt that the warnings about not complying were "*over the top*". Some case managers in YOTs had gone out of their way to ensure the attendance of the young person. Many found probation premises larger and less welcoming than YOT premises and had met up with the young person prior to the case transfer meeting to accompany them.
- 3.51 We found only one example where a parent or carer was invited. Most commonly an invitation had been overlooked or the practitioners felt wary of inviting them. Many probation offender managers told us that they found dealing with parents/carers difficult. They would sometimes receive phone calls from a parent/carers about the young person's non-attendance or about their welfare and be uncertain how to respond. Positively, some probation offender managers realised that, had they engaged the parent/carers earlier on, they might have been able to involve them in the young person's supervision in some way, and would consider inviting them in future.

- 3.52 Intervention providers were only invited in about half of cases where we felt that they needed to be there to ensure continuity. Health and ETE workers told us they were rarely invited to case transfer meetings despite them potentially holding key roles in relation to cases. There were exceptions. In Leicester, health staff had experience of meeting with the YOT case manager and probation offender manager in a separate meeting. YOS Forensic Adolescent Service and Turning Point in Hertfordshire were more fully involved in case transfer meetings, and contributed to discussions about vulnerability and Safeguarding. In contrast, adult substance misuse services in another area only became aware of a transfer well after the event, when probation made a referral, and this had led to gaps in young adults' engagement with services.
- 3.53 After the meeting, all relevant parties (e.g. other partner agencies involved) had been informed of the name and contact details of the new probation offender manager and the formal date of transfer in three-quarters of cases.

Putting it all together

In Gloucestershire we found that many aspects of good practice in pre-transfer work were well embedded in practice. Nearly all eligible cases were identified; young people were informed at the earliest opportunity, the YOT case manager discussed the young person's progress with them pre-transfer, information was sent to probation and case transfer meetings were held. We found that probation assessments in Gloucestershire were more likely than those in other areas inspected to draw on YOT information. In part, this was because the information sent contained sufficient detail of the actual work that had been done with the young person.

Diversity

- 3.54 The numbers of girls and young women, and black and minority ethnic young people in our sample were relatively small. Although not statistically significant, we found that work with young women to promote effective transition was generally of a slightly higher quality than for the case sample, except we found fewer examples of case transfer meetings taking place.

Conclusion

- 3.55 Although we found some useful processes aimed at ensuring early identification and decision-making, and some examples of good attention to young people's needs and circumstances, this was not the norm. YOT case managers and probation offender managers needed greater awareness of the critical activities that needed to be undertaken in every case, and when; and managers needed to ensure that transfers were taking place in a proper manner. Seconded probation officers in YOTs were an ideal resource for effective transitions work, provided they retained up to date knowledge of Probation Trust provision and the local transitions protocol.
- 3.56 In our judgement, more needed to be done by YOT case managers and probation offender managers to prepare young people properly for the transition to adult

services. We found that some practitioners working with under-18s thought about the overall plan of work, but for others the 'end in mind' was the transfer of the case. In part, this lack of longer-term thinking may be because in many cases transfer to adult services was seen as a requirement which needed to be actioned, rather than a choice requiring an assessment of what would be in the best interests of the individual young person. Therefore, many of the young people were transferring from the YOT to probation because they were reaching 18, rather than because the YOT case manager thought there was planned work needing to be done and probation were the right agency to do it. We felt there might be lessons to learn from the process most practitioners that had retained cases had used, namely to ask 'what work should be done after the young person reaches 18?' and 'are we or probation best placed to deliver that work?'

4. TRANSITION IN THE COMMUNITY: AFTER TRANSFER

Summary:

This chapter outlines what happened to young people once they had transferred to supervision by the probation trust and other adult services.

What we expected to see:

- After transfer, the probation offender manager updates assessments and plans, ensuring that prior learning is consolidated and that existing interventions are maintained and any necessary new interventions are started.

Key findings:

- OASys assessments after transfer needed to make better use of the information available in the Asset prepared by the YOT. Significant differences in how YOTs and Probation Trusts had assessed *RoH* were found.

- Fewer than half of plans prepared after transfer addressed all areas of work that were still outstanding following the period of YOT supervision.

- Some young adults we interviewed had welcomed the change to probation supervision, others missed the closer support they had experienced in YOTs.

- YOT case managers and probation offender managers were not familiar with each other's interventions and working arrangements.

- Probation offender managers had insufficient knowledge to liaise effectively with leaving care services.

Assessment and planning after transfer

4.1 Following transfer of the case, the probation offender manager undertook an OASys assessment and plan in most cases, although one in three assessments did not make sufficient use of the Asset information that was available. Many assessments did not comment on the young person's maturity overall or say what the young person thought about their progress to date and transfer. For example, in one case a young person who appeared outwardly confident and self-assured to the probation offender manager was assessed without proper regard being given to the history of self-harm that had been comprehensively outlined in Asset.

4.2 Most probation offender managers said that they found Assets useful but variable, from "*thin*" at one extreme to "*a wealth of information about the young person and their family that I would have struggled to get myself*" at the other. Most said they had no particular difficulties in understanding the different format used in Asset. We saw little application by probation staff of the NOMS written guidance on translating Asset information to OASys. In addition, physical health information and the content of ETE interventions were not always well recorded on Asset which

meant that this information was not easily available to probation offender managers.

- 4.3 Some probation offender managers paid less attention to the YOT intervention plan. One said:

"if I get a case which has been transferred I do my own OASys interview and then devise my own intervention plan. If the Asset comes and it's totally different to my sentence plan then I'll probably stick with mine. If we had the three-way meeting and there were reasons for a certain intervention then I might be more inclined to include it".

Assessing RoH

- 4.4 In some of the cases we inspected, there were differences in how the YOT case manager and probation offender manager had assessed *RoH*. In some cases the probation offender manager had revised the Risk of Serious Harm level upwards after transfer. We mostly judged these reassessments as correct as they gave fuller weight to the young person's previous offending, although probation offender managers reported that the young adults concerned would then resent the change of having to report on a more frequent basis and the more intrusive supervision that this sometimes entailed.
- 4.5 In other cases, the YOT had identified causes for concern about the young person's *Risk of Serious Harm to others*, but either the probation senior probation officer or offender manager had re-categorised as low. In some instances, we were concerned that this re-categorisation (on occasion at the point of allocation) was premature and in others, factors such as violence within the family and possession of knives were given less weight than in the YOT assessment. This lack of understanding can be summarised in the following comment from a manager: *"YOS seem to assess risk higher than we do so we may reduce risk in some cases...this could be done as soon as reading the initial documents"*. Another probation manager felt similarly that: *"Yes, it happens often...[risk] mainly goes down. They have a risk panel, we have MAPPA – we don't know anything about risk panels that operate in YOTs"*. One practitioner stated: *"of course YOT use different thresholds for serious harm than we do...it is a different risk assessment"*.
- 4.6 This left us concerned that practitioners in both YOTs and probation were not as confident or proficient in assessing the *RoH* posed by young people on the cusp of adulthood as they should be. We also felt it was not a healthy situation that the YOT did not know that cases they had assessed and supervised in one way were now being assessed and supervised in a significantly different way by probation. Managers in YOTs and probation needed to discuss likely changes in Risk of Serious Harm levels in individual cases, and staff in YOTs and probation needed to learn from each other about improving *Risk of Harm* assessments of young people transferring between the two services.

Continuity of service delivery

- 4.7 We were disappointed to find too few examples of continuity in planning. Only 40% of probation sentence plans addressed all areas of work that were

outstanding following the period of YOT supervision and fewer contained activities to capitalise on progress made by the young person during the period of YOT supervision. Sometimes this was because the probation offender manager did not know enough about the content of YOT supervision and at other times they had not pursued goals when the young person appeared unmotivated. In any event, the outcome was that work to re-engage the young person in tackling their substance misuse and ETE needs did not happen, or happened only after delay.

- 4.8 New intervention providers did not always seek to identify if there had been a previous provider and to obtain and use information from them, although mental health providers were more likely to do so, leading to duplication of assessments and gaps in knowledge. We inspected one case where the probation offender manager and CAMHS worker never spoke, even though the latter continued seeing the young person for several months after the case had transferred. A more positive example was when, after transfer, the YOT provided a parenting programme for the young person's parents/carers and liaised regularly with the probation offender manager.
- 4.9 We saw very few examples of continuity of physical health support between child and adult services or with the YOT and Probation Trust. A significant difference between YOTs and probation was that the YOT nurse was in a position to encourage young people to register with a general practitioner, whereas there was no equivalent resource in Probation Trusts.
- 4.10 In Salford, youth-based health services were aware of difficulties with transition, and kept the case open until the young person had successfully engaged with the adult service. Good links between the YOT mental health worker and the early intervention worker in the psychosis team were also in evidence. In Wakefield, if the young person was not able to engage or did not meet the thresholds, further work would be carried out. In North Wales the adult drugs service had reviewed their procedures to improve the transition of young people into their service after the age of 18. The introduction of health trainers (ex-service users commissioned and trained by both the NHS and probation) in Leicestershire supported vulnerable young people with, for example, alcohol or smoking concerns as well as healthy eating and activities. Providing such a service not dissimilar in style to some of the work in YOTs (we felt), had the potential to 'bridge' YOT and probation supervision for some young people.
- 4.11 Some intervention providers noticed unexplained changes when young people transferred to probation. Housing associations contrasted high levels of YOT contact and support with intermittent probation contact. Whereas with the YOT, college attendance often featured in the intervention plan, as did contact with the college, this ceased or reduced when the young person transferred to probation. Connexions staff contrasted a high level of contact with YOT staff with a reduced and variable contact with probation staff when young people transferred. Although some change of working style was to be expected as young people get older, some discussion by local partners about this would have been helpful so they knew where they stood.
- 4.12 However, there were some cases which showed that with good information sharing a high level of continuity was possible.

Practice example

Richard was sentenced to a YRO, with supervision and a six day Activity Requirement (knife crime programme). After the initial notification of transfer a probation offender manager was quickly identified to take over the case and there was a liaison phone call between the two practitioners prior to the transfer where the YOT case manager explained the content and approach of the knife crime programme. A case transfer meeting was arranged and focused on what Richard had learnt whilst at the YOT and the areas of work that needed to be continued. The probation offender manager planned sessions to consolidate the learning from the knife crime programme using a relapse prevention approach.

Dealing with difficulties in transition

- 4.13 Fresh concerns regarding the young person's behaviour or vulnerability were recognised and acted on appropriately by the probation offender manager in the majority of cases, drawing on information from the YOT in half. Where probation staff had contacted YOT staff for advice, they had found it helpful. However, in other cases the probation offender manager said they had simply not thought of contacting the former YOT case manager, or had been too busy to do it, or they had contacted the YOT but not had a response.
- 4.14 Some of the young adults we spoke to indicated that they had experienced problems settling into probation supervision. Whereas many of the services they required when they were with the YOT were provided within the YOT, they more often had to travel to other partnership services when with probation, and this took getting used to. Some were worried about mixing with older people. In Leicester, probation offender managers reported that to pre-empt problems with young substance misusers they tended to *'work one to one rather than have them mix with older more entrenched substance misusers'*.
- 4.15 We spoke to a number of YOT staff who were concerned that when young people transferred to probation there would be less interest in their individual needs. But we found that many probation offender managers tried hard to get to know the young person and engage them, most notably in some cases where the initial stages of transfer had not been carried out well and remedial action was therefore required. Examples included longer initial appointments, texting reminders, and some use of home visiting.
- 4.16 Offender managers in probation felt that the 2011 revised national standards would offer them greater opportunity for them to be flexible in dealing with young adults who had transferred and had difficulty adjusting.
- 4.17 Lack of accommodation was seen by practitioners as one of the main obstacles to young people making progress and, whereas YOTs had a range of options when working with under-18s, probation offender managers reported that often bed and breakfast was the only realistic option. In Wakefield, housing services offered support across an age range which bridged the age of 18, concentrating on developing and supporting independent living skills as well as tenancy

arrangements. Joint support plans were often developed with both the YOT and the Probation Trust to obtain and then retain tenancies.

Leaving Care

4.18 Probation offender managers established an appropriate level of contact with the leaving care workers in just under half of the cases where the young person was eligible to receive services after leaving care. However, when we spoke to probation offender managers they were sometimes uncertain of eligibility criteria and exactly what services should be available, and felt that more information or training in this area of work would assist them.

The young adults we interviewed had a range of views about their experiences with YOTs and probation:

“YOT do everything for you. In probation you have to do everything yourself, stand on your own two feet.”

“I met with YOT...and discussed life and offending and I’m basically doing the same with probation. Not that big a difference. I was seeing CAHMS but I stopped seeing them when I was transferred to probation. It didn’t matter when it stopped.”

“They said if I got in any more trouble they’d send me across to Probation. They said you only get one chance at probation before going back to Court, they also said they don’t come out and see you at home, if you’re...late they won’t see you. No-one asked me what my preference was.”

“Being with probation is better than I expected. I get on well with my new Probation Officer and I see her every week. I’ve had more support from Probation than the YOT. I’ve done ETE and I’m looking to get my CSCS card. And she’s helped me sort my claims out. [It’s] definitely better being supervised by probation. They do more stuff.”

“It’s been better than I thought first. They don’t treat you like a kid. It’s a lot better as I was in daily contact with the YOT. When I was at YOT I was seeing a substance misuse worker but it was very brief and didn’t help. But in Probation I saw their psychologist who really understood and helped a lot. The best thing is being treated as an adult – but Probation haven’t helped with ETE.”

“I went straight to probation from Court – no handover meeting either. No discussion. Just got told I’d go to Probation if I reoffended. Probation has been as expected – not good. I have nothing positive to say about it. I had a substance misuse worker & CAMHS Psychologist when at the YOT but that stopped when I went to Probation. I’ve got a new drugs worker...I don’t think they spoke to the YOT. No replacement Psychologist. Nothing positive to say. I’ve been breached twice and in breach again.”

“Probation has been helping me get a job – I’ve been put in touch with Next Steps – waiting for interview for mechanics course. Everything seems to have been passed over. They help me more like with the apprenticeship, they’ve helped me sort my money out [claiming benefits] and they’ve helped with housing to try and get my own place.”

Conclusion

4.19 The work we inspected that was done after transfer showed that effective work could be undertaken with this group of young people but there were shortcomings. In part, these arose from the lack of effective joint working in the run up to the transfer and in others because the probation offender manager had not found out enough about what the young person had been doing earlier in the order to help them plan interventions after transfer. Offender managers needed to know more about YOT interventions and leaving care services to help them ensure continuity of approach.

5. TRANSITION IN CUSTODY

Summary:

This chapter outlines our findings about whether young adults felt they had been prepared for transfer from the young person's secure estate to over-18 YOI/prison, the extent of information sharing between establishments and whether there was continuity of sentence planning after transfer.

What we expected to see:

- Establishments in the children and young people's estate identifying cases which are eligible for transfer at the age of 18 and communicate effectively with the receiving establishment to ensure a smooth transition.
- Assessments, plans and work with the young person prior to transfer all help to ensure that during and after transfer the young person continues to engage with the activities and interventions that are necessary to make them less likely to reoffend or to pose an *RoH*.
- Practitioners ensure that the young person is fully informed and involved in the transfer process, and that all information is up to date.
- All those involved are aware of the needs and preferences of the young person as they move from one service to another, engaging fully with them, and responding as and when problems occur.
- There had been some disruption to the young adults ETE work. There was no sharing of health information about young adults prior to transfer when it involved a physical move from one establishment to another.

Key findings:

- Most young adults said that transfer had been discussed in advance but that they were given little notice of the date of transfer or to which establishment they were transferring.
- The young adults in the sample reported feeling "*ready*" for the transfer, but those who had moved from a dedicated site felt less prepared than those in mixed establishments. Offender supervisors received information from the sending establishment when the young adult transferred but often struggled to make contact with YOT or probation workers.
- There had been some disruption to the young adults ETE work. There was no sharing of health information about young adults prior to transfer when it involved a physical move from one establishment to another.

Background

- 5.1 Young people who reach their eighteenth birthday while in custody may experience a change in their place of detention, regime, education, programmes and sentence

planning arrangements and a change from a YOT case manager to a probation offender manager in the community.

- 5.2 Young people aged under-18 are accommodated in the children and young people's estate. This comprises dedicated sites which hold only young people, mixed establishments which hold (but in separate accommodation) young people and 18-21 year olds, or young people, 18-21s and older adults. In mixed establishments, young people under-18 are held in their own dedicated wings or units. Regime provision for those aged under-18 is different to that for over-18s. Prison Service Instruction 28/2009⁽¹⁷⁾ states: '*They are not yet adults and every care must be taken to ensure that both the conditions of custody and regime activities promote their well-being and healthy growth*'.
- 5.3 The commissioning arrangements between the YJB and NOMS state that, with some exceptions, young people on DTOs will remain in the children and young people's estate after their eighteenth birthday, but that young people on lengthier sentences will be transferred into the adult estate. Young people accommodated at mixed establishments usually transfer to the young adult provision at the same establishment at age 18 whilst those accommodated at dedicated sites transfer to a different establishment.
- 5.4 Young people in custody are expected to have a training plan which is overseen by their YOT worker and establishment caseworker and is reviewed at least once every three months at a meeting involving the young person, their YOT worker(s), caseworker and any staff who have a useful contribution to make. After transfer, sentence planning meetings (for those subject to offender management, normally high or very high Risk of Serious Harm or prolific offenders) take place at longer intervals, often a year apart and families are rarely involved. As with any other new arrival, those transferring into an over-18 YOI/prison from the children and young people's estate will also be subject to a reception screen, health and educational assessments. The young adult's training plan and any other relevant information sent from the sending establishment should feed into the sentence plan and other assessments.
- 5.5 In August 2008 the YJB document *Progression to the young adult estate* was published. It set out the processes for transition from the children and young people's estate to the young adult estate.

Long-term sentences

- 5.6 The YJB document stated that progression to the young adult estate at age 18 would be automatic for young people serving long-term sentences, that they would move within the month following their eighteenth birthday and that they would have at least one month left to serve before release after the date of their move. The move should be discussed at the last training planning or remand management meeting prior to the young person's eighteenth birthday. Best practice outlined in the document included early identification of transition and the receiving establishment and consideration of any specialist provision the young person might need, and joint planning so the young person can be prepared for a move in a pre-determined timeframe.

DTOs

- 5.7 The document also contained guidance for discretionary moves (for those on DTOs) to the young adult estate at the age of 18 although for young people serving a DTO the presumption was that they would continue to be accommodated within the children and young people's estate when they reach age 18. All transfers of 18 year olds serving DTOs to the young adult estate are required to be notified to the YJB for monitoring purposes. In addition, any 18 year old serving a DTO can be moved to the young adult estate as part of an overcrowding draft in response to population pressures within the children and young people's estate.

Planning and preparation for transfer

- 5.8 There were 17 young adults in our sample (five serving DTOs and 12 longer-term sentences) Three-quarters reported that they transferred either on, or within, a few days of their eighteenth birthday. Three said they transferred on their birthday, seven that they transferred the day after and a further three had transferred within five days of their birthday. Four had been held in the children and young people's estate for a substantial number of days after their eighteenth birthday (between 52 and 88 days). Two said they had been retained in the establishment so that they could complete education or offending behaviour courses which they had begun. The other two young adults could not recall being given a reason for their extended stay in their young people's establishment.
- 5.9 It was pleasing that most of the young adults reported that their transition to the adult estate had been discussed in training planning meetings although one said that he had had to raise it himself and no young adult reported that it had been discussed in any depth.
- 5.10 Those in the mixed establishments reported better experiences in terms of the preparation for their transfer. This was often credited to the opportunities they were given to visit the adult side of the establishment before their transfer, which allowed them to meet the staff, become familiar with the new environment and learn about the differences in the regime. One young adult also reported that a member of staff from the adult side had attended his last training planning meeting in the young people's unit to provide him with information about the adult regime.
- 5.11 There was some evidence in case files of transfers being discussed in training planning meetings prior to transfer (e.g. *"he attended training planning meeting, spoke about plans to move to YOI status"*) but there was a lack of detail with regards to how young adults had been prepared for their move.
- 5.12 There was limited evidence on case records of support being available to young people prior to their transfer from their young people's establishment. Examples of where there was included one entry that read: *'X stated was nervous regarding the move to the main establishment. We had a chat about the rules and regulations in place on the main establishment and X agrees that there are rules and regulations in place no matter where you are and it is just a matter of understanding them and abiding by them. I have assured X that they will be fine and that they should take all the lessons they have learnt [in juvenile unit] and use them to their advantage.'* Another noted: *'we discussed his couple of negative*

entries which he accepted and stated he is just anxious in regards to when he will be getting transferred'.

Notification of transfer

5.13 Almost all of the young adults in the sample said they had not been given a date in advance for their transfer. The only three young adults to report having been given a date in advance for their transfer were all in mixed establishments – two said they had found out around two weeks before their eighteenth birthday and one, who had only entered the establishment nine days before his birthday, said he was told he would transfer on the Monday after he turned 18. Others in mixed establishments assumed they would transfer fairly quickly after their eighteenth birthday as a result of what they had been told in their training planning meetings and what other young people had told them about the transfer process. Four young adults told us they were informed that they would be transferring the day before they transferred and 10 that they found out on the day they transferred. One young adult said:

"[I found out] when they handed me my bags on my birthday and said you are being transferred out".

5.14 Those in mixed establishments had all been confident that they would move across to the adult side of their current establishment and were generally positive about the planning for their transfer.

"They asked me whether I wanted to transfer. I knew I'd stay at [the same establishment] so was happy with that".

5.15 Young adults in dedicated establishments, however, generally said that they were not given a choice of where they would like to transfer to and even if they were, they felt that they were not listened to or informed why decisions had been made to transfer them to a different establishment.

"I spoke about wanting to move to a YOI near London but no one did anything about it".

"They did ask where I wanted to transfer to and I said Deerbolt. They [YOT worker and caseworker] said they would try to get me in there but said it would depend on where the bus was going and where it took me on the day".

"They asked me where I wanted to go, I said Swinfen Hall, Aylesbury or Moorland, and they said it would be one of them. They then said in May it would be Aylesbury, in June it would be Parc and two weeks before transfer that it would be [the establishment the young person was now in]. I was asking all the time about my transfer".

"They [YOT worker and caseworker] just said a couple of times 'you'll move when you are 18 but we are not sure when'. They didn't ask me where I wanted to go".

5.16 Seven of the young adults (all in dedicated establishments) reported that they only found out on the day of their transfer which establishment they would be transferring to. They said they had either found out from wing officers when they were told to pack their belongings, in reception at the sending establishment, on the van, or once they arrived at the receiving establishment. This meant that none of the young adults received any information in advance about the establishment

they were transferring to or had any opportunity to let their families/carers know where they were going to.

"The day I moved here, officers just told me I was getting shipped out, to pack my stuff and I didn't find out where I was going until I got on the van".

"Officers told me to stay on the wing and not to go to education and said I was going to [receiving establishment]...my transfer had been discussed in [training planning meetings] and I was told I would be going to Isis" (the young adult did not transfer to Isis).

- 5.17 Others told us they had only found out in advance where they would be transferring as they requested the information from an officer.

"I found out two to three weeks before I transferred – I kept asking the officer who sorts out the moves and he told me".

"My friend turned 18 the day before me and he told me he was being transferred to Moorland so I asked an officer and they said I was going too".

- 5.18 Although generally the young adults in the sample reported feeling "ready" for the transfer, they were often annoyed and upset when they found out where they were transferring to. This was often because they had not felt involved in the process, they had not known where they were going and they were not being sent to the establishment they had requested to go to. This was particularly true for those who were located in a young people's establishment a significant distance from home who were hoping to transfer to an establishment closer to home and were unable to.

"When I found out I was going to [receiving establishment] I was upset as it is so far away from my Mum. I did not feel involved in the decision".

"I was [really annoyed] as I didn't know where I was going. Phoned my Mum when I got here but she was also annoyed as she had booked a visit that week to see me at [sending establishment]".

"I felt involved in the process when I was putting applications in for other places but ultimately had no involvement really as I didn't know I'd be coming here".

Contact with YOT and probation staff after transfer

- 5.19 Eight young adults reported that their supervision had transferred to a Probation Trust from a YOT (including one young adult on a DTO sentence). Of these, six said they had seen their YOT worker since they had transferred establishment, including three who said they had seen them in a meeting to handover their case from the YOT to the probation worker. These three young adults were the only ones to report having met with their probation offender manager. The other five said they had not met their offender manager at the time of the interview, although two said they had spoken to them on the telephone. The length of time since their transfer ranged from 50 to 151 days.

- 5.20 Nine young adults reported that they were still being managed by a YOT rather than a Probation Trust, including four who were on DTO sentences and five who were on longer term sentences. Four said they had seen their YOT worker at least once since their transfer (including two who were on DTO sentences) and one

young adult on a DTO sentence said that they had had a video link meeting with their YOT worker.

- 5.21 Overall, six young adults told us they had not had contact with either their YOT case manager or probation offender manager since transferring establishment. The amount of time these six young adults had been in their current establishment ranged from 38 to 151 days (average 82). This low level of reported contact was concerning as it meant young adults were not receiving the support or oversight that they should and practitioners were not maintaining and/or building up the level of engagement and trust that would be required later when planning for release.
- 5.22 We saw some use of judgement regarding transfer to probation. One YOT case manager was working with a young person on a three year, three month sentence and had retained the case because the young person was remaining at his young people's establishment after his eighteenth birthday to complete an offending behaviour programme. The YOT worker also explained that as it was the young person's first experience of custody, he planned to involve a probation officer, by arranging a three way meeting, prior to Home Detention Curfew so that responsibility was transferred to probation prior to release. One probation offender manager who was interviewed explained that young adults were sometimes held by the YOTs for a period to allow them time to settle into the new establishment before transferring them over to probation. In one case, the YOT contacted him around a month after the transfer and a three way meeting was arranged and took place a month after that. He received all the files relating to the young person in advance of the meeting. This seemed a sensible approach, providing the YOT workers remained actively involved with the young adult at their new establishment and sentence plan targets were kept up to date.

Offender supervisors and sentence planning

- 5.23 Ten young adults said that they had an offender supervisor within the establishment and all that they had met with them at least once. Four said they did not have one and two young adults were not sure – they reported meeting someone but did not know what their job title was. One young adult at a mixed establishment, who was still being managed by a YOT, reported that they did not have an offender supervisor but that they still saw their caseworker from the young people's establishment.
- 5.24 Seven of the ten young adults who said they had met with their offender supervisor reported having discussed their sentence plan with them. Five reported that they had a plan and targets had been set for them and two that they were waiting for their probation worker to finalise their plan and targets. Of the ten who said they had not spoken about their sentence plan since transfer, three had transferred to probation and seven were still being managed by a YOT (including four who were on a DTO sentence).
- 5.25 At the two sites which had received young adults from other establishments, offender management units had no prior notice of the young adult's transfer and first became aware of them when they arrived in reception. Consequently, allocation to an offender supervisor took place post-arrival.

- 5.26 All offender supervisors reported that the young adult had been allocated to them after their transfer to the establishment. All reported that they had met with the young adult at least once (contradicting reports from the young adults themselves) and 11 reported that they had met with them twice or more. Offender supervisors reported that the ideal situation would be if they were able to meet with the young person prior to transfer.

Receiving information from the under-18 YOI

- 5.27 Offender supervisors reported that they generally did receive information from the sending establishment when the young adult transferred, but that they often struggled to make contact with YOT or probation workers. Only three offender supervisors reported that they had met with the young adult's YOT worker and another had tried to make contact but had had no response. They felt that linking up with the YOT worker was crucial to an effective transition, ideally before the transfer and also after if the young adult was on a DTO or had not transferred over to the Probation Trust.
- 5.28 Evidence in files showed offender supervisors were regularly chasing YOTs to try to find out whether the case had been transferred, and if not when it would be, and who it had been transferred to.
- 5.29 Offender supervisors reported that they had written the sentence plan in three of the cases in the sample. They explained that they based plans on interviews with the young adults, Assets (though these often had not been updated for some time), information from the sending establishment and training plans. Another explained that the sentence plan had been completed by the YOT worker whilst the young person was in the young people's estate and therefore the offender supervisor followed that plan.
- 5.30 Other offender supervisors reported difficulties getting access to sentence plans.
- "The offender manager visited in May and completed the sentence plan without my knowledge. It's not yet released onto the system so I can't use it for sentence planning".*
- 5.31 In the absence of sentence plans, offender supervisors explained that they were using targets from the young adult's old training plan and that they would set 'soft/interim targets' (for example, 'attend education') for the young adult to work towards until the sentence plan was completed.
- 5.32 Evidence in the case files also showed that offender supervisors were regularly chasing probation to find out who the offender manager was and when they would be writing the sentence plan (where applicable). One young adult, for example, arrived at the establishment in April and was only informed of their offender manager in September.
- 5.33 Offender supervisors reported that in general, they were each managing small numbers of transferred cases each year (one or two). They commented that their main difficulty was often finding out whether the case had been transferred to the Probation Trust and, if it had, who the allocated probation offender manager was. This created delays and often offender supervisors had to rely on Asset for information which could often be out of date. One young adult, for example, had

been in the establishment for 151 days at the time we interviewed them – his probation offender manager had not yet met with the young adult or the offender supervisor and so the latter was trying to arrange a video conference meeting.

- 5.34 The probation offender managers we spoke to reported that they handled around two transitions cases each in the previous 12 months. They felt that the most important things in making an effective transition were case transfer meetings and good communication with YOTs and the young person. They did, however, explain that although they had become more familiar with YOTS and DTOs, they had had no formal training. They also struggled with not having access to Assets and knowing who to contact in the YOTs in relation to cases they were taking over.

ETE

- 5.35 We found little evidence of planning for continuity. Only two young adults reported that prior to transfer, plans to continue to address their ETE needs had been discussed with them. Both were transferring within mixed establishments and prior to their transfer it had been arranged for them to begin or go on the waiting list for specific courses.
- 5.36 Although young adults were seen by Information, Advice and Guidance workers during induction at the establishments visited, five young adults reported that after they had transferred they were unable to continue with ETE they had started at their previous establishment. Despite wanting to they were unable to, as the receiving establishment did not run the course they had already started. One young adult explained that he had been told that he would not transfer until he had completed his GCSEs. Unexpectedly, he was transferred and although his receiving establishment arranged for him to be able to take the exams, his coursework and notes were not transferred over at the same time so his studies were disrupted.
- 5.37 All but three young adults said they were involved in some form of ETE at the time of interview.
- 5.38 The sharing of information about young adults' education and training needs and attainments prior to their transfer was easier at the mixed establishments. At the other two sites, the learning and skills department was dependent on information arriving with the young adult. Both said they had to pursue sending establishments for certificates, coursework and other records. Contact was made on a case by case basis, but one establishment was developing some links with the education department at the young people's establishment that most often transferred young people to them.
- 5.39 A policy was in place for education and training transition in one mixed establishment. The education manager from the over-18 part visited young people on the young people's unit before they transferred across and someone from education attended the transitions meeting held on the young people prior to each transfer. Young adults were given credit on waiting lists for courses for time spent in the young people's unit which meant they did not go to the bottom of the lists.

Health services

- 5.40 Those who had previously been in contact with Young People's Substance Misuse Services all said they had seen CARAT at their new establishment. The level of contact had reduced although no young adults reported any concerns about this.
- 5.41 However, no sharing of health information about young people took place prior to transfer when it involved a physical move from one establishment to another.
- 5.42 Young people who transferred between establishments were treated in the same way as all other transferees if they had a health-related appointment set up by their previous establishment. These would be dealt with on a case by case basis with the possibility of a referral to a local hospital instead.
- 5.43 One establishment said that they would review, and possibly change, the medication a newly arrived young adult was on, in keeping with their practice for all transferred in prisoners, regardless of age.
- 5.44 In mixed establishments where health services for under and over-18s were provided by the same provider, continuity of treatment was easier to facilitate. At one mixed establishment, the young people's nurse prepared a briefing note for her colleagues on the over-18 site and also ensured that the pharmacy was aware of the dates of moves so that prescribed medication would be available for the young adult on their new wing post-transition.

Views about the transition process

- 5.45 Reflecting on the transition process, 6 of the 17 young adults felt that they would have appreciated more support to help them adjust to their new establishment. Mainly, they said they would have liked more information about the new establishment, such as how to make an application, and information about the routine of the establishment.

"I would have liked to have been told what goes on here – I didn't know the routine".

"They expect you to know everything, even on induction you ask for an application form and they just look at you like you are stupid and you should know".

- 5.46 Others felt that they would have liked more personal support from staff to help them adapt to their new environment.

"I felt nervous, would have thought they [staff] would have come to see me a bit more".

"Staff said they would phone my Mum to let her know I'd transferred here but she said they didn't. I only got to speak to her two weeks after my transfer".

- 5.47 All but one young adult said that they felt safe on their first night in their new establishment and the majority reported feeling *"fine"* in their first few days. This was mainly attributed to the fact that they knew other people in the establishment and/or had transferred with people they knew. Some commented that although it was a different regime to what they were used to, they adapted and quickly *"got used to it"*.

- 5.48 A consistent theme in many areas was that young adults transferring from a young people's establishment were not treated any differently to other new arrivals. At one establishment we were told "*induction is the same for everyone, they are treated the same as everyone else we receive*". This meant they received the same reception screen and education assessment; for example, as all other new arrivals and there was nothing unique in the way in which transfers from the children and young people's estate were managed on arrival.
- 5.49 There was little appreciation by staff of the difficulties young people might have in making the transition from a young people's to an over-18 YOI. At one establishment there was recognition that "*issues they have may be related to them having come from the young people's estate*" but at another the comment was "[young people] *are used to being treated in a particular way – they can't scream and shout like they do in a [young people's establishment]*"

Diversity

- 5.50 We judged, based on our interviews with young adults and reading of case records, that neither gender nor ethnicity had been significant in explaining the variability of work to promote an effective transition.

Conclusion

- 5.51 Our overall impression of young people's transition within custody was that, although there had been early discussion of transfer, once transfer had taken place there was a gap in case management and sentence planning. This meant that staff and young adults themselves had to re-establish a sense of purpose, in the absence of a sentence planning process that properly bridged under-18 and over-18 provision. This posed risks to continuity of interventions necessary to reduce the *RoH* and the likelihood of reoffending, as well as interventions to deal with vulnerabilities e.g. self-harm and mental health difficulties.

6. SUPPORTING ARRANGEMENTS

Summary:

This chapter outlines what written arrangements and protocols were in place, whether staff were aware of what was expected of them, and what other factors, such as training and management oversight, helped or hindered the work.

What we expected to see in practice:

- Management arrangements and protocols contribute to staff feeling confident and skilled in helping young people make an effective transition from youth-based to adult-based services.

Key findings:

- None of the custodial establishments had a formal transitions policy in place.
- In the community most of the YOTs and Probation Trusts had developed local protocols based on the national good practice example. Staff awareness of these arrangements was variable and expectations of liaison with ETE and health providers were unclear.
- More emphasis was needed on reviewing the effectiveness of arrangements so that YOT Management Boards and Probation Trusts could make informed decisions.
- There was limited awareness by YOT and probation staff of the work each other did with young people and young adults.
- Some health agencies had developed local protocols for transition from youth to adult health services and staff reported that information sharing was starting to improve.

Written arrangements for transition in custody

- 6.1 None of the establishments had a formal transitions policy in place, although one mixed establishment had some clear processes to manage the transition of young adults who stayed there after their eighteenth birthday. At one establishment, we were told that there was no special treatment for 18 year olds, every individual coming in would be dealt with according to risk and the content of case notes.

Local transfer protocols - YOT to probation

- 6.2 The *National Standards for Youth Justice Services* which applied after 30 November 2009 required that YOT Managers establish a protocol with their local Probation Trust. The National Standard stated that the local protocol should cover arrangements for transfer, information sharing, timescales, risk management, continuity of interventions and dispute resolution. A joint protocol was issued around the same time with a model of good practice for local adaptation.
- 6.3 Of the six areas we visited, four had an up to date local protocol for case transfer. In the two other areas basic case transfer procedures were included in a wider

probation-YOT agreement, although some transfer arrangements had been agreed at team level. Most local protocols had followed the 'best practice example' in the national protocol. In some there was insufficient emphasis on the practicalities of involving health, ETE and other partners in the transfer process; specific arrangements to ensure continuity of interventions and dealing with ongoing Safeguarding concerns.

- 6.4 We saw some adaptations to the national good practice example. Some areas emphasised using case transfer meetings for 'higher risk' cases rather than all cases necessarily. In one, immediate transfer to probation was to be considered for all young people close to 18 when sentenced, to avoid the need for what was seen as an unnecessary and avoidable transfer at the age of 18. One protocol stipulated that initial notification should be at the three month pre-transfer stage (rather than six month) as a more realistic timeframe. One protocol included a model agenda for case transfer meetings which was helpful to practitioners.
- 6.5 The protocol between the Wales Probation Trust and the YOTs in Wales had expanded the purpose of the case transfer meeting to include as the first aim '(to engage the young person in the transfer (and a supporter/parent/carer if appropriate)'. Managers there felt that this placed proper emphasis on the importance of a motivational approach, alongside the more procedural aspects of transfer.

Awareness of protocols

- 6.6 The majority of YOT staff we interviewed were aware if there was a local protocol; probation staff less so, reflecting perhaps that the protocols focused more on YOT responsibilities. However, knowledge of the steps to take when transferring a case was limited. Whereas some YOTs had discussed the arrangements at team meetings, other YOTs and most Probation Trusts had not communicated the local protocol effectively. Transfer numbers were small (in some offices only one or two a year) and many staff in YOTs and Probation Trusts were therefore unfamiliar with the exact detail of transfer processes. Staff from health services were aware of the existence of a local probation-YOT case transfer protocol, and which service supervised which age group, but most had been minimally involved in transfers.

The role of the seconded probation officer in YOTs

- 6.7 Some local arrangements were strengthened by a specific role for the seconded probation officer in managing 17 and 18 year olds and handling transitions. A number of YOTs said they had recently refocused the role on 'core probation officer tasks' as there had been 'drift' into a more generic role. In Gloucestershire, the protocol stipulated that the seconded probation officer would monitor and facilitate case transfers to the Probation Trust; disseminate appropriate information on the adult sentencing structure and legislative changes to YOT case managers; monitor formerly looked after young people; and ensure probation awareness of their status and other professionals involved.

Arrangements between interventions providers

- 6.8 In a number of the areas we visited there were local protocols for young people to transfer from youth-based to adult-based ETE and health services. Many had been informed by national and local debates about the needs of young people in transition.
- 6.9 In the ETE field, there were examples of protocols for liaison between Connexions and wider children's social care services (and specifically leaving care teams) but less evidence of protocols between Connexions/ETE staff in YOTs and the adult ETE services that worked with. Some probation offender managers told us that their ETE services for adult offenders were often changing which might have been a factor.
- 6.10 In health, some of the youth-based and adult-based services had written transitions arrangements, although the level of understanding in health services of their roles, criteria and thresholds was underdeveloped. Also there were some YOT - Health protocols which covered transition to adult health services but excluded probation. These protocols commonly covered: the use of 'needs led' approaches; age boundaries and use of discretion; exit planning; arrangements for young people to move to adult services (whether at 18 or more flexibly), information sharing, case transfer meetings and co-working.

The YOS Substance Misuse policy in Leicester specifically mentioned transfers and covered the role of community services, adult services and probation. The policy involved the completion of an exit pack and a reply slip to ensure that the follow-on worker had received the referral, together with the expectation of a handover meeting to ensure a seamless service. There were also protocols for the provision of mental health services from Leicestershire Partnership Trust – and these included specific information about transitions to adult services as well as YOS referrals being potentially extended to age 19.

In Wakefield there were some good examples of protocols between health services (particularly substance misuse services) and the YOT, but also including secure settings and probation. In addition, Forensic CAMHS, co-located with the YOT, had developed their own transitions protocol and agencies felt that risks had been better managed as a consequence.

We also saw examples of services for 16-25 year olds and adult services where there had been attempts to provide a specialist young adult service. Practitioners felt that these arrangements had helped in engaging with the needs of this age-group.

- 6.11 Many staff in both young people's and adult health services felt that they received, from each other, the level of information they needed during transfer and that decisions were usually based on where the young person's needs could be best met – and this could even include an early transfer where stable ongoing support was agreed to be necessary. But in other cases differing approaches to ages and thresholds created problems. We found that where a clear mental health diagnosis existed (i.e. one which was accepted in the adult field); a strong and clear

protocol, and good liaison between health services, good continuity and a reasonable transition was more likely. In those instances, we saw examples of appropriate measured handovers taking place between child and adult mental health services. If, however, sets of symptoms were present or if the young person had a lower level substance misuse problem then local agencies reported that it became much more difficult to create good transitional arrangements. Criminal justice practitioners commonly referred to young adults having to meet a higher threshold to access adult services, in contrast to young person's substance misuse services.

- 6.12 We found examples of problems existing between CAMHS and adult mental health services. One practitioner described some case transfers as *"like a game of bat and ball"*. Equally, there could be difficulties in ensuring that physical health issues, which were being addressed in the YOT, were considered in probation and well supported by adult health services. The best practice we saw was where YOT nurses remained involved when the young person reached 18 to make sure that GPs and adult health services recognised and dealt with health problems. One example, in Wakefield, was a YOT nurse working with a young person with Type 1 diabetes in custody. She liaised with an appropriate specialist in the secure environment, continued to engage with the young person on release and provided support with smoking cessation and with sexual health before transferring him to an adult diabetic specialist when the order finished and he became 18.
- 6.13 In Wakefield, we saw treatment for ADHD (Attention Deficit Hyperactivity Disorder) continuing when the young person became 18 but this was the exception. One YOT case manager stated *"so many of our young people have ADHD and it's seen as a mental problem and they're treated by CAMHS but when they turn 18yrs how many 18yr olds do you see with ADHD? It gets relabelled as personality disorder and there is a lack of service for this"*.

Reviewing effectiveness of local arrangements

- 6.14 Protocols rarely specified how the effectiveness of local arrangements would be measured and YOT Management Boards and probation trusts were not therefore in a position to be able to oversee this area of work effectively. Most Probation Trusts reported that they had compliance and breach data for 18-20s, although few areas had identified YOT transfers as a separate group. This was not surprising as the numbers would be small and information systems unlikely to easily produce an accurate list. In Wakefield, there had been audits by the operational managers who oversaw the transfer process. This had identified the rate of transfer, that some three way meetings were not taking place and that there had been some difficulties in using Asset to inform a quality OASys.
- 6.15 In health services, some good examples of individual monitoring within health services, of the impact of transition periods, were not aggregated. Limited consideration of outcomes in relation to transition from young people's to adult health services was common. In Hertfordshire some monitoring of the effectiveness of transition arrangements from the point of view of young person's substance misuse services took place. In Leicester CAMHS, a short, transition protocol monitoring form for which included information on whether the young person had expressed a preference for CAMHS or adult mental health or whether

they had any problems with the transition and the outcome of that transition was used to good effect.

Agencies awareness of each others work

- 6.16 Whereas nearly two-thirds of YOT practitioners felt 'very' or 'reasonably' aware of the work of probation, only one-third of probation practitioners felt similarly about the work of YOT. This lack of awareness was reflected in our findings that YOT case managers did not always consider what probation supervision might involve when making early decisions about how to manage a case that was eligible for transfer, and that probation offender managers were sometimes hazy about the nature of the work that young adults had undertaken in the YOT.
- 6.17 YOT staff gained information about probation from seconded probation officers and staff in unpaid work schemes but were not knowledgeable about structured interventions in probation. YOT practitioners reported little contact with probation offender managers. Many probation staff knew little of YOT work and reported that the work of YOTs and child and adolescent development had featured little in in-service training. A few reported that they had undertaken training (usually domestic violence or child protection related) with YOT staff or seen them whilst at court.
- 6.18 Some practitioners (including seconded probation officers) stressed the similarity of the two roles – *"we both assess and plan and deliver interventions to reduce reoffending"*, whereas others saw a difference in values – *"we are child centred and tailor what we do to the young person - Probation is more draconian"*. YOT practitioners commonly viewed probation staff as having very large caseloads and unlikely to have the time for much communication.
- 6.19 Some attempts had been made to foster communication. In our pilot inspection in Thames Valley we saw examples of probation and YOT practitioners meetings which discussed developments in both services and had been well received. In Leeds a practice development meeting of semi-specialist probation offender managers and YOT secondees and there had received a presentation by the YOT nurse on child and adolescent development and developing empathy with teenagers. In Conwy and Denbighshire YJS an operational manager had arranged discussions with the Probation Trust about handling cases with *Risk of Harm* concerns.
- 6.20 YOT and probation staff lacked awareness about how local health services dealt with 18-20s although some steps had been taken in specific areas to address this such as some cross agency meetings which helped to promote general awareness, and training on service delivery models in criminal justice and in health. Few areas had a 'directory of services' although a comprehensive web-based directory was in place in West Yorkshire.
- 6.21 In health and ETE we found that some practitioners kept abreast of practice with the 'other age group' particularly if they had prior experience of working with that age group, or knew practitioners with that age group. In Hertfordshire the YOS had offered training to the adult forensic mental health service to assist with the understanding of respective roles, and the introduction of specialist forensic

adolescent mental health workers had improved the links to adult mental health services.

Conclusion

6.22 There had been commendable work to develop local arrangements to improve the quality of transition but the impact of this had been diminished as some staff were unaware of what was expected of them and managers had insufficient information to know whether the arrangements were working as well as they should. We felt that greater awareness of each other's roles and more active management oversight, together with improved liaison with and between intervention providers, would have the greatest impact on the quality of transition working.

Appendix 1: Glossary of abbreviations

Asset	A structured assessment tool based on research and developed by the Youth Justice Board looking at the young person's offence, personal circumstances, attitudes and beliefs which have contributed to their offending behaviour
CAMHS	Child and Adolescent Mental Health Services: part of the National Health Service, providing specialist mental health and behavioural services to young people
CARAT	Counselling, Assessment, Referral, Advice and Throughcare. Services provided in custody to tackle substance misuse
Connexions/ Careers Wales	<p>The Connexions service was established in 2001 with the aim of providing a comprehensive service to meet young people's needs for information, advice and support. Through multi-agency working, Connexions provides high-quality, impartial, information, advice and guidance (including careers advice and guidance), together with access to personal-development opportunities to help remove barriers to learning and progression and ensure young people make a smooth transition to adulthood and working life. Connexions is designed to help all young people aged 13 to 19 and those aged up to 24 with a learning difficulty or disability. However, there is a particular focus on those at risk of not being in education, employment or training or of being socially excluded.</p> <p>Careers Wales is the national careers guidance and information service for young people and adults. Careers Wales provides services for people of all ages requiring careers information and advice and for employers/businesses requiring help and advice on recruitment, training, employee development, skills and qualifications</p>
DTO	The Detention and Training Order (DTO) sentences a young person to custody. It can be given to 12 to 17-year olds. The length of the sentence can be between four months and two years. The first half of the sentence is spent in custody while the second half is spent in the community under the supervision of the YOT
DYO	Deter Young Offenders
ETE	Education, training and employment
GP	General practitioner
Health	Used in this report to cover a range of work by both the statutory and voluntary sectors covering physical health, substance misuse and emotional and mental health
HMI Probation	HM Inspectorate of Probation
Interventions	Work with an individual that is designed to change their offending behaviour and/or to support public protection
IOM	Integrated offender management- locally organised arrangements between Probation Trusts, the police and partners to focus resources on jointly working with and managing selected adult offenders
IT	Information Technology
MAPPA	Multi-Agency Public Protection Arrangements: where probation, police, prison and other agencies work together in a given geographical area to manage certain types of offenders
Mixed establishment	An establishment that holds those in custody who are under-18 and 18 and over, but subject to separate regimes
MoJ	Ministry of Justice

NOMS	National Offender Management Service: the single agency responsible for both prisons and Probation Trusts
OASys	Offender Assessment System: the nationally designed and prescribed framework for the probation and prison services to assess offenders. It makes use of both 'static' and 'dynamic' factors
Probation offender manager	The term for a staff member of a probation trust responsible for the management of cases of offenders, normally 18 and over, subject to court orders; in custody, and on licence
Offender Supervisor	The term for a staff member of a probation trust, or a Prison establishment, who undertake specific tasks, usually in conjunction with an offender manager, to manage an offender's sentence.
Probation Trust	Local bodies, commissioned by NOMS to provide probation services
PSR	Pre-sentence report: for a court
RoH	<i>Risk of Harm to others</i>
'RoH work', or 'Risk of Harm work'	This is the term generally used by HMI Probation to describe work to protect the public, primarily using <i>restrictive interventions</i> , to keep to a minimum the individual's opportunity to behave in a way that is a <i>Risk of Harm to others</i>
Safeguarding	The ability to demonstrate that all reasonable action has been taken to keep to a minimum the risk of the young person coming to harm, either from themselves or from others (i.e. vulnerability). This is broader than the formal meaning of child protection, which focuses on the need of compulsory intervention to protect that young person from harm
YJB	Youth Justice Board for England and Wales
YOI	Young Offenders Institution: a Prison Service institution for young people remanded into or sentenced to custody. There are YOIs for under-18s and for those 18 and over
YOIS	Youth Offending Information System: one of the two electronic case management systems for youth offending work currently in use in England and Wales.
YOT/YOS/YJS	Youth Offending Team/Youth Offending Service/Youth Justice Service: YOT is used synonymously for ease throughout this report to indicate Youth Offending Teams, Youth Offending Services and Youth Justice Services as set up under the Crime and Disorder Act 1998. YOTs are multi-disciplinary teams which include seconded police officers, probation officers, a social worker, health and education workers
YOT case manager	The term for a member of a Youth Offending Team responsible for the management of cases of young people subject to court orders; in custody and on licence
YRO	Youth rehabilitation order. The YRO is a generic community sentence for young people which combines a number of previous sentences in to one generic sentence. It came in to effect for offences committed on or after 30 November 2009 as part of the Criminal Justice and Immigration Act 2008. There are potentially 18 requirements that can be attached to a YRO, the most common requirements are supervision, activity, unpaid work (for 16 and 17 year olds only) intensive supervision and surveillance and attendance centre

Appendix 2: Transition - Key Concepts

Concepts	Potential implications for the transition of young people within the criminal justice system
<p>Attachment.</p> <p>Early childhood experiences affect the extent to which young people and adults can make new relationships, both personal relationships and working relationships with authority figures⁽¹⁸⁾.</p>	<p>Many young people in the youth justice system have experienced problematic family and personal relationships. They may have been excluded from school and may have experienced changes of worker/home if in care. These negative experiences may make future transitions difficult.</p>
<p>Transition processes⁽¹⁹⁾</p> <p>Any change involves a 'planned change' element and a 'transition' element. The former is more mechanistic (e.g. a move of office), the latter is psychological and tends to lag behind physical change (e.g. attitudes to a move of office as the individual finds out new things).</p> <p>Transition consists of three phases: ending what used to be, being in the neutral zone and the new beginning.</p> <p>In the neutral zone, people can be disorientated, and experience a fall in motivation and an increase in anxiety.</p>	<p>Mainstream inspections in community and custody have shown that transfer procedures can be unclear and not always implemented properly.</p> <p>Additionally, many young people in the criminal justice system exhibit high levels of impulsivity and problems with emotional well-being. They may also have language and communication needs. If there is uncertainty about where in the transfer process they are, young people may experience the transition as difficult, particularly if they perceive no personal benefit.</p>
<p>Continuity of worker or helper</p> <p>Changes of worker, (particularly where the change is unexplained or seen as unnecessary) are seen as negative by many service users. Although the link to outcomes is less clear, discontinuity of worker has been one of the factors identified in some investigations of tragedies.</p> <p>There are examples from older person's services and in the Munro Review of child protection⁽²⁰⁾ of the negative perceptions of change of worker. The latter stated:</p> <p><i>'A clear message from children (and their parents) is that they value continuity in their relationships. To talk openly about personal and often painful problems requires a degree of trust in the professional and changes of</i></p>	<p>Many young people in the criminal justice system have been involved with statutory and voluntary services for a large part of their lives. Where they have had previous negative experiences of change they are likely to view future transitions unfavourably.</p> <p>Depending on the young person's personality and life experiences, and the quality of work undertaken by the youth-based service, some might find the prospect of change positive at best or at least acceptable.</p>

<p><i>worker mean that trust has to be re-developed with someone new...helping children and families to change requires working with them not doing things to them.'</i></p> <p>In other contexts a change of worker could be positive e.g. if at the convenience of the service user and/or where the new worker is providing a more appropriate and/or specialised service than the initial worker.</p> <p>Although not representative, some autobiographies indicate that an imposed change of teacher or other authority figure can be resented at first but then seen in retrospect as a catalyst for change and improvement.</p>	
<p>Project management</p> <p>Most human change has elements of a project. Most project management techniques advocate 'starting with the end in mind' when dealing with</p> <ul style="list-style-type: none"> - a planned change involving benefits, or - when dealing with an unavoidable or imposed change where the aim is to avoid hazards. <p>The NOMS offender management model includes the concept of <i>'every case as a project...not to objectify the offender but to apply contemporary project management wisdoms to the challenge of achieving change in a fixed time scale'</i>.</p>	<p>There should be benefits for the quality of service in seeing the period of supervision or custody as a whole rather than as two discrete periods of supervision or custodial care by two different agencies or institutions.</p> <p>It would be also important to see whether there are perceived benefits to transfer that are seen to outweigh the hazards.</p> <p>However, when transfers take place because of age-related criteria rather than needs-related criteria, it is debatable what the role of benefits is.</p>
<p>Maturity</p> <p>A recent summary of research into maturity from Birmingham University⁽²¹⁾, commissioned by the Barrow Cadbury Trust states that: <i>'maturity can be understood as a developmental concept, including the categories of physical, intellectual, emotional and social development'</i>. Of these <i>'processes of physical and intellectual development are usually completed during adolescence; it is the categories of emotional and social development that are of most relevance in considering the maturity of young adults'</i>.</p>	<p>Although the rationale for case transfer of 18 year olds to adult services is that these young people are reaching adulthood, many young people in the criminal justice system may have low levels of emotional and social development. This may hinder their ability to make transitions and raises the issue of which agencies, youth and/or adult based, have the right resources to tackle these needs.</p>

<p>The importance of the 'working relationship'. The working relationship has received increased prominence in writings on pro-social modelling, legitimacy, and desistance.</p> <p>NOMS introduced the offender management model for adult offenders in 2006. It was based on four underpinning principles based on research which promoted the importance of the individual working relationship with the offender.</p> <p><i>'consistency - the offender needs to experience a consistency of message and behaviour, both by the same person over time and by different people working with the same offender at the same time</i></p> <p><i>continuity - there needs to be a continuity of care or treatment, but also a reasonable degree of continuity of relationship running through the whole of the sentence</i></p> <p><i>commitment - offenders need to experience those working with them as being committed or genuine, not just going through the motions</i></p> <p><i>consolidation - gains will be short-lived if new learning is not turned into normal behaviour through a process which reinforces and rewards it.'</i></p>	<p>Although aimed at adult offenders the key principles (consistency, continuity, commitment and consolidation) are very similar to those which should underpin work with young people.</p> <p>Achieving these outcomes when young people move between youth and adult services is likely to be a challenge. Both between, and within, youth and adult services there are a range of personal styles, approaches, working methods, programmes, etc which mean that, even where individual practitioners are 'doing their best' some young people may experience discontinuity and a fragmented service.</p>
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Appendix 3: References

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Appendix 4: Statement of purpose and code of practice

Statement of Purpose

HMI Probation is an independent Inspectorate, funded by the Ministry of Justice and reports directly to the Secretary of State. Our purpose is to:

- report to the Secretary of State on the effectiveness of work with adults, children and young people who have offended aimed at reducing reoffending and protecting the public, whoever undertakes this work under the auspices of the National Offender Management Service or the Youth Justice Board
- report on the effectiveness of the arrangements for this work, working with other Inspectorates as necessary
- contribute to improved performance by the organisations whose work we inspect
- contribute to sound policy and effective service delivery, especially in public protection, by providing advice and disseminating good practice, based on inspection findings, to Ministers, officials, managers and practitioners
- promote actively race equality and wider diversity issues, especially in the organisations whose work we inspect
- contribute to the overall effectiveness of the criminal justice system, particularly through joint work with other Inspectorates.

Code of Practice

HMI Probation aims to achieve its purpose by:

- working in an honest, professional, fair and polite way
- reporting and publishing inspection findings and recommendations for improvement in good time and to a good standard
- promoting race equality and wider attention to diversity in all aspects of our work, including within our own employment practices and organisational processes
- for the organisations whose work we are inspecting, keeping to a minimum the amount of extra work arising as a result of the inspection process.

The Inspectorate is a public body. Anyone who wishes to comment on an inspection, a report or any other matter falling within its remit should write to:

*HM Chief Inspector of Probation
6th Floor, Trafford House
Chester Road, Stretford
Manchester M32 0RS*

<http://justice.gov.uk/about/hmi-probation>

