



**Helping children in care to thrive**

## **Independent Review into Self-Inflicted Deaths in NOMS Custody of 18-24 year olds**

**Chloe Cockett, Policy and Research Advisor**

020 7017 8908; [chloe.cockett@thewhocarestrust.org.uk](mailto:chloe.cockett@thewhocarestrust.org.uk)

### **About The Who Cares? Trust**

The Who Cares? Trust is a voice and a champion for children and young people in the UK living in care.

- We inform and support thousands of children in care through our magazines and publications designed specifically for them.
- We influence improvements in policy and practice by ensuring the views and experiences of children in care are heard at the highest level.
- We provide support materials for foster carers, local authorities and other professionals responsible for their welfare and education.
- We develop innovative, collaborative projects which pilot new ways of working, disseminate best practice and encourage more joined up working across the care system.

### **Summary**

Our response is based on our existing knowledge and supplemented by conversations with professionals who have been involved in supporting care leavers in NOMS (National Offender Management Service) custody. We welcome this inquiry and its focus on the general issue of vulnerability rather than solely self-inflicted deaths in custody. We think that in order to prevent such deaths, the focus should be on supporting all vulnerable young prisoners to ensure that they do not become so vulnerable that they are at risk of self-inflicted death.

Care leavers are a particularly vulnerable group of young people due to their own prior experiences; their life in care and also their care leaver status. Their situation as care leavers can often compound existing vulnerabilities and put them at risk of developing further vulnerabilities, which can in turn put them at risk of harm.

## Response to independent review

### **Question 1: How would you define 'vulnerability' in terms of a young person (under 24 years) who is in NOMS custody? What factors in their previous experiences are most likely to increase their vulnerability?**

Young people in NOMS custody are vulnerable because they are young people, and being in custody and the risks associated with this can make them additionally vulnerable. While they may not currently be prone to becoming vulnerable, they may be at risk of becoming vulnerable quickly. Care leavers are particularly vulnerable (when we use the term care leavers we include all categories of care leavers under the Children Act 1989 and any young person who has been in care at some point in their lives). They are particularly vulnerable because of past experiences of trauma and potentially abuse and neglect in their childhoods, but also their potential present experiences that are exacerbated by their care experience, or these prior experiences may lead them to respond negatively in certain situations, for example in relation to people in positions of authority or when faced with aggression.

They are highly likely to have experienced trauma in their childhoods, which has an impact on their experiences as children and adolescents. They are highly likely to have mental health needs (60% of looked after children have emotional or mental health problems<sup>1</sup>), and yet often report being unable to access CAMHs services. Care leavers are more likely to not be in education, employment or training (NEET) at 19, which can impact on the vulnerability both before and after entering NOMS custody. They are more likely to be homeless or living in 'unsuitable' accommodation or committing suicide as an adult. Young people from care are also likely to lack traditional support networks, which not only affects their experience while in custody but also on release.

Children in care in custody are likely to report problems on arrival in custody, and care leavers are likely to be no different. In a study in 2011, children in care were more likely than other children to report problems with drugs (40%) and alcohol (18%) and were more likely to report having mental health issues (29%) on arrival in custody.<sup>2</sup>

Having few or no visitors can make young people vulnerable, as it can make them a target for other prisoners, but also because it means that they have a limited support network, which can make them feel lonely and isolated. We have heard that having no or few visitors can send the message to other young people in custody that if something happens to them, they've got no one to tell and so care leavers become a target for other prisoners.

Young people can feel isolated without a support network and regular visits. They can lose touch with their friends and family and feel increasingly distant from their local area. We have heard that a long sentence can mean that young people can forget what the area that they live in is like, and in one instance a young person relied on a worker updating him on new buildings and changes to shops. Having few or no visitors can often be the case for care leavers who may not have family to

---

<sup>1</sup> NICE public health guidance (updated 2013), Looked-after children and young people in England  
<http://publications.nice.org.uk/looked-after-children-and-young-people-ph28/context>

<sup>2</sup> <http://dera.ioe.ac.uk/3657/2/looked-after-children-2011.pdf>

visit, and who may not have regular visits from their personal advisers. We heard of one area where personal advisers were visiting young people twice in the first seven days, meaning that they only then carried out one more visit that year; however this practice has since changed in this particular area.

Young people can be targeted in prison if they are seen to have few clothes or to be wearing prison issue trainers, but care leavers may not have the support networks to bring clothes and trainers to prison for them. Care leavers may also be financially vulnerable, which can then impact on their ability to contact friends and families or to have non-prison issue trainers to wear (buying stamps, making phone calls, using money to pay for access to television in cells). Young people who were not receiving financial support said that they could not always afford to make phone calls and so they were missing out on a vital connection to the outside world. Continuing connections to the world outside and continuation of supportive relationships has been shown to be crucial to reintegration and to reducing reoffending.

#### **Question 4: How can vulnerability be better identified in custody in terms of:**

##### **xiii Other**

When identifying vulnerability, their care leaver status should be identified in order to ensure that relevant people and services are aware that the care leaver is in custody, but also to highlight to staff that the young offender may have vulnerabilities which are linked to their care leaver status, as outlined in our response to question one.

In addition, while location/distance from home is identified as a category of vulnerability, there also needs to be consideration made to the support network that the young person has. Some care leavers have no family and a limited social network who may keep in contact and be able to visit. It should therefore not be assumed that because a young person is in an institution close to home, they will be well supported by those outside.

Vulnerability can be better identified through training or having an understanding of the different vulnerabilities of young people. In particular, staff would be able to better identify vulnerability through training or an understanding of the effects of childhood trauma and attachment difficulties.

#### **Question 6: Do attitudes and behaviour contribute to vulnerability; staff/staff, staff/prisoner and prisoner/prisoner?**

Children in care and care leavers say that relationships are key to a positive experience. Care leavers are likely to have experienced fractured relationships in their past and may find it hard to engage with others as they are older. This should be recognised by staff and support put in place to help care leavers build positive relationships by staff who are supportive.

Being unable to form positive relationships with both staff and prisoners can lead to loneliness, isolation, and increase vulnerability.

We have also heard of young people being targeted by other prisoners during their time in prison, either because they are wearing prison-issue trainers, they don't receive visitors, their visitors are seen to be unkempt or with visible additional needs (for example a learning difficulty or disability or substance misuse problems). Young people can be targeted for things that are often things that are beyond their control as care leavers. Trying to avoid being targeted by other young people by refusing visits from family can then leave young people open to other risks of vulnerability such as loneliness and a poor support network when they are released.

**Question 8: How can information sharing be improved to meet the needs of young people more effectively, in terms of:**

**iii from external agencies?**

We don't know enough about how information is shared, but we recognise the importance of sharing information with the right people. It is important, right at the beginning of the young person's custody journey to establish professionals who are working with the young person, particularly where they are a care leaver who is being supported by the local authority by a personal adviser. They may also be living in supported accommodation and have a key worker, or may be involved in other supported projects. This is important for a number of reasons. It will help the institution to meet the young person's needs as it might identify support that the young person requires that they haven't disclosed. It also informs the other professionals and agencies about where the young person has gone, and gives the opportunity for ongoing support while the young person is in custody (for example through visits or letters). Providing information to the other agencies will help support a smooth transition upon release and ensure that all statutory agencies are meeting their duties and providing appropriate support.

**Question 18: When a young person is remanded or sentenced to custody, what issues should be taken into account in terms of initial allocation into an institution, and any subsequent transfers to minimise risk of self-harm and self-inflicted death?**

When a young person is remanded or sentenced to custody, any initial allocation and subsequent transfers should take into account the young person's support network, both professional and personal. Personal adviser (and other professional) visits should be encouraged, to be above and beyond the statutory requirements, and that is best facilitated with minimal travel time. Similarly, friends of the young person may not have the disposable income to travel very far to visit, and the benefits of regular visits from both professionals and family and friends should be considered when making decisions about allocation and transfers.

Upon release, young people will require a support network to reduce the risk of re-offending and to help them rehabilitate into everyday life. Without help to ensure that existing support is maintained, it will be more difficult for this to happen well and effectively.

**Question 28: Are staff trained and prepared effectively for working with vulnerable young people?**

We don't know how well trained and prepared staff are, however caring for vulnerable young people is a complex role that requires well supported staff who are patient, empathetic and supportive. It's unrealistic to expect that staff are well trained in every vulnerability that young people may have, but we would like to be sure that all staff working with young people in custody are aware of some of the particular vulnerabilities that care leavers may have, and that each institution has an individual who is fully aware of the needs of care leavers and the responsibilities of the local authority and ensuring that this is carried out.

Given that there is a high proportion of prison population that is care experienced (according to a 2011 report between a quarter and half of 15-18 year olds have been in care at some point, although that is likely to be an underestimate<sup>3</sup>), staff should be trained to understand their background and potential needs. We would like to see them trained or have an understanding of the effects of childhood trauma and attachment difficulties?

We also recognise that caring for vulnerable young people can be emotionally difficult and we think that staff who work with them should have access to regular and high quality supervision and support.

**Question 33: How might the arrangements around family and support network contact be improved to:**

**i. Support vulnerable young people**

Arrangements around family and support network contact can be improved by being as flexible and accommodating as possible of individual circumstances. We have heard of one institution supporting a vulnerable young person by enabling him to have a monthly video link up with his brother who was a strong support for him, but in custody in another institution. This widened the young person's support network, as the brother was able to contact the young person's participation worker from their local authority when he thought that his brother was particularly vulnerable.

We heard of support to get a fixed landline in a young person's grandmother's home, as she only had a mobile phone and this was expensive for the young person to keep calling.

We have also heard of one children in care council who managed to make changes so that young people should get a minimum of six visits a year when in custody, rather than the statutory three for care leavers.

**Additional comments:**

Young people can be vulnerable when they leave custody, and therefore it is important that this is recognised and support put in place to make sure that the period of time leading up to them leaving does not increase their vulnerability. Care leavers can be particularly vulnerable upon their release due to circumstances linked to their care leaver status. They are unlikely to be collected from custody upon release and may not know where they are or how to travel home. We heard about a

---

<sup>3</sup> <http://www.prisonreformtrust.org.uk/Portals/0/Documents/caresteppingstonetocustody.pdf>

young care leaver who upon release took over four hours to travel what should have been a one and a half hour journey by public transport.

The peak age of offending is 19, with 18-25 year olds representing one third of prison population. At 19, a young person is still a developing adolescent and at this age, a young person who is care experienced will be leaving care and support from their local authority dropping off. This makes them vulnerable, both before, during and after custody.

Care leavers may also lose their housing tenancy when they go into prison. They can often be considered to have made themselves voluntarily homeless, and the local authority then does not have to house them. Many care leavers have to declare themselves homeless upon release. The anxiety of not knowing where you are going to live can cause huge amounts of stress and worry. Young people may also be concerned about storing their property while in custody, or have concerns for family members who they may struggle to keep in touch with.

Probation services do not have to find young people accommodation, and so it can be difficult for care leavers to leave prison early on probation. Although our evidence is anecdotal, we hear that care leavers often remain in prison longer than other young people because of a lack of suitable housing for them to live in on probation.