



MoJ ref: 65699

26<sup>\*</sup> February 2019

Dear All,

### **MEDWAY SECURE TRAINING CENTRE/ SECURE SCHOOL**

Thank you for your letter of 5<sup>th</sup> February setting out your concerns in relation to Medway Secure Training Centre (STC). I am also responding on behalf of Minister Zahawi, as I am the Minister responsible for youth justice. I want to start by reassuring you that the safety and welfare of children in custody is an absolute priority for me and for this Department. The Ministry of Justice (MOJ) and Youth Custody Service (YCS) have considered the Medway Serious Case Review (SCR) report in detail and provided an initial action plan in response to the recommendations made. Officials are now taking forward the actions and will provide an update on progress in line with timescales set by the Local Safeguarding Children's Board (LSCB). We are also already addressing the recommendations of the recent Ofsted inspection.

#### **Safeguarding**

There are multiple ways for children and young people to report concerns whilst in custody, though I acknowledge that some issues still exist. The YCS are conducting an internal safeguarding review, to ensure that good safeguarding practices are in place. The YCS will fully consider recommendations from their safeguarding review upon its expected completion in summer 2019. In addition to raising concerns within an establishment, children can make confidential complaints to the YCS directly. Any complaint raised with an establishment or with the YCS that relates to safeguarding or child protection must be referred to the Local Authority Designated Officer (LADO); should the LADO decide that no further action is required, the establishment or YCS will still investigate this as a complaint. Children in custody also have the right to complain to the Prisons and Probation Ombudsman (PPO).

The MoJ also contracts Independent Children's Rights and Advocacy Services (ICRAS) across STCs and Young Offender Institutions (YOIs) to act as an independent voice to listen and to represent children in custody. The MOJ, YCS and Youth Justice Board (YJB) consider that provision of ICRAS, delivered by Barnardo's, is of critical importance in helping to safeguard and protect children in custody.

#### **Youth Custody Reform**

As we have acknowledged in our response to the SCR and Ofsted inspection reports, there is much we can, and must continue to do to improve provision both at Medway STC and across the youth secure estate. While I was pleased to note the acknowledgement in the Ofsted report that staff at Medway have continued to improve outcomes for children since the previous inspection, further work is still needed. This is why we have an extensive programme of reform underway, a key element of which is investment in staff who work in the youth secure estate.

Most officers at Medway STC are now trained to deliver the Custody Support Plan (CuSP) – an evidence based care planning approach for all young people in custody, that operates on the assumption challenging behaviour is a manifestation of unmet needs – and are working on a weekly basis with each

child to address their concerns and build trust through techniques based in motivational interviewing. Early findings indicate that CuSP is working well, enabling children in custody to develop healthy, positive and trusting relationships with staff.

We are introducing a new Youth Justice Specialist role and providing funding for every Prison Officer in the Youth Custody Service to undertake a qualification that helps them build their knowledge of the causes and contexts of youth offending and the guides them in the effective practice skills, such as safeguarding and assessments, required to undertake this new role. Over 300 frontline staff have already been enrolled, including 68 staff from Medway.

Training on Adverse Childhood Experiences (ACEs) is included in the SECURE STAIRS<sup>1</sup> model currently being rolled out across Medway and Rainsbrook STCs, and forms a key part of the new Prison Officer Entry Level Training (POELT) set to be delivered to all staff across the youth secure estate by March 2021.

Furthermore, training on tackling Child Sex Exploitation is being sourced for staff at Medway STC from local authority providers and all staff across different agencies working at the Centre have also received dedicated training on the statutory role of the LADO. The YCS is also implementing a conflict resolution strategy across the estate that applies restorative justice principles to resolve conflict between children.

### **Use of restraint at Medway STC**

Restraint used for acts of non-compliance is not permitted in secure training centres, and pain-inducing techniques should only ever be used to prevent serious or significant harm (for example to prevent a restraint from becoming dangerously prolonged) and never as a punishment or to gain compliance. Medway STC has a policy in place to manage such acts of non-compliance, which has been reviewed since the most recent Ofsted inspection to ensure it is in line with national policy and STC Rules. Each restraint at Medway STC is subject to scrutiny and review and the centre holds weekly restraint minimisation meetings that independent external agencies, including the Local Authority, attend.

More widely, I have asked Charlie Taylor – independent of his role as Chair of the Youth Justice Board (YJB) – to review our policy in relation to pain-inducing techniques to ensure that it remains appropriate for the entire youth estate and in line with the latest research. The review will consider the use of these techniques on those under the age of 18 years in YOIs and STCs, and will look at situations where children are under secure escort, including journeys to Secure Children's Homes (SCHs) and to courts. Charlie is visiting establishments in the secure estate, including Medway STC, and seeking the views of a range of interested parties with relevant views on this subject, including the children we care for. Charlie will also seek evidence from medical experts and other professionals. I anticipate that his findings and recommendations will be presented to me this summer.

### **Advocacy and Restraint**

The SCR misreports that the previous YJB contract for Advocacy Services "did not allow Barnardo's to independently contact the LADO." Barnardo's were, and remain, duty-bound to report child protection concerns to the local authority under the statutory guidance *Working Together to Safeguard Children*.

The contract at the time did not explicitly set out that allegations against staff working with children were to be referred to the local authority, but it did not prohibit this. Indeed, it clearly set out that the Advocacy Service Provider "comply with relevant statutory guidance in relation to child protection and

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<sup>1</sup> SECURE STAIRS is an NHS England-led project being delivered in partnership with the MoJ, YCS, YJB and the DfE, which aims to support trauma-informed care and evidence-based, whole-system approaches to creating change for young people within the youth secure estate. Day-to-day staff are central to the intervention, as the model recognises these relationships as a primary agent for change for young people in secure settings.

Safeguarding,” as well as requiring them to, “ensure that all staff are trained as minimum in the following areas... [that include] child protection, safeguarding and looked after children.”<sup>2</sup>

The contract reinforced that, as for any other professional visiting a youth secure establishment, where advocates were made aware of a child protection concern they should ensure the local safeguarding team were aware and that a referral had been made. Where an establishment’s response did not satisfy Barnardo’s, they were (and remain) able to make an independent referral themselves.

In response to the Independent Restraint Advisory Panel (2014) recommendation to ensure a child’s perspective is properly considered after every incident of restraint, the YJB (with responsibility at the time) commissioned a service change requiring advocates to offer support to children within 24 hours of being notified of any episode of physical restraint. What the YJB found, however, was that children routinely told Barnardo’s that they did not want or need the advocate there. Subsequent changes to the contract (from April 2017) were made to further help children make an informed choice. Advocates are now required to offer any child in an STC or YOI to attend the debrief after a first restraint there. In this way, the child is better placed to make an informed decision about whether they require advocacy support should they be subsequently restrained.

It is worth stating that Barnardo’s continues to see every child in an STC or YOI as part of their induction and to deliver rights sessions, providing access to expert advice on their rights for complex issues.

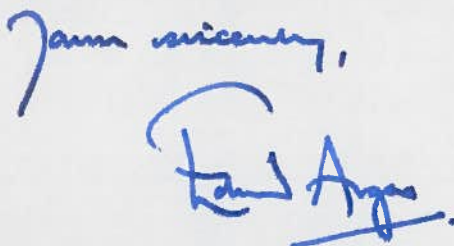
### **Future of the youth secure estate**

The decision to close Medway STC and reopen it as the first secure school will establish this much-needed new approach as quickly and cost-effectively as possible. In choosing the site for the first secure school, we made a careful assessment of demand and undertook a thorough analysis of a range of potential sites: Medway STC stood out for several reasons – including location, our ownership of the site and the absence of any need to go through a potentially protracted and expensive planning application.

We will be investing c.£5m on infrastructure improvement, to bring it more in line with the therapeutic environment envisioned for secure schools, where the ethos and practice of schools can be combined with the structure and support of secure children’s homes. We will improve classrooms, communal and residential areas, sports facilities and outside areas.

The secure school model is an entirely new approach, one of the key aims of which is to introduce new providers into the youth custody sector. An essential part of the model is allowing providers the autonomy to develop their own staffing structures, and we want to see them deliver a new culture and ethos. We launched the provider application window for the first secure school in October 2018 and aim to appoint a provider this spring.

I hope this provides you with assurance that we have taken, and continue to take, direct and positive action to continually improve services to children both at Medway and across the youth secure estate.



**EDWARD ARGAR MP**

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<sup>2</sup> Schedule 1, Authority’s Requirements, YJB contract for Advocacy Services (2013–2016).