

Corporate Parenting Board

Under revised legislation (Legal Aid, Sentencing and Punishment of Offenders Act 2012 – LASPO) all young people (up to age 18) who are remanded into the care of Local Authority or into custody automatically acquire Looked After Status for the period of remand.

In practice, the Looked After status ends once the young persons' remand episode ends, by way of sentence or No Further Action.

The Local Authority may wish to retain the Looked After Child (LAC) status if it is deemed the young persons needs dictate this.

A query has been raised regarding the numbers of young people with LAC status who receive a custodial sentence. In summary:

- Data shows more young people became Looked After due to a criminal remand route and only two of the 9 young people who received a custodial sentence were LAC at point of sentencing.
- HYOT's custodial figures remain low, and the latest position collated from YJB data (Jan 15 - Dec 15) shows Harrow is the 3rd lowest in its group of YOTs and is lower than National average.

The below is a breakdown of young people known to Harrow who received a custodial remand or custodial sentence between April 2015 and April 2016.

Remand cases: (Young People who have not been convicted of an offence)

- Number of Remand episodes =10
- Number of young people = 9 (1 YP was remanded on two separate occasions)
- Number of young people who became Looked After due to criminal remand process = 4
- Number of young people who had looked after status at point of remand to custody = 2
- Number of young people who had 1 or more previous Looked After episodes prior to remand (but not at point of remand) = 3

Custodial sentence: (Young people found or pleaded guilty and receive a custodial sentence)

- Number of young people receiving a custodial sentence = 9
- Number of young people who were LAC at point of receiving custodial sentence = 2
- Number of young people with previous LAC episodes (but not due to remand and not at point of sentence) = 2

The remaining 5 young people who received a custodial sentence did not have any LAC status either before or at point of sentence.

Research has continuously demonstrated that those involved with the care system are more likely to offend, and become "repeat offenders", as a result they are more likely to end up in custody.

An independent review chaired by Lord Laming, established by Prison Reform Trust in 2016, highlighted the following:

"...Around half of the 1,000 children currently in custody in England and Wales have experience of the care system. This is despite fewer than 1% of all children in England, and 2% of those in Wales, being in care.."

"...94% of looked after children in England and Wales do not get into trouble with the law..."

“...Nonetheless, children in care are significantly over represented in the criminal justice system and in custody, where many have a particularly poor experience...”

“...Children in care who are at risk of offending need consistent emotional and practical support From their carers and other professionals and are likely to be especially vulnerable when they leave care..”

The picture for Harrow is not dissimilar to the National picture in terms of repeat offending.

HYOT ensure where a young person is looked after, social worker and YOT practitioner combine resources and a joint approach to working with the young person is established.

This has often included creative bail packages being put forward to the court and ensuring all reports provided to the court regarding the young person clearly document welfare needs to ensure the courts are not further criminalising young people for what may be a welfare need linked to offending.

In addition when an incident occurs within a care-home placement, we encourage the placement provider to manage the behaviours by way of restorative approaches where appropriate rather than police and criminal processes.

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20.06.16*