

CORPORATE PARENTING BOARD

11 JULY 2011

Offending by Children and Young People Living in Children's Homes

Report of the Executive Director Children's Services

STRATEGIC PRIORITIES: Safe City

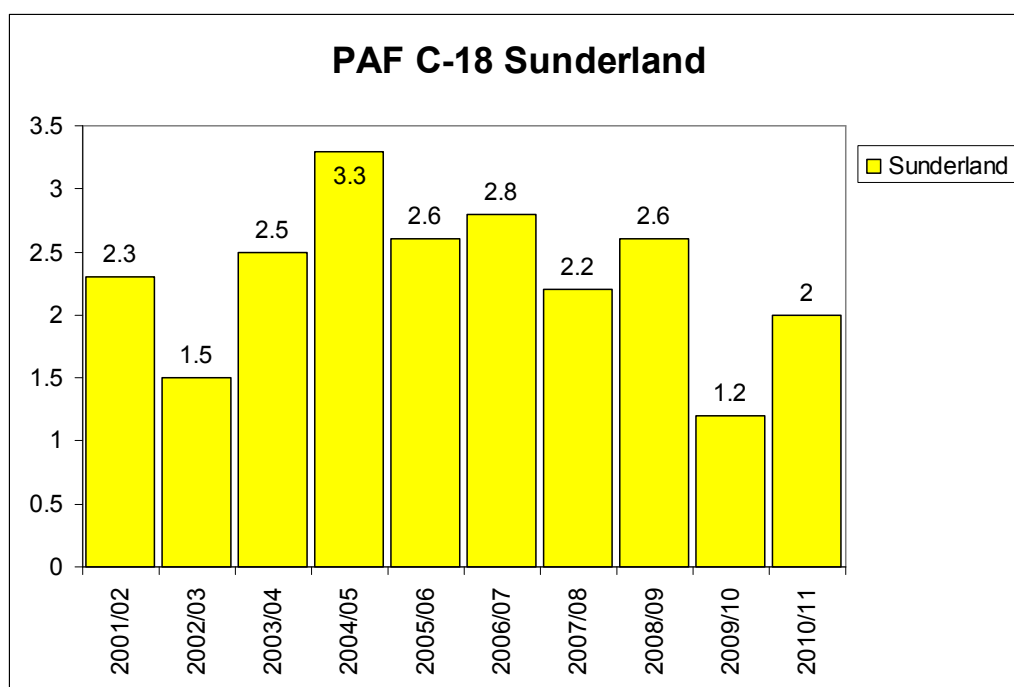
CORPORATE IMPROVEMENT: Delivering Customer Focused Services

1. Purpose

- 1.1 The purpose of this report is to provide the Corporate Parenting Board with an up to date analysis of the numbers and causes of young people offending in children's homes.

2 National Performance Indicators

- 2.1 The trend of all Sunderland children looked after who offend, since 2001, is shown below. The performance indicator is expressed as the ratio of the percentage of children who have been looked after for a year or more and been convicted of an offence or received a final warning or reprimand, compared with the percentage of children in the overall population who have offended. In other words, a ratio of two means that a looked after child, on average, is twice as likely to offend as any other child in the community. There was a significant reduction last year, with the ratio standing at 1:1.2. However in 2010/2011 the performance fell to 1:2.0 (it should be noted however that this figure has not yet been validated and is therefore provisional).



- 2.2 In the 11 months from April 2010 to March 2011, there were 67 police arrests of children living in the homes. Arrests can result from a number of scenarios. An arrest may be the outcome when behaviour within the home is reported by members of staff or other children, offences may be reported by teachers in school, or by members of the public (including shop staff for offences such as shoplifting), or family members. A number of arrests are as the result of direct intervention by police, for example when a police officer witnesses a child drunk and disorderly in the community. The table below shows the breakdown of arrests:

Offence reported by-	Staff in the home	Children in the home	Teachers	Police	Members of the public	Family members
	31	4	3	10	15	4

- 2.3 Analysis of the 32 arrests resulting from staff calls to police is shown below:

Child's behaviour	Possession of drugs	Violence	Breach of court order	Theft	Criminal damage
	3	12	5	4	8

Of the six arrests for criminal damage, two were for children slashing tyres of staff cars, and six for damaging the fabric of the home.

- 2.4 An analysis has also been undertaken of the offending careers of all looked after children to test the hypothesis that coming into care criminalises children. In the eight years from 2003 to 2011, 931 children became looked after. Because of the time delay between

committing an offence and conviction, it is difficult to give entirely accurate figures, but the best estimate is that, of those children who had been convicted, 28% committed the offence after coming into care whilst 72% had an offending history before becoming looked after. Moreover, we know that one of the common contributory factors for children coming into care is chaotic or anti-social behaviour which may not have resulted in criminal charges (eg if the child is under 10 years of age), so the precursors for offending behaviour are often already present prior to admission.

- 2.5 There is some anecdotal evidence that becoming looked after can be a protective factor – ie some children who were prolific offenders actually reduce their offending rate once they become looked after.

3 Practice in the homes

- 3.1 There is policy and procedures for children's homes staff about how to manage and deal with challenging behaviour. The overarching principle is that staff should manage negative and potentially criminal behaviour in-house, and only call police to an incident in certain circumstances:
- when there is imminent risk of significant harm to a person and only the intervention of police could prevent this;
 - when there is imminent risk of significant damage to property;
 - when a serious offence has been committed; or
 - when a child is in breach of court, police bail or ISSP conditions
- 3.2 Staff and children in the homes, as individual citizens, also have the right to call the police if an offence has been committed against them. Staff are required to consult with their manager beforehand but still have the right to involve police if they wish to do so when they have suffered harm or their property has been damaged or stolen.
- 3.3 In dealing with behaviour which might otherwise lead to police involvement, staff use a restorative justice approach. This may entail, for example, bringing the perpetrator and victim together to agree a reparation package. This may be financial, for example paying recompense for the victim's property which has been damaged, or simply an apology for hurtful or bullying behaviour. Over the last few years, all homes staff have been trained in Holding the Space – a programme which develops empathy and respect for others within group settings and enables group solutions for problem resolution. This has resulted in a culture being developed where disputes can be resolved quickly and to the satisfaction of victims, thus obviating the need for police involvement.
- 3.4 Many incidents of child on child offences are the result of bullying. The homes have worked hard over the past few years to establish a no bullying culture using the Anti-Bullying Charter Mark programme. **Two of the homes have already reached gold standard**, and others are working towards this.

- 3.5 A significant number of incidents leading to arrest are the result of the child or young person being under the influence of alcohol or substances. The homes work closely with the Youth Drug and Alcohol Project (YDAP) within the Youth Offending Service to address this issue.
- 3.6 Each children's home keeps a detailed record of each incident leading to the involvement of police – the behaviour that led to the police being involvement, who called the police, the outcome, and whether any alternative means for dealing with the incident could have been used. This information is collated on a monthly basis by the Children's Homes Service Manager and reported to the Children Looked After Offending Group (see 5).
- 3.7 It sometimes happens that staff call police to deal with a serious incident where the charge that results from police intervention does not reflect the seriousness of the original incident. For example, several children may return to the home under the influence of substances, and begin running round, damaging property and intimidating other children in the home. If the staff are unable to control the situation and reduce the risk of harm to the other children they may have to call the police. When the police arrive, they may arrest one of the children in order to calm the situation. What may happen is that the child is charged, not with violent disorder or similar, but with a specimen offence witnessed by the police officer, such as criminal damage to an item of furniture. When the case eventually comes to court, it is therefore important that the magistrates are made aware of the full context of the incident, the circumstances of the child, and any other information which would assist the magistrates' understanding of the charge.

4 Case studies

- 4.1 Three case studies are attached as appendices.

5 Management and multi agency working

- 5.1 The Children Looked After Offending Operational Group meets bi monthly. It is a multi-agency meeting chaired by the Services for Looked After Children Manager and has representation from the children's homes, fostering service, case management, leaving care, health (psychologist for looked after children), police, Youth Drug and Alcohol Project, Youth Offending Service, independent reviewing officers, and performance team. Its remit is to monitor trends in offending of looked after children and to promote ways of reducing the incidence of offending.
- 5.2 The group has an action plan which is monitored by the Safeguarding Service Improvement Board (chaired by the Head of Safeguarding). Actions for this year include:

- More targeted interventions with respect to substance and alcohol misuse
- Ensuring that children's homes, the children's social work service and the Youth Offending Service work together to ensure that when a child appears at court they are appropriately supported and that the court has full information relating to the offence
- Developing restorative justice approaches in schools

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Appendix 1

Child L

Child L is now 18 years old. He became looked after in 2002 at the age of 9. Initial foster placements were not successful due to L's behaviour and he was admitted to a children's home in 2004. His stay in this home was characterised by demanding and challenging behaviour, involving verbal and physical aggression to other children and staff. Increasingly, as L grew up, the staff found themselves unable to safely control L's outbursts by any other means than involving police. By early 2009, L had built up a substantial record of court appearances and convictions and it was agreed to try and break this cycle of behaviour by moving L to another home. It was felt that the particular ethos of this home, with its emphasis on adventurous activities, would be more effective in managing L's behaviour. During his time there, some 20 months, L was arrested as a result of behaviour within the home only twice, a significant improvement on his previous residential placement. In October 2010 at the age of 18 he made a successful transition into supported accommodation.

Account by the manager of the children's home:

We are a long term care provision where the staff team are tasked on a daily basis to create a stable, caring, homely environment.

L arrived after an appearance in court where it was highly likely that he would receive a custodial sentence due to the levels of violent and aggressive behaviour he had displayed in his previous placement. It was clear that we needed to establish an immediate set of boundaries around L in order to curtail the behaviour patterns he had been forming elsewhere. It was also suggested that L received some form of gratification each time he was physically restrained.

Our philosophy has always been to avoid physical restraint at all times. We also believe that a calm demeanour on the part of staff facing extreme aggression will give young people an image that staff are confident in their role and able to take control of a situation. Each time L asked about restraints he was informed by everyone that we would not use restraint on him and that we prefer to talk about issues rather than fight about them.

With L in particular I believe we have successfully changed his views and beliefs that challenging behaviour will result in or initiate either a physical intervention or an arrest in order to achieve personal attention, albeit in a negative self-destructive manner.

Over time, we have used our approach of rewarding positive behaviour rather than punishing negative behaviour to emphasise the benefits of positive interactions. Responding to his appropriate acceptable behaviour by arranging positive, enjoyable activities (affording L the opportunity to spend quality time with staff of his choice on activities or outings of his choosing) has begun to reshape and influence his thought processes.

Appendix 2

Child N

N had stolen money and goods from the family home, bullied her adoptive brother, and frequently made threats of physical violence towards both mother and father, to the point where they refused to have N back in the family home. N had also made allegations of physical abuse in the family home and had self harmed. In addition, N was placing herself at risk by running away from the family home on a regular basis and being missing for long periods of time. She was known to be sexually active with much older males. On numerous occasions N was returned to the family home by the police under the influence of alcohol or an unknown substance. She was a chronic non school attender.

Following the decision to make N looked after, she was admitted to a children's home.

Account by the manager of the children's home:

On admission, N was introduced via our children's guide and induction paperwork to our anti-bullying policy. Risk assessments were quickly drawn up in an effort to identify risky behaviour and develop strategies to minimise the risks. Assessment showed that N was developing her self awareness and more mature views of offending. Possible sanctions (eg not to be able to use the young people's computer for that evening) were discussed and developed in order to adjust, through learning, N's bullying behaviour. Work was also planned in 1-1 sessions around victim awareness and empathy. An individual crisis management action plan (ICMP) was drawn up in order to enable N to deal with stressful situations more productively, allow staff members to recognise when N was nearing crisis point, implement behaviour management techniques, and conduct life space interviews after incidents have occurred in order to help N reflect on her behaviour and plan alternative ways of dealing with stress in the future.

N engaged in work sessions with her linkworker focusing on identified areas of her work plan and developed relationships with staff and peers that were positive, meaningful and safe. There were four incidents of bullying involving N following her admission. These were dealt with via restorative justice meetings which identified the need for continuing work on victim awareness and empathy, including a letter of apology to the victim. Sanctions were also imposed, including the payment of financial restitution to the victim and doing extra household tasks

Other strategies implemented included the development of partnership working with N's school, raising of health awareness in 1-1 sessions, and specific counselling on sexual health and contraception.

On admission to the home, N was subject to a four month referral order as a result of burglary of her grandmother's house. She completed ten hours

reparation which she attended every Saturday and attended all her planned sessions with YOS. She also attended a programme of YDAP appointments to address her substance misuse which was completed in full.

During her placement N had no further involvement with police, her school attendance improved dramatically, and her misuse of substances also reduced significantly. N re-established contact with mother and father and other family members. She made a successful transition to living independently.

Appendix 3

Child P

Background:

- First serious offences - causing danger to road users (throwing rocks at cars from motorway bridge)
- Serious offending behaviour continued including arson
- Crown Court appearance - given 2-year supervision order with 3-month curfew. Judge requested quarterly reports from ISSP worker due to the seriousness of offences.

Programme of support/intervention:

- ISSP programme started with electronic tagging to enforce a curfew
- A multi-agency meeting was held - direct work was carried out regarding fire safety, and support was given to staff regarding assessing risk.
- A change of placement was made.
- Contact with family was re-assessed as they moved closer to the home. Contact became less structured, reducing stress, anxiety and the risk of breaching curfew.
- A plan of support from within the home was agreed before admission, to role model effectively, support the child to join the established positive culture at the home and allow time for the child to express himself in a safe environment.
- A workable risk assessment has been achieved through multi-agency approach.
- Has created a safe network to ensure tasks are met, by good liaison between children's home, family, school, and YOS/ISSP worker.

Outcomes:

- P has not been involved in any serious offending since admission to the home
- Improved school attendance, attending 100% in most months with positive feedback from tutors.
- Has developed self-awareness and appropriate views of offending behaviour.
- Has attended all YOS appointments and ISSP timetabled work, in a way that has been as self-managing as possible.
- Has engaged in work sessions with linkworker focusing on targeted areas of care plan.
- Has developed relationships with staff, peers and family that are positive, meaningful and safe.
- Has become a mature young man who has become as self-managing as possible and now sees himself as a non-offender. With the added responsibility of becoming a father within the next couple of months, he is focused on providing a safe and secure future for his child and partner.
- Closer connections between family members, allowing P to return to the family home at age 16.

